

BUCKS COUNTY CONSORTIUM

Thursday, February 4, 2016

Meeting Minutes

1. Call to Order:

A meeting of the Bucks County Consortium was held at 9:00 a.m. at Warwick Township, on February 4, 2016, and called to order by Consortium President William Wert.

2. Roll Call, Introductions and Community Updates:

The following Bucks County communities were represented at the meeting:

Dana Cozza, Buckingham Township
Sandra Zadell, Chalfont Borough
John Davis, Doylestown Borough
Caroline Brinker, Doylestown Borough
Autumn Canfield, Doylestown Township
Bill Wert, Dublin Borough
John McMEnamin, Lower Southampton Township
Joseph Galdo, Lower Southampton Township
Stephanie Teoli Kuhls, Middletown Township
Scott Sadowsky, Middletown Township
Sam Bryant, New Britain Borough
Angela Benner, New Britain Township
Eileen Bradley, New Britain Township
Robert Pellegrino, Northampton Township
Jamie Gwynn, Northampton Township
Mike Brown, Springfield Township
Mark Fournier, Telford Borough
Linda McNeill, Tinicum Township
Joseph Golden, Upper Southampton Township
Mark Showmaker, Upper Southampton Township
Herb Schoell, Upper Southampton Water & Sewer Authority
Steve Wiesner, Warminster Township
Timothy Hagey, Warminster Township Municipal Authority
Christian Jones, Warrington Township
Vivian Bell, Warrington Township
Kyle Seckinger, Warwick Township
John Boyle, Yardley Borough

Sponsors:

Chris Englebert, Beirne Wealth Consulting
David Jones, Boucher & James
Brian Jeter, Comcast
Jim Gray, RBC Capital Markets
Dan O'Brien, RBC Capital Markets
Rick Lee, DVIT
Tom Hough, Hough Associates
Rich O'Brien, Keystone Municipal Services, Inc.
Dave Wolgam, Meyner Center at Lafayette College

Severine Zarza, Royal Bank
Michael Davidson, Univest

Community Updates:

Bill Wert stated that the Consortium Executive would like to add a Community Update to the agenda where each attendee is asked to share (briefly) a “Front Burner” issue affecting their municipality.

The local managers went around the room and introduced themselves and briefly shared “Front Burner” issues affecting their community. Sponsors in attendance also shared updates or current issues in their field of expertise.

2. Approval of Minutes – November 5, 2015:

Upon motion by Caroline Brinker, seconded by Tim Hagey, the Minutes of November 5, 2015 were approved as presented.

3. Treasurer’s Report and Payment of Bills:

Vivian Bell reviewed the treasure reports for November 2015, December 2015, & January 2016. Upon motion by Eileen Bradley, seconded by Caroline Brinker, the Treasurer’s Reports for November 2015, December 2015, and January 2016 were approved as presented.

4. Presentation on UCC Compliance:

Mr. Wert introduced Stephanie Teoli Kuhls, Manager of Middletown Township and Richard O’Brien with Keystone Municipal Services, Inc.

Mrs. Teoli Kuhls started off by stating that for the past 6 to 8 months she has been dealing with a Uniform Construction Code (UCC) compliance issue and hopes that the members of the Consortium will be able to learn from Middletown Township’s experience. UCC Compliance is the responsibility of the managers to oversee and make sure that all inspectors, in-house and third party, have the appropriate UCC Compliance Certifications to perform inspections and plan reviews. Mr. O’Brien added that managers should be checking to make sure inspectors are certified through the UCC website and that there is a total of 19 certifications for building code and construction. Everyone needs to be certified for exactly what they are reviewing and inspecting. If a third party is used for inspections, managers should be verifying that they have a third party certificate and that the inspectors they are using for your municipality have their individual certifications.

