NEW HANOVER TOWNSHIP BOARD OF SUPERVISORS RE-ORGANIZATION MEETING JANUARY 6, 2014

The re-organization meeting of the New Hanover Township Board of Supervisors took place on January 6, 2014 beginning at 6:47PM. Supervisors present were Douglas Muller, Ralph Fluharty, Andrew Kelly and David Paul Brown (arrived at 7:03PM). Also present were Township Solicitor Paul Bauer and Eileen Pogany. The meeting was called to order with Douglas Muller leading in a Salute to the Flag

TEMPORARY CHAIR – Paul Bauer was appointed to serve as Temporary Chair until a new chairman is elected.

Chairman – Paul Bauer called for nominations for Chairman of the Board of Supervisors. Andrew Kelly **nominated** Douglas Muller, for Chairman. Hearing no further nominations, Ralph Fluharty **moved** to close the nominations, Andrew Kelly **seconded** the motion and Douglas Muller was elected by **vote of 3-0.**

Chairman Muller officiated during the remainder of the meeting.

Vice Chairman – Douglas Muller then **nominated** David Brown for position of Vice-Chairman. Hearing no further nominations, Andrew Kelly **seconded** the motion and David Brown was elected by **vote of 3-0.**

Treasurer - Douglas Muller **nominated** Ralph Fluharty for Treasurer. Hearing no additional nominations, Andrew Kelly **seconded** the motion and Ralph Fluharty was elected by **vote of 3-0.**

Assistant Treasurer – Andrew Kelly **nominated** Cynthia O'Donnell as Assistant Treasurer. Hearing no additional nominations, Douglas Muller **seconded** the motion and Cynthia O'Donnell was elected by **vote of 3-0.**

Secretary – Douglas Muller **nominated** Eileen Pogany for Township Secretary. Hearing no additional nominations, Andrew Kelly **seconded** the motion and Eileen Pogany was elected by **vote of 3-0**.

SWEARING IN

Judge Maurice Saylor administered oaths of office to newly elected Supervisor Philip Agliano, reelected Supervisor Ralph Fluharty, newly elected Auditor Shawn Malloy, and Police Officer David Fugelo assuming full-time status in the Police Department.

APPOINTMENTS:

CONSULTANTS – Philip Agliano **moved** to appoint the consulting positions for Solicitor, Engineer, Planner, Traffic Engineer and Pension Consultant as follows:

<u>Township Solicitor</u> – appointment of Bauer & Associates LLC as solicitor at an hourly rate of \$135/hour and \$150/hour for litigation cases.

<u>Township Engineer</u> –Gilmore & Associates at an hourly rate of \$93/hour for Principal Engineer, \$70/hour for Construction Representative IIII and \$65/ hour for Project Assistant III.

<u>Township Planner</u> –KMS Design Group, serviced by Adam Supplee at a rate of \$70 per hour.

<u>Traffic Engineer</u> – McMahon Associates on an as-needed basis at a rate of \$140/hour for Sandy Koza.

<u>Pension Consultant</u> –Duda Actuarial Consulting at a flat rate of \$3,000 for the police pension plan and \$3,000 for the non-uniform plan.

Ralph Fluharty **seconded** the motion and it **carried 4-0**.

OTHER ANNUAL APPOINTMENTS – Ralph Fluharty **moved** to appoint the following persons to their respective positions. Douglas Muller **seconded** the motion and it **carried 4-0**.

Public Works Director - Jay Smith

<u>Code Enforcement Officer/Zoning Officer/Building Code Official</u> - James Wozniak

<u>Vacancy Board Member</u> – Dennis Pogany

Emergency Management Coordinator - Matthew Brown

National Flood Insurance Representative - James Wozniak

<u>Deputy Tax Collector</u> – Paul Bauer

Census Enumerator - Christine Bauman at a rate of \$.60 per completed form.

