

Upper Makefield Township Board of Supervisors

April 6, 2011 Meeting Minutes

The April 6, 2011 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Bud Baldwin at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Bud Baldwin, Vice Chair Tom Cino, Treasurer Mary Ryan, Member Dave Kulig and Member Dan Rattigan. Also in attendance were Township Manager Stephanie Teoli, Township Solicitor John Rice, Esq., Township Engineer Larry Young, P.E.

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 announced that there would be a special Community Meeting held on Wednesday, April 27th at 7 pm to review draft FEMA Floodplain Map Revisions. He noted that draft agendas and FEMA fact sheets were available for the public. Ms. Ryan reported on the Planning Commission's discussion of this topic and explained that electronic access to the maps would soon be available through the County website.

Mr. Rattigan announced that he recently attended a Bucks County Association of Township Officials (BCATO) meeting where the topic of pension reform was discussed. He then reported on the significant efforts made by various local government associations toward this goal.

Ms. Ryan announced that there would be a community tree planting at the Washington Crossing Historic Park on Saturday, April 9th at 9:00 a.m.

PUBLIC COMMENT:

Victor Ameye, 2 Lookout Lane, suggested that the Board of Supervisors postpone action on any employment contracts until after the November election because of the possibility of a new majority being elected to the Board. He then provided comment on the Board's decision to refinance the open space loan, noting his opinion that the money recently used to pay down principal should have been managed differently. Mr. Kulig provided clarification on why the Board's actions were appropriate and in line with the residents overwhelming approval of three separate open space referenda. Mr. Rattigan then spoke to Mr. Breeden's request that the Board delay action until after the elections. He noted that he was entrusted by the voters who elected him to take necessary actions the entire time he is in elected office

Larry Breeden, 3 Bankers Drive, read from written comments, criticizing the Board's stewardship of township funds and noting that the recent refinancing of the open space loan would not have happened without his and other resident's involvement in the budget process. He provided a recommendation that employee healthcare costs be reduced, that a hiring freeze be implemented and that all expenses for conferences be eliminated. Ms. Ryan took serious issue with Mr. Breeden's comments, emphasizing that the refinancing of the open space loan was discussed during early budget discussion, that a hiring freeze has been implemented and that the copay reimbursement accounts were eliminated for non-union employees. She added that Ms. Teoli participates in the cost of any conference that she attends. She further noted that she was offended that Mr. Breeden was attempting to take credit for the

very open space program that he was criticizing.

Ernest Sasso, 6 Jericho Mountain Road, commented on his involvement in opposing the tax increase during the 2011 budget process. He took issue with comments made to Mr. Breeden. Mr. Kulig clarified that the Board considered refinancing the open space loan beginning last spring. Mr. Baldwin commented that it was disrespectful to state that the Board of Supervisors had nothing to do with the fact that taxes were not raised in the 2011 budget. He emphasized the many hours dedicated to reviewing the budget during numerous meetings. Mr. Sasso then inquired about the Act 537 Plan update process. Mr. Baldwin and Ms. Ryan reported on the status of the project and encouraged Mr. Sasso to attend Planning Commission meetings where the issue is discussed and also noted that the draft was available on the website.

Pam Malagiere, 1500 Wrightstown Road, requested detailed information regarding the budget, specifically requesting public information regarding the decrease of the fund balance over the years. Mr. Baldwin provided a general background regarding decreasing revenue sources over the past three years. Mr. Kulig followed up by noting that Ms. Malagiere's questions were far too detailed to deal with during a public comment session. Ms. Teoli and members of the board encouraged Ms. Malagiere to provide a detailed written request for the information so that her questions may be answered. Ms. Malagiere requested specific information regarding current union negotiations. Mr. Rice noted that revealing details of ongoing collective bargaining discussions is not appropriate.

Guy Polhemus, 882 Washington Crossing Road, recognized the Board for their efforts but called for them to try to put themselves in the seat of the public. He requested more transparency and openness from the board and the staff. He noted that, even though he was as an elected auditor, he was required to fill out a Right-to-Know request. Ms. Teoli clarified that he received all documents that he requested, with the exception of those items that were exempt from release, as stated in the Right-to-Know Law. She further added that every request for public information follows the same process which includes the submission of a formal Right-to-Know form.

