

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

C O N T E N T S

	Page
Call to Order / Pledge of Allegiance	2
Announcements, Correspondence, Awards	2-3
Presentations	
1. 2008 Draft – Independent Auditor’s Report	3-4
2. DCED – Police Regionalization Study	4-10
3. Approval of Final Budget for 2010	11-18
Consent Agenda Items	18
A. Approval of Minutes of November 12, 2009	
B. Appointment of an Acting Zoning Officer – Ann Marie Pearson	
C. Authorization to Advertise Ordinance #692 – Warminster Townships Property Maintenance Code, Fire Prevention and Life Safety Code and repealing of several Ordinances	
D. Approval of Escrow Release #1 (Revised – Final) in the amount of \$30,877.00 - 625 Mearns Road – Super Value Beverage	
E. Approval for Payment #3 (Final) in the amount of \$9,150.00 to High Peak Electrical, Inc - Contract #2008-11 – Warminster Community Dog Park Pavilion and Maintenance Building	
F. Approve extension of Phase Two Construction Deadline for BB&K/Devon Self Storage – 300 Jacksonville Road, until June 19, 2012	
G. Contract Extensions – Tack Coat & Trucking/Hauling	
Old Business	
1. Centennial Station – Dryer Vent Issue	19
New Business	
1. Approval of Chemical Bid	19
2. Stormwater complaint – Foster Avenue.....	19-20
Finance	
1. Approval of Bill List – December 10, 2009	20
2. Approval of Transfers – October 2009.....	20
Professional Reports	
1. Manager’s Report	20-22
2. Engineer’s Report	22-24
3. Solicitor’s Report	24-25
Public Comment	26-28
Supervisors Comments	28-29
Reorganization Meeting, January 4, 2010.....	29
Adjournment	29
Individual Action Items	29-30

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

MEMBERS PRESENT: Frank Feinberg, Chairman
Gail E. Johnson, Vice Chairman
Ellen S. Jarvis, Secretary
Fred L. Gold
Leo I. Quinn, III

STAFF PRESENT: Robert V. Tate, Jr., Township Manager/Treasurer
Michael J. Savona, Esq., Township Solicitor
Craig D. Kennard, PE, Township Engineer (Gilmore & Associates)
Ann Marie Pearson, Acting Zoning Officer
James Krueger, Fire Marshal / L & I Director

CALL TO ORDER: The Public Meeting of the Warminster Township Board of Supervisors, held at the Township Building, 401 Gibson Avenue, Warminster, PA, was called to order at 7:00 PM, by Chairman Frank Feinberg.

The **PLEDGE OF ALLEGIANCE** was led by Fred Gold, followed by a moment of silence for our men and women in uniform around the world and also for Leo Quinn's father who recently passed away.

Leo Quinn expresses his deep appreciation for the well wishes he received from members of the township staff and residents of Warminster Township.

ANNOUNCEMENTS, CORRESPONDENCE, AWARDS

Frank Feinberg:

1. He presented a plaque from the Board of Supervisor 2009 to Fred Gold in appreciation for his years of dedicated service to the residents of Warminster Township.

Fred Gold responds as follows:

My seven years as a Supervisor has certainly been fraught with many trials and tribulations. In my heart, I feel that I have contributed to make Warminster a better place to live. I have always worked to benefit the people of Warminster that voted for me. Whenever I had to vote on something, I voted to benefit the majority of citizens of Warminster. I leave this position with mixed emotions, however, my term is over and I wish the new Board of Supervisors good luck in the coming year.

a) Ellen Jarvis presented a gift to Rose Gold for her support to Fred in his role as Supervisor.

b) Gail Johnson extends his personal thanks to Fred for the help he gave him when he became Treasurer and for his advice over the years on prescriptions and over the counter drugs.

2. He mentions that the Board of Supervisors had an executive session on December 8, 2009 to discuss personnel matters.

Gail Johnson:

1. He announced that because of the cuts, mostly in the state's budget, the Library will have to close on Thursday evenings. He asks that any support that anyone can give to the Library will be appreciated. Says there is an organization called FOWL – Friends of Warminster Library.

2. He mentions that tomorrow evening (Friday, December 11th) there will be an energy meeting here at the Township Building at 7:00 PM. There will be a video - Energy Crossroads – A Burning Need to Change Course. This relates to what is happening at the Copenhagen Conference 2009. Discussion will follow. All are welcome.

