

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES - DECEMBER 4, 2000

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on December 4, 2000. Chairman Hackman called the meeting to order at 7:40 p.m. noting that the Board had been meeting in Executive Session since 6:00 p.m. to discuss legal and personnel matters and to conduct interviews.

Those present:

Board of Supervisors: Wesley Hackman, Chairman
Frank Fazzalore, Vice Chairman
Scott Fegley, Secretary/Treasurer
Fred Allan, Supervisor
Grace Godshalk, Supervisor

Others: Terry Fedorchak, Township Manager
Jeffrey Garton, Township Solicitor
Duke Doherty, Township Engineer
Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Mr. Leo Cohen asked if a Senior Citizen Center was voted down. Mr. Hackman stated two proposals were put out to a Referendum, one for a building that would have a Senior Citizen Center and a Performing Arts Center, and the second was for an expanded building that would have also included a gym. Both of those were voted down. A stand-alone Senior Citizen Center has never been put before the public. Mr. Cohen stated he read in the newspaper that the Board of Supervisors is considering proceeding with a Senior Citizen Center without the approval of the community. Mr. Hackman stated the Board was not required to go out for a Referendum for the other two proposals but did vote to do so. He added the Board of Supervisors does have the authority to proceed on the construction of buildings. Mr. Hackman stated he does not feel voting down the prior Referenda has diminished the need for a Senior Citizen Center. He stated there are over 500 members of that group, and they need their own place to meet. He stated most communities in the area do have a Senior Citizen Center. He stated currently they are using the Township Building, and at some times it is very difficult to conduct regular business when the Seniors are meeting in the building. He noted the Board of Supervisors is trying to determine some way to accommodate the Seniors.

Mr. Fazzalore stated the two prior votes were for a Community Center. The Senior Citizens were going to be able to use a portion of those buildings. What is now being considered is a Senior Citizen Center alone, and he feels they deserve to have their own place to meet. Mr. Fegley stated the reason he insisted upon a Referendum was because new construction would have meant a tax increase for all taxpayers. The Board is now looking into alternatives which would fit the Senior Citizens into an existing facility. He feels that before the Board of Supervisors spends any more money to develop North Park, they should try to resolve the Senior Citizen Center problem first. He feels finding space within an existing facility can be accomplished without a tax increase.

DISCUSSION OF I-95/ROUTE 332 INTERCHANGE INTERSECTION

Mr. Andrew Warren, PennDOT District Administrator, was present with Mr. Pat Dougherty, Ms. Deborah Nemiroff, and Mr. Tim O'Brien. Mr. Warren stated the Township and PennDOT have been discussing for a number of years improvements to this intersection. They are present tonight with representatives from the design team to discuss what has taken place since they last appeared before the Board of Supervisors. They will also discuss what the design time and construction time would be assuming approval of the project. Mr. Warren stated since the Township and the State have been discussing this matter, PennDOT sees a potential ramp as a major safety improvement since anyone wishing to go north on I-95 coming from the college area would be able to safely make a right turn and continue on rather than the current situation which involves making a left turn across traffic. He noted periodically they have also received inquiries from potential tax ratables who are interested in developing in the area as to what is happening with regard to this intersection.

Mr. Pat Dougherty reviewed the alternatives which have been considered in the past. He showed the prior design they had discussed with the Township. The Township then purchased the Patterson Farm and asked that they come back with an alternative that would not take as much land from the Patterson Farm property. Alternative 2A Modified was shown which is the Plan they are now proposing. They have received environmental clearances and approval from PennDOT's design office for this Plan. Mr. Dougherty reviewed the traffic patterns which could take place with Alternative 2A Modified. He stated they will still have the same number of traffic signals as currently exist but one will be relocated so that it will increase the storage distance. An existing ramp will be taken out and made into grass. They will need 6.8 acres of right-of-way from the Township with this Alternative Plan. Previously they would have needed 10 acres. They will also have to relocate the other ramp.

