

2-6-2020 Workshop Meeting Minutes

LOWER MILFORD TOWNSHIP

Lehigh County

BOARD OF SUPERVISORS

February 6, 2020 WORKSHOP Meeting

MINUTES

APPROVED

Present: John Quigley, Chair; Ellen Koplin, Vice-Chair; Donna Wright, Supervisor; Mark Cappuccio, Solicitor, Esq; Zachary Cooperman, Township Manager, and 12 members of the public

Quigley called the Workshop Meeting to order at 6:34pm.

Pledge of Allegiance was recited.

Quigley announced two Executive Sessions that took place on January 6, 2020 for Personnel and Litigation.

Quigley announced an Executive Session that took place on January 30, 2020 to discuss Personnel.

Under public comments, Sal Rizzuto spoke about the Limeport Commons plan that is before the Planning Commission for a development of a portion of the Zapach property. Mr. Rizzuto wishes to subdivide one piece of the property that is currently owned by Ted Zapach in order to construct twin homes. Quigley asked if the Township Zoning Officer, Emily Fucci, would be offering any comments about this matter. Fucci replied that she was not planning on offering any comments. Doug Frederick spoke in further detail about the concerns regarding the potential subdivision. Frederick asked if Mr. Rizzuto should move forward and how to begin the process, or if they will be shut down from the beginning of the process. Cappuccio stated that a review letter had come in regarding the Zapach plans for subdivision that was before the Planning Commission twice, and it is moving along. Cappuccio advised Mr. Rizzuto to attend the upcoming Planning Commission and to keep moving forward with the process because there is no indication that the plans will not go through. Koplin stated that the chronology that Fucci is putting together, the Board of Supervisors can take a look at, at the upcoming Regular Meeting on February 20, 2020 and make a recommendation to the Planning Commission what may be set aside and what shouldn't be, which would be helpful for Mr. Rizzuto to move forward.

Quigley made a public comment about Koplin's comments at the previous Board Meeting about not doing business with an individual who is a member of Molinari Oswald because his uncle operates an auto body shop within Lower Milford and performs work on the Township vehicles. Quigley stated that we had some employees that thought that was a directive. Quigley announced that an employee had made a scheduled appointment to get training done, and that one of our employees met that individual and told him we can't do business with him because the Board has decided that we can't do business with relatives. Quigley stated that he intends on sending a letter of apology to the firm of Molinari Oswald explaining that the Township Manager did not authorize the cancellation. Koplin commented that the Board will be addressing this matter under item number six. Koplin stated that she expressed explicitly that the Township should avoid any conflict of interest. Cappuccio called for an Executive Session at this time.

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Cappuccio announced an Executive Session to discuss Personnel.

Quigley stated that for the future, the Township will look at these situations on a case by case basis, and that the Township Manager should have the authority to select vendors. Cappuccio stated that Township employees should not be telling other Township employees what the policy is, that should come from the Township Manager.

Jason Flexer commented that he is unsure what the issue is with Carl Detweiler being at the Township teaching QuickBooks. Quigley commented that there is no conflict. Koplin commented how the Township gives Ron Detweiler a lot of business with the inspection of our Township fleet. Additionally, Koplin stated that Ron Detweiler is an officer of the fire company, which we have a special tax and we have a fund for fire, and that if we used somebody else it would have a better appearance.

Quigley announced the next agenda item to be the Geryville Appeal. Cappuccio stated that the Lower Court came down with a decision in the Geryville Appeal. Cappuccio stated that he filed the appeal and emailed it to the Board. The decision from the Lower Court was to remand the matter back to the Zoning Hearing Board. Cappuccio is asking for a motion to ratify the appeal that was filed on January 27, 2020. Motion by Wright to ratify the appeal that was filed on January 27, 2020. Seconded by Koplin and unanimously approved.

Quigley announced the next agenda item to be the Schultz Bridge Final Plans. Cappuccio stated that the Planning Commission had approved the Schultz Bridge Plans, and now comes before the Board for ratification. Motion by Wright to ratify the plans as accepted by the Planning Commission. Seconded by Koplin and unanimously approved.

Quigley announced the next agenda item to be discussion on Township position responsibilities. Wright commented she felt it was appropriate to go over the various positions and find out what each individual department is doing, and later discuss if responsibilities need to be shuffled around. Quigley asked Wright if she wants to change the responsibilities of the Zoning Officer, Public Works Director, Bookkeeper, Township Manager. Wright wishes to compare what the employees are doing versus what is written down in the Handbook. Koplin advised the Township Manager and the rest of the staff put together a report of exactly what we do under our jobs. The Board will then look at it and see if things need to be shifted around or consolidated. Koplin said there should be a motion that the staff submit their reports of their duties, responsibilities, and what they do. Quigley asked that the matter be held off, and Quigley called for an Executive Session.

Cappuccio announced an executive session to discuss Personnel.