Barbara Breeden, 3 Bankers Drive, noted that the Board of Supervisors did not include any representation of the proposed refinancing in the 2011 budget, and in her opinion, this indicates that there was no consideration of refinancing until recommended by the residents.

APPROVAL OF MINUTES AND BILLS PAYABLE:

A motion was made by Mr. Cino and was seconded by Ms. Ryan to approve the March 16, 2011 Joint Board of Supervisors and Environmental Advisory Council minutes. Motion carried on a 3-0-2 vote with Mr. Baldwin and Mr. Rattigan abstaining.

A motion was made by Mr. Cino and was seconded by Mr. Kulig to approve the March 16, 2011 Board of Supervisors minutes. Motion carried by unanimous vote.

Ms. Teoli directed attention to the bills list for April 6, 2011. A motion was made by Mr. Kulig and was seconded by Mr. Cino to approve the April 6, 2011 Bills Payable list in the amount of

\$2,404,366.38. Motion carried by unanimous vote.

SOLICITOR'S REPORT:

Ordinance No. 296 – Water Systems

Mr. Rice introduced Ordinance No. 296 revising and amending the construction requirements for the water system, standards for water storage systems, residential flow rate and water distribution system. Mr. Baldwin opened the public hearing to consider approval of Ordinance No. 296. There were no comments from the Board of Supervisors and no comments from members of the public. Mr. Baldwin closed the public hearing. After discussion, a motion was made by Mr. Kulig and was seconded by Ms. Ryan to approve Ordinance No. 296. Motion carried by unanimous vote.

Resolution No. 2011-04-06-01 – Adopting Specification for Design and Construction of Water/Sewer Systems

Mr. Rice introduced the resolution adopting standard specifications for the design and construction of water/sewer systems. Following brief discussion, a motion was made by Mr. Kulig and was seconded by Ms. Ryan to table Resolution No. 2011-04-06-01. Motion carried by unanimous vote.

Resolution No. 2011-04-06-02 – Adopting Construction Details – Water/Sewer Systems

Mr. Rice introduced the resolution adopting water/sewer system construction details. Following brief discussion, a motion was made by Mr. Kulig and was seconded by Ms. Ryan to approve Resolution No. 2011-04-06-02. Motion carried by unanimous vote.

Ordinance No. 297 – Unit Debt (Open Space)

Mr. Rice introduced Ordinance No. 297 authorizing the issuance of a general obligation note in the amount of \$4,950,000 from First Savings Bank of Perkasie for the purpose of refinancing the open space loan. Mr. Baldwin opened the public hearing to consider approval of Ordinance No 297. There were no comments from the Board of Supervisors and no comments from members of the public. Mr. Baldwin closed the public hearing. After discussion, a motion was made by Mr. Cino and was seconded by Mr. Rattigan to approve Ordinance No. 297. Motion carried by unanimous vote.

Mr. Rice then announced that he would need an Executive Session to discuss a personnel matter after the meeting.

MANAGER'S REPORT:

Resident Response

As a follow up to a question raised at a previous meeting, Ms. Teoli provided a report on the 2011 Budget approval process. She noted the following:

- The Board of Supervisors held publicly advertised Budget meetings on October 13, 2010 and October 27, 2010.

- The Proposed Budget was presented to the public at the November 3, 2010 meeting. The Board authorized advertisement of the budget for public inspection at this same meeting.
- The official advertisement for public inspection ran in the Courier Times on November 10th.

The Second Class Township Code, at Section 3202(b), requires that the public have 20 days to inspect the budget in order to provide feedback prior to the Board's consideration of the Final Budget.

- The Final Budget was considered and approved at the December 1st meeting.

The Final Budget that was approved by the Board was immediately made available to the public.

- The Second Class Township Code, at Section 3202(a), calls for an additional advertisement of the proposed budget if estimates are, "increased more than ten percent in the aggregate or more than twenty-five percent in any major category." The real estate tax estimate *decreased* in the revised Budget.

