

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
ORGANIZATIONAL MEETING  
MINUTES – JANUARY 3, 2012

The organizational meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on January 3, 2012. Mr. Stainthorpe called the meeting to order at 7:30 p.m.

Those present:

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

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

PUBLIC COMMENT

Mr. Harold Koopersmith, 612 B Wren Song Road, welcomed the new Supervisors and discussed the process the prior Board followed.

Mr. Greg Caiola, 929 Pickering Drive, wished the new Board luck this year and urged them all to listen to the constituents and be accessible. He stated it was a pleasure to serve on the Board working with the other Supervisors and the Township staff.

SWEARING IN

The Honorable Michael J. Burns was present and the following were sworn in:

Sam Spera, Auditor  
Jeffrey Benedetto, Supervisor  
Dobby Dobson, Supervisor  
Kristin Tyler, Supervisor

#### ELECTION OF CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2012

Mr. Stainthorpe moved, Mr. McLaughlin seconded and it was unanimously carried to appoint Terry Fedorchak as Chairman pro-tem. Mr. Fedorchak stated the sole function of the temporary Chair is to assist the Board of Supervisors in the election of the Chairman for the year 2012. He opened the floor for nominations.

Mr. McLaughlin nominated Pete Stainthorpe as Chairman of the Board of Supervisors. There were no further nominations, and the nominations were closed. Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to elect Pete Stainthorpe as Chairman of the Supervisors for 2012.

#### ELECTION OF OTHER OFFICERS

Mr. Stainthorpe called for nominations for Vice Chairman. Mr. Dobson moved, Mr. Benedetto seconded and it was unanimously carried to elect Dan McLaughlin as Vice Chairman for 2012.

Mr. Stainthorpe called for nominations for Secretary. Mr. McLaughlin moved, Mr. Benedetto seconded and it was unanimously carried to elect Dobby Dobson as Secretary for 2012.

Mr. Stainthorpe called for nominations for Treasurer. Mr. Dobson moved, Ms. Tyler seconded and it was unanimously carried to elect Jeff Benedetto as Treasurer for 2012.

Mr. Stainthorpe stated the Assistant Secretary/Treasurer is usually the Township Manager. Mr. Benedetto moved, Mr. Dobson seconded and it was unanimously carried to elect Terry Fedorchak as Assistant Secretary/Treasurer for 21012.

#### REMARKS BY THE NEW CHAIRMAN

Mr. Stainthorpe congratulated his new colleagues adding he looks forward to a productive year. Mr. Stainthorpe stated he last served as Chair in 2005 and stated it is a very different world today than it was seven years ago. He stated in 2005 Lower Makefield was at the tail end of its major development, and the task of being a Supervisor was changing from managing development to managing a town. He stated in 2008, there were significant changes due to the financial market. He stated real estate sales and development dried up. He stated they needed to become smart business people and manage the Township like a business. He stated he credits the Township Manager, the Chief of Police and the rest of the Township staff for fully embracing this concept.

He stated there has not been a tax increase since 2008. He stated the last Budget which was passed showed spending levels which were at 2008 levels. He stated they were also able to add money to the surplus, were able to put an additional \$600,000 into the paving program, and did not raise taxes. He stated they are doing more with less, and learning to run the Township like a business. Mr. Stainthorpe stated he promises that this will continue. He stated they will look to save money but will not do any of it at the expense of the residents. He stated Lower Makefield is known as a great place to live and as a well-managed Township; and it has been this way for many, many years.

Mr. Stainthorpe stated they will continue to challenge the staff to find ways to save, and in the coming year they will review everything. He stated they will put out an RFP on banking which has not been done for eight years, and look to see if they can save money on banking. He stated they will also review all the insurance options and the pensions.

Mr. Stainthorpe stated the Public Works Director, Hank Hoffmeister, is planning to retire so they will take this opportunity to review how public works is done in the Township. He stated he is not sure that they have the right people doing the right jobs or the right equipment, and if there are things that they can outsource. He stated they have not looked at this in twenty-five to thirty years. He stated while they do things well, he feels they should look to see if they can do them more cost effectively and more efficiently.