Voting Delegate for PSATS – Andrew Kelly

RESIGNATION - Douglas Muller advised that Robert Thomas has submitted a letter dated December 31, 2013 resigning from the Planning Commission, Open Space Task Force, and Environmental Advisory Board/Shade Tree Commission. Andrew Kelly **moved** to accept the resignations of Mr. Thomas; Ralph Fluharty **seconded** the motion and it **carried 4-0**.

Supervisor David Brown arrived.

VACANCIES/RE-APPOINTMENTS – Andrew Kelly **moved** to appoint the following, **seconded** by David Brown and **carried 5-0**.

Planning Commission

Kenneth Hansell – reappoint to a 4 year term expiring 1/2018

Kurt Zebrowski – appoint to a 4 year term expiring 1/2018

Recreation Committee

Robert Rinehart – 5 year term expiring 2019

Recreation Feasibility Committee – 1 year term

Andrew Kelly

Ralph Fluharty

Scott Fluharty

Peter Retzlaff

Emergency Services Board - reappoint to a two year term

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Philip Agliano Jack Wheeler Gregory Maskrey

Environmental Advisory Board / Shade Tree

Michael Millman – re-appoint to a 3 year term expiring 2017

Open Space Committee

Susan Saylor

Regional Planning Committee – Two Representatives and a Proxy- for terms to be determined by the Board of Supervisors: Annual Appointment

- 1. Elected Official Philip Agliano
- 2. At-large Official currently Kurt Zebrowski
- 3. Proxy Vote Alternate for above members Douglas Muller

Non-uniformed Pension Committee Membership:

Supervisors Representative – Ralph Fluharty Supervisors Representative – Andrew Kelly Employee Representative - vacant Employee Representative - vacant

Police Pension Committee Membership:

Supervisors Representative – Ralph Fluharty
Supervisors Representative – Andrew Kelly
Michael Coyle– current - two-year term expiring-1/2016

2014 MEETING DATES AND TIMES – Confirm-each 2nd Monday of the month with a 2nd meeting on the last month of each quarter.

Work Meetings beginning at 6:30 PM and Regular Meetings beginning at 7:00 PM or immediately following the work meeting. January 6, February 10, March 10 and 24, April 14, May 12, June 9 and 23, July 14, August 11, September 8 and 22, October 13, November 10, and December 8 and 22, 2014.

2014 Budget Meetings – to be determined.

TOWNSHIP HOLIDAYS OBSERVED IN 2014

- 1. New Years Day Wednesday, January 1st
- 2. Martin Luther King Day Monday, January 20th
- 3. President's Day Monday, February 17th
- 4. Good Friday Friday, April 18th
- 5. Primary Election Day, Tuesday, May 20th
- 6. Memorial Day Monday, May 26th
- 7. Independence Day Friday, July 4th
- 8. Labor Day, Monday, September1st
- 9. Election Day Tuesday, November 4th
- 10. Thanksgiving, Thursday and Friday, November 27th and 28th
- 11. Christmas Eve day Observed 1/2 day Wednesday, December 24th
- 12. Christmas Day Thursday, December 25th

Resolution No. 01-14 – Ralph Fluharty **moved** to adopt Resolution 01-14 establishing the rate of compensation for collection of the per-capita tax for the tax collector at 3% and hiring the tax collector, Molly Bauer, to collect all Per Capita Taxes. David Brown **seconded** the motion and it **carried 5-0**.

Resolution No. 02-14 – Douglas Muller **moved** to adopt Resolution 02-14 setting forth the Street Light Front Foot Assessment Rate of \$0.00 per lineal foot. David Brown **seconded** the motion and it **carried 5-0**.

Resolution No. 03-14 - Andrew Kelly **moved** to adopt Resolution 03-14 setting forth the Real Estate Property Tax Rate of 1.68 mills for the Fiscal-Year 2014. David Brown **seconded** the motion and it **carried 5-0**.

Resolution No. 04-14 - Douglas Muller **moved** to adopt Resolution 04-14 to appoint signatories; Douglas Muller, Ralph Fluharty, Andrew Kelly, David Brown, Philip Agliano, Cynthia O'Donnell and Paul A. Bauer, III. David Brown **seconded** the motion and it **carried 5-0**.

