

WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

MINUTES FOR JANUARY 12, 2010

The regular meeting of the Warrington Township Board of Supervisors was held on January 12, 2010, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

ATTENDANCE:

Rebecca A. Kiefer, Chairman; John Paul, Vice Chairman; Marianne Achenbach, Secretary; Michael W. Lamond, Jr., Assistant Secretary; Paul Plotnick, Member; Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, Township Engineer; Michael Mrozinski, Director of Planning and Economic Development; Carolyn Hanel, Director of Administrative Services/Parks and Recreation; Vivian S. Bell, Township Treasurer; and Barbara Livrone, Executive Assistant to the Township Manager.

PLEDGE OF ALLEGIANCE

The meeting opened with a pledge to the flag.

APPROVAL OF BILL LIST:

1. December 22, 2009 to December 31, 2009 - \$302,660.88

Motion – It was moved by Mr. Paul, seconded by Mrs. Achenbach, the Board of Supervisors voted to approve the bill list for the period from 12/22/09 to 12/31/09 totaling \$302,660.88. This motion passed by a roll call vote of 5 yeas.

2. December 31, 2009 to January 12, 2010 - \$672,762.36

Motion – It was moved by Mr. Paul, seconded by Mrs. Achenbach, the Board of Supervisors voted to approve the bill list for the period from 12/31/09 to 1/12/10 totaling \$672,762.36. This motion passed by a roll call vote of 5 yeas.

APPROVAL OF MINUTES

3. December 1, 2009

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, the Board of Supervisors voted to table approval of the minutes of the December 1, 2009. This motion passed by a vote of 3-0.

4. December 8, 2009

Motion – It was moved by Mr. Plotnick, seconded by Mr. Lamond, the Board of Supervisors voted to approve the minutes of the December 8, 2009. This motion passed by a vote of 3-0.

MINUTES FOR POSTING

5. December 22, 2009

Motion – It was moved by Mr. Lamond seconded by Mrs. Kiefer, the Board of Supervisors voted to post the minutes of the December 22, 2009 meeting. This motion passed by a vote of 5-0.

PUBLIC COMMENT

a) **Status of Traffic Light at Folly & Pickertown Roads.** Mrs. Mildred Laing, who resides at 767 S. Settlers Circle, asked about the status of the traffic light at Folly & Pickertown Roads. Mr. Tiepermaan said that Mr. Zarko did give an update and he was in touch with the school district's engineer and I think we are making progress. They are looking to get additional feedback from PennDOT so that they can move forward.

b) **Kansas Road.** Mrs. Mildred Laing, who resides at 767 S. Settlers Circle, asked when is Kansas Road going to be closed off to Street Road. Mr. Paul said because of the weather that project was stopped until we have some favorable weather conditions. He said the blockade on Kansas Road can only take place after the other road has been formally opened.

c) **Snowplowing at Fairways.** Mrs. Kathleen Donnelly, who resides at 2357 Greensward South, requested that when the snowplowing is done at the cul de sacs at the Fairways that they plow the snow in the opposite direction so that the snow is not plowed onto the curb. Mrs. Kiefer asked Mr. Tieperman to check with the Public Works and the contractors that are doing the snow removal to see if we can get a message to them to try doing it counter clockwise.

d) **Communications Officer.** Mr. Glenn McKay, who resides at 2506 Park Road, said he wanted to speak to the Communications Officers position. He said Ms. Gay Currie was contracted fourteen (14) months ago as a Communications Officer and not as an employee with a separate contract so the township wouldn't incur any costs of benefits and social security payments associated with employees.

Mr. McKay said over the past fourteen months she has exceeded the expected performance on her contract; i.e., by reducing the printing costs she produced a higher quality and richer newsletter, which is much more visible and has an identity and readership by the residents, which is the ultimate goal. The original mailing cost before Gay Currie came on board was \$30,000/year and by soliciting bids she was able to reduce the cost to \$20,000 and that \$20,000 has now been offset by her solicitations and sponsorship of limited advertising. He mentioned some other contributions of Gay Currie to the community to educate some of the new members to the Board.

