

**Upper Makefield Township Board of Supervisors**  
**January 17, 2012 Meeting Minutes**

The January 17, 2012 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Dan Rattigan at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Dan Rattigan, Vice Chair Bud Baldwin, Treasurer Mary Ryan, Member Larry S. Breeden and Member Tom Cino. Also in attendance were Township Manager Stephanie Teoli; Township Solicitor Mary Eberle, Esq.; Township Engineer Larry Young, 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 welcomed Mr. Breeden to the Board of Supervisors.

He then announced that an Executive Session was held prior to tonight's meeting to discuss personnel matters.

**PUBLIC COMMENT:**

There was no public comment.

**APPROVAL OF MINUTES AND BILLS PAYABLE:**

A motion was made by Mr. Baldwin and was seconded by Ms. Ryan to approve the December 21, 2011 minutes as amended by Mr. Baldwin. Motion carried by unanimous vote.

A motion was made by Mr. Baldwin and was seconded by Ms. Ryan to approve the January 3, 2012 minutes. Motion carried by unanimous vote.

Mr. Teoli read into the record the bills for January 17, 2012. A motion was made by Mr. Baldwin and was seconded by Mr. Cino to approve the January 17, 2012 Bills Payable List in the amount of \$240,044.02. Motion carried by unanimous vote.

**PLANNING AND ZONING ISSUES:**

**Washington Crossing Inn Zoning Hearing Board Application, 1295 Washington Crossing Memorial Boulevard**

Attorney Don Marshall and Architect Steve Cohen represented the applicant and provided an overview of the application to build an addition to the dining area and vestibule of the Washington Crossing Inn. There was significant discussion regarding errors in calculations and depictions on the plan. The applicant agreed to clean up the plan prior to the Zoning Hearing. After discussion, a motion was made by Mr. Baldwin, seconded by Ms. Ryan to take no formal action on the application, but to request that Ms. Eberle make the Zoning Hearing Board aware of the Board's concerns regarding the plan accuracy. Motion carried on a unanimous vote.

**Resolution No. 2012-01-17 – Adoption of Bucks County Hazardous Mitigation Plan**

Mr. Kuhns provide an overview of the resolution adopting the Bucks County 2011 Hazard Mitigation Plan. Following brief discussion, a motion was made by Mr. Baldwin and was seconded by Mr. Breeden to approve Resolution No. 2012-01-17. Motion carried by unanimous vote. Ms. Ryan suggested that the plan be linked on the Township's website.

**SOLICITOR'S REPORT:**

There was no Solicitor's Report.

**MANAGER'S REPORT:**

**Brownsburg Park Turf Evaluation**

Ms. Teoli reported that the Park and Recreation Board recommended that the township seek the advice of a turf expert to evaluate the condition of the fields at Brownsburg Park and recommend possible solutions before proceeding with any further improvements to the well or soil. Upper Makefield-Newtown Soccer Club concurs with the recommendation. Following discussion, a motion was made by Mr. Baldwin and was seconded by Ms. Ryan to authorize that a Request for Proposals (RFP) be prepared for turf/soil management. It was agreed that both Brownsburg and Lookout Parks should be included in the RFP. Motion carried on a unanimous vote. Mr. Cino added that the Township should be sure to include nonprofit and university experts in the solicitation.

**Upper Makefield Business Association Revolutionary Run Request**

Ms. Teoli highlighted a letter from the Upper Makefield Business Association (UMBA) requesting a commitment from the township for a 5-year cooperative agreement between the township and UMBA for joint coordination/management of the July 4<sup>th</sup> Revolutionary Run. Discussion followed, and a motion was made by Mr. Baldwin and was seconded by Ms. Ryan to authorize a 5-year participation commitment with Upper Makefield Business Association for the July 4<sup>th</sup> Revolutionary Run. Motion carried by unanimous vote.

**Elected Auditor Request – PSATS Conference Attendance**

Ms. Teoli presented a request from Elected Auditors Steven Deutsch and Guy Polhemus to attend the 2012 PSATS Conference at a cost of \$140 for registration plus hotel, mileage and meal reimbursement. Mr. Breeden made a motion to approve the request. The motion failed for a lack of a second.

