

**Upper Makefield Township Board of Supervisors
January 2, 2024 Reorganization Meeting Minutes**

The January 2, 2024 Reorganization meeting of the Upper Makefield Township Board of Supervisors was called to order by Mr. Cino at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Tom Cino, Yvette Taylor, Tim Thomas and Ben Weldon. Also in attendance were Township Manager David R. Nyman, Assistant Township Manager Judy Caporiccio, Township Solicitor Mary Eberle and Chief Mark Schmidt.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

ADMINISTRATION OF OATHS OF OFFICE – The Honorable Mick Petrucci

District Judge Mick Petrucci administered Oaths of Office to the Elected Auditors David Wilkinson and Kari Ries and Supervisors Ben Weldon and Braun Taylor.

PUBLIC COMMENT

Mr. Taylor, thanked the community, staff and supervisors for their support during the transition period as he begins his term as an elected supervisor.

Priscilla Linden, 50, Dillon Way, congratulated the newly elected officials.

State Senator Steve Santarsiero congratulated the newly elected officials noting that the recent election was an example of our democracy, and he offered continued assistance moving forward to help meet Township goals.

State Representative Perry Warren thanked all of the elected officials for their service and said he looks forward to continuing to work with the Board and staff.

Mr. Cino read a statement stressing the importance of communication noting a concern that some board members were excluded from pre-reorganization decision-making, disappointment that decisions on volunteer positions were being delayed, and disagreement with removing a long-serving Township engineer.

Mr. Thomas read a statement expressing concerns about the manner in which reorganization has been handled by not including the entire Board in discussions and about the exclusion of experienced supervisors in leadership positions and as committee liaisons.

Mr. Taylor expressed his disappointment in the preceding dialogue noting his preparations before assuming office.

Jane Johnson, Eagle Road, congratulated newly elected officials and expressed her concerns regarding a Township engineering change given the years-long and ongoing development court case with Toll Brothers, in which she is personally involved. She encouraged the board to work collaboratively for the best interests of the Township.

RE-ORGANIZATION OF THE BOARD

Appointment of Interim Chair

A motion was made by Mr. Cino and seconded by Mr. Weldon to appoint Township Manager David Nyman as Interim Chair. Motion carried by unanimous vote.

Election of Chair

Mr. Nyman then accepted nominations for Chair. A motion was made by Mr. Weldon and seconded by Mr. Taylor to nominate Ms. Taylor as Chair. Motion carried by a 3 to 2 vote with Mr. Cino and Mr. Thomas voting in opposition.

Ms. Taylor presided over the meeting from this point.

Ms. Taylor took exception to the allegations of secret meetings and politically motivated decision-making and referenced communications with Mr. Thomas and Mr. Young. She then thanked the Board for supporting her as Chair and named stormwater management, emergency services and good stewardship of Township funds as priorities. She thanked Mr. Cino for his service as Chair and her desire for a diverse, inclusive and respectful Board moving forward.

Election of Vice Chair

A motion was made by Mr. Taylor and seconded by Ms. Taylor to nominate Mr. Weldon as Vice Chair. Motion carried by a 3 to 2 vote with Mr. Cino and Mr. Thomas voting in opposition.

Election of Township Treasurer & Set Treasurer's Bond (Bond Currently set at \$1,000,000)

A motion was made by Mr. Weldon and seconded by Ms. Taylor to nominate Mr. Taylor as Township Treasurer and to set the bond for Township Treasurer at \$1,000,000. Motion carried by a 3 to 2 vote with Mr. Cino and Mr. Thomas voting in opposition.

APPOINTMENT OF TOWNSHIP MANAGER AND CONSULTANTS

A motion was made by Mr. Thomas and seconded by Mr. Taylor to reappoint Township Manager/Secretary/Right to Know Officer David R. Nyman. Motion carried by unanimous vote.

A motion was made by Mr. Taylor and seconded by Mr. Weldon to reappoint Township Assistant Manager/Assistant Right to Know Officer Judy Caporiccio. Motion carried by unanimous vote.