Mr. McKay said he was a supervisor when the township approved her contract fourteen months ago. He asked who recommended her dismissal as the action was not brought up before the Board of Supervisors. He requested that the Board honorably look at the terms of her contract and honor her contract, which allows for her termination upon 30 days notice.

Mrs. Kiefer said no one is disputing the quality of Gay Currie's work and the efforts that she has made over the year as the Communications Officer. She said the issue here is that with current economic times and existing budget constraints that she must honor one of her promises made to the Warrington residents on behalf of the Board of Supervisors that we would try to get back to basics and reduce expenses. The decision in December for Gay Currie to curtail her hours was rightfully made by the Township Manager based on the fact that she was over budget.

Mrs. Kiefer said the decision now is to work on things in-house to keep expenses down. She said our next newsletter will be done in-house and we will look at additional methods to try to keep expenses down.

Mr. Plotnick responded to Mrs. Kiefer's comments. He said to Mrs. Kiefer that #1 you know that the township staff, because we've had staff reductions is already overworked. The creative talents of a public information officer are not random talents that just crop up everywhere. He said we have a professional who has been doing a great job at practically no cost to the township and to give up that resource would

require the township to go to a bidding process. Mrs. Kiefer said that the so called revenue neutral newsletter cost well over \$46,000 last year. We have a responsibility to the taxpayers and will continue to inform the public as best as possible but we're going to try to keep their expenses down.

Mrs. Butterworth, who resides at 600 Valley Road, said she has a concern. As being past chairman, when a decision comes up for a renewal of contracts it has always been her understanding that it's put on the agenda and it's discussed among the Board members. She said she was here tonight as there was an email circulating among the employees. She paraphrased that it said "please understand that this decision by the Supervisors was budgetary and in no way should this be interpreted as being a criticism of a great job that Gay Currie did for Warrington". She said she needs a clarification where it says the Board of Supervisors. When was the decision made in December if it was made in December? Who made this decision for the Board? Mrs. Kiefer said there was no directive or decision by the Board of Supervisors, it was made specifically by Mr. Tieperman as the Township Manager based on budgetary constraints, to inform Gay Currie in December not to do any further work except to complete what she was currently working on. Any member of this board could have asked to have a consideration put on the agenda to renew her contract.

e) **Dropping Off/Picking Up Children at John Barclay Elementary School.** Toni Morris, who resides at 2136 Ted Jim Drive, thanked the Board for the privilege of residents to be able to speak more than 5 minutes on a topic of concern to them. She said there is still a problem on Palomino Drive at John Barclay Elementary School. The cars are not pulling off to the side when unloading and picking up children, which creates a problem for other drivers to get through that area. Mr. Wieland said we had discussed before a flashing warning signal in that area. Mrs. Kiefer asked if we could address this with the schools to see if there is something we can do about getting someone out there to direct the drivers to pull over to the side of the road when unloading their children. Mrs. Kiefer said we will look into this and see if there is something we can do to try and alleviate that because we certainly don't want the children's lives to be in danger.

f) **Communications Officer.** Mrs. Gay Currie, who resides at 1060 Arabian Court, said as Communications Officer she did not go over the budget and there was \$18,000 left in the budget. Mrs. Kiefer asked Mr. Tieperman to look into that and get her that information because she (Mrs. Kiefer) was informed by Mr. Tieperman after the fact that Mrs. Currie was over budget and told to not start any new projects and cease on all work except projects underway.

g) **Communications Officer.** The owner of Gems Jewelers, located at 1409 Easton Road, said as a business owner in the community, he worked closely with Gay Currie in advertising with The Link. He felt that she was a very vital part of connecting to the community through The Link and did a very professional job. As a business owner, we felt that Gay Currie was a link to the community as well as to the township.

h) **Communications Officer.** Mr. Lamond said, as far as the Gay Currie issue, the issue he has is that Mrs. Kiefer keeps speaking for the Board. He said at no point has he been notified, talked to or spoken with any meeting with to make a decision to release Gay Currie. He asked if there was an executive session that the Board had. Mrs. Kiefer said no there was not. Mr. Lamond asked who made this decision. Mrs. Kiefer said the only decision that was made, which was in the beginning of January, was not to go forward with a future contract until the whole Board had voted on it. She said what's we're doing is not going forward with the contract. Mr. Lamond said, according to the email, saying today's my last day as you know, my position had been eliminated. He asked who eliminated her job? Mrs. Kiefer said there is no job to do if we're doing the newsletter in-house to reduce expenses. Mrs. Kiefer said the fact is that we're just not renewing the contract.