Mr. Deutsch then addressed the Board, clarifying that his request was for registration only. Mr. Breeden made a motion to approve the payment of registration fees to the PSATS Conference for Mr. Deutsch and Mr. Polhemus. Mr. Cino seconded the motion.

Mr. Baldwin noted that there were no programs or workshops offered for elected auditors during the conference and asked Mr. Deutsch why he wished to attend. Mr. Deutsch expressed his position that auditors need to be familiar with the duties of the Board of Supervisors because of the requirement that the auditors oversee the Board of Supervisors. Ms. Eberle explained that, according to the Second

Class Township Code, the duties of the Elected Board of Auditors are limited specifically to setting the rate of pay for Supervisors who work for the township and setting the associated mileage reimbursement. The motion failed on a 1 to 4 vote with Mr. Breeden voting yes.

**2012 PSATS Citizen Communication Award/eNews Award/Website Award**

Ms. Teoli reported that Upper Makefield Township was recently notified that it is the recipient of the Pennsylvania State Association of Township Supervisors 2012 Annual Outstanding Citizen Communication Award. Upper Makefield placed first in both the website category and the eNewsletter category. Ms. Teoli recognized the efforts of employees Judy Caporiccio and Vikki Connolly. Mr. Rattigan recognized Ms. Teoli for initiating communication efforts in Upper Makefield. Members of the Board congratulated the staff for a job well done.

Mr. Breeden then raised the issue of posting a "virtual check register" on the township website. He made a motion to form a committee of township residents, elected officials and staff to investigate the plausibility of creating a virtual checkbook. The motion failed for a lack of second.

Ms. Ryan explained that issues such as this are typically reviewed by the manager and staff before a citizens group is formed. After further discussion, Ms. Teoli reported that she had already initiated investigation on this issue and would report back at an upcoming meeting.

**ENGINEER'S REPORT:**

**Aqueduct Road Headwall Replacement Project Payment Request #1 (Final)**

Mr. Young provided an update of the project and recommended approval of Payment Request #1 in the amount of \$35,975.00. After brief discussion, Mr. Baldwin made a motion which was seconded by Ms. Ryan to approve Payment Request #1 in the amount of \$35,975.00. Motion carried by unanimous vote.

**2011 Capital Improvement Project Change Order #1**

Mr. Young provided an update of the project and recommended approval of Change Order #1 in the amount of \$4,996.91 to stabilize the area as recommended by the Bucks County Conservation District and to modify storm sewer alignment. Following discussion, a motion was made by Mr. Baldwin and was seconded by Mr. Cino to approve Change Order #1. Motion carried by unanimous vote.

**2011 Capital Improvement Project Payment Request #2**

Mr. Young recommended approval of Payment Request #2 in the amount of \$149,411.62. Following discussion, a motion was made by Mr. Baldwin and was seconded by Mr. Cino to approve Payment Request #2 in the amount of \$149,411.62. Motion carried by unanimous vote.

**Traditions at Washington Crossing I Escrow Release #3**

Mr. Young provided an update of the project and recommended approval of Escrow Release #3 in the amount of \$809,211.61. After brief discussion, Mr. Baldwin made a motion which was seconded by

Mr. Cino to approve Construction Escrow Release #3 in the amount of \$629,204.87. Motion carried on unanimous vote.

**Traditions at Washington Crossing II Escrow Release #3**

Mr. Young provided an update of the project and recommended approval of Escrow Release #3 in the amount of \$170,846.54. After brief discussion, Mr. Baldwin made a motion which was seconded by Mr. Cino to approve Construction Escrow Release #3 in the amount of \$170,846.54. Motion carried on unanimous vote.

**BOARD AND COMMISSION REPORTS:**

Mr. Rattigan announced that the following reports were included in the Board packets:

- Environmental Advisory Council – November 9, 2011
- Park and Recreation Board – November 14, 2011

**DEPARTMENT REPORTS:**

**Planning and Zoning Department**

Mr. Kuhns highlighted the monthly Planning and Zoning Department Report.

