

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – DECEMBER 17, 2008

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on December 17, 2008. Chairman Caiola called the meeting to order at 7:35 p.m. Mr. Maloney called the roll.

Those present:

Board of Supervisors:           Greg Caiola, Chairman  
  Matt Maloney, Secretary/Treasurer  
  Ron Smith, Supervisor  
  Pete Stainthorpe, Supervisor

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

PUBLIC COMMENT

Ms. Rosemary Winchell was present on behalf of State Representative Elect Steve Santarsiero requesting use of the Lower Makefield Township main meeting room for a few hours each month to serve as a satellite office. She stated the times they are considering are every Friday afternoon and the first Saturday of each month for the afternoon. Mr. Caiola stated this was done where he used to work and it worked very well particularly for the seniors. He asked that she review the logistics with Mr. Fedorchak. Ms. Winchell stated their main office is at 2 North State Street in Newtown. Mr. Smith stated he feels this will make it easier for the residents.

Mr. Smith moved, Mr. Maloney seconded and it was unanimously carried to allow the State Representative's office to expend several hours at the Township Building every week during the month as a service to the residents of District 31.

Ms. Shelly Joseph, 25 W. Ferry Road, asked if there are any updates on traffic data collected in their area and an update on conversations with PennDOT. Chief Coluzzi stated the data was collected on Arborlea, and they are presently on Elm Avenue. This will be taken down and tabulated by the end of the week. He stated he understands PennDOT did approve the Application for the signage so this is now underway. Mr. Fedorchak stated they received verbal approval this morning, and it will be formalized within the next few weeks so the Township should have the official Permit by the end of the month. Once they have the Permit in hand, they will be able to install the signs. He stated in order to fast forward the project, the Township did order the signs;

but he understands that PennDOT is going to make some slight modifications to the original request and perhaps will be requiring certain left-turn restriction signs and these will have to be ordered.

Ms. Sue Herman, Citizens Traffic Commission, read a letter to the Board regarding bike/pedestrian facilities at/near the new intersection at Stoopville and Washington Crossing Roads (attached to the Minutes.) Mr. Caiola stated the majority of this project is in Upper Makefield; and Ms. Herman stated they would like to have Lower Makefield take the lead by assuring that bike/ped facilities are placed in the intersection within Lower Makefield boundary, and their hope is that the other Townships will then follow this lead. Ms. Herman stated she feels the goal of all the Townships should be to have contact-sensitive design along the roadways which are adjacent to Residential developments. She stated Newtown Township is committed to bike trails along Stoopville Road for their tracts and hopefully Upper Makefield Township will re-consider this. Mr. Caiola stated this may be an instance where the relationships which have been developed with the other Townships through the Regional Traffic Task Force will help. Mr. Caiola stated costs would have to be considered.

Ms. Herman stated at the Citizens Traffic Commission when Toll presented their concept plan for the intersection, the Commission expressed their concern that there was no bike/ped facilities in the concept plan. She stated when the revised concept plan was presented in November, there was still no bike/ped facility shown at the intersection within the Lower Makefield Township boundary so they feel that Lower Makefield should go back to Toll Bros./Upper Makefield. Mr. Maloney suggested that Mr. Fedorchak reach out to the Upper Makefield Township Manager about this issue. Mr. Smith stated Mr. Santarsiero may be helpful in this situation as well. Mr. Stainthorpe stated he feels bikepaths are a good idea and when they come in with Preliminary/Final Approvals, he feels approval should be conditioned that bikepaths be included. Ms. Herman asked if they will have to come back to the Lower Makefield Board of Supervisors for approval and asked if the Township has received a formal Application from Upper Makefield. Mr. Majewski stated Toll Bros. will have to come through Lower Makefield for their Traffic Signal Permit. Mr. Fedorchak stated if there are modifications that need to be made, he feels they should be addressed now. Mr. Maloney stated he feels this is why Mr. Fedorchak should contact PennDOT and the Upper Makefield Township Manager to see if this was an oversight or if they are opposed to a bike/pedestrian facility.. Mr. Truelove stated there are some improvements proposed at the Village Market so that Lower Makefield would be required to have input.

Ms. Virginia Torbert, Citizens Traffic Commission, stated she feels they will find that there may be a difference of opinion on this between Lower Makefield and Upper Makefield with respect to the bikepath and sidewalks. She stated across from the Village Market within 100' there will be homes, and she feels those residents may want to walk across the street. Mr. Stainthorpe stated they made it clear at a prior meeting that the

intersection improvements are the purview of the Township because it is entirely in Lower Makefield. Ms. Torbert stated at the very least she feels there should be a crosswalk across the road to the Village Market and sidewalks on Lower Makefield's side of the road. Mr. Maloney suggested they let Mr. Fedorchak make the initial contact to see how Upper Makefield feels about these issues.

Ms. Herman asked if there is a way they could communicate back to the Citizens Traffic Commission on the timeline of the Township's steps regarding this issue, and Mr. Caiola agreed to keep them updated on this.