Mr. Allan asked how many cars will sit on the ramp if there is a back up at Scudders Falls Bridge. Mr. O'Brien stated there is room for 100 cars. Mr. Fazzalore stated he feels this would be better than to have the cars stacking on Route 332. Mr. Hackman stated the amount of traffic will be increasing in this area due to proposed development. Mr. Fazzalore asked if there have been any discussions about improving the Scudders Falls Bridge. Mr. Warren stated PennDOT has worked with the Bridge Commission in the past when work was done on I-95 but the Bridge is not PennDOT property. Mrs. Godshalk stated she feels there is a serious safety problem getting onto the Scudders Falls Bridge from Taylorsville Road. Mr. Warren stated PennDOT looks to the County and Townships to recommend projects for the Twelve Year Plan. Mr. Hackman stated he feels this is a Bridge problem, and if the Bridge Commission will not make the Bridge wider, there is nothing the Township can do.

Mr. Allan stated traffic backs up in the morning from the Scudders Falls Bridge to Quarry Road. He does not feel making this proposed improvement will do anything to actually improve the situation. Mr. Warren stated he agrees the ramp will not eliminate the problem, but they do feel it will make it safer for the drivers since they will not have to make a left turn across traffic; and it will also alleviate some stacking on Route 332. Mr. Allan stated even if they build the ramp, the cars will still stack up and there will now be a ramp in dedicated Township open space.

Mr. Fazzalore stated development will increase in this area in the future, and they must proceed on this proposal to help provide for the safety of the residents. Mr. Allan stated his concern is that there are still only two lanes going across the Bridge, and the stacking will back up underneath the ramp and create even more problems. Mr. Warren stated PennDOT has no jurisdiction over the Scudders Falls Bridge. He feels the ramp will help alleviate some of the problems at 332 and will make it safer for people on the intersection. He feels this will result in less congestion on 332.

Mrs. Godshalk stated if you are going west on 332 and you want to go on the northbound ramp on I-95, the light should be timed longer so as to let more cars make the left turn. Mr. O'Brien stated at the Newtown By-Pass they do have a closed-loop system which they hope to get constructed either late next year or early 2002. He stated it should be fully functional by the time this ramp being discussed is constructed. Mr. Warren stated the interconnection project is in the final design stage and ready to go to Harrisburg for funding approval. Approval could take two to six months. Immediately upon approval, the construction will begin. They anticipate completion of this by late 2001 or early 2002. Mr. Hackman stated Lower Makefield would be willing to help expedite this project. Mr. Warren agreed to contact the Township if this is possible.

Mr. Hackman stated there had been discussions with Falls Township about the lights on Oxford Valley Road/Route 1 and they have not heard anything further on this matter. Mr. Warren suggested the Board discuss this matter with Mr. Fedorchak.

Mrs. Godshalk stated she feels that what was done at the Blue Route was very effective. She feels Lower Makefield is being taken advantage of because the Township owns this open land. She is concerned that in the future they will need to do even more widening which will impact other properties in the area. She stated she feels double ramps move cars more efficiently and she feels they should plan something for this entire intersection that will take up the least amount of space.

Mr. Hackman stated he considers this intersection the major gateway to Central Bucks County. He feels fixing only one corner of the intersection is not going to solve the entire problem. He added that in the future they may need three ramps instead of one and 332 may become a six-lane highway. He stated possibly another route could be proposed to go north to 413 North where traffic needs to go to Doylestown. He asked if PennDOT is looking into these regional problems. Mr. Warren stated they are not. Mr. Hackman stated he was trying to work with Newtown Township to try to solve some of the regional problems, but the discussions broke off.

Mr. Warren stated PennDOT feels this project being considered this evening makes sense, and they have been working on it for at least five years. He added they would not go into any Township unless asked to do so by that Township. He stated projects begin by individual Townships working with the County Planning Commission or with neighboring Townships to get funding from the State for road projects. He added when individual Townships come in with their own projects, it makes it more difficult to get funding.

Mrs. Godshalk stated she feels they should consider the whole area and look at the way the ramps are working in the Main Line and consider the other areas they might have to improve in the next five years so that they impact the least amount of land possible.