3. He said we did not get the grant for the Wind Turbine and the LED lighting.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

ANNOUNCEMENTS, CORRESPONDENCE, AWARDS (Cont'd)

Fred Gold:

1. Says the Library does take contributions. It is considered a charitable donation and is tax deductible.

Ellen Jarvis:

1. She presented a bouquet of flowers to Dolores Tipton in appreciation for her service as Recording Secretary for the Warminster Township Board of Supervisor's public meetings.

Leo Quinn:

1. Regarding his re-election as Supervisor, he thanks the voters of Warminster as well as Claudia and those who helped in his campaign.

2. Says Claudia and he were married and had a nice honeymoon in Hawaii.

Bobbie Loftus, Tax Collector

1. Wants to remind everyone that taxes are due by December 31st. If taxes are not paid by December 31, 2009 a lien will be placed on their property.

2. Personal checks will be accepted for tax payment until December 15, 2009. After December 15th, taxes must be paid with a Bank Check, a Cashiers Check, Money Order or Cash. Cash must be in the exact amount.

FIRST PRESENTATION

1. 2008 Draft – Independent Auditor's Report

Bruce Braunewell, Principle and Michael Palazzo, Manager of LarsonAllen - Auditors are here this evening.

Bruce Braunewell:

- Says this audit is generally presented in late spring or early summer but this year the audit was delayed because of a new accounting standard dealing with post retirement benefits related to health costs. That involves an Actuarial Report which the Township had to go out and get.
- Says today the Board of Supervisors received a Draft of the Financial Statements. We ask that you review the Draft Financial Statements at your leisure and get back to us with questions.
- Says over the next day or two the Board of Supervisors will receive a Management Letter with the auditors comments, suggestions and recommendations for the Board of Supervisors and management from a control standpoint and other recommendations accordingly.
- The good news about the Draft Financial Statements is that we do have an unqualified opinion this year. That generally means that nothing came to our attention of a material nature that would cause us to modify our opinion. There are actually four levels of opinions you can get. The unqualified opinion is the highest.
- Says the Township is in good shape fiscally. The General Fund did have a slight deficit from an operating standpoint although some other things came into play to put you over the top and put you in the "black" by about \$200,000.00.

Dialogue Exchange between Gail Johnson and Bruce Braunewell

- Gail Johnson says the net assets decreased by \$421,000.00. A large liability was booked for the post retirement health benefits which affected the net assets.
- Bruce Braunewell says the liability that stands currently is a little over \$900,000.00. It is a pretty significant hit to the Township's Balance Sheet.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

FIRST PRESENTATION (Cont'd)

1. 2008 Draft – Independent Auditor’s Report (Cont’d)

Dialogue Exchange between Gail Johnson and Bruce Braunewell (Cont’d)

- Gail Johnson says all of our assets are approximately 52 million dollars and in cash about 2 ½ million dollars.
- Bruce Braunewell says that is the Un-Reserved Fund Balance which is really what you should look at to be able to fund expenditures.

SECOND PRESENTATIONS

2. DCED – Police Regionalization Study

S. Michael Murphy - Police Chief

- Says the Townships of Warminster and Warrington have undertaken a Regionalization Study to look at a consolidation of their Police Departments to serve both communities.
- He introduces Joseph L. Kirschner, Police Peer-to-Peer Consultant for the Department of Community and Economic Development (DCED).
 - Retired Chief Kirschner is a thirty-five year veteran in law enforcement. He spent five years in the Philadelphia Police Department and thirty years (28 years as Chief) in Towamencin Police Department in Montgomery County.
 - Chief Kirschner has been a Police Peer to Peer Consultant for the DCED for about twenty-five years and is considered an expert in the field when it comes to Consulting Services especially in the Regionalization Study.

Joseph L. Kirschner, Police Peer to Peer Consultant:

- He tells the Board that the Regional Police Study began about six months ago and he is the field representative in charge of that study. His role was to collect all the data, write the initial draft and in a conglomerate effort with the DCED (Department of Community and Economic Development) Staff in Harrisburg along with Attorneys, Auditors and other professionals this report was put together.
- He said the purpose was to determine if the police departments of Warminster Township and Warrington Township would benefit from consolidation to form a regional police department. During the course of that study, different aspects of both police departments were analyzed e.g. their statistical data, crime, traffic, demographics, population, growth etc.
- He said that in front of each Board member are the recommendations from the DCED (Department of Community Economic Development). This is the Feasibility Study that the DCED is recommending for moving forward if the Board of Supervisors choose to do so.