Mr. Stainthorpe stated they will continue to have a top-notch Police Department, and they will spend money where it makes sense. He stated part of the last Campaign was a discussion about Community Pride Day and that it should be brought back. Mr. Stainthorpe stated he does not feel they should spend \$60,000 of the residents' money on a party. He stated they will put real money into real things that make this a real community. He stated they will build community 365 days a year by doing the right things, preserving the quality of life, and making this the best, most efficient Government in Bucks County, and the State of Pennsylvania; and they will be a model about how well things can be done.

Mr. Stainthorpe stated those who have run for office and knocked on doors know how difficult it can be, based on residents' feedback, to get a Permit in the Township. He stated they have enjoyed a reputation for being tough; and when there was significant development, that was a good thing, and the Department was so tough a developer was afraid to try to cut corners, but there is not that much development going on now. He stated the average resident's main contact with the Township are the Pool and Permits, and they are going to make both of these experiences positive, friendly, and consumer-oriented so that it is a pleasure to come in and do business with the Township. He stated while this will not happen overnight, the residents will be treated as customers and will find helpful employees. He stated they will continue to be tough with developers; but once that is done, Permits will be issued promptly, inspections will be handled in a timely

manner, and it will be a great place to do business. He stated every time a new house is completed this brings in a transfer tax, and Permit Fees, and they will work to get these on line as quickly as possible so that they can keep the taxes low.

Mr. Stainthorpe stated the Township is in the process of fighting Aria Hospital, and they may or may not end up with a Hospital; however, the Township needs tax ratables and currently they do not do anything active to attract businesses. He stated they do not have the power to create tax incentives, but he will task the Economic Development Committee to do more than just a Directory of local businesses; and he would like to see a Plan put together where they start to interact with the Governor's Office on Economic Development. He stated they have started to interact with the Philadelphia Chamber of Commerce and those at the County level, and there are a lot of organizations that could do a lot to bring businesses to Lower Makefield where they have a lot to offer to businesses. He stated currently there are empty stores and office buildings; and as they approach the future, he feels they need to get serious about finding ways to attract businesses to the Township. He stated this will help the tax base and help the Supervisors keep the taxes down for the residents.

Mr. Stainthorpe stated his commitment for the coming year is to help the Township be the best that it can be. He stated Lower Makefield will be the best managed, best run, and best place to live in the State of Pennsylvania.

#### APPOINT CHAIRMAN OF THE VACANCY BOARD

Mr. McLaughlin moved and Mr. Dobson seconded to appoint Tim Malloy as Chairman of the Vacancy Board.

Mr. Stainthorpe stated in the event that a Supervisor were to resign or be forced out of office, if the sitting Supervisors cannot agree on an appointment, the Vacancy Chair would break the tie.

Motion carried unanimously.

#### APPOINTMENT OF TOWNSHIP SOLICITOR

Mr. Dobson moved and Mr. McLaughlin seconded to appoint Begley, Carlin & Mandio as Township Solicitor for 2012.

Mr. Zachary Rubin, 1661 Covington Road, asked what will be the hourly rate charged by Begley, Carlin; and Mr. Stainthorpe stated it will be \$145 per hour for a partner and \$135 per hour for an Associate. Mr. Rubin stated six years ago when the Solicitor was changed, the new Solicitor, Curtin & Heefner, came in with a lower hourly rate; and that rate has continued with Hill Wallack. Mr. Rubin asked what was the rate last year that Hill Wallack charged. Mr. McLaughlin stated he was signing the checks, and he believes that it was \$145 for a partner and \$135 for an associate. Mr. Rubin stated in light of Mr. Stainthorpe's prior remarks, he hopes that all the professional services that are bid out will be at least the same or less than the previous professional services.

Mr. Paul Roden, 307 Daleview Drive, stated according to the Minutes, in 2005 Mr. Stainthorpe had indicated that all professional services should be put out to bid. Mr. McLaughlin stated they have discussed this matter extensively. He stated Begley Carlin represented the Township for over sixty years and the Board did not feel it was necessary to bring them in and question them on their expertise. He added the firm also wrote most of the Township Ordinances and the Zoning Code. He stated they have expertise not only in law, but in Lower Makefield Ordinances.

