

Upper Makefield Township Board of Supervisors
January 3, 2012 Meeting Minutes

At 3:45 p.m., District Judge Donald Nasshorn administered Oaths of Office to Elected Auditor Steven Deutsch, Supervisor Larry S. Breeden and Supervisor Mary Ryan. Supervisor Daniel Rattigan took his Oath of Office previously.

Following the administration of the Oaths of Office, the January 3, 2012 Reorganization Meeting of the Upper Makefield Township Board of Supervisors was called to order by Supervisor Bud Baldwin at 4:00 p.m. In attendance were the following members of the Board of Supervisors: Member Larry Breeden, Member Tom Cino and Member Mary Ryan. Member Dan Rattigan was in attendance via teleconference. Also in attendance were Township Manager Stephanie Teoli, Township Solicitor Mary Eberle, Esq. and Township Engineer Larry Young, P.E.

RE-ORGANIZATION OF THE BOARD:

Appointment of Interim Chair

A motion was made by Ms. Ryan and was seconded by Mr. Rattigan to appoint Mr. Baldwin as Interim Chair. Motion carried on a unanimous vote.

Election of Chairman

Mr. Baldwin then accepted nominations for Chairman. A motion was made by Ms. Ryan to appoint Mr. Rattigan as Chairman. The motion was seconded by Mr. Baldwin. Mr. Breeden questioned the legality of teleconference participation in the meeting by Mr. Rattigan. Ms. Eberle confirmed the legality of such meeting participation, citing relevant case law. Mr. Breeden then questioned the appropriateness of Mr. Rattigan being sworn in before the meeting and asked Ms. Eberle for a written opinion regarding the same. Mr. Baldwin then called the question. Motion carried to appoint Mr. Rattigan as Chairman on a 3-2 vote with Mr. Breeden and Mr. Cino voting no.

Election of Vice Chairman

Mr. Baldwin then accepted nominations for Vice Chairman. A motion was made by Ms. Ryan and was seconded by Mr. Rattigan to appoint Mr. Baldwin as Vice Chairman. Motion carried on a 3-2 vote with Mr. Breeden and Mr. Cino voting no.

**Appointment of Township Treasurer & Set Treasurer's Bond
(Bond currently set at \$1,000,000)**

Mr. Baldwin made a motion to appoint Ms. Ryan as Township Treasurer and to set the Treasurer's Bond at \$1,000,000. The motion was seconded by Mr. Rattigan and carried on 5-0 vote.

BOARD OF SUPERVISORS LIAISON APPOINTMENTS:

Mr. Baldwin read the proposed list of Board of Supervisor liaison appointments for 2012 and asked for a motion of approval. Mr. Breeden requested that, as a veteran, he be considered as liaison to the National Veterans Cemetery. Mr. Cino agreed to step aside from the appointment. A motion was then made by Ms. Ryan to approve the Board of Supervisor liaison appointments listed below:

Police Department – Bud Baldwin
Upper Makefield Township Planning Commission – Mary Ryan
Park & Recreation Board – Tom Cino
Historical Advisory Commission – Larry Breeden
Historic Architectural Review Board – Larry Breeden

Fire Company – Dan Rattigan
Council Rock School Board – Larry Breeden
Open Space/Environmental Advisory Council – Mary Ryan
Non-Uniformed Employees – Dan Rattigan
National Veterans’ Cemetery – Larry Breeden
Public Works – Bud Baldwin
Agricultural Security Advisory Board - Bud Baldwin
Capital Improvements Oversight Committee – Mary Ryan
Emergency Management – Bud Baldwin

The motion was seconded by Mr. Cino and carried on a unanimous vote.

DEPOSITORY APPOINTMENTS/ MILEAGE:

A motion was made by Ms. Ryan and was seconded by Mr. Rattigan to authorize that township funds be deposited and mileage be set as follows:

- A. **Citizens Bank:** Concentration Account, Payroll Account, Disbursement Account, Building Construction Fund, Water and Sewer Fund, Liquid Fuels Fund, Park & Rec 3 Year Cap Fund, Open Space Fund, Capital Reserve Fund
- B. **TD Bank:** Tree Fund, Grading Escrow Fund, Fire Fund, Cable TV Fund, Park & Rec Fund, Operation & Maintenance Agreement, Revolutionary Run Emergency Services, and Riparian Restoration & Preservation Fund
- C. **Set Mileage Rate for 2012 – \$0.55 per mile**

Motion carried on a 3-0-2 vote with Mr. Breeden and Mr. Cino abstaining.

ADOPTION OF CONSULTANT RATES:

A motion was made by Ms. Ryan and was seconded by Mr. Rattigan to set the 2012 rates as submitted in board packets for the consultants listed below:

Township Engineer - Larry Young, P.E. - Gilmore & Associates
Township Solicitor – Mary Eberle, Esq. - Grim, Biehn, Thatcher
Township Water/Sewer Engineer – Tom Zarko, P.E. – CKS Engineers
Zoning Hearing Board Solicitor - William Bolla, Esq. – McNamara, Bolla, Williams & Panzer
Labor Counsel – Ryan Cassidy, Esq. – Eckert Seamans

Mr. Cino announced that he would be voting no to the motion because he was of the opinion that John Rice should remain as Solicitor. Motion carried on a 3-2 vote with Mr. Breeden and Mr. Cino voting no.

NEWSPAPERS/MEETING DATES/SALARIES/FEES:

A motion was made by Ms. Ryan and was seconded by Mr. Baldwin to establish the following:

- Legal Notices: Legal notices shall be placed in the *Advance*, the *Bucks County Courier Times* or the *Philadelphia Inquirer*.
- Meeting Dates: The first and third Tuesdays at 7:30 p.m. shall be meeting days/times for

the Board of Supervisors.

Motion carried on 4-0-1 vote with Mr. Cino abstaining.

PUBLIC COMMENT:

Ellen Lane Novitz, Dunkin Drive, congratulated Mr. Breeden and noted her desire that the township institute a “virtual checkbook” program.

Mike Murray, Washington Crossing, questioned Mr. Cino regarding his earlier votes and also asked for clarification on legal representation for ongoing litigation.

Steven Deutsch, River Road, expressed his disagreement with moving the meeting night from Wednesdays to Tuesdays.

Bill Koleck, Traditions, noted his opinion that the township’s attorney should be an employee of the township and not a consultant.

Steven Deutsch, River Road, explained that it is normal and customary for a town’s attorney to be a consultant.

Guy Polhemus, Washington Crossing Road, congratulated the newly-elected officials and wished everyone well.

ADJOURNMENT:

A motion was made by Mr. Rattigan and was seconded by Ms. Ryan to adjourn the meeting at 4:25 p.m. Motion carried on unanimous vote.

Approved: January 17, 2012