

Upper Makefield Township Board of Supervisors November 2, 2011 Meeting Minutes

The November 2, 2011 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Bud Baldwin at 7:33 p.m. In attendance were the following members of the Board of Supervisors: Chair Bud Baldwin, Vice Chair Tom Cino, Treasurer Mary Ryan and Member Dan Rattigan. Also in attendance were Township Manager Stephanie Teoli, Township Solicitor John Rice, Esq., Director of Planning & Zoning Dave Kuhns and Chief Mark Schmidt. Supervisor Dave Kulig was absent due to a death in his family.

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

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE:

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

ANNOUNCEMENTS:

Mr. Baldwin reported on the recent storm and related power problems. He recognized the efforts of the township staff.

PUBLIC COMMENT:

Girl Scout Cadet Riley Kay of Troop #22018 announced that they will be hosting Pet Photos with Santa at Brownsburg Park on Sunday, November 13 from 1:00-4:00 pm as a fundraiser for a trip to Washington DC for a celebration of 100 years of girl scouting.

Rob Kay, Emergency Management Coordinator, reported that President Obama recently announced that a National Emergency Alert Test would be conducted on Wednesday, November 9th at 2:00 p.m.

Betsy Falconi, Brownsburg Road, commented that, as a former supervisor who worked to bring about televising of board meetings, she was extremely disappointed that a televised debate of candidates for the Board of Supervisors would not be held prior to the election.

Anne Marie Murray, E. Brownsburg Road, expressed her upset at the accusatory and demeaning comments that have been made during recent months regarding township staff. She noted her support of the many bright people that work for the township and the fact that she believed that providing benefits to its employees is the responsibility of any employer.

Ellen Lane Novitz, Dunkin Drive, requested information on the copay reimbursement benefit that had previously been provided to township employees. Ms. Teoli explained that only police officers receive this benefit in 2011. Ms. Novitz then questioned reallocation of reserve funds in the proposed 2012 budget. She concluded by commenting on a communist red star utilized in campaign literature.

Larry Breeden, Bankers Drive, provided comment on the proposed budget. He outlined his own budget proposal, including moving funds from the Cable Fund and Building Construction Fund to the General Fund. Ms. Teoli clarified that the Building Construction Fund revenues are real estate tax revenues collected for a specific purpose and are not permitted to be transferred. Mr. Breeden further commented that the board should return the entire tax reduction in the open space fund to the residents.

Mary Lou Gaffney, Upper Makefield, asked numerous questions regarding the Draft Act 537 Plan. Members of the Board and Solicitor John Rice explained that the Plan is in draft form and that no

specific decisions have been made regarding implementation or costs.

Jane Johnson, Upper Makefield, commented on a recent editorial from Bill Trainer, expressing her disagreement with his position. She then provided an update on the ongoing litigation regarding the Federal Cemetery Overlay (FCO) District.

Guy Polhemus, Washington Crossing Road, provided rebuttal on the comments made by Ms. Falconi regarding a televised debate. He explained that he was only willing to participate in a debate that was conducted by an impartial moderator. There was significant discussion about prior debates sponsored by the Upper Makefield Business Association and potential involvement of the League of Woman Voters.

Dave Kruszczyński, Upper Makefield, shared his experiences as serving as a volunteer in Upper Makefield and dealing with members of the township staff. He noted that the township staff has shown a high standard of professionalism during all of his interactions. He further commented on the Board's transparency.

APPROVAL OF MINUTES AND BILLS PAYABLE:

A motion was made by Ms. Ryan and was seconded by Mr. Cino to approve the October 19, 2011 minutes. Motion carried on a unanimous vote.

Ms. Teoli directed attention to the bills list for November 2, 2011. A motion was made by Ms. Ryan and was seconded by Mr. Cino to approve the November 2, 2011 Bills Payable list in the amount of \$77,500.29. Motion carried on a unanimous vote.

PLANNING AND ZONING ISSUES:

Kornfeld Solar Panel Review – 32 Jonathan Way

Mr. Kuhns provided an overview of the request to install a solar panel array on the front of the Kornfeld residence. He explained that, Pursuant to Ordinance 293, the Board of Supervisors must review any request for front-facing installation of solar panels. He further explained that the applicant must provide valid reasons as to why this is the only possible means for utilizing solar energy on the property.