Mr. Stainthorpe stated professional services do not have to be put out to bid. He stated one of the components is the hourly rate but others include the competence of the individuals, the qualifications of the firm, their size, and their areas of expertise. He stated Begley Carlin, with the exception of the last six years, has been the Township's Solicitor as far as anyone can remember. He stated Jeff Garton was Solicitor for twenty-five years and personally wrote most of the Ordinances; and prior to Mr. Garton, Bill Carlin was the Township Solicitor for thirty-five to forty years so there is a long history. Mr. Stainthorpe stated Begley Carlin is also one of the best firms in Municipal law in Bucks County, and Municipal law is one of the major pieces of their business. Mr. Stainthorpe stated when the Township made a change six years ago, there was a lower hourly rate, but it took everyone longer to do the work because they had to do more research. He stated the first year after they changed Solicitors the total for legal fees went from \$125,000 to \$250,000. He stated he feels extraordinarily comfortable that Begley Carlin is the best choice for the Township.

Mr. Roden stated he feels they should have competition if the goal is keep the cost of Government down.

Motion carried unanimously.

#### APPOINTMENT OF VARIOUS OTHER PROFESSIONAL SERVICE PROVIDERS

Mr. Stainthorpe stated Remington, Vernick & Beach will be asked to continue as Township engineer on an interim basis. He stated unlike the law firm, there is no clear best engineering firm in Bucks County so they will do a review process and conduct interviews. He stated on January 11, they will conduct interviews beginning at 6:30 p.m. and they will interview six firms to present their credentials; and they will make decisions at that time as to what areas of engineering they will have, and who those engineers will be.

Mr. Benedetto moved, Mr. McLaughlin seconded and it was unanimously carried to appoint Remington, Vernick, & Beach as interim engineers.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to appoint Glenmede Investment Management as Pension Investment Advisors.

Mr. Dobson moved, and Mr. Benedetto seconded to appoint Beyer-Barber Company as Pension Actuaries.

Mr. Roden asked how they know these people are competent and stated competition would keep costs down. Mr. Stainthorpe stated all of these appointments are being made at the pleasure of the Board and are not guaranteed for the entire year. He stated in the course of the year, they will review banking and get an RFP for banking services and look at all of these services. He stated there will be a public review where the public can participate. Mr. McLaughlin stated while they will look at this, they need a seamless transition at this time. Mr. Roden stated all the firms and all the decisions should be put on the Website.

Motion carried unanimously.

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to appoint Sovereign Bank for Banking.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to appoint Vaughan Insurance Managers for Public Official Bonding.

Mr. McLaughlin moved and Mr. Dobson seconded to appoint WRG Consulting for Hospitalization Broker. Mr. Benedetto stated this is a change from 2011 when it was Modell Consulting Group.

Mr. Neil Modell from Modell Consulting was present and stated he has worked with Mr. Fedorchak for many years and had worked with the Township since 1999 uninterrupted for some of their benefits. He stated a few years ago his firm replaced

WRG who is now replacing his firm. He stated he is not sure why this occurred, and he is hoping that the RFP process will be instituted going forward so that there will be some identification. He stated when he took the case over two years ago, he substantially reduced the costs to the Township by hundreds of thousands of dollars as well as cutting the compensation that was previously being paid by approximately 50%. He stated with regard to the size, depth, and breadth of the organization, he feels his organization is ten times the size of WRG and has all the appropriate credentials. He assured the Board that in terms a smooth transition, his organization will make sure that they do whatever they can do to insure that there is a seamless transition.

Mr. Zachary Rubin urged the Board to postpone to a definite date the appointment of this professional service on the grounds that there be a seamless transition. He stated he feels the Modell agency should continue until the next agency is vented in public and the rates are published to see that the new firm can save or equal what the Modell agency has been doing for the last few years.

Mr. Benedetto moved and Ms. Tyler seconded to postpone this appointment.

Ms. Helen Bosley, 546 Palmer Farm Drive, stated she spent time in the insurance industry and urged the Board to consider a fee based/no commission package. She stated the fee should be a fixed fee and all invoices from insurance companies should be sent to the Township. Ms. Bosley urged the Board to do some of the things that large employers do with an eye toward maintaining costs and understanding what the value of the benefits are to the Township employees versus the costs generated for the service provider.

