

**Upper Makefield Township Board of Supervisors**  
**October 4, 2016 Meeting Minutes**

The October 4, 2016 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Dan Rattigan at 7:35 p.m. In attendance were the following members of the Board of Supervisors: Chair Dan Rattigan, Vice Chair Tom Cino, Member Diana Nolan and Member Mary Ryan and Member Mike Tierney. Also in attendance were Assistant Township Manager Judy Caporiccio, Township Solicitor Mary Eberle, Esq., Township Engineer Justin Geonnotti, P.E., Water/Sewer Engineer Tom Zarko, P.E., Director of Planning & Zoning Dave Kuhns and Chief Mark Schmidt.

There were also members of the public and representatives of the press present.

**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Mr. Rattigan led in the recitation of the Pledge of Allegiance which was followed by a moment of silence.

**ANNOUNCEMENTS**

Mr. Rattigan made the following announcements:

- An Executive Session was held prior to tonight's meeting for personnel matters.
- Upper Makefield will join with surrounding municipalities to host an electronic recycling event on October 8 from 9 – noon at the Lower Makefield Corporate Center on Township Line Road in Lower Makefield. Most items are free but there is a cash charge to recycle some items. Call the Township or visit our website for more information.
- BCATO, the Bucks County Drug & Alcohol Commission and Doylestown Township are partnering to host a free event for residents interested in receiving Narcan Training. It will be held on Oct 12 from 7-8:30 pm at the Doylestown Administration Building. More information is available on our website.
- The Fire Company will host an Open House on Friday, October 14 from 6:30 – 9 om at Station 71 on Taylorsville Road.
- There are two more Budget Workshops scheduled: Oct 20 and Oct 25. Both meetings begin at 7 pm.
- Residents are reminded to register for ReadyBucks to receive emergency alerts. Registration information can be found on the Township website or the Bucks County website.

**PUBLIC COMMENT**

Vic Ameye, East Grant, stated that as the current chairman of the Board of Elected Auditors he wished to clarify publicly the role of the elected auditors in regard to the annual Township audit. Ms. Eberle stated that since the Township has contracted with a professional auditing firm, the only responsibility remaining for the elected auditors would be to establish the pay for any elected official also performing work for the Township. Since there are none, our elected auditors have no official responsibility. Board consensus was that the auditors can request information through the right to know procedure.

Mr. Ameye stated that the \$2 per hour stipend provided in the current Public Works contract for those workers who also serve as volunteer firemen was not considered as part of the increased cost of that contract when presented to the public. He requested that staff re-evaluate the financial impact of the \$2 per hour stipend contractually provided for any Public Works employees also serving as volunteer firemen in the Township.

Mr. Breeden asked if PSATS was the governing body for the Supervisors.

Ellen Lane-Novitz, Washington Crossing, expressed concern regarding increased deer damage and her concern that some residents are watering and feeding the deer.

Dan Johansson, Upper Makefield Township, thanked Mr. Rattigan for acknowledging the potential impact of the threatened end of reciprocity for wage taxes by the State of New Jersey. He suggested contacting the State Department of Revenue for information regarding the potential impact on revenue to Upper Makefield Township.

Andrew DeAngelis, 46 Thompson Mill Road, stated that the Township issued a certificate of occupancy to a resident who had not fulfilled their obligations under the developer's agreement. Ms. Eberle clarified that she believed that a subsequent deferral agreement legally required the Township to issue the certificate of occupancy and recommended that he consult with his attorney for further details. Mr. DeAngelis stated that the residence had a septic tank violation. The Township has followed up on that issue with the County.

### **APPROVAL OF MINUTES AND BILLS PAYABLE**

A motion was made by Ms. Nolan and was seconded by Ms. Ryan to approve the September 20, 2016 minutes. Motion carried by a unanimous vote.

Mr. Rattigan directed attention to the bills list for October 4, 2016. A motion was made by Mr. Cino and was seconded by Ms. Nolan to approve the October 4, 2016 Bills Payable list in the amount of \$589,624.84. Motion carried by a unanimous vote.