Mr. John Torbert asked about land they may need from his property. Mr. Warren stated they feel they will need twenty feet for the length of the ramp. Mr. Torbert stated he was not contacted about this. Mr. O'Brien stated these are only preliminary plans, and they will approach the impacted property owners when they get to the final plan stage. Mr. Torbert stated this will come very close to his driveway and impact his ability to do business. Mr. O'Brien stated they will discuss various options with the property owners when they get to the final design.

Mr. Len Franckowiak stated he feels they should do everything they can to save the remaining farms. He stated he feels Mr. Torbert's concerns should be addressed at the Preliminary Plan stage. He stated Mr. Warren has indicated that this proposal will help the Township get ratables. He stated more development will bring in even more cars. Mr. Hackman stated this area already has approval for additional development. He also noted the Fleming tract is zoned O/R. Mr. Fegley stated nothing has stopped the residential development of the Township so far and residential development is a drain on the Township. He stated the only thing that may not come in if the improvements are not done, is commercial development which could help the Township ratables.

Mr. Bill Perry, Middletown Township, stated if the Township wants to get highway improvements, they must work with the surrounding Townships. He noted there is a significant amount of Federal money available.

Ms. Karen Friedman stated she feels they should extend the timing of the light for the turn so that people coming from Newtown Township can get to I-95.

Mr. Allan stated he feels the purpose of this ramp being discussed is to help alleviate traffic problems for Newtown Township and Northampton Township residents. He feels they need to cooperate with other Townships, but is not sure that this ramp is the answer to all the problems.

Mr. Leo Cohen stated he does not feel there are significant traffic problems on the roads in Lower Makefield that he uses, and it appears the traffic problems are in Newtown Township.

Ms. Virginia Torbert stated this is an extremely dangerous intersection; and when she is driving west and wants to go to I-95 South, cars coming from Newtown Township are getting into her lane. She stated she does not feel that this can be seen as only a Newtown Township problem. Mrs. Godshalk stated she feels this will still be a problem, and this is why the whole area should be looked at.

Mr. Allan stated he would be more receptive if there was a regional plan to address the entire problem and do the corrections all at one time rather than piecemeal.

Mr. Fazzalore stated when this project was first proposed twelve years ago and the Board of Supervisors approved it, Newtown Township was not developing at that time, so it must have been important enough for the Lower Makefield Board at that time to consider it. Mrs. Godshalk noted Thiokol was in Newtown Township at that time.

Mr. Warren stated this project started well before he was with PennDOT. He stated they have been working actively with the Board for at least six years, and the project has been discussed for at least ten years. He stated this project does not matter to him personally except for the fact that time and money has been spent to get to this point. They do feel that this will help with some of the safety problems; and while it will not solve all the problems, they do feel it will help the situation. The next phase will involve a great deal of taxpayer money; and they would like to know by January 1, if the Board wants them to continue on with the project. He stated he wholeheartedly endorses the Township's efforts to work with other Townships. He stated looking for a total solution also makes sense, but he does not feel they will be addressing this anytime in the near future because of the length of time it takes for these projects to reach this point.

Mr. O'Brien stated they would start construction of this project in 2002, and it could be completed within two construction seasons if approval is given.

Mr. Torbert asked why the Board and PennDOT are afraid to talk to the Bridge Commission. Mr. Hackman stated he understands the Bridge Commission re-evaluates their Bridges all the time. Mr. Fedorchak was asked to write a letter to the Bridge Commission about their plans for the Scudders Falls Bridge. Mr. Torbert stated he feels they are willing to let his family farm be impacted by this project. Mr. Fegley stated they are taking six acres of the Township's property for this project. Mrs. Godshalk stated for three years she has been looking for a total solution. She stated she is concerned about the Torbert Farm's future as well. She feels they should look at all four exit ramps. Mr. Warren stated they would need to follow the process and take this request through the County.