High Service Pump Project

Ms. Teoli provided an overview of the bids for the Emergency High Service Pump Electrical/Control System Upgrades, and then introduced Tom Zarko of CKS Engineers who answered questions regarding his recommendation to award the contract to Lederach Electric, Inc of Lederach, Pennsylvania in the amount of \$55,900. Following brief discussion, a motion was made by Mr. Kulig and was seconded by Mr. Rattigan to award the Emergency High Service Pump Electrical/control System Upgrade contract to Lederach Electric, Inc. of Lederach, Pennsylvania in the amount of \$55,900. Motion carried by unanimous vote.

Dillon Way Water Surge Damage Report

Ms. Teoli provided an update on the Dillon Way Water Surge Damage Reimbursement Requests received by the Township. With the exception of one claim, all property owners were reimbursed by the Township's insurance carrier, Delaware Valley Insurance Trust, for the full claim amount. The board reviewed the request of the individual who did not receive full coverage and concurred with the insurance company's denial of coverage for items not related specifically to a pressure surge.

Stone and Asphalt Bid

Ms. Teoli provided an overview of the 2011-2012 Stone and Asphalt Bid. Following discussion, a motion was made by Mr. Kulig and was seconded by Ms. Ryan to award the 2011-2012 Stone and Asphalt Bid to Eureka Stone Quarry and Hanson-Penns Park as itemized in Bob Johnson memo dated March 18, 2011.

Budget/Cost Cutting

Ms. Teoli provided an update on the township's budget/cost cutting efforts through the end of the first quarter. (See attached.)

ENGINEER'S REPORT:

2011 Public Works Project Priorities

Mr. Young provided a lengthy presentation of potential projects for 2011 which outlined the need and estimated cost of each project. After discussion and debate, a motion was made by Mr. Cino and was seconded by Mr. Baldwin to authorize that six of the seven proposed projects move forward at a cost not to exceed the \$260,000 allocation in the 2011 budget.

OLD BUSINESS:

Mr. Kulig reported on a recent request that he received regarding hunting on township-owned property. He explained that one of the hunters who previously led efforts in the township's deer management program was interested in continuing to hunt township lands at no cost to the township. Members of the board discussed the positive impacts of continuing the deer management program and requested that the township manager and solicitor investigate the matter and prepare a letter agreement that would clarify details of the arrangement including insurance requirements and restrictions.

NEW BUSINESS:

There was no new business.

PUBLIC COMMENT AND MEDIA QUESTIONS:

There were no additional public comments or media questions.

ADJOURNMENT:

A motion was made by Mr. Kulig and was seconded by Mr. Rattigan to adjourn the meeting at 10:25 p.m. Motion carried.

Approved: April 20, 2011

Budget/Cost Cutting Plan – January 2011

I. Department Review of Revenues and Expenditures

a. Police Department:

- Reductions to individual line items \$80,000
Significant reduction in police overtime costs
Police fleet to be reduced by one car
- Police Regionalization
Board has authorized application to DCED for study of potential regionalization of police services with Newtown Township and Wrightstown Township.

b. Administration/Finance/Building/Planning:

- Review of telephone costs, both landlines and mobile \$ 8,600
- Review of trash removal/recycling costs \$ 1,360
- Website/Enews – restructuring of contract \$ 8,000
- Ongoing reductions in materials/office supplies line items
- Insurance savings \$ 950

c. Public Works:

- Review underway of line item expenditures
- Review underway of possible outsourcing

II. Review of all Consultant Costs/Contracts

- a. Solicitor/Engineer
 - Consultants are now on an “as-needed” basis for all volunteer boards and commissions.
- b. Banking Services – Banking Services RFP due in May
- c. Auditing Services – Discussion of Auditing Services RFP scheduled for June

III. Review/Restructuring of Contracts

- a. Landscaping Bid
- b. Cleaning Services Bid

Bid specifications restructured to provide alternates for cost savings. Both awarded contracts were significantly lower than 2010 contracts.

IV. Debt/Cash Management

- a. Review of Debt Refinancing Options
 - Open Space Loan to be refinanced. First year savings to be in excess of **\$400,000**
 - Open Space Bond not able to be refinanced until 2016
- b. Review of Investment of cash – Review underway