A motion was made by Mr. Taylor and seconded by Mr. Thomas to reappoint Township Solicitor Grim, Biehn & Thatcher. Motion carried by unanimous vote.

A motion was made by Mr. Weldon and seconded by Mr. Taylor to appoint Township Engineer Gilmore & Associates. Mr. Cino noted that this is an important decision and questioned the number of firms and costs considered.

Mr. Taylor stated that he assessed various vendors to make his decision in the best interest of the Township and his desire that Tri State Engineers continue to work on the ongoing litigation with Toll Brothers.

Ms. Taylor noted the engineering costs would be within budget.

Mr. Weldon stated that he spoke with eight engineering firms and considered experience with stormwater management and grant writing as an important factor.

Mr. Thomas requested an Executive Session to discuss the Township Engineer decision and fee schedule.

Mr. Weldon called the question. The motion to appoint Gilmore & Associates as Township Engineer was carried by a 3 to 2 vote with Mr. Cino and Mr. Thomas voting in opposition.

Mr. Cino questioned how the conflicts of interest will be addressed when developers are represented by the new Township Engineer.

A motion was made by Mr. Weldon and seconded by Mr. Taylor to reappoint Township Water and Sewer Engineer CKS Engineers, Inc. Motion carried by unanimous vote.

A motion was made by Mr. Weldon and seconded by Mr. Taylor to reappoint Township Labor Counsel Eckert Seamans. Motion carried by unanimous vote.

BOARD OF SUPERVISORS – LIAISON APPOINTMENTS

Ms. Taylor proposed the following liaison appointments.

Planning Commission – Braun Taylor
Park & Recreation Board – Tom Cino
Historical Advisory Commission – Yvette Taylor
Historic Architectural Review Board – Braun Taylor
Fire Companies – Ben Weldon
Police Department – Tom Cino
Council Rock School Board – Tim Thomas
Environmental Advisory Council/Open Space – Ben Weldon
Financial Advisory Committee - Braun Taylor
Investment Committee – Tom Cino
Traffic Advisory Committee - Ben Weldon
Non-Uniformed Employees - Yvette Taylor
National Veterans' Cemetery - Tim Thomas
Public Works - Yvette Taylor
Emergency Management – Tim Thomas
Agricultural Security Advisory Board (voting member and Chair) – Tom Cino
Jointure Representative - Ben Weldon
PSATS Voting Delegate for 2024 – Braun Taylor

A motion was made by Mr. Weldon and seconded by Mr. Taylor to appoint the Board of Supervisor liaisons for 2024 as proposed. Motion carried by a 3 to 2 vote with Mr. Cino and Mr. Thomas voting in opposition.

FINANCIAL INSTITUTIONS/MILEAGE RATE/TAX COLLECTION COMMITTEE

DELEGATES

A motion was made by Mr. Weldon and seconded by Mr. Taylor to authorize that Township funds be deposited with First National Bank & Trust Co. of Newtown, Penn Community Bank, PLGIT (Pennsylvania Local Government Investment Trust) and Huntington National Bank. Motion carried by unanimous vote.

2024 MILEAGE RATE

A motion was made by Mr. Weldon and seconded by Mr. Taylor to set the mileage rate for 2024 at the IRS designated rate of 67 cents per mile. Motion carried by unanimous vote.

RESOLUTION NO. 2024-01-02-01 – AUTHORIZING BANK SIGNATURES

A motion was made by Mr. Weldon and seconded by Mr. Taylor to approve Resolution No. 2024-01-02-01 authorizing bank signatures. Motion carried by a unanimous vote.

RESOLUTION NO. 2024-01-02-02 – AUTHORIZING PAYMENTS OF CERTAIN OPERATING DISBURSEMENTS

A motion was made by Mr. Weldon and seconded by Mr. Taylor to approve Resolution No. 2024-01-02-01 authorizing payments of certain operating disbursements. Motion carried by a unanimous vote.

NEWSPAPERS

A motion was made by Mr. Taylor and seconded by Mr. Weldon to establish that Legal Notices be placed in the Advance, Courier Times or Philadelphia Inquirer. Motion carried by unanimous vote.