Mr. Fegley stated while he is concerned that this project will take away farmland, overall he feels it is a necessary project. He would be much happier about voting to go forward if he felt they were getting cooperation from Newtown Township on other issues. He added that Mr. Hackman has invested a great deal of his personal time meeting with Newtown Township representatives. He stated a meeting has been scheduled for this Thursday to meet with Newtown Township representatives and Mr. Steil to try to get the discussions moving forward again. He is concerned about what should be done if Newtown Township will not agree to cooperate on other projects; however, he does feel that this project will help with overall safety in the area.

NEWTOWN OFFICE COMMONS AND CAU DISCUSSION AND MOTION TO APPEAL DECISION OF LOCAL DISTRICT OFFICE REGARDING NEWTOWN OFFICE COMMONS

Mr. Hackman stated Newtown Township approved the plans for CAU and Newtown Office Commons, and Lower Makefield Township took action to try to get input into the proceedings. Mr. Garton stated there was a Hearing at the District Office on Newtown Office Commons, and Lower Makefield Township indicated they felt they should eliminate the left turn out to Lindenhurst Road. The District Office chose not to change the permit. The provisions of the law permit the Township to take it to a Hearing before the Hearing Examiner, and he would recommend taking that step.

Mr. Fegley moved and Mrs. Godshalk seconded to appeal the decision of the Local District Office with regard to the ruling on Newtown Office Commons.

Ms. Herman stated she was concerned at the PennDOT Hearing, giving that there is a failed intersection, to hear PennDOT and the developers say they were not responsible for this. She asked who would be responsible for the intersection. Mr. Warren stated when Townships approve buildings, it impacts the roads. PennDOT has a pre-determined formula about traffic when someone comes in for a permit. Based on that and the traffic study, they then indicate whether or not the requester has a legal right to put their project where they want it. The only thing they can deal with is projected increase in traffic and suggested improvements. Mr. Hackman stated if there are several projects in one area, the cumulative effect is that the traffic comes to a halt. Mr. Warren stated they cannot deny access if the Townships approve the project and traffic impacts do not permit them to turn it down. Mr. Hackman stated the impact of one project may not present a problem, but the cumulative effect creates a problem when there are a lot of developments in one area. Mr. Fegley stated the problem is everything is coming from the local government since local governments do not usually like someone coming in from the County level to look at regional planning issues.

Ms. Herman stated Brandywine volunteered a sixty foot easement, and she asked if this still stands. Mr. Garton stated the easement has been offered, and this will be discussed when they meet with the Newtown Township representatives. Mr. Hackman stated there is consideration being given to this being made into a road, and it could then be the major entranceway to their O/R development. Ms. Herman asked when PennDOT would get into this process. Mr. Hackman stated they would get involved at the permit stage to get onto the By-Pass.

Motion carried unanimously.

Mr. Garton stated with regard to CAU there is only one access point which is a limited access point, and he feels it would be very unlikely that any further reviewer would take the left turn out. He would therefore not recommend that the Township appeal the CAU decision.

Mr. Hackman stated if the easement they previously discussed turned into something more for Newtown Office Commons, this would then extend past the CAU property and it would be possible for the main entrance to CAU to be off of this new road and not off Lindenhurst Road. Mrs. Godshalk stated she brought this up at a Newtown Township meeting years ago, but the CAU owner indicated he did not own this land. Ms. Herman asked if this is a driveway or a road, and Mr. Garton stated it is a driveway.

APPROVAL OF MINUTES

Mrs. Godshalk moved, Mr. Allan seconded and it was unanimously carried to approve the November 6, 2000 Minutes as written.

Mr. Allan moved, Mrs. Godshalk seconded and it was unanimously carried to approve the November 20, 2000 Minutes as written.

DISCUSSION OF LINDENHURST ROAD BIKE - PATH/TRANS-CONTINENTAL GAS PIPELINE, MASSETTI, AND MINEHART EASEMENTS

Mr. Hackman stated he does not feel they need any easements from Massetti or Minehart. Mr. Garton stated the Board asked him to work on the Trans-Continental Gas Pipeline easement. He contacted the appropriate person who wanted to see the Plans, and these were sent to them two months ago. They indicated that assuming there were no special problems, it would probably be approved. Mr. Garton stated he will remind him that they are still waiting for this.

