

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
ORGANIZATIONAL MEETING
MINUTES – JANUARY 3, 2017

The Organizational Meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on January 3, 2017. Mr. Benedetto called the meeting to order at 7:35 p.m. and called the Roll.

Those present:

Board of Supervisors: Kristin Tyler, Chair
 David Fritchey, Vice Chair
 John B. Lewis, Secretary
 Judi Reiss, Treasurer
 Jeff Benedetto, Supervisor

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

PUBLIC COMMENT

Ms. Christa McConaghy, 494 Gayle Drive, stated she is the Chair of the Historic Commission this year. She invited anyone interested in joining or learning about the Historic Commission to come to their meeting next Monday at 7:00 p.m.

Mr. Eric Silverman, 1809 S. Crescent Boulevard, stated he had asked previously about what needed to be done to get Liquor Licenses in the Township, and he was told that they would be discussing it the beginning of this year. Mr. Benedetto stated initially they understood that approximately 3,100 signatures were needed within a certain time frame to get this on the Ballot. He stated there has been a change in the Law that allows that this could be done not only during the Primary, but also during General Election so they could have this on the Ballot in 2017 either during the Primary or in the General Election. He stated since then they have learned that they may be required to have a significantly greater number of signatures which is close to 5,000 as it is based on the turn out of the last General Election which was the past Election when there was a significant turn out. He stated the Lower Makefield Township Business Association is the group that is coordinating this effort, and he is not sure whether a decision has been made how to go forward.

Mr. Fritchey stated all those in favor of this change should contact the Lower Makefield Business Association about working with them to get the required signatures.

Ms. Reiss stated the other issues is the time of year; and if it is done for the Primary, the signature period is during the worst weather which makes it difficult.

Mr. Silverman stated they now have the benefit of social media which they did not have in the past. He stated he feels they can get a good pulse as to who is in favor of this.

Mr. Fritchey stated they do have to get manual signatures, and electronic signatures are not allowed.

Mr. Robert Abrams provided information this evening from the National Rifle Association Institute for Legal Action about the attempt of another community which tried to put through an Ordinance similar to what was proposed by some on the Board last year; and the Court turned this down. Mr. Abrams also stated the last time he was present he had discussed the host community fee being paid to Falls Township, and why he feels Lower Makefield should be getting part of it because of the damage done to our roads from the trash trucks. He stated he saw \$1.5 million was budgeted for road resurfacing in 2017; and since the trucks are destroying our roads, he feels the Board should be doing something about getting part of the fee paid to Falls Township. He stated he feels they should put a Commission together with Yardley Borough and Tullytown to get some of these host fees. Mr. Abrams also spoke about the impact of the high School taxes on home sales.

Ms. Reiss stated she believes Falls Township has only one trash provider, but in Lower Makefield there are multiple providers; and on her street there is trash collection at least five times a week.

Mr. Abrams stated it does not matter whose trucks are going to the landfill as Falls Township is paid per ton.

Mr. Truelove stated the Board met in Executive Session prior to the meeting beginning at 7:15 p.m. and general information items were discussed as well as potential Zoning Hearing Board litigation.

ELECTION OF CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2017

The meeting was turned over to Mr. Truelove as Chairman Pro-Tem, and Mr. Truelove asked for nominations for Chair of the Board of Supervisors for 2017. Mr. Fritchey moved, Mr. Benedetto seconded and it was unanimously carried to elect Kristin Tyler as Chair of the Board of Supervisors for 2017.

REMARKS BY THE NEW CHAIR

Ms. Tyler stated they have a lot of work to do in 2017 including the road program, Community Center, potential development of the Snipes Tract, Memorial Park improvements, the Dog Park, and the challenging task of replacing Mr. Fedorchak, Township Manager, who has served the community for twenty-four years. She stated the people who actually run the Township are the Township Manager, and Police Chief and the Police Department, the Roads Department, Township Administration, the Park & Recreation crew, the Finance Department, Ms. Kieslich, the Recording Secretary, who has been here over thirty years, and Mr. Kelliher, who films the meetings. She stated all of the employees and the Board of Supervisors are here to work for the Lower Makefield Township residents, and they all take their jobs very seriously; and she hopes the residents are proud of the wonderful community in which we live, and she hopes they have the opportunity to make it an even better place.

ELECTION OF OTHER OFFICERS

Ms. Tyler asked for consideration of Vice Chairman of the Board of Supervisors.

Ms. Reiss moved, and Mr. Lewis seconded John Lewis as Vice Chairman.

Mr. Benedetto moved, and Mr. Fritchey seconded David Fritchey as Vice Chairman.

Motion to elect John Lewis did not carry as Mr. Lewis and Ms. Reiss were in favor and Mr. Benedetto, Mr. Fritchey, and Ms. Tyler were opposed.

Motion to elect David Fritchey carried with Mr. Benedetto, Mr. Fritchey, and Ms. Tyler in favor and Mr. Lewis and Ms. Reiss opposed.

Ms. Tyler asked for consideration of Secretary of the Board of Supervisors.