**Police Department**

Chief Mark Schmidt highlighted the Police Department Report.

Mr. Rattigan announced that the following reports were included in the Board packets:

- Fire Department Reports
- Fire Marshal Report
- Public Works Department Report

**OLD BUSINESS:**

Mr. Rattigan noted that a resident had previously requested information about Upper Makefield's bond rating. Mr. Rattigan explained that, in 2006, when Upper Makefield Township was considering issuing bonds, it received an Aa2 rating from Moody's. The township then purchased insurance through FGIC and received an Aaa bond rating. Bonds were issued in 2006 with this Aaa rating. Later, when FGIC went out of business, the Aaa rating dropped to the underlying rating of Aa2. In April of 2002, unbeknownst to the township, Moody's upgraded the township's rating to Aa1. Moody's ratings are based upon current debt in the marketplace and the ability to meet obligations. Mr. Rattigan thanked Mr. Murray for raising this issue.

**NEW BUSINESS:**

**Collective Bargaining Agreement between Upper Makefield Township and Upper Makefield Township Police Association**

Ms. Rattigan presented the proposed Collective Bargaining Agreement. After discussion by the Board, a motion was made by Mr. Baldwin and was seconded by Ms. Ryan to authorize execution of the

Collective Bargaining Agreement between Upper Makefield Township and the Upper Makefield Township Police Association for a term of 1-1-2012 to 12-31-2013. Motion carried on a 4-0-1 vote with Mr. Breeden abstaining.

**PUBLIC COMMENT AND MEDIA QUESTIONS:**

Steven Deutsch, River Road, asked for details of the contract including costs. Ms. Teoli provided the highlights of the contract. Mr. Deutsch then commented further on his opinions regarding the duties of the Board of Elected Auditors. Ms. Eberle reiterated her previously-state legal position regarding this topic. Mr. Rattigan encouraged Mr. Deutsch to approach his state legislators to discuss his concerns with the statute.

**ADJOURNMENT:**

A motion was made by Mr. Baldwin and was seconded by Ms. Ryan to adjourn the meeting at 8:54 p.m. Motion carried on unanimous vote.