Barry Moore of Moore Energy presented information to the Board, illustrating that the front-facing installation would result in a significantly improved output of energy. He added that the property owners would be eligible for a state rebate program only with the front-facing installation.

After discussion by the Board of Supervisors, it was agreed that a decision would be deferred until the township had the opportunity to notify adjacent property owners.

SOLICITOR'S REPORT:

Mr. Rice announced that an Executive Session would be held after the meeting to discuss a matter of pending litigation. No action will be taken.

MANAGER'S REPORT:

Sludge Removal Bid

Ms. Teoli reported on the sludge removal bid and reviewed the recommendation for approval by Tom Zarko, P.E. to award the contract to the lowest responsible bidder. Following discussion, a motion was made by Mr. Cino and was seconded by Ms. Ryan to award the Sludge Removal Bid to Franc Environmental of New Britain, PA at a cost of \$71,941 for the 3-year contract option beginning in 2012. Motion carried on unanimous vote.

Resolution No. 2011-11-02-01 – Designation of Agent for Hurricane Irene Disaster Assistance Documents

Resolution No. 2011-11-02-02 – Designation of Agent for Tropical Storm Lee Disaster Assistance Documents

Ms. Teoli introduced the resolutions designating an agent to execute documents on behalf of the township for Hurricane Irene and Tropical Storm Lee Disaster Assistance. After discussion, a motion was made by Ms. Ryan and was seconded by Mr. Rattigan to approve Resolution No. 2011-11-02-01. Motion carried by unanimous vote.

Resolution No. 2011-11-02-03 – Adoption of 2012 Budget

Ms. Teoli provided a brief overview of the budget approval process and reported that the 2012 Budget had been properly advertised for consideration by the Board of Supervisors.

After discussion, Mr. Rattigan made a motion to approve Resolution No. 2011-11-02-03. Mr. Baldwin then read the resolution into the record. Ms. Ryan seconded the motion.

Ms. Ryan then commented that this budget included a one-half mil decrease in real estate taxes for residents of the township. Mr. Baldwin noted that the township will spend \$500,000 less in 2011 than was budgeted. Mr. Cino expressed his opinion that action on the budget should be tabled because the budget still includes deficit spending.

Resident Mike Murray commented that he supported Mr. Cino's position.

Resident Barbara Breeden provided her opinion that the Cable Fund should be transferred to the General Fund. She further commented that all employees should be required to contribute toward pension and healthcare costs.

Mr. Baldwin then called the question on Resolution No. 2011-11-02-03 which was approved on a 3-1 vote with Mr. Cino voting no.

Resolution No. 2011-11-02-04 – Tax Levy

Mr. Teoli provided an explanation of the proposed Tax Levy Resolution. After discussion, a motion was made by Ms. Ryan and was seconded by Mr. Rattigan to approve Resolution No. 2011-11-02-04. Motion carried on a 3-1 vote with Mr. Cino voting no.

ENGINEER'S REPORT:

There was no Engineer's Report.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

There was no new business.

PUBLIC COMMENT AND MEDIA QUESTIONS:

Dan Worden, Lurgan Road, commented on his previous service as a Township Supervisor. He noted the township's requirement to operate under Government Accounting Standards Board (GASB) requirements. He provided examples of successful township projects that were accomplished on time and under budget. He highlighted a process of ongoing evaluation of management and resident needs.

Larry Breeden, Bankers Drive, responded to Mr. Worden's comments. He noted that KC Christian is not running for Supervisor. He further added that he has eight years of government experience with the Resolution Trust Corporation

Ernest Sasso, Jericho Mountain Road, commented on the "red star letter" that was sent by former Congressman Jim Greenwood and other current and former elected officials. Mr. Sasso assured the members of the board and the audience that the red star utilized on this letter was the Maoist Communist Red Star. Ms. Ryan refuted Mr. Sasso's claims as unreasonable.

Ruth Bannon, responded to Mr. Sasso's comments, explaining that the red star utilized in the campaign literature had nothing to do with Communist China.

A motion was then made by Mr. Rattigan to adjourn the meeting. The motion was seconded by Ms. Ryan. Motion carried and the meeting ended at 10:10 p.m.

Approved: November 16, 2011