Resolution No. 05-14 - Andrew Kelly **moved** to adopt Resolution 05-14 setting the wages and salary rates for all non-uniformed personnel effective January 1, 2014. David Brown **seconded** the motion and it **carried 5-0**.

Resolution No. 06-14 – Andrew Kelly **moved** to adopt Resolution 06-14 setting the employee contribution to police pension fund for calendar year 2014 David Brown **seconded** the motion and it **carried 5-0**.

Resolution No. 07-14 – Andrew Kelly **moved** to adopt Resolution 07-14 amending and readopt Township Fee Schedule. Douglas Muller **seconded** the motion and it **carried 5-0**.

Resolution No. 08-14 – Ralph Fluharty **moved** to adopt Resolution 08-14 Corporate Authorization for Great Eastern Management (Twp. Investments). David Brown **seconded** the motion and it **carried 5-0**.

CHAIRMAN'S ANNOUNCEMENT OF COMMITTEE LIAISON APPOINTMENTS FOR 2014:

Police Department
Public Works
Administration
Planning Commission
Recreation Commission
Sewer Authority
Fire Committee
Environmental Advisory Board
Open Space Task Force
Council of Government (COG)
Technology Committee

Douglas Muller (alternate Ralph Fluharty)
Phil Agliano (alternate Andrew Kelly)
Andrew Kelly (alternate Douglas Muller)
Phil Agliano (alternate Andrew Kelly)
Ralph Fluharty (alternate Dave Brown)
Douglas Muller (alternate Dave Brown)
David Brown (alternate Phil Agliano)
Ralph Fluharty (alternate Douglas Muller)
Andrew Kelly (alternate Phil Agliano)
Andrew Kelly (alternate Ralph Fluharty)
David Brown (alternate Andrew Kelly)

ADJOURN THE RE-ORGANIZATIONAL MEETING at 7:12 PM to Executive Session which concluded at 7:34PM.

REGULAR MONTHLY MEETING

CALL TO ORDER – Regular Meeting was called to order at 7:35PM by Chairman Douglas Muller.

ANNOUNCEMENTS – Chairman Muller announced that the following items are available on the counter in the rear of the meeting room: attendance sign-in forms for the official record of who is in attendance, agendas for the public, a notebook containing meeting procedures, a notebook containing approved minutes from prior meetings, and a notebook containing prior meeting bill lists. He added that the Board of Supervisors will give an opportunity for public comment prior to any official action, that non-agenda items from the floor will be addressed after all business items are completed, and that one person speaks at a time with a five minute time limit at the discretion of the Chairperson. No one stated that they were taping the meeting.

ANNOUCEMENT- Chairman Muller

Township Offices will be closed on Monday, January 20 for the Martin Luther King Holiday.

UPCOMING TOWNSHIP MEETING – Announced by Eileen Pogany

January 7	Auditors Meeting	8:30 AM
January 8	Planning Commission Meeting	6:30 PM
January 8	Recreation Committee at Recreation Center	7:00 PM
January 21	Environmental Advisory Board Meeting.	7:00 PM
January 15	Sewer Authority at WWTP	6:30 PM
February 10	Next Regular Meeting of the BOS	6:30pm/7:00pm

PRESENTATION OF CURRENT BILLS

Bill List # 1- January 6, 2014

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General Fund 01	\$31,288.53
Fire Tax Fund 03	\$ 2,755.00
Sewer Operating Fund 08	\$ 8,423.44
Sewer Capital Fund 10	\$ -0-
Transportation Impact Fund 13	\$ -0-
Capital Fund 19	\$ -0-
State Liquid Fuels Fund 35	\$ 8,562.90
Escrow Fund	\$17,972.63
Recreation Fund 96	\$ 1,774.12

Total

Ralph Fluharty **moved** to approve the bills in Bill List No. 1 in the amount of \$70,776.62 and advance the treasurer the monies for utilities and payroll for coming month. David Brown **seconded** the motion and it **carried 5-0**.

