

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
ORGANIZATIONAL MEETING  
MINUTES – JANUARY 7, 2013

The Organizational Meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on January 7, 2013. Mr. Stainthorpe called the meeting to order at 7:30 p.m.

Those present:

Board of Supervisors:       Pete Stainthorpe, Chairman  
                                      Dobby Dobson, Vice Chairman  
                                      Dan McLaughlin, Secretary  
                                      Kristin Tyler, Treasurer  
                                      Jeff Benedetto, Supervisor

Others:                         Terry Fedorchak, Township Manager  
                                      John Koopman, Township Engineer  
                                      Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

There was no public comment at this time.

ELECTION OF CHAIRMAN PRO TEM  
ELECTION OF CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2013

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to elect John Koopman as Chairman Pro Tem.

The meeting was turned over to Mr. Koopman who called for nominations for Chairman of the Board of Supervisors for 2013.

Mr. McLaughlin moved and Mr. Benedetto seconded to elect Pete Stainthorpe as Chairman of the Board of Supervisors for 2013. There were no further nominations, and the nominations were closed. Motion to elect Pete Stainthorpe carried unanimously.

The meeting was turned over to Mr. Stainthorpe for the election of the other Officers.

Mr. McLaughlin stated he was Vice Chairman last year and typically the Vice Chairman next becomes the Chairman; however, in this instance he felt it was the best thing for the Township to allow Mr. Stainthorpe to be Chairman for another year since he feels it is very important that they have the best skill sets in the positions on the Board. He stated Mr. Stainthorpe is an excellent Chairman and is able to guide the Board with a steady hand.

#### ELECTION OF OTHER OFFICERS

Mr. Stainthorpe asked for nominations for Vice Chairman of the Board of Supervisors for 2013.

Mr. McLaughlin moved and Ms. Tyler seconded to nominate Dobby Dobson as Vice Chairman of the Board of Supervisors for 2013. There were no further nominations, and the Motion carried unanimously.

Mr. Stainthorpe asked for nominations for Secretary of the Board of Supervisors for 2013.

Mr. Dobson moved and Mr. Benedetto seconded to nominate Dan McLaughlin as Secretary of the Board of Supervisors for 2013. There were no further nominations, and the Motion carried unanimously.

Mr. Stainthorpe asked for nominations for Treasurer of the Board of Supervisors for 2013.

Mr. McLaughlin moved and Mr. Dobson seconded to nominate Kristin Tyler as Treasurer of the Board of Supervisors for 2013. There were no further nominations, and the Motion carried unanimously.

Mr. Stainthorpe asked for nominations for Assistant Secretary/Treasurer for 2013 adding that this is typically the Township Manager.

Mr. Dobson moved, Mr. Benedetto seconded and it was unanimously carried to appoint Terry Fedorchak as Assistant Secretary/Treasurer for 2013.

REMARKS BY THE CHAIRMAN

Mr. Stainthorpe stated they had a good year in 2012. He stated he had set some things out at the first meeting in January, 2012; and they were able to accomplish most of them with the exception of a few items that will be finalized this year. He stated their main goal was to put the Township on solid financial footing, and he feels they have done that. He stated spending levels are close to what they were in 2008, and they have not had a tax increase since 2008; and he does not believe that there has been any reduction at all in the level of service to the citizens or the quality of the parks and roads.

Mr. Stainthorpe stated he feels there is a stark contrast that exists between local government and the National government. He stated the National government was facing a “fiscal cliff,” and he questions the management of the leaders who brought the Country up to the edge. He stated he believes that the Federal Government is broken and ineffective. He stated they have not been able to pass a Budget in three years.

Mr. Stainthorpe stated he sees something totally different when looking at the local governments in Bucks County and the State. He stated although it is a smaller scale, the Township’s Budget was put together by the Township staff beginning in August; and there were two Budget Workshops. He stated while there is give and take, they get the Budget done every year; and they perform the services they are supposed to perform. He stated Pennsylvania local government is very effective and responsive. He stated every resident has the opportunity to interface directly with the Supervisors at every meeting on every issue discussed. He stated there is no process that is more transparent than local government in Pennsylvania. He stated he feels local government works because it is small compared to the National government.