Mr. Randy Doll, Heacock Meadows, asked for an update on the I-95 sound barrier issue. Mr. Caiola stated he has not heard anything about this recently. He stated once they know when the next quarterly meeting of the Bridge Commission will be held, they will bring this matter up with them. Mr. Smith suggested that Mr. Doll contact State Representative Steve Santarsiero about this matter.

Mr. Jim Bray stated he and his wife feel they are fortunate to live in Lower Makefield where the quality of life is high, and they feel much of this is due to the Board of Supervisors and the Township's professional staff. He thanked everyone for the effort they put in throughout the year for the benefit of the citizens of Lower Makefield. He also thanked Mr. Caiola who was the liaison to the Environmental Advisory Council this year. Mr. Bray stated he feels the direction the Township is headed in is clear based on the award that the Township received in September from the U.S. EPA where Lower Makefield was earmarked as a Township of excellence and was the only community so recognized in the mid-Atlantic region. Mr. Maloney stated the Township Boards and Committees do a phenomenal job which makes the job of the Supervisors easier and enables the Board to get so much accomplished. Mr. Caiola agreed and stated the Boards and Commissions are full of very bright people, and he thanked them for the work that they do.

#### APPROVAL OF MINUTES

Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to approve the Minutes of November 19, 2008 and December 3, 2008 as written.

#### ANNOUNCEMENT OF 5 MILE WOODS AS RECIPIENT OF THE \$500 ENVIRONMENTAL STEWARDSHIP AWARD AS DESIGNATED BY CATHERINE BEATH

Mr. Heilferty thanked Ms. Beath on behalf of the Township for the donation to the Five Mile Woods. He added he looks forward to having a discussion with Ms. Beath as well

as the Friends of the Five Mile Woods as to how they can put that money to good use for the Township residents.

#### APPOINTMENT TO FILL STEVE SANTARSIERO'S VACANCY

Mr. Caiola stated they will provide an opportunity for the public to make comments on the candidates they support; and once public comment is done, the individual Board members will have the opportunity to discuss the eight candidates who were interviewed. He stated while twelve people applied, four people did opt out prior to the interviews.

Mr. Pat Frain, 16 Delaware Rim Drive, stated he was present during the Interviews and thanked all those who interviewed for the vacancies. He stated all of the candidates seemed very well qualified. He stated Terri Appelton, who was the lone woman who interviewed for the position, is his neighbor and he has known her for a long time. He stated she is highly educated and would be a great Supervisor. He stated she is a long time resident and possesses the demeanor to handle the situations which will arise.

Mr. Virginia Torbert stated she did not see the interviews but she knows Geoff Goll from his work at the Township on the Environmental Advisory Council and has found him to be a very hard working and thoughtful individual and would be a welcome addition to the Board.

Mr. Jim Bray stated he would recommend Geoff Goll as a Supervisor and has worked with him on the EAC for a number of years. He stated Mr. Goll is an environmental engineer and would be an asset to the community whether he is on the Board of Supervisors or the EAC.

Mr. Stainthorpe moved, Mr. Maloney seconded and it was unanimously carried to close public comment.

Mr. Stainthorpe stated he was impressed with the quality of all eight candidates and the fact that such highly-qualified, highly-motivated people came out speaks well of the Township. He stated he would be comfortable with any of the candidates serving on the Board. He stated they did not ask anyone their Party affiliation and he feels they had a good opportunity to find out what was important to each of the candidates. He stated the one candidate he feels stood out was Ron Schmid who was a Public Relations person from Johnson & Johnson and his accomplishments as noted on his resume were very well spelled out. He also felt he was very thoughtful in answering the Board's questions.

Mr. Caiola stated he had some criteria he was looking for including understanding land use laws, understanding the job of Supervisor, having done some work in the public and private sector, an impressive resume that complemented the interview itself, and an

understanding that there are different needs in different parts of the community that all need to be addressed. He stated he felt Teri Appelson did a wonderful job in the interview and she has also done fantastic things on behalf of children. He feels she answered difficult questions well and honestly. He stated while she is his first choice, Ron Schmid and Geoff Goll also did a phenomenal job. He hopes that those individuals who are not appointed to this vacancy will either run for office or apply to serve on one of the Township Commissions.

Mr. Maloney stated he was pleased that they were able to make this decision from a broad group of people. He agrees that Mr. Goll, Ms. Appelson, and Mr. Schmid were the strongest candidates. He stated he feels Mr. Goll has already done a lot of work on behalf of the Township including the work he did on the open space inventory which will make the Board's work much more efficient as they pursue open space purchases in the coming years. He also has experience on land use and environmental zoning issues. He stated Mr. Schmid has a history of service as he was an Army Captain; and while his own home was not directly impacted by the floods, he has dedicated his time to the community to see that the flooding issues get remedied to the greatest extent possible. He stated Mr. Schmid also felt it was a priority that the Township broaden their communication capabilities and create a more interactive Municipality which is also a priority for Mr. Maloney. He stated Ms. Appelson had zoning/land use experience as the Chair person of a Zoning Hearing Board in Pennsylvania which is very valuable. He stated she also has private sector and public sector experience as an attorney. He stated she provided thoughtful responses to the questions raised. He stated she also graduated in the top 1% of her Law School. He stated he does feel there is a need for gender diversity on the Board and this is an opportunity to provide this as well as providing some geographic diversity.