Approved: February 7, 2012

JANUARY 2012 GENERAL FUND BILLS - 1/17/12

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
400.460	APMM	\$150.00	2012 dues
400.210	Associated Imaging Solutions	\$200.00	copier charges
410.238	Atlantic Tactical	\$193.88	Jacket/gloves
403.115	H.A. Berkheimer Assoc.	\$181.59	12/11 commissions
310.22	H.A. Berkheimer Assoc.	\$109,389.00	refund of resident tax overpayment 2010 via H.A.B.
487	Blue Cross	\$25,282.24	health insurance - police
400.460	Bucks County Consortium of Municipalities	\$125.00	2012 membership dues
410.239A	Bucks County Police Association	\$700.00	range dues & insurance 2012 - 14 officers
400.374	CIT Technology	\$623.98	monthly copier rental
414.313A-1	CKS Engineers	\$1,743.08	engineering fees
400.312	" "	\$328.88	" "
409.140	CleanNet of Philadelphia	\$701.11	cleaning service
430.238	Clemens	\$136.00	PW uniform rental
409.373	" "	\$18.10	floor mat rental - PW bldg.
409.321	Comcast - Admin.	\$334.74	phone/long distance/commercial internet/IP
409.321	Comcast - PD	\$299.10	phone/long distance/commercial internet/IP
409.321	Comcast - PW	\$127.15	phone/long distance/commercial internet/IP
409.373	Commonwealth of PA - USTIF	\$536.25	underground storage tank fees
400.340	Courier Times	\$107.70	advertising
414ZHB	" "	\$783.70	" "
410.192	Lee Crawford	\$180.74	reimburse for books
409.373	Dame & Co.	\$376.97	troubleshoot and replace CO2 detectors In PD
414.321	DCED	\$56.00	fourth qtr. 2011 UCC
414ZHB	Donna DeAngelis-Lehman	\$160.00	court reporter
414.322	Thomas Dolan	\$1,398.82	refund escrow/permit fee balance
487	Patrick Durkin	\$110.00	reimburse medical copay
487	DVHIT	\$22,558.28	health insurance - non-police
409.373	Elevator Specialties	\$175.00	monthly maintenance
410.372	Emergency Communications Department	\$86.57	County of Bucks /Radio Repair
409.341	FedEx	\$116.91	overnite letter/shipping for ammo (reimbursed)
407.319	Kortney Felice	\$262.00	holiday e-news
410.238	Galls	\$237.97	boots - 2 officers
400.460	GFOA - PA	\$50.00	2012 membership dues renewal
409.373	Good Air Conditioning & Heating	\$200.00	repairs
409.373	Gorski Trash Removal	\$270.00	trash removal
409.373	Grainger	\$14.29	police floor repair
400.314	Grim, Blehn & Thatcher	\$4,648.00	legal fees
414.314A	" "	\$576.00	" "
414.314-2	" "	\$391.50	" "
400.374	HPT Systems	\$270.00	troubleshoot plotter and antivirus problems
487	Corey Huff	\$84.00	reimburse medical copay
410.210	IACPnet	\$500.00	annual membership
409.230	ISObunkers	\$2,155.90	propane
410.192	Kaplan University	\$2,025.00	tuition - Crawford
411.331	John Kernan	\$136.50	reimburse expenses 2-day training class
410.374	Kerrigan's Sunoco	\$2,081.32	repairs/maintenance PD vehicles
403.115	Keystone Collections Group	\$2,657.89	December 2011 commissions
410.470	LocatePLUS	\$25.00	police investigations
414ZHB	McNamara, Bolla Williams & Panzer	\$300.00	legal fees - Zoning Hearing Board
487	MetLife	\$1,130.22	dental insurance monthly premium - police
400.210	Newtown Office Supply	\$78.64	office supplies
410.210	" "	\$110.52	" "
414.210	" "	\$64.04	" "
400.460	" "	\$14.85	name plate
400.210	Office Basics	\$47.07	office supplies
414.210	" "	\$15.32	" "
409.373	PA DEP	\$50.00	storage tank registration/permit
409.321	PA One Call System	\$66.66	monthly activity fee
410.372C	PCPA - Grants Division	\$7,984.00	Livescan maintenance fees 2012
409.361	PECO	\$1,204.66	electric - township complex buildings
409.361	PECO	\$1,614.41	electric - PD building
410.460	Pennsylvania Chiefs of Police Association	\$125.00	annual membership renewal through Jan 1, 2013
410.460	Police Chiefs Association of Bucks County	\$100.00	annual dues

**JANUARY 2012 GENERAL FUND BILLS - 1/17/12**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
409.341	Police Petty Cash	\$1.42	replenish petty cash
410.460	" "	\$60.82	" "
410.750	" "	\$77.47	" "
410.210	" "	\$39.67	" "
410.238	" "	\$15.50	" "
410.231	Ports Petroleum	\$2,693.37	unleaded fuel
430.231	" "	\$936.23	diesel fuel
400.460	PSATS	\$1,882.00	2012 membership dues
487	Timothy Rauch	\$140.77	reimburse medical copay
410.238	Red the Uniform Tailor	\$402.60	uniforms
400.210	SafeChoice	\$77.60	blank W-2 and 1099 forms
410.238	Samzie's	\$49.99	gloves
410.750	" "	\$246.00	batteries/flashlight
407.319	Ron Skotleski Video Productions	\$1,300.00	producer fee - BoS Mtgs. 12/21/11 & 1/3/12/repairs
487	William Slobodin	\$16.54	reimburse medical copay
409.373	Smith's Yardville Supply	\$4.98	building maintenance - PD
488	Standard Insurance Company	\$489.19	add/life insurance premium
488A	" "	\$1,183.80	std insurance premium
488B	" "	\$628.03	ltd insurance premium
411.212	Staples Advantage	\$51.99	supplies
410.134	Nicole Thompson	\$1,050.00	animal control
409.341	UPS	\$13.02	overnight letter
409.341	U.S. Postal Service	\$190.00	annual permit renewal
409.321	Verizon Wireless	\$1,057.64	mobile phone service
410.375	YIS/Cowden Group	\$315.00	repairs
	<b>TOTAL</b>	<b>\$209,595.18</b>	