i) **Communications Officer.** Mr. Wayne Bullock said the township has always had a Communications Director. He said it's called the township manager. When things happen, the manager

speaks for the township, may talk to the Board of Supervisors, and issues a statement through the Board of Supervisors.

j) **Communications Officer**. Mr. Ed Wolfe referenced he had before him a copy of the December 9, 2008 minutes of the Board of Supervisors. He said he didn't know that much about contractual law but he does know we have to honor a contract. At that meeting the minutes reflect Item #13 is to consider a motion of creating the office of Communications Director. He said the point is if the Board makes a motion to create an officer then the Board should make a motion to eliminate that position.

MANAGER'S REPORT.

6. Mr. Tieperman reviewed the manager's report which included a) Upcoming Sketch Plans; b) Business Privilege Tax Decision; c) Ordinance Updates; d) Route 202 Standards; e) Cell Tower Possibilities; and f) Other Business.

Mrs. Kiefer said in the past when there are major issues the Board of Supervisors has scheduled a special township meeting. it's important that all residents that have concerns particularly something as major as the TEVA Proposal, is that we establish a special meeting night, to address TEVA alone. The meeting will be dedicated to a presentation from TEVA to allow residents have their questions answered.

Mrs. Kiefer said we've scheduled the first Tuesday in February, the 2nd for a special meeting for TEVA proposal. This meeting will be held at the Mill Creek Elementary School in the all-purpose room. This meeting will be dedicated specifically to TEVA. All of the residents who have given their names ahead of time will be contacted. She said this meeting will be posted on the township's website as well as the TV channel, and it will be advertised in the newspaper.

ENGINEER'S REPORT.

7. Mr. Wieland reported that last Thursday there was a transition meeting between the previous engineer and the current engineer. He said there was discussion and agreement on a transfer of the engineering projects. He certainly appreciates the professionalism of CKS and said he is looking forward to serving Warrington and moving forward with the projects that come up as well as the ones that he will be assuming.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

8. Consider renewal of 2010 Lawn Maintenance Contract.

Motion – It was moved by Mr. Paul, seconded by Mrs. Achenbach, the Board of Supervisors approved the 2009 contract with Lawn Maintenance with Bucks County Outdoor Environments, Inc. be renewed for 2010. This motion passed by a vote of 5-0.

9. Consider approval of Solar Energy Grant Commitment and Agreement pertaining to the Tradesville Photovoltaic Energy System.

Motion – It was moved by Mr. Paul, seconded by Mrs. Achenbach, the Board of Supervisors voted to table any action on the Solar Energy Grant Commitment and Agreement until January 26, 2010 to allow sufficient time for the Solicitor and Engineer to review this project's scope and grant program. This motion passed by a vote of 5-0.

10. Consider approval of Workers Compensation and Property and Liability Insurance carriers.

Motion – It was moved by Mr. Paul that the proposal transmitted by Travelers and AmeriHealth property casualty coverage and workers compensation as directed and proposed, be accepted so that the Township Manager or his designee is hereby directed to begin transition activities immediately. Mrs. Achenbach seconded the motion.

After further discussion, Mrs. Kiefer asked for a vote and stated there were three (3) yeas and two (2) no's. Mr. Lamond and Mr. Plotnick voted no. Mrs. Kiefer stated the insurance will carry for Traveler's along with AmeriHealth.

11. Consider authorization to advertise the Responsible Contractor's Ordinance.

Motion – It was moved by Mr. Lamond, seconded by Mrs. Achenbach, the Board of Supervisors voted to drop off the rolls the advertising of the Responsible Contractor's Ordinance. This motion passed by a vote of 5-0.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):**12. Consider request by applicant's attorney that Red Robin International, Inc., to withdraw its application for inter-municipal transfer of liquor license at Valley Square Lifestyle Center, Routes 611 and 132, Warrington, PA**

Motion – It was moved by Mr. Paul, seconded by Mr. Plotnick, the Board of Supervisors moved that the request to withdraw the application for the inter-municipal transfer of a liquor license by Red Robin International, Inc., be accepted. This motion passed by a vote of 5-0.