Mr. Stainthorpe stated the Board’s interest has always been the Township residents. He stated last year he talked about making Lower Makefield a model of good government and an example of best management practices, and he feels they have continued to do this. Mr. Stainthorpe stated they still do need to have funds to do what they need to do. He stated due to the efforts of the Township Manager and the Department Heads, they have been able to maintain a level of service at a set level of dollars for the past five years; however, he does not feel this can go on forever, and they are getting to the point where there is not much left to cut anymore. He stated they will continue to run a “very tight ship.”

Mr. Stainthorpe stated they received a number of proposals to manage the Pensions, and it will probably be April before they can review everything that has been presented; but this will be implemented this year. Mr. Stainthorpe stated they have not finished the development of the Economic Development Plan, and this will be done by February.

Mr. Stainthorpe stated they will be constructing two new ball fields, and these will be put out to bid at the next Board of Supervisors meeting. He stated they also have to review the Ten Year Comprehensive Plan. He stated this will involve the Township's Planning Commission and the Bucks County Planning Commission, and there will be a thorough review.

Mr. Stainthorpe thanked the other Supervisors for the confidence in him they have shown in appointing him as Chairman. He wished his colleagues the best for the coming year; and stated he feels that together, they can do great things. He stated they will continue to make Lower Makefield the best place to live in Bucks County.

#### APPOINTMENT OF CHAIRMAN OF THE VACANCY BOARD

Mr. Dobson moved and Mr. McLaughlin seconded the appointment of Tim Malloy as Chairman of the Vacancy Board. Motion carried with Mr. Benedetto opposed.

Mr. Benedetto stated his issue with Mr. Molloy as the Vacancy Chair is that he does not feel this should be a political position, and Mr. Malloy is an Executive of the local Republican Party. He stated he would have been in favor of appointing Karen Friedman who is active in the community and serves on the Planning Commission.

#### APPOINTMENT OF TOWNSHIP SOLICITOR

Mr. Dobson moved and Ms. Tyler seconded the appointment of Begley, Carlin & Mandio as Township Solicitor for 2013.

Mr. Benedetto stated he feels Begley Carlin has done a fine job, but he feels that there should have been other firms considered. He stated he regrets that he voted in favor of the appointment of Begley Carlin last year as there were no other firms considered. He stated when he ran for Supervisor he had indicated that the Board should look at other firms and have a competitive, open bidding process. He stated he should have voted against Begley Carlin last year, not because they are not a good firm, but because he had indicated when he ran that there should be a competitive bidding process for all professional services. He stated this did not take place for the solicitor, and it should have.

Mr. McLaughlin stated he had the benefit of working with Curtin & Heefner and with Begley Carlin, and he feels that Mr. Garton brings a level of expertise to the Township that would be hard to overcome in any kind of interview process. He stated Mr. Garton is the foremost Municipal lawyer in the State and has written most of the Ordinances that currently govern Lower Makefield. He stated he is also an excellent

“sounding board” on the legal matters of the day. He stated he does not feel an interview process would have overcome this; and while in most cases he would agree with Mr. Benedetto as to interviewing for professional services, in this case the expertise that Mr. Garton brings is unquestioned. He stated he feels Mr. Garton serves the Township extremely well.

Mr. Zachary Rubin, 1661 Covington Road, asked the hourly rates; and he asked if they are the same as last year. Mr. Fedorchak noted the rates which are the same as last year.

Motion to appoint Begley Carlin carried with Mr. Benedetto opposed.

#### APPOINTMENT OF ENGINEERS

Mr. Dobson moved and Mr. McLaughlin seconded the appointment of Boucher & James as Township engineer for 2013.