Mr. Smith stated they had many great candidates who interviewed for this vacancy. He stated he feels the way this process took place says a lot about Lower Makefield as well. He noted Jack Sparling was very enthusiastic about his public service and has done great things for YMS as well as with the Christian Fellowship Youth Program. Mr. Smith also noted the work done by Geoff Goll on the EAC as well as his comments made during the interview process about "needs and wants." He stated Mr. Steven Hildebrand could also help manage the Township. Mr. Smith stated Mr. Schmid was also one of his top choices and he commented on his commitment to the community through his work with RAFT. Mr. Smith stated Frank Traynor was very interesting and in his correspondence to the Board after the interview indicated he would be willing to help the Township whether or not he is appointed as Supervisor. Mr. Smith stated Teri Appelson has served on the Yardley Zoning Hearing Board, and he feels this is very important for the Township given the issues the Board will be facing in the next year such as Frankford Hospital. He stated she also spoke about the role of the family in Lower Makefield and her work with families. He stated he was looking for people who had applied for or served on Boards and have done volunteer work.

Mr. Smith moved and Mr. Maloney seconded to appoint Teri Appelson as Supervisor.

Mr. Maloney stated he feels this is a difficult decision for the Board as they are attempting to express the will of the people who would normally vote on this position. Mr. Caiola stated the person they select will be sworn in at the first meeting in January which will be held Monday, January 5, 2009. Mr. Stainthorpe stated he is torn as to what to do and very strongly felt that Ron Schmid was the best choice; however, he was also very impressed with Teri Appelson and for the sake of unity of the Board he will not vote no.

Motion carried unanimously.

Mr. Smith asked that all those who were not selected stay involved with the Township.

#### BUDGET DISCUSSION

Mr. Brian McCloskey, Finance Director, was present and stated he will briefly review the Budget Summary that was presented on November 19 and is the result of the Budget workshops and deliberation by the staff presenting what they feel is a very fiscally-responsible Budget for 2009. Mr. McCloskey stated they have total revenues of \$22.4 million and total expenses of \$24.8 so while expenditures do appear greater than revenue, these are planned expenditures and are being funded by existing cash balances. There is no recommended tax increase in the General Fund, Hydrant Fund, Park & Rec Fund, Deb Service, or Ambulance Fund. In the Fire Fund which supports the volunteer company, they have recommended a .25 mill increase which is necessary to fund their increased operating expenses. There is a recommended rate increase for Sewers of 15% effective January 1. He stated the Township has been the recipient of several rate increases passed onto the Township, and for the last two years these increases have not been passed onto the rate payers; but at this point they have no choice but to raise the rates to meet operating expenses within the Sewer Fund. Within the Pool Fund there is a recommended 10% increase in fees effective January 1, and this is the first increase, if approved, in the last twelve years for the operation of the Pool. There is also a recommended \$1 greens fee increase for non-residents at the Golf Course. There has not been an increase for the leaf collection cost in three years, and it is recommended that this go up to \$40. There has not been an increase in the Street Light Fund since 2003, and they are recommending that the linear foot charge go from \$.22 to \$.26.

Mr. McCloskey stated total revenues for the entire Budget are projected to increase by 1.8% or \$400,000, and the total expenditures are equal to the 2008 Budget levels so they have held firm on any expenditure increases except where absolutely necessary.

Mr. Caiola thanked Mr. McCloskey and all the Department Heads for their work on the Budget.

Mr. Maloney stated he anticipates that in the near future they will start having some public hearings to focus on long-term capital needs of the Township. He feels this should be done well in advance of the Budget season to discuss the five to ten year needs.

Mr. Caiola stated he feels they are all disappointed that they cannot move forward on some of the recreation needs that they have been discussing for some time, and they will have to look at ways to fund these.

Mr. Smith thanked Mr. McCloskey, Mr. Fedorchak, and the Department Heads for their work on the Budgets. He stated he feels they need to look ahead to 2010 and they cannot wait until November, 2009 to consider this. He stated he is disappointed that the Budget Committee has not made a public presentation. Mr. Caiola stated the Budget Committee has been active in the Budget process. Mr. Smith stated he still would have liked to have heard from them. He stated some of the candidates for Supervisors brought up ideas about the Budget, and at some point he would like to discuss those items as well as some of his own recommendations. He stated the Board of Supervisors was presented with a very large Budget and were asked to raise the revenues to support the Budget. He feels they should look at what they are anticipated to have in the next five years and then determine what they can afford to do. He asked that the Budget Committee and the Township review the Budget process. Mr. Smith stated they should not be waiting until October and November to discuss the Budgets and that for the year ahead that there be an absolute freeze on all non-emergency capital projects which he feels will send a message to the public that the Board is being frugal and considering the Township's needs and wants. He also asked that there be an absolute freeze on any new non-capital, non-emergency expenditures unless approved by the Township Manager. He stated he would also like to implement a freeze on any non-emergency expenditures for the outside professional services such as studies as he feels there have been enough studies over the last few years, unless approved by the Township Manager and a unanimous vote of the Board of Supervisors. He stated they have done many studies over the last few years but have not made decisions on some of these such as the deer and the historic properties.