Quigley picked up the discussion where it left off and added that the staff/Supervisors should think of any way to save money for the Township and list them along with their job duties. Koplin commented that she wants the job descriptions she crafted at the end of 2018 to be located and used as part of the discussion. Motion by Wright to have the staff put together a report listing what they do day to day, also for the staff and Supervisors to list any ways to save the Township money, also for the current job descriptions and the job descriptions crafted by Koplin at the close of 2018 to be located all of which should be used for an in depth discussion of job duties and responsibilities at the April 2, 2020 Workshop Meeting. Seconded by Koplin and unanimously approved.

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Koplin announced and presented her document, Administrative Items for Action. Koplin stated that she feels we need to establish a policy in accordance with DCED how the three supervisors interact with the staff going forward. Koplin indicated that no supervisor may act on behalf of the Township without first being granted authority by the Board at a public meeting. Motion by Koplin that going forward there is no Identified liaison for the Township staff or the Township Manager or the Fire Company. The Fire Company may submit any needs they have in writing to the Township Manager who can then forward to the Board, or they are free to come to the meetings to discuss and the Board may vote at that time. Also included in the motion is that the department heads and manager, whatever type of assistance is needed, can contact the appropriate person or agency as needed. If direction is needed from the Board, an email could be sent to the Manager who will then forward it to all Board of Supervisors, and all authority of the Manager is determined from a quorum of the Board. Quigley seconded for purposes of discussion. Quigley asked Koplin why she feels this is necessary. Koplin stated that this will work better. Quigley commented that in 2018 the Supervisors decided to make a liaison to the Township for the Supervisors to have more information. Mike Snovitch took on the liaison role in 2018. Koplin stated that the Board can not ask somebody outside of a public meeting and grant them authority. Koplin stated it is her belief, as is the belief of the authors of the Supervisor Handbook that Supervisors should be more hands off. Koplin stated a Supervisor's only authority is when they act as a Board, therefore the Manager acts on authority from a quorum of the Board. Anything that needs discussion is to be brought to the Board. Wright commented that the Board cannot take any action without it being voted on at public session. Koplin stated that Supervisors will not give direction to anybody. Koplin stated that the Manager should run things by the Board if it is a significant issue and has consequence to the Township or the operations of the Township. Seconded by Quigley and unanimously approved.

Koplin announced the next item on the document to be the payment of the Manager and Treasurer's bonds. Motion by Wright that the bond bills for the Manager and Treasurer need to be paid in a timely fashion in order to avoid late fees. Quigley seconded for purposes of discussion. Quigley asked Cooperman how much the Township pays for the Manager's bond of \$500,000. Cooperman stated \$500. Quigley asked Cooperman the same question for the Treasurer's bond. Cooperman stated \$750. Cooperman stated that this year the Treasurer's bond is costing the Township \$2625.

Cappuccio called for an executive session.

Cappuccio announced an executive session to discuss Personnel.

Motion by Wright to pay the Manager and Treasurer's bond, seconded by Koplin and one nay by Quigley because the Treasurer's bond amount is significantly than we have ever paid for a bond for the Treasurer.

Quigley announced the next bullet point on Koplin's handout, Authorize Issuance of business card and BJ card to Treasurer.

Motion by Koplin to issue a Bank of America card to Stacy Smith with a limit of \$500 as well as a BJ's Wholesale club card. Seconded by Wright and one nay by Quigley because he wants a closer accounting of the cards and how they are used.

Quigley announced the last item on Koplin's document, Necessity of CPA and/or selection moving forward. Motion by Koplin for the Township to not use Carl Detweiler and the firm of Molinari Oswald

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because there are cheaper alternatives and the Lower Milford Township Board of Auditors agreed with that idea. Quigley seconded the motion for purposes of discussion. Wright commented that she does not think it matters which CPA firm is used. Koplin commented that if this situation happens in the future, the Township should look at it on a case by case basis. Koplin stated that should the Treasurer need assistance with QuickBooks/accounting, she should bring it up to Cooperman and he will bring it to the attention of the Board. The official motion made by Koplin was withdrawn by Koplin.

Quigley announced agenda item to discuss Zoning Ordinance Amendments following the Planning Commission review. Cappuccio discussed in detail the concerns raised by the LVPC. Cappuccio asked for a motion to send to the LVPC and the five regional planning members for a 30-day comment period. Wright abstained because she is chair of the LVPC comprehensive committee. Quigley abstained because he does not like things being sprung on the agenda at the last minute and voted on so quickly. Cappuccio asked Cooperman to table this discussion until the Regular Meeting on February 20, 2020.

Quigley asked for public comments and Jason Flexer commented that he commends Quigley for looking at the costs and questioning them. Flexer also asked why the Township wants their employees to make their own job responsibilities. Wright commented and said that the task is for the employees to write down what they are currently doing.

Motion by Wright to adjourn meeting at 8:47pm. Seconded by Koplin and unanimously approved.

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