Mr. Benedetto stated he felt that having three engineering firms did not make sense, and last year he felt it would be best to have Pennoni as full-service engineers; and he would still like to see this as he feels it would save money. Mr. Benedetto stated he does feel that all the firms being considered for appointment do a fine job.

Mr. Stainthorpe stated Boucher & James, as the Township engineer, is a general engineer doing mostly Municipal Service work, some Land Development work, and some Zoning work. He stated the sewer engineer does strictly wastewater work, and the traffic engineer does traffic engineering; and these are all distinctly different disciplines. He stated even if there was one firm, they would still have three different engineers; and he does not feel there would have been any real savings to having all three from one firm.

Motion carried with Mr. Benedetto opposed.

Mr. McLaughlin moved and Mr. Dobson seconded to appoint Tri-State Engineers & Land Surveyors as the Sewer engineer. Motion carried with Mr. Benedetto opposed.

Mr. Dobson moved and Ms. Tyler seconded to appoint Gilmore & Associates as the Traffic engineer.

Mr. Benedetto asked how much work the Traffic engineer did for the Township last year. Mr. Fedorchak stated they had not been particularly active in 2012 although most recently they were asked to look at the traffic design and traffic flows for the Samost ball fields. He stated they also did a few minor projects. He stated any time there is a Land Development Plan, they do submit a review letter to the Planning Commission.

Motion carried with Mr. Benedetto opposed.

Mr. Benedetto asked if they have an environmental engineer, and Mr. Stainthorpe stated they do not have a separate engineer for this.

Mr. Dobson moved, Ms. Tyler seconded and it was unanimously carried to appoint Tri-State Engineers & Land Surveyors as Conflict engineer.

#### APPOINTMENT OF PROFESSIONAL SERVICE PROVIDERS

Mr. Stainthorpe stated while these appointments are not required by the Second Class Township Code, he had asked some years ago that the Board do this. He noted the list provided to the Board of Supervisors and added that there are no changes this year.

Mr. McLaughlin stated they are bidding out the Pension, and he asked if the appointment this evening would have an impact on the ability to bid this out. Mr. Fedorchak stated if it is the Board's desire to change the Pension consultant, the Board will vote on this at a public meeting.

Mr. Benedetto stated he feels First Federal has been an excellent choice.

Mr. McLaughlin moved, Mr. Benedetto seconded and it was unanimously carried to appoint the Professional Service Providers as presented.

#### APPOINT DELEGATE AND ALTERNATE DELEGATE TO THE ANNUAL CONVENTION OF PENNSYLVANIA TOWNSHIP SUPERVISORS TO BE HELD APRIL 21-24, 2013 AT THE HERSHEY LODGE

Mr. McLaughlin moved and Mr. Benedetto seconded to appoint Pete Stainthorpe as the Delegate and Dobby Dobson as the Alternate to the Annual Convention.

Mr. Stainthorpe stated you do not have to be a Delegate to attend the Convention and all five Supervisors may attend.

Mr. Zachary Rubin, 1661 Covington Road, stated he assumes Resolutions are brought up and passed at this Convention, and Mr. Stainthorpe agreed. Mr. Rubin asked that the Board of Supervisors make a Motion instructing the Township Delegates to bring up a Resolution to oppose the State law that prohibits Municipalities from banning guns in their public parks. Mr. Stainthorpe there is a process that needs to be followed, and it first needs to go to a County Association which will be held the first Saturday in February. He stated if this is approved by the County organization, it will then be sent to the Pennsylvania Township Supervisors Committee. Mr. Stainthorpe agreed to have this put on the Agenda for the next Board of Supervisors' meeting. He stated he feels the Board will also need to have the Township solicitor weigh in on this since the prior law was determined to be un-Constitutional by the State Constitution.

Motion to approve appointment of Delegate and Alternate Delegate carried unanimously.