Mr. Smith stated he hopes that the new Chairperson and the full Board will look at these things next year. Mr. Smith stated last year he was promised that they would look closely at the Elm Lowne property, and he understands that this will be on the January Agenda. He asked that the Board carefully consider the future of Elm Lowne so they do not spend more money on a property for which they have not been good stewards. He stated the Township is spending money on the property and will be getting less revenue from it in 2009 than they received in 2008 since they ended the Contract with the Open Aire rentals. Mr. Smith stated he would ask everyone to look at the Webpage and TV Channel which he feels are underutilized assets. He feels the TV channel could be a revenue

generator and advertising should be considered for the Web page and the TV Channel. He stated the Pennsbury Channel has advertising. He stated the Township spends approximately \$26,000 on the Newsletter while other Townships have advertising in their Newsletter and it pays for itself. He stated this idea was brought before the Board several times in the past and is something that should be seriously considered. He stated the Township Newsletter should be paying for itself and enhancing revenue. He feels the Website could be a revenue-enhancer and keep Government transparent and increase communication. He stated copies of the Newsletter could be provided for those who do not have a computer or cable TV access.

Mr. Smith stated the Township professionals have been fair with rates and provide excellent service, but he would be in favor of a two-year contract and ask that they accept a freeze on what they are asking for compensation. He also feels the Township needs to have more partnering up with groups, organizations, and corporate entities. He stated this year a \$1 million capital project took place at Macclesfield Park at no cost to the Township since YMS installed a turf field at their own cost. Mr. Smith stated he feels the Township needs to do more of this and this is what they need to do to make sure that in 2010, the Township is not looking at an increase. He stated they also need to explore fees such as user fees, plan review fees etc. which should be looked at to see if they are in line with inflation and determine if the Township is charging enough.

Mr. Smith stated he feels the Budget process needs to be considered earlier than the end of the year. He stated he is disappointed that there has not been a resolution to the deer problem and that they are still waiting for requests for proposals and he feels a lot of time has been wasted. He stated while he is not in favor of deer hunting, he knows there are problems and there are a group of individuals who are willing to take care of the problem at no cost to the Township. He stated he does not feel they need a request for proposals to tell him this. He asked that all of these issues be put on the Agenda and not wait until October or November to do anything.

Mr. Stainthorpe stated he was pleased with this year's Budget in that there was no major tax increase and that they did find ways to save. He stated he agrees with Mr. Smith and feels that they need to look for savings all year long and not just at Budget time. He stated Mr. Fedorchak and Chief Coluzzi need to push their employees to find ways to save money. He stated he was also disappointed with the Citizens Budget Committee; and while a few of their members came to the Budget Workshops, he saw no recommendations on savings from them and he feels this group should be looking for savings year round.

Mr. Caiola stated he feels there were a number of questions asked by the members of the Citizens Budget Committee throughout the year, they looked at trends, and there were a number of communications between Mr. McCloskey and members of the Citizens Budget Committee. He stated he feels Mr. Fedorchak and Mr. McCloskey did take some of their



recommendations. Mr. Caiola stated he does feel the process changed a little bit from last year. He stated there were a number of Budget sessions where a lot of the recommendations discussed by Mr. Smith this evening were not brought up during those sessions and that was the time to raise those issues.

Mr. McCloskey stated the Citizens Budget Committee is active throughout the year and does meet April through November at least quarterly and oftentimes more often than that and have made several recommendations this past year which were implemented. He stated they review the reports that ultimately come before the Board of Supervisors and have input on items they like to see emphasized and explained in greater detail. He stated one recommendation the Committee put forth which they are implementing in 2009 is a Variance Report so that if they are off by a specific percentage on a line item, it is identified as early as possible and brought forth.

Mr. Smith stated next to public safety, budgetary concerns are the most important. He stated people have indicated to the Board that they are poor stewards of the historic properties. He stated there was a report presented two to three years ago from the Heritage Conservancy on historic properties, and he is still waiting to see action taken with respect to that report. He feels the Board needs to be more proactive with regard to budgetary concerns. He stated the people in the Township are suffering due to loss of jobs and loss of income. He stated this is why he is suggested that there be a freeze on capital projects. He stated while it is probably too late, he would like to go back to the Department Heads to see if they can find another 1% or 2% to cut. He feels the Budget Committee should be meeting monthly and be reporting to the Board of Supervisors regularly. He stated he wants everyone to work together to save money for the Township residents.

Mr. McCloskey stated the Citizens Budget Commission is still in its infancy as it has only been in existence for two to three years, but they do have meetings and do have input. He stated they have public meetings and residents do attend their meetings.