\$70,776.62

Minutes – Douglas Muller **moved** to approve the meeting minutes of the December 18, 2013 regular meeting. Andrew Kelly **seconded** the motion and it **carried 4-0** with Philip Agliano abstaining.

SOLICITOR'S REPORT – Bauer Associates

Paul Bauer reported that there have been two accidents involving Township vehicles. A Township truck was hit head-on while performing snow clearing activities. Reports have been made to the township's insurance carrier. The truck may be determined to be a total loss and delivery of a replacement could take three months; in the meantime a small dump truck will be used. The second accident involved a police vehicle which drifted forward into the vehicle stopped during a traffic stop.

Michael McGann has provided copies of the resume of Kelly Bothur and is recommending that she be offered the position operator at the sewage treatment facility; the authority is also in favor of this candidate.

BUSINESS FOR DISCUSSION OR ACTION:

Vehicle – Director of Code Enforcement – James Wozniak is requesting that he be provided a replacement for the Township vehicle he is now using. His current vehicle is a 2005 2-wheel drive GMC pick-up truck. He has done preliminary research and found a 2011 Subaru Forester SUV with 35,000 miles in good condition at a price of \$15,000 which is approximately \$4,000 less than other comparable vehicles.

New Hanover Fire Twp. Fire Company No. 1 – Dave Brown **moved** to authorize the transfer of funds in the 2012-2013 fire tax fund to New Hanover Fire Company No. 1 to be used for the benefit of both fire companies and with the approval of the steering committee agreeing on how the funds are to be spent. It is expected that the new station will be operational within one weeks' time, both stations will be dispatched at the same time and the new station number will be 63; and stations 68 and 37 will no longer be in existence. Douglas Muller **seconded** the motion and it **carried 5-0**.

Vacation Day Reimbursement Douglas Muller **moved** to reimburse Eileen Pogany at her regular hourly rate of pay for 2 vacation days requested and not approved due to staffing issue. Ralph Fluharty **seconded** the motion and it **carried 5-0**. Supervisors agreed that Mrs. Pogany be entitled to take equal time off during office hours for time spent attending meetings and recording minutes.

90 DAY TIME LIMITATION WAIVERS - Andrew Kelly **moved** to grant a waiver of the 90-day time limitation for N.H.T.P.C. No 781, Fun-E-Farm Land Development expiring February 6, 2014. David Brown **seconded** the motion and it **carried 5-0**.

NEW BUSINESS

<u>Internal Revenue Service</u> – Ralph Fluharty **moved** to adopt the IRS standard business mileage rate set at \$.56 for 2014. David Brown **seconded** the motion and it **carried 5-0**.

<u>Sewer Authority Operator</u> – Douglas Muller **moved** to accept the recommendation of Michael McGann in hiring Kelly Bothur as a Class C operator at a rate of \$18.00 per hour. David Brown **seconded** the motion and it **carried 5-0**. Ms. Bothur will be introduced to Authority Board members on January 15, 2014.

<u>Vehicle</u> – <u>Code Enforcement</u> – Ralph Fluharty **moved** to authorize James Wozniak to purchase the Subaru Forester at a cost of \$15,000. David Brown **seconded** the motion. No decisions were made with respect to the 2005 GMC 2-wheel drive truck now being used by Mr. Wozniak.

OLD BUSINESS - None

FYI - Notes to Board of Supervisors

<u>PSATS Annual</u> Educational Conference & Trade Show <u>PSATS Webinar</u> – 2014 Land Use Law Update <u>N. Charlotte St & Swamp Pike</u> – left-turn analysis

FROM THE FLOOR – Public comment on non-agenda items

Regular meeting adjourned to executive session at 8:05PM with no decisions expected to be announced.

EXECUTIVE SESSION – Personnel/Litigation

ADJOURNMENT -