2024 BOARD OF SUPERVISORS MEETING DATES

A motion was made by Mr. Weldon and seconded by Mr. Thomas to establish the first and third Tuesdays of each month as meeting days for the Board of Supervisors in 2024 with the exception of Wednesday, November 6 due to Election Day. All meetings will be held at the Municipal Building beginning at 7:30 p.m. Motion carried by unanimous vote.

BOARD AND COMMISSION REAPPOINTMENTS

A motion was made by Mr. Weldon and seconded by Mr. Taylor to reappoint Hank Lieberman as a full member of the Zoning Hearing Board for a term which expires 12/31/28. Motion carried by a unanimous vote.

A motion was made by Mr. Weldon and seconded by Mr. Taylor to appoint Carolyn Dorph as Vacancy Board Chair for a term which expires December 31, 2024. Motion carried by a 3 to 2 vote with Mr. Cino and Mr. Thomas voting in opposition.

APPROVAL OF MINUTES AND BILLS

A motion was made by Mr. Weldon and was seconded by Mr. Cino to approve the December 19, 2023 Board of Supervisors meeting minutes. Motion carried by a unanimous vote.

A motion was made by Mr. Thomas and seconded by Mr. Cino to approve the January 2, 2024 Bills Payable List in the amount of \$144,657.12. Motion carried on a unanimous vote.

MANAGER'S REPORT

Bridge Projects

Mr. Nyman share highlights of the three proposed bridge rehabilitation projects.

A motion was made by Mr. Weldon and seconded by Mr. Taylor to accept the proposal of D. J. Pinciotti Construction of Richboro, PA in the amount of \$17,500 for the Green Bridge Repair Project; to accept the proposal of Toth Bros. Clearing and Dredging, Inc., of Sellersville, Pa in the amount of \$21,665 for the Bridge #7 Repair Project; and to accept the proposal of D. J. Pinciotti Construction of Richboro, PA in the amount to \$17,500 for the Bridge #9 Repair Project.. Motion carried by unanimous vote.

Consultant Agreement with Tri-State Engineers

A motion was made by Mr. Weldon and seconded by Mr. Taylor to approve the Consulting Agreement with Tri-State Engineers & Land Surveyors, Inc. substantially in the format presented, with Larry Young as principal engineering consultant, to ensure continuity of certain Township engineering projects. Motion carried by a 3 to 2 vote with Mr. Cino and Mr. Thomas voting in opposition.

PUBLIC COMMENT

Bud Baldwin, Eagle Road, shared concerns regarding the decision to change engineers, a potential violation of the Sunshine Act, and the importance of involving all five Board members in decision-making. Ms. Eberle clarified that there had been no violation of the Sunshine Act.

Tom Linus, 206 Heron Court, expressed concern about the vetting process to change engineers.

Bill Hoefer, Canal Run East, also questioned a potential Sunshine Act violation and the lack of discussion among the full Board regarding a change of engineers. Ms. Eberle clarified that there had been no violation of the Sunshine Act.

Heather Roberts, Wrightstown Road, noted Mr. Cino's daily support of first responders and emergency services during the July 15th flooding disaster and expressed concern that he will no longer be the liaison to the Fire Company.

Rich Krollman, Washington Crossing, expressed transition concerns.

Jane Taylor, 3 Orchard Road, questioned the previous Board's preparation for the July 15th flooding disaster, noted that the election process is an example of democracy, and expressed concern about litter along the roads. Mr. Cino noted the July 15th event was an epic storm.

Andy Block, Decision Way West, encouraged the Board to work together noting that as a former school board member, he knows the value of collaboration and working across party lines.

Wendy Nowicki, Timber Ridge, congratulated the newly elected officials and emphasized the need to work together.

Marlin Sadat, Timber Knoll, shared concerns about Taylorsville Road and Woodhill Road flooding in 2006.

Mr. Taylor re-affirmed his desire to represent all of the taxpayers.

ADJOURNMENT

A motion was made by Mr. Weldon and seconded by Mr. Thomas to adjourn at 8:57 p.m. Motion carried by unanimous vote.

Respectfully submitted,



David R. Nyman
Township Manager

Approved: January 16, 2024