Mr. Maloney stated he has been impressed with the work the Citizens Budget Commission has been doing particularly this year and Mr. Shiller discussed with him work they have been doing and what needs to be done particularly with regard to making sure expenses were declining in relation to revenue declining because of the decrease in the real estate transfer tax. He stated the Citizens Budget Commission has been productive through an on-going dialogue via e-mail with Mr. McCloskey. Mr. Maloney stated he has been discussing with Mr. McCloskey and members of the Budget Committee as well to develop a plan for the Budget in an electronic, more-dynamic form; and he hopes to see some leveraging of technology to bring their capabilities on another level. He feels they have lived up to their charter and have been helping Mr. McCloskey

do his work and find savings and they have realized this by the end of the year when closing the Budget and see that they managed to bring down expenditures to the same level that revenues decreased by.

Mr. Caiola stated the Citizens Budget Commission also did a lot of work with regard to the sale of the sewer system. He stated there must also be some consistency in wanting to maintain historic properties and the impact this has on the Budget and then voting against a roof being put on a historic property. He feels this is a budget/philosophical question they will need to discuss early in the year. He stated if there are changes any Board member wants to see made to the Budget process, it is necessary to sit down early in the year with the Citizens Budget Commission and consider these.

Mr. Smith stated he had asked last year for certain issues to be put on the Agenda such as Elm Lowne and other historic properties as he is not happy with the costs of the historic properties to the Township. He stated while he did not vote for it \$100,000 was spent on a roof which he feels was inappropriate during these economic times. He stated he believes the Elm Lowne Commission is ready to recommend the sale of the property and putting the monies back into a fund to help the other historical properties such as the ones on the Patterson Farm and the Farringer House. He stated there needs to be a discussion of these historic properties. He stated they must also consider if it is best for Elm Lowne to be held by the Township or be put back on the tax roles where they would have the same property in better shape as well as revenue being brought in. He stated this was not on the Agenda in 2008, and he hopes that it will be put on the Agenda in 2009. He stated there was also a Patterson Farm Committee and a report submitted but he is waiting for the Board to act on one of their recommendations. He stated he wants the Board to take action and not just do studies.

Mr. Zachary Rubin, 1661 Covington Road, stated he is on a fixed income and has no children and pays thousands of dollars a year to the Pennsbury School District; but feels the District is excellent and his taxes to the School District are an investment in the future. He stated he pays hundreds of dollars to the Township of Lower Makefield. He stated by State statute, the Township is only required to provide for roads and public safety which they do; but they also through the Budgets, address the Township's quality of life with a positive result. He stated the Township has been trying to mitigate flooding which resulted in large expenditures which hopefully will have a positive impact. He stated the Township has also spent a significant amount of money fighting the Mercer Airport expansion, and to this day there are not hundreds of jets flying over the Township homes at night. He stated the Township had also tried to establish quiet zones at the railroad crossings for which studies were done and money was expended. He stated the Township has also influenced PennDOT and the Joint Bridge Commission to install sound barriers which is an investment in the quality of life in the Township and this costs the Township money in terms of professional fees and studies. He stated the Township has also spent thousands of dollars in traffic calming not only for safety but also for

quality of life. He stated the Township is now trying to fight a hospital that is being proposed for one of the worst congested traffic intersections in the Township and this costs money. He stated the Township has spent millions of dollars in park and recreation facilities which maintains the family atmosphere of the Township. He stated the Township has also spent a lot of money on environmental concerns to help the air and water quality of the Township and the surrounding area. He stated for a couple hundred dollars a year for the residents, the Township is trying to provide a better quality of life for the residents, and he has no problem with the Budget.

Mr. Ethan Shiller, 367 Lang Court, stated he is a member of the Citizens Budget Committee and they have been working directly with Mr. McCloskey and Mr. Fedorchak and possibly this needs to change so that the Committee can give the Supervisors direct input on the necessary budget cuts and expenditures and there should be more visibility for public consumption particularly at the Board of Supervisors' meetings. He stated he feels there needs to be direction from the Board of Supervisors to the Budget Committee to promote and insure that there is structure within the Budget Committee so that they have a Chairman and a Vice Chairman. He stated this is the only Committee within the Township that does not have that structure and instead they have been partnering with Township management. He stated their initial mission was to address the Budget, but he feels the leadership, if put in place with a Chair and Vice Chair, should have the responsibility to go across all the Committees. He stated they have been in some discussion as to what their role could be and the impact they could have. He stated the Budget Committee had discussed whether Elm Lowne should be put up for sale or how to stop the "hemorrhaging" of expenses, but they were told this was being handled by the Historic Committee. Mr. Shiller stated he feels in this case there should be a partnership and recommendations could come out from a financial basis in order to give it more direction financially. He stated this is where the Board of Supervisors should take the role and state they should broaden the Committee's responsibility and to get the Committee to be more active across the Board in the various Committees as well as to help the Citizens Budget Committee provide Liaisons to other Committees. Mr. Shiller stated this has been a problem because there has not been a single point of contact.