13. Reconsider bid award for the Mill Creek Salt Storage Building.

Motion – It was moved by Mr. Paul, seconded by Mr. Lamond, the Board of Supervisors moved that we reject all bids for the Mill Creek Salt Storage Building Project. This motion passed by a vote of 5-0.

ESCROW AND MAINTENANCE BOND RELEASES:**14. Consider request for escrow release #1 and Certificate of Completion for Pleasantville United Church of Christ in the amount of \$714,590.65.**

Motion – It was moved by Mr. Paul, seconded by Mr. Plotnick, the Board of Supervisors moved that we approve escrow release #1 in the amount of \$714,590.65 and issue a Certificate of Completion for Pleasantville United Church of Christ. This motion passed by a vote of 5-0.

15. Consider request for escrow release #4 and Certificate of Completion for Stone Manor Corporate Center, Unit G in the amount of \$170,731.30.

Motion – It was moved by Mr. Paul, seconded by Mr. Plotnick, the Board of Supervisors moved that we approve escrow release #4 for \$170,731.30 and issue a Certificate of Completion for Stone Manor Corporate Center, Unit G Pad Site. This motion passed by a vote of 5-0.

16. Consider request for escrow release #12 and Certificate of Completion for Heritage Center at Warrington in the amount of \$33,516.50.

Motion – It was moved by Mr. Paul, seconded by Mr. Plotnick, the Board of Supervisors moved that we approve escrow release #12 in the amount of \$33,516.50 and issue a Certificate of Completion for Heritage Center at Warrington. This motion passed by a vote of 5-0.

17. Consider request for final escrow release for Document Management Program in the amount of \$37,426.00.

Motion – It was moved by Mr. Paul, seconded by Mr. Plotnick, the Board of Supervisors moved that we approve the final escrow release in the amount of \$37,426.00 for the document management project. This motion passed by a vote of 5-0.

18. Consider request for Release of 18-Month Maintenance Bond for Greystone Meadows Subdivision.

Motion – It was moved by Mr. Paul, seconded by Mr. Plotnick, the Board of Supervisors moved that we approve the release of the 18-Month Maintenance Bond for Greystone Meadows Subdivision. This motion passed by a vote or 5-0.

EXTENSION REQUESTS:

19. Consider Request to Extend Time to Satisfy Conditions of Final Plan Approval for Phases I-IV of the Highgrove Manor Development.

Motion – It was moved by Mr. Paul, seconded by Mrs. Achenbach, the Board of Supervisors moved that we accept the extension request for Final Plan Approval for the Highgrove Manor Development to April 16 2010. This motion passed by a vote of 5-0.

DEDICATION REQUESTS:

20. Consider Denial of Request to Dedicate Public Improvements Constructed in conjunction with the Heritage Center at Warrington Development.

Motion – It was moved by Mr. Paul, seconded by Mr. Plotnick, the Board of Supervisors voted that we deny the request to dedicate public improvement constructed in conjunction with the Heritage Center at Warrington. This motion passed by a vote of 5-0.

CONSENT AGENDA:

PSATS Conference at Hershey, PA. Mrs. Kiefer reported Barbara Livrone needs to know if any of the supervisors will be attending the PSATA Conference at Hershey, PA. The deadline for reservations is January 22, 2010 to get into the lottery.

SUPERVISORS' COMMENTS

Mrs. Kiefer commented that all efforts with this Board and this Township will be to attempt to go back to basics, reduce some of our expenses, and take care of things that we can in-house, and contract only those things out that we are not capable of handling to try and keep your expenses down as township residents.

EXECUTIVE SESSION

Mrs. Kiefer announced that Mr. Casey has requested a brief executive session on litigation issues.

ADJOURNMENT

It was moved by Mr. Paul, seconded by Mr. Plotnick, the Board of Supervisors voted to adjourn the meeting at 9:00 p.m. This motion passed by a vote of 5-0.