\*\*FOR BOARD APPROVAL

\*OVER BUDGET

**JANUARY 2012 LIQUID FUELS BILLS - 1/17/12**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
437	Joseph Finkle & Son	\$76.91	shop supplies
437	GTS-Welco	\$25.13	cylinder rental
437	Havis	\$45.64	vehicle lights
437	Histand's	\$361.14	shop supplies
437	Kerrigan's Sunoco	\$875.74	vehicle maint./repairs
437	Newtown Pro Hardware	\$88.04	shop supplies
437	On Location With Ron	\$129.40	truck repair
4343SL	PECO	\$148.39	street lights
433TL	PECO	\$110.79	traffic lights
437	R & S Equipment Repair	\$149.23	inspect/repair trailer
437	Scrappy's Auto Service	\$614.75	truck repairs
437	Sosmetal Products	\$428.67	shop supplies
437	Tanner's Lawn & Snow Equip.	\$72.70	chain saw items
437	Torodyne	\$262.60	Caterpillar service
437	Warehouse Battery Outlet	\$134.20	lanterns
<b>TOTAL</b>		<b>\$3,523.33</b>	

\*OVER BUDGET

\*\*PAID INTERIMLY



JANUARY 2012 PARK & REC BILLS - 1/17/12

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
452.250	Wm. W. Fabian & Son	\$47.60	playground equip. repair
452.250	Gorski Trash Removal	\$144.00	trash removal
452.250	PECO	\$59.21	electric
452.250	PECO	\$81.70	electric
452.250	PECO	\$22.14	electric
	<b>TOTAL</b>	<b>\$354.65</b>	

\*\*PAID INTERIMLY

**JANUARY 2012 PARK 3 YR CAP BILLS - 1/17/12**

<u>Acct #</u>	<u>Company Name</u>	<u>Amount</u>	<u>Comments</u>
452.700	Grim, Biehn & Thatcher	\$14.50	legal fees

**TOTAL** **\$14.50**

\*\*PAID INTERIMLY

JANUARY 2012 WATER & SEWER BILLS - 1/17/12

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.313	CKS Engineers	\$672.80	engineering fees
429.376	FRANC Environmental	\$2,907.45	sludge hauling
429.374	PA DEP	\$500.00	annual fee NPDES Permits
429.372	PECO	\$94.03	electric
429.372	PECO	\$2,128.85	electric
429.372	PECO	\$1,956.57	electric
429.100	Private Utility Enterprises	\$11,325.22	plant operator
429.371	QC Laboratories	\$205.00	testing
429.421	Verizon	\$29.80	phone
	<b>TOTAL</b>	<b>\$19,819.72</b>	

\*\*PAID INTERIMLY

\*/\*\*OVER BUDGET/BOARD APPROVAL

JANUARY 2012 OPEN SPACE BILLS - 1/17/12

<u>ACCT#</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
461.70	Equity Appraisal Co.	\$3,000.00	appraisal report
	TOTAL	\$3,000.00	

\*\*PAID INTERIMLY  
\*OVER BUDGET

JANUARY 2012 DUTCHESS FARM BILLS - 1/17/12

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.210	Hach	\$386.34	supplies
429.100	Dutchess Farm	\$2,730.09	plant operator
429.210	Smith's Yardville Supply	\$64.92	supplies
429.210	USA BlueBook	\$555.29	supplies
	<b>TOTAL</b>	<b>\$3,736.64</b>	

\*\*PAID INTERIMLY

\*/\*\*OVER BUDGET/BOARD APPROVAL