POWER POINT PRESENTATION

Chief Kirschner – brings forth the following

- The following information was supplied by each township in the preliminary part of the study:

Combined Demographics of the Townships

	Warminster	Warrington	Combined Totals
Population	35,000 (61%)	22,586 (39%)	57,586
Square Miles	10.0	13.8	23.8
Total Road Miles	114	95.3	209.3
Current Officers	49	31	80
Police Department Clerical Staff	14	4	18

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

SECOND PRESENTATIONS (Cont'd)

2. DCED – Police Regionalization Study (Cont'd)

POWER POINT PRESENTATION (Cont'd)

Chief Kirschner – brings forth the following (Cont'd)

Combined Demographics of the Townships (Cont'd)

- The two communities are side by side and share a common border. There are a lot of common demographics as far as traffic patterns, crime patterns, growth, population levels and things of that nature.

To figure out the size of the agency and what is required, DCED uses the IACP (International Association of Chiefs of Police) standardized formula. The IACP is the preeminent law enforcement agency in the world as far as representing police management, police administrators training and so forth. You can use either population or calls for service. Population actually gives a truer picture of what is required. Population was used.

The IACP Population Formula shows the following is anticipated in the new department:

- There would be over 31,000 (31,672) calls for service (@550 per 1,000).
- It calls for just 41 Patrol Officers.
- A total of 83 Sworn Officers are recommended. This is an increase of 3 from what the combined departments have now. In addition, 14 Clerical / Administrative Personnel are recommended for a total complement of 97 employees.
- A comparison study of four Police Departments close to the same size of the new proposed department was done to verify that the recommendations were in the ballpark and that the new department was adequate in size to staff. The Police Departments in Bucks and Montgomery which were looked at were: Abington, Bensalem, Bristol and Lower Merion. The proposed new department is adequate and at a good starting point.
- The recommendation for police vehicles is a reduction in cars. The total combined number of cars now is 51. Forty-three (43 cars are being proposed for 83 officers). From an operation standpoint, this is good because it reduces the cost and maintenance of 8 cars.

**PROPOSED 2010 BUDGET - \$11,459,285.00
Warminster-Warrington Regional Police Department**

- The personnel cost – salaries and benefits for 97 employees is \$9,793,035.00 or 85% of the total Budget.
- The non-personnel cost – Supplies (uniforms, equipment, office) – Support Services (computer, legal, accounting etc.) – Vehicles (includes purchasing new vehicles, maintenance, gas) – Headquarters (facility expenses for first year- new equipment and new items need) is \$1,666,250.00 or 15% of the total Budget.

**2010 COST COMPARISONS BETWEEN WARMINSTER AND WARRINGTON
Using the 2009 figures available**

<u>Comparison Done</u>	<u>Township</u>	<u>2009 Actual</u>	<u>2010 Proposed</u>	<u>(Cost Drops) Difference</u>
Police Yearly Budget	Warrington	\$4,470,981	\$4,469,122 (39%)	(\$ 1,859)
	Warminster	\$7,026,302	\$6,990,163 (61%)	(\$36,139)
Police Yearly Per Capita	Warrington	\$198	\$198	Even
	Warminster	\$201	\$199	(\$2)
Police Hourly Cost	Warrington	\$69	\$66	(\$3)
	Warminster	\$69	\$66	(\$3)
Police Daily Per Capita	Warrington	.54	.54	Even
	Warminster	.54	.54	Even

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

SECOND PRESENTATIONS (Cont'd)

2. DCED – Police Regionalization Study (Cont'd)

POWER POINT PRESENTATION (Cont'd)

Chief Kirschner – brings forth the following (Cont'd)

COST PER HOUSING UNIT AND PER CAPITAL

If you divide the housing units listed by the Police Budget you get:

Warminster per House \$564.00 - Warminster Per Capita \$198.00

Warrington per House \$550.00 – Warrington Per Capita \$199.00

PROPOSED ORGANIZATIONAL CHART - Regional Police Department

Shows the four (4) Operational Divisions

1. Administration

- Shows a Chief of Police with two assistants. One Regional Police Department Assistant and one Administrative Assistant.
- Under that it shows a Captain with an Administrative Assistant.