Mr. Benedetto stated Modell does business with Warminster, and he asked Mr. Modell the savings when he went to a fee for service. Mr. Modell stated it was \$250,000. Mr. Modell stated they handle several Townships including Plymouth, Bensalem, Warminster, and White Marsh. He stated when they took over the business in Warminster they saved them well over six figures by going to a flat fee, and they do not get any commissions. He stated they are in the midst of proposing to Bensalem for their benefits. He stated everything they provide is disclosed. He stated he has had discussions with Mr. Fedorchak regarding compensation over the years. He stated when they came back to the Township, they effected significant savings reductions in the fees being paid and the commissions were reduced as well. He stated the commissions on the medical which were the most substantial part are no longer a percentage but are a per-head charge.

Motion to postpone did not carry as Mr. Benedetto and Ms. Tyler were in favor and Mr. Dobson, Mr. McLaughlin, and Mr. Stainthorpe were opposed.

Motion to approve WRG carried with Mr. Benedetto opposed.

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to appoint Independence Blue Cross as Hospitalization Insurer.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to appoint Health Now (Benefits Concepts Inc.) as Health Care Claims Administrator.

Mr. Dobson moved, Mr. Benedetto seconded and it was unanimously carried to appoint Delaware Valley Insurance Trust for General Property, Liability, and Workman's Comp.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to appoint Public Financial Management Corp. as Bond Finance Consultants.

Mr. Dobson moved, Mr. Benedetto seconded and it was unanimously carried to appoint Modell Consulting Group as Life/Disability Insurance Broker.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to appoint Standard Insurance as Life/Disability Insurer.

#### APPOINT DELEGATE AND ALTERNATE DELEGATE TO THE ANNUAL CONVENTION OF PENNSYLVANIA TOWNSHIP SUPERVISORS

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to appoint Jeff Benedetto as Delegate and Pete Stainthorpe as Alternate Delegate to the Annual Convention of Pennsylvania Township Supervisors to be held May 6 to 9, 2012 at the Hershey Lodge.

#### ANNOUNCEMENT OF SUPERVISOR LIAISON ASSIGNMENTS FOR 2012

Mr. Stainthorpe announced the following Supervisor Liaisons for 2012:

Pete Stainthorpe – Electronic Media Advisory, Economic Development, and Emergency Management

Dan McLaughlin – Golf, Citizens Budget Committee, and Disabled Persons Advisory

Dobby Dobson – Planning Commission, Sewer Authority, and Farmland Preservation



Jeff Benedetto – Zoning Hearing Board, EAC, HARB, Veterans Committee

Kristin Tyler – Historic Commission, Seniors, Citizens Traffic Commission  
Park & Rec Board

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

Mr. McLaughlin moved and Mr. Benedetto seconded to establish the Treasurer's Bond at \$2 million.

Mr. Roden asked for an explanation, and Mr. Stainthorpe stated this protects the Township from any improprieties by the Treasurer. Mr. Stainthorpe stated they bond the Manager as well since all checks get two signatures.

Motion carried unanimously.

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

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

**APPROVAL OF RESOLUTION NO. 2243 DESIGNATING TERRY FEDORCHAK AS AGENT FOR HAZARD MITIGATION GRANT APPLICATIONS**

Mr. Fedorchak stated the Township has in the past received Grants from FEMA to elevate homes in flood prone areas; and from time to time when there is a declared natural disaster such as a tropical storm or hurricane, the Township is able to recoup from FEMA some of the Township expenses such as overtime for Public Works and Police, materials, etc. He stated this is a procedural requirement and allows the Township to quickly submit a Grant Application provided the Board allows his signature on behalf of the Board.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to approve Resolution No. 2243.

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**GRANT AN EXTENSION OF TIME FOR CAPSTONE TERRACE FINAL LAND DEVELOPMENT**

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to grant an Extension of time for Capstone Terrace Final Land Development submission to April 15, 2012.

There being no further business, Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to adjourn the meeting at 8:20 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Dobby Dobson".

Dobby Dobson, Secretary