### **PLANNING AND ZONING ISSUES**

#### **Resolution No. 2016-10-04-01, Adopt Bucks County 2016 Hazard Mitigation Plan**

Mr. Kuhns introduced the resolution to adopting the Bucks County 2016 Hazard Mitigation Plan Update. Following discussion, a motion was made by Ms. Nolan and seconded by Ms. Ryan to adopt Resolution No. 2016-10-04-01. Motion carried by a unanimous vote.

### **SOLICITOR'S REPORT**

#### **Recodification Adoption Ordinance**

Ms. Eberle provided an overview of the recodification process and the recodification adoption ordinance. Following discussion, a motion was made by Ms. Nolan and seconded by Mr. Cino to authorize the advertisement of the Recodification Adoption Ordinance. Motion carried by a unanimous vote.

#### **Financial Expert for Upcoming Police Arbitration**

Ms. Eberle recommended that the Board consider hiring a finance expert to prepare a financial report and provide expert testimony in the pending police arbitration. Following discussion, a motion was made by Ms. Nolan and seconded by Mr. Cino to hire Vijay Kapoor to prepare a financial report and provide expert testimony in the pending police arbitration at a rate of \$200 per hour, not to exceed \$16,500. Motion carried by a unanimous vote.

### **ASSISTANT MANAGER'S REPORT**

#### **Requests for Proposals – Emergency Services**

Ms. Caporiccio informed the board that St. Mary's Medical Center emergency services agreement is due to expire on February 1, 2017 and requested authorization to advertise and distribute a Request for Proposals. Discussion followed and Ms. Ryan made a motion, which was seconded by Ms. Nolan to authorize advertisement and distribution of an RFP for emergency services for the years 2017 through 2019. Motion carried by a unanimous vote.

### **Resignation of Township Manager**

A motion was made by Mr. Cino and seconded by Ms. Ryan to accept the resignation of Township Manager Jim Pascale submitted on September 21, 2016 and effective immediately. Mr. Tierney expressed concern regarding a future manager's agreement with no controls regarding vacation and personal time. Motion carried by a unanimous vote.

### **Appoint Interim Manager**

A motion was made by Mr. Cino and seconded by Ms. Ryan to appoint David Nyman as Interim Township Manager at a rate of \$50 per hour for a maximum of 40 hours per week plus paid holidays beginning October 5, 2016. Mr. Tierney requested assurance that all Board members would be treated equally going forward. Motion carried by a unanimous vote.

### **Appoint Right-to-Know Officer and Township Secretary**

A motion was made by Ms. Ryan and seconded by Ms. Nolan to appoint David Nyman as Right-to-Know Officer and Township Secretary. Motion carried by a unanimous vote.

### **Resolution No. 2016-10-04-02, Authorizing Bank Signatures**

Ms. Caporiccio introduced the resolution authorizing bank signatures. Following discussion a motion was made by Mr. Cino and seconded by Ms. Ryan to approve Resolution No. 2016-10-04-02 authorizing bank signatures. Motion carried by a unanimous vote.

### **WATER/SEWER ENGINEER'S REPORT**

#### **Award of Bid – Lakeside Well House Electrical System Updates**

Mr. Zarko provided an overview of the project and bid results and recommended awarding the base bid to the lowest responsible bidder, MJF Electrical Contracting, Inc., in the amount of \$115,700. A motion was made by Ms. Ryan and seconded by Mr. Cino to award the Lakeside Well House Electrical System Updates to MJF Electrical Contracting, Inc. in the amount of \$115,700. Motion carried by a unanimous vote.

### **ENGINEER'S REPORT**

There was no Engineer's Report.

### **PUBLIC COMMENT**

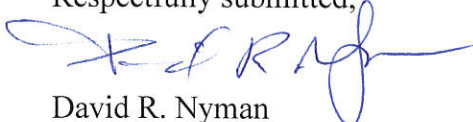
Tim Thomas, Mt. Eyre Manor, stated that the Dunkin Donuts parked a truck with advertisement close to the road in violation of Township ordinances.

Dan Johansson, Upper Makefield Township, asked for the responses from the Consortium regarding removal of soils and also reminded the Board of his request to post department reports on the Township website.

### **ADJOURNMENT**

A motion was made by Ms. Ryan and was seconded by Mr. Nolan to adjourn to meeting at 8:30 p.m. Motion carried by a unanimous vote.

Respectfully submitted,



David R. Nyman  
Interim Township Manager  
Approved: October 18, 2016