



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR DECEMBER 28, 2010**

The regular meeting of the Warrington Township Board of Supervisors was held on December 28, 2010, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976, followed by the pledge of allegiance. The members present were as follows:

ATTENDANCE:

John Paul, Chairperson; Gerald Anderson, Vice Chairperson; Marianne Achenbach, Secretary; and Michael W. Lamond, Jr., Assistant Secretary. Staff Present were Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, P.E., Township Engineer; Michael Mrozinski, Director of Planning and Economic Development; Vivian S. Bell, Township Treasurer; and Barbara Livrone, Executive Assistant to the Township Manager. Township Supervisor Paul Plotnick was excused.

APPROVAL OF BILL LIST:

1. **December 14, 2010 to December 28, 2010 - \$819,282.85**

Mr. Anderson motioned, seconded by Mr. Lamond, to approve the bill list from 12/14/10 to 12/28/10 totaling \$819,282.85. This motion passed by a roll call vote of 4-0.

APPROVAL OF MINUTES:

2. **November 16, 2010**

Mr. Anderson motioned, seconded by Mr. Lamond, to approve the November 16, 2010 Meeting Minutes as amended. The motion passed by a vote of 4-0.

3. **November 23, 2010**

Mr. Anderson motioned, seconded by Mr. Lamond, to table approval of the November 23, 2010 Meeting Minutes. The motion passed by a vote of 4-0.

MINUTES FOR POSTING

4. **December 7, 2010**

Mr. Anderson motioned, seconded by Mr. Lamond, to approve the posting of the December 7, 2010 Meeting Minutes. The motion passed by a vote of 4-0.

5. **December 14, 2010**

Mr. Anderson motioned, seconded by Mr. Lamond, to approve the posting of the December 14, 2010 Meeting Minutes. The motion passed by a vote of 4-0.

PUBLIC COMMENT

The following resident provided comment:

- Mr. John Ball of 981 Lower State Road (regarding neighbor having buffer trees cut down on his property without his permission). He sent a letter to the township but hasn't received a response. He wants to have the trees replaced or the neighbor fined. The Solicitor advised Mr. Ball that it is his responsibility to file a criminal complaint against his neighbor with the police department before the neighbor could be fined. Mr. Paul said the township would research this matter and get back to Mr. Ball.

6. MANAGER'S REPORT

Mr. Tieperman highlighted the following bulleted item in his report:

1. **Consent Item:** Consider Change Order No. 2 for Warrington Swim Club Filter Replacement.

Mr. Anderson motioned, seconded by Mrs. Achenbach to approve Change Order No. 2 for the Warrington Swim Club Filter Replacement. The motion passed unanimously.

Mr. Tieperman advised that four audit firms responded to the RFP and he is currently reviewing them. The four firms prices range from \$21,000 to \$49,000 for auditing services. Mr. Tieperman hopes to have a recommendation at the Board's January 11, 2011 meeting.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**7. Review and Consider final adoption of the 2011 Operating and Capital Budget.**

Mr. Plotnick was contacted and put on speaker telephone to enable him to participate in the discussions on the final adoption of the 2011 Operating and Capital Budget.

Mr. Anderson said he was glad to see that the township now has a balanced budget. He said the outstanding issue in our budget is going to be the Business Privilege (BPT) Tax. Revenues from the BPT are not part of the 2011 operating budget. Mr. Anderson said if Warrington does not prevail in the pending court case, the money collected would have to be returned. He said the net effect on the budget would be nothing. He said during 2011 we have the ability to look at the budget and make adjustments.

Mr. Plotnick's expressed his concern is that the township has this giant unknown in our budget and this could be crippling based on our current revenue stream. He feels a contingency plan should be built into this budget. Mr. Plotnick opined that a .5 mill tax increase to cover the debt issue (\$20/household/year) would only be "peanuts" to a household. Mr. Joe Bonargo, 1243 Easton Rd, Warrington, PA said that with a lot of people out of work and people trying to buy food he feels that Mr. Plotnick's comment that a .5 mill tax increase in this environment is just peanuts when some people can't afford food and clothing is just callous.