Mr. Fritchey moved, Mr. Benedetto seconded and it was unanimously carried to elect John Lewis as Secretary.

Mr. Fritchey moved, Mr. Lewis seconded and it was unanimously carried to elect Judi Reiss as Treasurer.

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to elect Terry Fedorchak as Assistant Secretary/Treasurer.

APPOINT CHAIRMAN OF THE VACANCY BOARD

Mr. Lewis moved, Mr. Fritchey seconded and it was unanimously carried to appoint Adrian Costello Chairman of the Vacancy Board for 2017.

PROFESSIONAL SERVICES

Appointment of Solicitor for 2017

Mr. Benedetto stated in early in 2016 he and Mr. Truelove had discussed having a retainer; and while Mr. Truelove was appointed as Solicitor temporarily, they never did so on a full basis. Mr. Benedetto stated when they interviewed the Solicitors last year, they all discussed a retainer.

Mr. Truelove stated the challenge is what core duties fall within the retainer, and what falls without; but he feels they can work on this.

Mr. Benedetto asked if all the legal bills from 2016 have been submitted, and Mr. Truelove stated the December bills should be provided to the Finance Department by Friday. Ms. Tyler asked that prior to the next Supervisors meeting Mr. Truelove provide the year-end totals for legal fees; and once those totals are in, they can discuss a fair amount for a retainer. Mr. Benedetto stated they will need to have language around how litigation would be carved out. Ms. Tyler asked who they would have draft this Agreement, and Mr. Truelove stated he can prepare one for the Board to look at. Ms. Reiss stated they have kept all of their professionals busier this year than they probably have been for the seven previous years as a lot of work has gone on in the Township.

Mr. Benedetto asked Mr. Truelove if he has a list of what was done over the course of 2016. Mr. Truelove stated there was meeting attendance with some of the meetings being very lengthy as well as Zoning Hearing Board and Sewer Authority meeting participation. He stated there were also several Code Enforcement matters which in the past had not been pursued. He also noted numerous Land Development reviews many of which are still ongoing, several Lease Agreement issues, and Easement acquisitions. He stated his office also worked on updating and streamlining the Professional Service Agreement process for Land Development, and finalizing issues with Contracts and construction of the Community Center and the Quiet Zones. He stated there is also ongoing Scammell's Corner and Morningside/Terracedale enforcement issues. He stated they also have worked on Property Maintenance Agreements, various Police Pension and Retirement Plan issues, the Comprehensive Master Plan Update, CSX tower, issues involving the

Trenton-Mercer Airport, and Memorial Park issues. He stated they also worked on the Dog Park condemnation and Land Development, Right-to-Know submissions, and various other litigation and other miscellaneous issues.

Mr. Benedetto stated Mr. Truelove recently sent out an e-mail regarding land use savings, and asked for a further explanation. Mr. Truelove many Municipalities have a process that whenever a Land Development Plan comes in there is a Professional Services Agreement which helps pay for the cost of review by the solicitor, engineers, and any other professionals; and a minimum amount is required to be put in by the developer to enable the work to be done with the cost not coming from the Township. He stated in this way the Township does not have to put out the money and then go back and request reimbursement from the developer. He stated it is a way of insuring payment for the reviews that are done as a necessary part of Land Development. He stated they are trying to help the Township be proactive in this regard. He stated he has also talked about this process with Mr. Eisold.

Ms. Tyler stated it would be helpful if Mr. Truelove would provide the cost for each item from the list he read this evening once the totals are in for 2016, and Mr. Truelove agreed to provide this.

Mr. Fritchey moved, Mr. Benedetto seconded and it was unanimously carried to retain Mr. Truelove's firm as Township Solicitor to the next Board of Supervisors' meeting subject to the information requested.

Appointment of Township Engineer for 2017

Mr. Fritchey moved, and Mr. Benedetto seconded to retain the current Township engineer, Boucher & James.

Mr. Lewis asked if the same kind of billing structure would apply for this as well in terms of creating a retainer structure. Ms. Tyler stated they would have to do an analysis on this. Mr. Fedorchak stated they have a number of projects that they task Bouche & James with, and they could ask up front what it will cost; and there would be a proposal that they could provide the Board for a specific project, and they would bill the Township accordingly. Mr. Fedorchak stated if there is some reason that it exceeds that amount, they could present that to the Board.

Mr. Eisold was present and indicated that would be acceptable to Boucher & James.

Mr. Fritchey moved and Mr. Benedetto seconded to amend the Motion to retain Boucher & James subject to a Professional Services Agreement on fixed amount on projects moving forward.

Mr. Lewis asked if it would be the same timeframe that it be by the next meeting, and Ms. Tyler stated she feels this would depend on when the project comes up. Mr. Fedorchak stated he feels there would be a basic retainer which would include certain services. He stated as they have for the last year, they have also had them work on various special projects such as the Snipes Tract. Mr. Fedorchak stated he feels that Mr. Eisold probably has some boilerplate agreements that could be provided. He stated they could also get Mr. Truelove involved as well. This was acceptable to the Board.

Motion carried unanimously.