2. Patrol - Under Patrol Lieutenant with secretary is:

- Four patrol squads of 13 officers each (Sergeants (2) - Corporal (1) Patrol Officers (10)).

3. Detective - Under Detective Lieutenant with Evidence/CSI Officer is:

- Two groups of 8 each Detective Sergeant (1) – Detectives (4) –Juvenile Detectives (2) and Secretary/Clerk (1).

4. Auxiliary Service - Under Auxiliary Lieutenant with secretary is:

- Traffic Unit staffed by a Corporal and 6 Uniformed Officers (available 24/7) and Crossing Guards (5)
- K9 Unit (4).
- Civilian Supervisor (1) – Records Unit (4) – Clerical (4)

SUMMARY OF PROPOSAL

Proposal establishes:

- Eighty-three (83) sworn Officers and 14 Civilian Staff personnel.
- The four (4) Operation Divisions (Administration – Patrol - Detective – Auxiliary).
- A Traffic Unit with seven (7) full-time Officers.
- A full-time Crime Scene Evidence Officer.

Proposal adds:

- Three (3) full-time sworn Officers which increases the current number of officers from 80 to 83 and increases patrol coverage to approximately 13-16 Officers on duty at all times.
- Two (2) new motorcycles - increases from 2 (Warrington's) to 4.
 - The Budget includes funding for 2 new motorcycles.

Proposal reduces:

- The Civilian Clerical Staff by four (4).
- The number of cars by eight (8) from 51 to 43.
 - The Budget includes funding of 8 new cars. By budgeting 8 new cars each year the fleet is rolled over in a three year period.

Proposal recommends:

- Maintaining the number of K-9 units at 4.
- That ninety-seven (97) is minimum number of full-time personnel (Officers & Staff).
- Increasing the full-time number of Detective/Investigators to twelve - (8) Detectives and four (4) Juvenile Officers or Detectives.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

SECOND PRESENTATIONS (Cont'd)

2. DCED – Police Regionalization Study (Cont'd)

POWER POINT PRESENTATION (Cont'd)

Chief Kirschner – brings forth the following (Cont'd)

SUMMARY OF PROPOSAL (Cont'd)

Proposal recommends: (Cont'd)

- That the new facility has a minimum of 25,000 square feet and be centrally located. Neither the Warminster Facility nor the Warrington Facility is adequate.
 - The Budget provides for the annual construction or renovation costs for a new police facility.
 - The estimated cost for the new facility is 6 to 6 ½ million dollars and with a low cost loan can be paid off over a 20 or 25 year period.

Proposal allows for:

- An overall decrease in the combined police budgets for 2010 of \$38,000.00.
- The proposed Budget includes increases for 2010 of about \$450,000.00.
- The proposed Budget is \$450,000.00 lower than it would be in 2010 even though added were 3 Officers, some Staff, new cars and a new Police Facility.
- The new Regional Police Department would be the largest in the state of Pennsylvania and qualifies for grants from the state (DCED) and from the Pennsylvania Commission on Crime and Delinquency (PCCD).
 - There is some significant funding that can be provided and rolled over from year to year. They will provide for furniture, computers, guns, cars and all those kind of things.
 - There is a grant where they will provide for the salary of the Police Chief in a three year period and that can be rolled over again after three years.
 - There is also some legislation in the state and if it goes forward DCED is earmarked to get a fairly good chunk of that money from a law enforcement standpoint that would come in from the legislation. When passed DCED will be putting a third of that money back into Regional Police Departments in the form of funds and grants.

IN CLOSING

Chief Kirschner:

- He extends thanks to Warminster & Warrington's chiefs, managers and staff personnel for providing all the needed information. They were great to work with.
- Says that regionalization has a lot of pluses for the Police Departments to serve their communities better. The pluses far outweigh the minuses. If the township desires regionalization he offers help every step of the way.
 - He thinks if this would go through it would be a fabulous Police Department. Not great, fabulous.
 - He strongly encourages Warminster Township to look at the proposal for consideration and talk with Warrington Township.