Mr. Lamond's commented that his major concern is the township's contingency plan if the BPT tax must be repealed. Is the township able to re-open the budget by law and make the necessary cuts that are needed? Mr. Anderson responded that the township does not have to re-open the budget; we would just say we have an unbalanced account for some reason and will have to make cuts to balance the budget. Mr. Lamond wanted to know what the budget cuts are going to be prior to the Board approving the budget. He has no objection to the Budget but is concerned with the contingency plan.

Mr. Anderson motioned, seconded by Mrs. Achenbach to adopt the 2011 Operating and Capital Budget with no tax increase. This motion passed by a vote of 4-1. Mr. Plotnick voted no.

8. Consider adoption of a Resolution establishing the 2011 Tax Millage Rate.

Mr. Anderson motioned, seconded by Mrs. Achenbach to adopt the Resolution establishing the 2011 Tax Millage Rate and make two changes in the Resolution; i.e., one with changing the date from December 14, 2010 to December 28, 2010 and correcting the spelling of the word Fund under Park and Recreation Fund. This motion passed by a vote of 4-1. Mr. Plotnick voted no.

9. Review and Consider Local Service Tax Collection Agreement with Keystone Tax Collection Group.

Mr. Anderson motioned, seconded by Mr. Lamond to approve the local service tax collection agreement with Keystone Tax Collection Group. This motion passed unanimously.

10. Review and Consider Resolution to appoint Keystone Tax Collection Group to collect the Earned Income Tax effective January 1, 2011.

Mr. Anderson motioned, seconded by Mr. Lamond to approve the Resolution to appoint Keystone Tax Collection Group to collect the Earned Income Tax effective January 1, 2011. This motion passed unanimously.

11. Review and Consider Resolution to approving the Act 192 Fee Schedule and implementing the universal nonresident withholding of the Earned Income Tax effective January 1, 2011.

Mr. Anderson motioned, seconded by Mr. Lamond to approve the Resolution for the Act 192 Fee Schedule and implementing the universal nonresident withholding of the Earned Income Tax effective January 1, 2011. This motion passed unanimously.

12. Consider re-appointments of members to various Boards and/or Commissions whose terms expire December 31, 2010.

Official action on the re-appointments of members to various Boards and/or Commissions whose terms expire December 31, 2010 will take place at the Board's reorganization meeting being held on Monday, January 3, 2011. The Board authorized the advertisement for re-appointments to the various Boards and/or Commissions to be placed in the newspaper.

Mr. Paul recommended that interviews for re-appointments be scheduled for second meeting in January 2011.

ESCROW AND MAINTENANCE BOND RELEASES:

13. Consider request for release of maintenance bond (18-Month Maintenance Period) for the Studley Subdivision – Elm Street).

Mr. Anderson motioned, seconded by Mr. Lamond to approve the request for release of maintenance bond (18-Month Maintenance Period) for the Studley Subdivision – Elm Street with the provision that Vivian Bell, at the time of the release, make sure that all monies due the township by the developer are subtracted from the amount of the bond and the developer agrees with this arrangement. This motion passed unanimously.

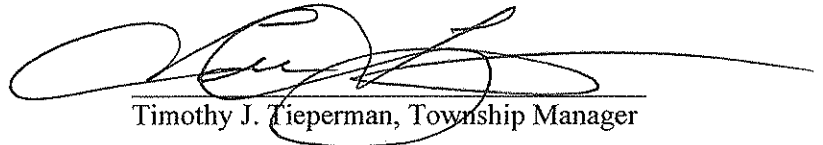
14. Consider Escrow Release No. 1 in the amount of One Hundred Sixteen Thousand, Nine Hundred Eighty-Seven Dollars and One Cent (\$116,987.01) for the Pal's Building located at 3245 Limekiln Pike.

Mr. Anderson motioned, seconded by Mrs. Achenbach to approve Escrow Release No. 1 in the amount of One Hundred Sixteen Thousand, Nine Hundred Eighty-Seven Dollars and One Cent (\$116,987.01) for the Pal's Building located at 3245 Limekiln Pike. This motion passed by a vote of 3-1. Mr. Lamond voted no.

ADJOURNMENT

Mr. Lamond motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 8:40 p.m. The motion passed unanimously.

Edited and Reviewed By:



Timothy J. Tieperman, Township Manager