Appointment of Sewer Engineer for 2017

Mr. Lewis moved and Mr. Fritchey seconded to appoint Fred Ebert as Sewer Engineer.

Mr. Fritchey stated the Chairman of the Sewer Authority had advised him that the membership of the Sewer Authority felt Mr. Ebert did an excellent job and hoped that he would be retained for another year, and Mr. Fritchey stated he would concur with that view.

Motion carried unanimously.

Appointment of Traffic Engineer for 2017

Mr. Benedetto moved and Mr. Fritchey seconded to re-appoint TPD as Traffic Engineer for 2017.

Ms. Reiss stated she has heard that some of the projects they were doing were at cross purposes with some of the projects being done by other entities, and she feels that they need to remind them that they do not have to do something twice. Ms. Tyler asked Ms. Reiss for more specifics. Ms. Reiss stated she was told that some of the studies were done by both the Police and TPD. Chief Coluzzi stated this was when they first came on, and he feels it was just a miscommunication. He stated he is working very well with TPD now.

Motion carried unanimously.

Mr. Zachary Rubin, 1661 Covington Road asked about the compensation for the Tax Collector. He stated Becky Cecchine is the Tax Collector; and she is currently compensated for the bill she sends out for the Township taxes at \$1.15 for every bill sent out, and there are 12,414 homes to which she sends bills. He stated the \$1.15 compensation was established in 1993, and for the last twenty-four years she has not received an increase in the Township's compensation for billing. He stated she does have an Office rent-free at the Township Building. Mr. Rubin stated the Middletown Tax Collector gets \$3.59 per Municipal tax bill and also gets a rent-free office. He stated the Newtown Township Tax Collector is compensated at \$3.35 per tax bill and gets an office and does not pay rent. He stated the Yardley Borough Tax Collector gets 3.25% of what is collected which is an estimated \$17,000 per billing. That individual does not have an office as they work at home. Mr. Rubin stated he would like the Board to bring Ms. Cecchine's compensation up to the comparable Townships in Southeastern Bucks County, and give her a raise of at least \$1 per bill that she sends out which would cost the Township \$12,434 additional. He stated if she were a Township employee, the average salary increase is approximately 2% per annum so that would have resulted for the thirteen years over a 26% raise compounded.

Ms. Tyler asked Mr. Fedorchak to have the Finance Directors run comps for this, and to have this put on the next Agenda.

Mr. Benedetto asked Mr. Rubin if he knows the overall compensation of the Tax Collector, and Mr. Rubin stated she gets \$3 per tax bill for the Pennsbury School District for bills that are collected, and she also gets compensated from the County.

Mr. Lewis asked if the Board of Supervisors were to act on this he assumes it would not take effect in 2017. Mr. Truelove stated he would have to look into this. Mr. Rubin stated the reason he is bringing it up now is by State law, compensation has to be set before the new term of the Tax Collector. He stated that position is up for Election this year, so for the next four years, they could not reduce or increase compensation during the term of the Tax Collector. Mr. Fedorchak stated he believes the Board would have to take action on this by February, and Mr. Rubin stated he believes that is correct.

Mr. Silverman asked why Mr. Rubin is requesting this on behalf of the Tax Collector, and why she is not requesting it herself. Ms. Tyler stated Ms. Cecchine did send the Board a letter a few weeks ago outlining her request.

APPOINT DELEGATE AND ALTERNATE DELEGATE TO THE ANNUAL CONVENTION OF PENNSYLVANIA TOWNSHIP SUPERVISORS TO BE HELD APRIL 23, 2017 AT THE HERSHEY LODGE

Mr. Lewis moved and Mr. Benedetto seconded that Ms. Reiss and Mr. Fritchey be appointed to be the representatives at the Annual Convention of Pennsylvania Township Supervisors.

There was discussion as to who would be the Delegate and who would be the Alternate, and it was agreed that they would decide that when they get there.

Motion carried unanimously.

ANNOUNCEMENT OF SUPERVISOR LIAISON ASSIGNMENTS FOR 2017

Ms. Tyler announced the following Supervisor Liaison Assignments:

Ms. Tyler: Seniors, Electrical Reliability, Disabled Persons,
Historic Commission

Mr. Benedetto: Citizens Traffic, Planning Commission, Electronic Media,
Trenton-Mercer Task Force

Mr. Fritchey: Park & Recreation, Sewer Authority, Veterans,
Emergency Management

Ms. Reiss: HARB, Farmland Preservation, Citizens Budget,
Special Events, Seniors

Mr. Lewis: Zoning Hearing Board, Economic Development,
Golf, EAC

Ms. Tyler stated with regard to Special Events, she would like to get a letter out to those on the Committee and set up a meeting for February. Ms. Tyler noted the second page of her hand out on assignments which shows where they are available times for meetings for Special Events and the Trenton-Mercer Task Force.

Ms. Tyler stated the Liaisons are not members of the Committees, but their job is to report back to the Board of Supervisors as to what is being conducted at those meetings. She stated all Supervisors are free to attend any meeting as are members of the public.

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

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

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

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

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

Respectfully Submitted,

John Lewis, Secretary