Mrs. Teoli Kuhls stated that when she started at Middletown Township four years ago she met with the individual department heads to assess what each department had going on. When she met with the Labor and Industry (L & I) Director, she asked if Middletown Township was compliant she was informed that they were. It was not until that individual took an early retirement incentive about a year ago that led another employee to come forward and inform her that the Middletown Township inspectors and plan reviewers of the L & I department did not have all their required UCC Certifications for the work they were completing. It was at this moment that Mrs. Teoli Kuhls decided to launch an investigation. From that investigation it was found that the individual performing mechanical plan review and the individual performing building plan reviews did not have the required UCC Certification. In addition, no one was certified for energy plan reviews and inspections. The Fire Marshall did not have the required UCC Certification for plan review and inspection for sprinklers and fire compression. The Fire Marshall was certified generally in everything but did not have the required UCC Certifications. When the individuals were approached they did not deny that they knew they did not have the required UCC Certifications.

What to do? Middletown Township hired an outside firm to come in and start reviewing permits and plans, because there were over 1,000 of properties where plans were reviewed, permits issued, and inspections completed by individuals who were not compliant with the UCC. At the same time Middletown Township hired

Cozen O'Conner Law Firm to perform an independent investigation. Middletown Township then self-reported themselves to the Department of Labor and Industry. Next, she brought in Rich O'Brien to be Middletown Township's Building Code Official (BCO) to oversee everything and changed out the third party electrical inspector. It was not about the loss of income, it was about making sure everything was compliant. Mrs. Teoli Kuhls stated that she knew there was the potential for blow back in the community because the residents were used to things being done the wrong way.

Mr. O'Brien stated that the previous department head was using a stamp for plan reviews in attempt to release liability onto the engineer. However, this is illegal and it is the plan reviewers' responsibility. Mr. O'Brien also added that the in-house department head wanted to keep everything close to his chest. The other employees relied on the in-house BCO for guidance. The individual who came forward was previously afraid to go against his boss in fear of losing his job. In addition, the building department was issuing permits for items that are exempt from the UCC, which is illegal.

Two months into investigation of the Code Department Middletown Township received a call from the Neshaminy School District requesting their final inspection. This is when the Township realized that no permit ever existed because the previous BCO allowed them to start before obtaining a permit. This was just one insistance of the problems that Middletown Township was working on correcting.

Once Cozen O'Conner supplied their independent investigation report it matched Middletown Township's internal investigation. At this time a new software program was implemented along with new procedures for Middletown Township's L&I department to follow created by Rich O'Brien. When the State came in there where three things that benefited Middletown Township: Rich O'Brien was well respected, Middletown had self-reported to the State, and they had already implemented a plan to correct what existed and to move forward. When the State Department of L&I left, they did not fine Middletown Township. From this, the decertification process was started for those individuals who committed wrong doing and Middletown Township has an improved process with certifications being tracked in-house.

Mr. O'Brien showed everyone the website and how the certifications show up for every individual inspector throughout the State. Mrs. Teoli Kuhls urged all managers to review the UCC Certification website and verify that their inspectors and plan reviewers, in-house and third party, have the appropriate certifications.

5. Discussion:

Salary Survey: Mr. Wert introduced Scott Sadowsky from Middletown Township, who is overseeing the salary survey. Mr. Sadowsky stated that the salary survey was sent out to all municipalities at the end of January. There is general instructions included on the spreadsheet but if anyone has any questions to reach out to him. In addition, Scott added that there was space left at the bottom of each category for anyone who had a job name that was not already listed on the spreadsheet.

Scholarship: Mr. Wert stated that the Executive Committee has implemented two scholarships up to \$1,000 a piece for any new manager or assistant managers who would like to attend the APMM conference. Mr. Wert added that the scholarship information was sent out to everyone at the end of January and if anyone had any questions to reach out to him or Angela.

7. Community Updates: Jamie Gwynn announced that the BCATO convention will be held on February 27 and anyone who plans on attending needs to register. There will be around 30 booths at the convention.

8. Other Business: There was no Other Business at this time.

9. Adjournment:

Upon motion by Eileen Bradley, seconded by Sandra Zadell, the meeting was adjourned at 10:30 a.m.

The next meeting was scheduled on March 3, 2016 at New Britain Township.

Respectfully Submitted,

Angela P. Benner
Consortium Coordinator

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