Mr. Shiller stated they have tried to work with the Budget and make it more readable for all of the Supervisors through the workshops and provide more details. He stated they also discussed financial policies that should be the backbone of how the Supervisors' decisions are made and one of these was noted by Mr. McCloskey with regard to the Variance Report. He stated he also feels that they should guarantee that they are always in "safe harbor" and at least maintain the 5%. He stated he feels a balanced Budget should always be presented to the Board of Supervisors where the revenues do equal the expenses every year and they would budget to what the revenues are and not to what the need is.

Mr. Smith stated he made a number of suggestions this evening and he would ask the Board of Supervisors and the Citizens Budget Commission to seriously look at his ideas. He stated he would like the Citizens Budget Commission to consider the TV channel and the webpage and consider revenues. He stated he would like input on a more regular basis.

Mr. Shiller stated he is asking the Board to insure that there is a leadership role for the Budget Committee in 2009 so there is someone responsible for taking forward issues the Board of Supervisors would like to see addressed. He stated he appreciates the fact that the Board of Supervisors allows there to be a Citizens Budget Commission and that public involvement is encouraged.

Mr. Dave Shuster, Bluestone Drive, stated he represents a large group of local archers interested in helping the Township manage the deer herd. He stated in October, 2007 when Mr. Shissler's report was publicized on the Website, there was discussion about hiring sharpshooters at a cost of \$300,000. Mr. Shuster stated at that time he came before the Board and suggested that they use local volunteers in an effort to keep the expenses little to no cost to the taxpayers. He stated they had invited the Supervisors to a demonstration on archery in November, 2007; and the Board members did attend. He felt that there was going to be a program done in 2008, but nothing occurred. He stated he is aware that \$18,000 was budgeted in 2008 for deer management but is not aware of how that money was spent. He stated he did receive the RFP in August, 2008 and in response his organization did submit a proposal outlining their services for a deer management plan; but based on Mr. Smith's comments it does not appear that the Board of Supervisors has seen their proposal. He stated there would be some cost involved in using their services, but when comparing the RFPs, their proposal would be nominal and would not compare to the costs for sharpshooters. Mr. Shuster stated he is not sure how they can budget money for 2009 if they do not know which group they are selecting as the costs would be quite different.

Mr. Smith asked how much money was Budgeted for deer management in 2009, and Mr. McCloskey stated it is approximately \$20,000. Mr. Fedorchak stated he felt it was approximately \$15,000 which was to cover costs for the consultant. Mr. Caiola stated he felt that was for 2008. Mr. Fedorchak thanked Mr. Shuster for the proposal he submitted which was very thorough. He stated they also received a proposal from Ecologics and one from White Buffalo. He stated all three were excellent proposals; and at this point he will be packaging them and sending them to Mr. Shissler, their consultant, as he would like to hear what he has to say as he is the expert. He does not feel this will take a long time, and this matter could be put on the Agenda sometime in February. Mr. Fedorchak stated the consultant very much recommended a sharp shoot, but after the Board of Supervisors received additional comments including comments from Mr. Shuster and his club, the Board felt it would be a good idea to look beyond sharp shooting and consider other approaches; and the Board was seriously considering archery as an alternative using

either a company or Mr. Shuster's Club's approach using primarily volunteers. He stated in response to this, he directed the consultant to craft three different RFPs as opposed to the original direction from the Board of Supervisors which was to have one RFP. Mr. Shissler then prepared three different RFPs which were put out; and as a result, they received three proposals.

Mr. Smith stated he is concerned that it is now December, 2008 and they still have a deer management problem. He stated he knows they cannot afford \$300,000 or even 10% of that cost, and he would hope that they can proceed with a program which will cost little or no money. He hopes the Board will act on this next year.

Ms. Virginia Torbert stated she agrees with Mr. Smith to the extent that she feels for the last twenty-five years the Budget has been just year to year, and she feels this is a problem particularly now that they have reached a point where the revenues are becoming stagnant and the needs are not. She feels they need to do both belt tightening and considering alternate sources of revenues. She feels this would be a good charge for the Citizens Budget Commission. She stated when the Citizens Traffic Commission was created the Resolution which created that Commission called for a Chairman, Vice Chairman, etc. and it seems that this was not the case with the Citizens Budget Commission. Mr. Caiola stated this would not preclude them from coming in to speak about issues, and they have done this. He stated he does not feel people are aware of what they have done "behind the scenes." He stated there was discussion about having a rotating Chairmanship for the Citizens Budget Commission so that each of the members would take on that responsibility, but there was not a decision made on that option. He stated he feels the Citizens Budget Commission has the prerogative to vote for a Chairman if they choose. Ms. Torbert suggested that they do this because she feels if there is not a Chairman or Vice Chairman, things do not happen in an organized fashion. Ms. Torbert stated the Township also needs to look into a local services tax which would be a tax for those working in the Township. She stated there have been an increasing number of office buildings built in the Township, and as a prerequisite of considering such a tax, they need to start building a data base of who works in the Township. Mr. Caiola stated this is in progress and the staff has been asked to start gathering this information. Mr. Smith stated this would be a tax that for the most part would not effect anyone on a fixed income such as Senior Citizens. He stated Lower Makefield is one of the only Townships in Bucks County that does not have this form of revenue. He stated those working in the Township who are not residents are taking advantage of the Township facilities and are not paying for them. He stated the tax would not come on line unless you make at least \$12,000 per year. Ms. Torbert stated they also need to look at how things are done in the Township and not simply looking at last year's Budget and this year's budget. She stated the Web page is archaic and they need to update this. She stated they are increasingly contracting out a lot of services, and they need to see if this is saving the Township money or is this costing the Township more.