Mr. Hackman stated the curbs and bridge are in on Lindenhurst Road. The final coat may be put on tomorrow depending on the temperature. They cannot open it until it is striped and guard rails are installed. He feels it will be open within the next two weeks.

DENIAL OF SUGGESTED NAMES FOR LOBERG SUBDIVISION

Mr. Fegley moved, Mr. Fazzalore seconded and it was unanimously carried to deny the proposed names of Meetinghouse Rise and Meetinghouse Ridge for the Loberg Subdivision. Meetinghouse Mews, Meetinghouse Court, Meetinghouse Meadows, and Meetinghouse Glen were suggested.

APPROVE FIRST AMENDMENT TO THE MASTER PLAN APPROVAL AGREEMENT FOR BELLEMEAD/MATRIX

Mr. Garton stated he has prepared an Amendment to the Master Plan Approval Agreement for Bellemead/Matrix to incorporate the Board's prior actions.

Mr. Fazzalore moved and Mr. Hackman seconded to approve the first Amendment to the Master Plan Approval Agreement for Bellemead/Matrix and authorize execution once signed by Matrix and appropriate exhibits are attached.

Mr. Fegley stated there was discussion about what could be done if the traffic improvement suggestions did not work, and Mr. Taylor had agreed that those changes could be made and they have incorporated into the Plan the suggestions made by Parsons-Brinckerhoff.

Motion carried with Mr. Fazzalore, Mr. Fegley, and Mr. Hackman in favor, Mr. Allan abstained, and Mrs. Godshalk opposed.

GOODWIN & LACEY - SIGNING OF MYLARS

Mylars were signed following the meeting.

ZONING HEARING BOARD

The Board decided to take no action on the William Hess, 123 Paul Road, Variance request to permit construction of a single family dwelling.

SUPERVISORS' REPORTS

Mr. Hackman stated the Golf Committee met, and a management consultant came in and described the types of services they provide. He stated they are only getting information at this time.

APPOINT CKS ENGINEERS TO PREPARE BIDDING DOCUMENTS AND PERFORM ENGINEERING SERVICES FOR HILLSIDE & SPRING LANES SEWER PROJECT

Mr. Fegley moved and Mr. Allan seconded to appoint CKS Engineers to prepare bidding documents and perform engineering services for Hillside & Spring Lanes Sewer Project.

Mr. Zarko was present. Mr. Hackman stated this is for engineering portion only. Mr. Zarko agreed and stated going forward there will be additional fees which were included in their presentation. Mr. Zarko has estimated that it will take seven months to prepare the bidding documents and to obtain the necessary permits to go out to bid. Mr. Zarko stated they are working with Mr. Doherty to coordinate the project.

Motion carried unanimously.

OTHER BUSINESS

Mr. Fazzalore noted the letter received in the Board's packet from Mr. Fedorchak addressed to Mr. Garton concerning the lights at Macclesfield Park which indicates it will cost \$50,000 to correct the problems with the lights. Mr. Fazzalore asked if the Township will get reimbursed for this. Mr. Garton stated they are working on allocating these costs among several entities.

REPORT BY THE CHIEF OF POLICE

Chief Coluzzi reported there were two robberies of businesses in the Township, and their Detectives are working on these cases. There was also a jewelry robbery at the Hampton Inn which they are working on as well.

APPOINTMENTS

Mr. Fegley moved, Mr. Fazzalore seconded and it was unanimously carried to appoint David Malinowski to the Zoning Hearing Board.

Mr. Fegley moved, Mrs. Godshalk seconded and it was unanimously carried to appoint John LaTorre to the Cable TV Advisory Board.

Mrs. Godshalk moved, Mr. Fegley seconded and it was unanimously carried to appoint Suzan Murad to the Environmental Advisory Council.

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There being no further business, Mr. Fazzalore moved, Mr. Allan seconded and it was unanimously carried to adjourn the meeting at 9:35 p.m.

Respectfully Submitted,

Scott Fegley, Secretary