#### SUPERVISOR LIAISON ASSIGNMENTS FOR 2013

Mr. Stainthorpe provided to the Board of Supervisors the Supervisor Liaison assignments for 2013.

#### ESTABLISH AMOUNT OF TREASURER'S BOND AT \$2,000,000

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to establish the Treasurer's Bond at \$2,000,000.

#### ESTABLISH AMOUNT OF ASSISTANT TREASURER'S BOND AT \$2,000,000

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to establish the Assistant Treasurer's Bond at \$2,000,000.

#### APPROVE RESOLUTION APPROVING A SPECIAL OCCASION PERMIT

Mr. Stainthorpe stated a Special Occasion Permit has been requested by St. John's Church which is planning to have a Mardi Gras/Chili Night on February 9. He stated they are going to sell drink tickets, and in order to do this they have to have a Special Permit from the Pennsylvania Liquor Control Board; and the Board needs to pass a Resolution in advance of them getting this approval from the Pennsylvania Liquor Control Board.

Mr. Stainthorpe stated the proceeds are going to replace a roof that was damaged during Hurricane Sandy. He noted that they have done this in the past for other organizations.

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to approve the Resolution.

#### GRANT DOGWOOD DRIVE EXTENSION

Mr. Dobson moved and Ms. Tyler seconded to grant an Extension of time to Dogwood Drive to 4/15/13.

Mr. Benedetto stated he is reluctant to approve this. He stated this has been around since 2005, and is only a Preliminary Plan. He stated they have extended it a number of times already. Mr. Stainthorpe reminded Mr. Benedetto that the Extensions protect the Township; and without an Extension after ninety days, the Plan would be a Final Approval. Mr. Benedetto stated he disagrees that this is to the Township's benefit since it has been around for many years, and he questions if they are intending to proceed.

Mr. Koopman stated the Pennsylvania Municipalities Code indicates that the Township has ninety days to act upon a Land Development Application, otherwise it is deemed Approved. He stated when an Applicant is not prepared to move forward or does not have the Plans in order for Approval, the Applicant requests an Extension of time. He stated the Board would be giving them an Extension of time to move forward with the project. He stated the Board does have the option at some point if there are continued requests to extend the time for Approval, the to advise the developer that this is the last request for Extension that will be approved unless they come to the Board and give an explanation as to why they need a further Extension.

Mr. Koopman stated with regard to Dogwood Drive, he feels that they should grant the Extension; and they may want the Developer to come before the Board if they need a further Extension to explain why they need it. Mr. Koopman stated if the Board does not grant the Extension this evening, the Board would need to be in a position to Deny the Plan and set forth reasons for the Denial.

Motion to Approve Grant of Extension carried with Mr. Benedetto opposed.

#### OTHER BUSINESS

Mr. Barry Wood stated he has been a resident of the Township for fifty-four years and has seen many Boards of Supervisors. He stated he is proud that he had a small part in having at least four of the Supervisors getting elected and looks forward to the fifth one.

Mr. Wood stated he feels the Board runs the Township very efficiently and has kept the taxes down. He stated they have also been open, and he is proud of that, and the community should be proud of the Board as well.

Mr. Wood stated he feels one of the greatest appointments the Board made was Jeff Garton who is probably the best attorney in the Country at the Municipal level.

Mr. Wood asked that the Board continue their good work.

Mr. Stainthorpe stated he has served with twelve Supervisors over the past eleven years and the character of all the Boards has been totally different yet they have been consistent in maintaining the quality of life in the Township and consistent in making decisions for the right reasons. Mr. Stainthorpe stated even if the Board members disagree, he feels the current Board is a good Board and everyone is on the Board for the right reason and makes decisions for the right reason. He stated he is proud to serve with all of the other Supervisors.

There being no further business, Ms. Tyler moved, Mr. Benedetto seconded and it was unanimously carried to adjourn the meeting at 8:05 p.m.

Respectfully Submitted,

Dan McLaughlin, Secretary