Mr. Derrick Dobos, Spring Lane, stated he was one of the residents who interviewed for the Supervisor position and appreciates the work done by the Board of Supervisors. He stated he agrees with Mr. Smith that they should be proactive, and they need to look ahead. He stated he would be willing to work on the Budget Committee if there is a vacancy. He stated with regard to the Web page, he feels it would be helpful to have a full calendar showing all the Committees and when they meet so that people could come to those meetings. Mr. Dobos stated Lower Makefield is a mature Township with a number of people on fixed incomes, and he asked if the Board has considered an earned income tax. He also noted there is a case before the Pennsylvania Supreme Court which could involve reassessing all of the properties which would impact everyone. Mr. Smith stated he would not be in favor of an earned income tax for Lower Makefield and would want to consider decreasing expenditures and enhancing revenues before considering an earned income tax. Mr. Dobos stated there would be a decrease in property taxes if there was an earned income tax. Mr. Dobos stated he also would be in favor of lengthening the contracts for the solicitor and engineers and locking them into terms for two to three years and bidding out these services. Mr. Dobos stated he also feels Departments in the Township feel like they need to spend everything that they get in the Budget, and he would suggest that they change this attitude by going to the individual Departments and ask them where they can save money and the money would then be held back in the individual accounts for those Departments so that they could use these funds for future purchases or increases in salaries as the Police often have to go outside of the Township to solicit donations to purchase equipment and supplement their services which he does not feel is indicative of a good Township. He feels holding out money they save for future use would give personal incentive to the Department to save so that they would know that the money they save will not just be put in the General fund to be used elsewhere.

Mr. McCloskey stated the staff does prepare many Budgets that go out a minimum of five years based on a variety of assumptions and scenarios. He stated he and Mr. Fedorchak do discuss this often. He stated they do not have a “use it or lose it” Budget mentality, and the staff is very responsible in their fiduciary tasks. He stated during the consideration of the sale of the sewer system they laid out several scenarios going out a number of years. Mr. Caiola stated he recognizes this and also understands that they have ongoing discussions with the Department Heads.

#### APPROVAL OF DECEMBER 1, 2008 AND DECEMBER 15, 2008 WARRANT LISTS AND NOVEMBER, 2008 PAYROLL

Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to approve the December 1, 2008 and December 15, 2008 Warrant Lists and November, 2008 Payroll as attached to the Minutes

APPROVAL OF RESOLUTION NO. 2171 ADOPTING THE 2009 BUDGET

Mr. Maloney moved, Mr. Smith seconded and it was unanimously carried to approve Resolution No. 2171.

APPROVAL OF RESOLUTION NO. 2172 AMENDING THE SEWER RENTAL FEE SCHEDULE

Mr. Maloney moved, Mr. Smith seconded and it was unanimously carried to approve Resolution No. 2172.

APPROVAL OF RESOLUTION NO. 2173 FIXING TAX RATES AND SPECIAL LEVIES

Mr. Maloney moved, Mr. Smith seconded and it was unanimously carried to approve Resolution No. 2173.

APPROVAL OF RESOLUTION NO. 2174 PROVIDING THAT NO CONTRIBUTION BE REQUIRED FROM POLICE OFFICERS TO FUND THE 2009 POLICE PENSION PLAN

Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to approve Resolution No. 2174.

APPROVAL OF RESOLUTION NO. 2175 PROVIDING THAT NO CONTRIBUTION BE REQUIRED FROM ANY NON-UNIFORMED EMPLOYEE TO FUND THE 2009 NON-UNIFORMED PENSION PLAN

Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to approve Resolution No. 2175.

APPROVAL OF RESOLUTION NO. 2176 ESTABLISHING THE 2009 PARK AND RECREATION FEE-IN-LIEU OF FEE

Mr. Maloney moved, Mr. Smith seconded and it was unanimously carried to approve Resolution No. 2176.

APPROVAL OF RESOLUTION NO. 2177 ESTABLISHING THE 2009 TRAFFIC IMPACT FEE

Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to approve Resolution No. 2177.

ZONING HEARING BOARD MATTERS

With regard to the Richard and Joan Kmiec, Variance request for the property located at 396 Collins Grant Court for the construction of a single-family dwelling with rear yard setback measured to the lot line instead of to the resource protected land, it was agreed that the Township should participate to insure that some of the Ordinance issues are addressed during the process.

SUPERVISORS' REPORTS

Mr. Smith stated with regard to the Veterans Committee, it is his understanding that there will be a wreath-laying ceremony, and Chief Coluzzi stated he believes Steve Santarsiero will be laying a wreath at Veterans Square this Saturday at 11:00 a.m. in honor of the Veterans.

APPROVAL OF RESOLUTION NO. 2178 ESTABLISHING A RIGHT TO KNOW POLICY

Mr. Truelove stated this is legislation which was passed by the State Legislature this summer that changes the obligation of all public entities to supply records upon request. He stated the primary change is that it changes the presumption from items not being records to those being records. He stated there are numerous requirements in the packets of material made available to the Board, including one that requires the Township before January 1, 2009 to name an open records officer, and Mr. Fedorchak has volunteered to do this. He stated forms are also required. He added there has been an effort at the State level to establish an open records office which has been very proactive across the Commonwealth addressing various organizations and describing the purpose of the Act and the need to be prepared. He stated his office is actively involved in this and have conducted two seminars so far and they will be able to offer advice and counsel to the Township on different issues which come up.

Mr. Stainthorpe moved and Mr. Smith seconded to approve Resolution No. 2178.



Ms. Torbert asked if there are any plans to train the Township staff in this new legislation, and Mr. Truelove stated there is and Mr. Fedorchak and Chief Coluzzi are handling this. Ms. Torbert stated she has heard over the years a number of complaints from residents when dealing with the Township. She stated it is her understanding that the presumption is that these are public records unless the Township can come up with a compelling reason why they are not public records. Mr. Truelove stated there are some exceptions and areas which may be superseded by existing law, and an assessment will have to be made every time, although some will be self-evident. He stated they will work with Mr. Fedorchak and others to help develop checklists and other ways to make it a relatively painless process for the staff and residents noting that this is going to be time consuming initially. Ms. Torbert asked how this would be handled if a call were made to the Police or Public Works, and Mr. Truelove stated generally a call is not the preferable way to do this and it would be a written request, e-mail etc. He stated while they can call, the Township is not required to respond to a call under those circumstances. Ms. Torbert asked if there will be new record-keeping procedures in the office, and Mr. Truelove stated they are mandated to have a separate log, a date stamp, and other information available so that when requests come in there is a record-keeping process. Ms. Torbert asked if there will be new record-keeping procedures for the written requests that come in and all the staff will be trained, and Mr. Truelove stated this is required by State law and his office will be working with Mr. Fedorchak on this. Ms. Torbert stated this is an open Township and she would like to see the Township be committed to this.

Motion carried unanimously.

#### WELCOMING OF TERI APPELSON

Ms. Appelson was present and was welcomed by Mr. Caiola as a Supervisor and stated he looks forward to working with her. Ms. Appelson thanked the Board for the appointment and stated she feels privileged to being able to serve as a Supervisor and looks forward to working very hard for the people of the Township.

#### APPROVE HIRING POLICE OFFICERS

Chief Coluzzi stated all but one of the background investigations for the new Officers are complete and added these are four outstanding individuals who he asked the Board to approve hiring this evening. He stated Mr. Steward Grant and Mr. Timothy U'Selis would be hired effective January 5, Mr. Gerard Cherf would be effective January 19, and Mr. Brian Holder would be effective January 5 conditioned upon his successful completion of the background check and other Township requirements.

Mr. Stainthorpe moved and Mr. Maloney seconded to approve hiring the Police Officers as noted by Chief Coluzzi.

Mr. Stainthorpe stated in the past the Board had interviewed the candidates, and Chief Coluzzi stated they discussed this at the last Executive Session as far as their names and backgrounds. Mr. Maloney stated they wanted to have them hired by the end of the year.

Motion carried unanimously.

Chief Coluzzi advised the Board that the Police promotion process is over and announced the following promotions: Sgt. Robert Lewis will be promoted to Detective Sergeant, Corporal Jason Brain who will be promoted to Patrol Sergeant, and Officer Timothy Reeves who will be promoted to Patrol Corporal all effective January 4, 2009.

#### OTHER BUSINESS

Mr. Smith asked if the Board of Supervisors would consider adding the Website to the duties of the Cable TV Board, and Mr. Caiola stated he feels the Website is a contracted item and he would ask Mr. Fedorchak and Mr. McCloskey to consider this as they would have more knowledge as to what the Website Coordinator does. Mr. Smith asked that they consider this next year. Mr. Maloney stated he feels they will find that based on the plans he has been making with Mr. Fedorchak for several months, the Internet position in the Township will change dramatically.

There being no further business, Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to adjourn the meeting at 10:10 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Matt Maloney', written in a cursive style.

Matt Maloney, Secretary



# Township of Lower Makefield

**DECEMBER 2008 WARRANT LISTS AND  
NOVEMBER 2008 PAYROLL COSTS FOR APPROVAL  
DECEMBER 17, 2008 BOARD OF SUPERVISORS MEETING**

12/1/2008 Warrant List	\$ 264,907.21	
12/08 Manual Checks	97,858.10	
12/15/2008 Warrant List	475,728.43	
Total Warrants & Prepays		838,493.74
<u>PAYROLL COSTS:</u>		
November 2008 Payroll	385,815.11	
11/08 Payroll Taxes, etc.	172,336.07	
Total Payroll Costs		<u>558,151.18</u>
TOTAL TO BE APPROVED		\$ <u><u>1,396,644.92</u></u>