QUESTIONS AND ANSWERS

Questions asked by Supervisor Gail Johnson brought forth the following respective responses from Chief Kirschner:

- Between the two Townships cost is allocated by population. The simplest is the population base which is 61% Warminster and 39% Warrington. That can be adjusted from year to year.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

SECOND PRESENTATIONS (Cont'd)

2. DCED – Police Regionalization Study (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

Questions asked by Supervisor Gail Johnson brought forth the following respective responses from Chief Kirschner: (Cont'd)

- The controlling body in charge of the Regional Police Department is the Regional Police Commission that is formed by the two Townships. Each Township appoints x number people to serve.
 - The state provides all the documents on how to do this.
- Well in advance of the Townships yearly budget, the Regional Police Commission will bill the Townships for the funds needed to fund the police agency.
 - The Police Chief first presents his Budget to the Commission who will either agree or disagree. It would be negotiated between the Commission and the Chief before a bill is sent the Townships.
 - The commission does the hiring, firing, discipline, policy and procedures etc.
- Warrington Township is in the process and very close to culmination of being accredited.
- The changeover cost will be minimal. Both of the Township's have the same car colors (new name will require minimal changes), they are both on the Bucks County radio systems (no change), uniforms are similar (will require a patch), Weaponry is the same and policy and procedure are very similar. Every department that is accredited is kind of doing the same thing.
- The Building issue will have to be addressed. Neither Warminster nor Warrington's building is adequate. We have provided enough money in the Budget to move forward to rent, renovate or buy a new one.
- Most of the Regional Police Departments in Pennsylvania are 15 to 20 Officers. The one in the Strasburg area is in the mid-sixties as far as size. A consolidation of Warminster and Warrington's Police Departments would be the largest Regional Police Department in the state of Pennsylvania.
- The Regional Police Commission is the overseer of the Police Chief. When the commission is set up it will include its determinations.
- He does recommend the two Boards try to get together.
- Changes can be made to the feasibility study.

Questions asked by Supervisor Leo Quinn brought forth the following respective responses from Chief Kirschner:

- DCED has done a few studies of already established Regional Departments. After a four to five year window, the studies have shown reductions in cost of about 24% to 25% across the board. Those studies are available.
- Even with all the initial start up costs which included adding three Officers (\$125,000.00 each) we were able to effect almost a \$500,000.00 reduction. That is not a bad start.
- In a couple years, when the economy recovers, the grant money starts coming back in, you could be looking at half of a million dollars more in grant money.
- The grant money is based on need and on being a Regional Police Department. From the sheer size of your agency you can demonstrate need.
- The Regional Police Departments out there are willing to talk to you. Contact them to acquire examples of success stories and/or pitfalls. This is helpful in the decision process.
- It is recommended that Regional Police Commission be as small as possible. Five persons are suggested. How the persons are selected for the commission can be a combination of whatever you want. It is your choice.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

SECOND PRESENTATIONS (Cont'd)

2. DCED – Police Regionalization Study (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

Questions asked by Supervisor Frank Feinberg brought forth the following respective responses from Chief Kirschner:

- **The existing contracts are torn up and you start anew. The Officers negotiate with the new Regional Police Commission. DCED policy is to take the best of the best. For example, the highest salary level, the better medical benefits policy. Use the best of the best as the base level for negotiation and then negotiate with the new group.**
- **Under Act 600, pensions are carried over. There would be an actuary study done for the new combined group. If it says it is below based on the combined numbers then the officers may have to pay in. That happens from year to year anyway with pension funds. That is nothing out of the ordinary. The Officers wouldn't actually lose anything. They would just have to re-negotiate the new contract for their new group with the new commission.**

**Questions asked by Solicitor Michael J. Savona, Esq.
and the respective responses of Chief Kirschner**

Michael J. Savona, Esq.:

- **You are talking about consolidating the two pension funds into one new pension plan administered by the commission. A lot of times municipalities are carrying existing unfunded liability in those pensions based on the then current Actuarial Study.**
 - **What happens to that unfunded liability?**
 - **Does that unfunded liability transfer to the police commission or does the township retain responsibility for that since the commission will not have taxing power?**
 - **Does Warminster basically remain on the hook if our police pension fund based on the market performance and the Actuarial Analysis shows that we are two million dollars in unfunded liability (example only), we propose to transfer all of the assets to a new pension fund what happens to that unfunded liability?**

Joseph L. Kirschner:

- **He doesn't know the answer to that.**
- **He suggests that Bob Tate contact Ron Stern, DCED office. Mr. Stern can provide the answers. It has been worked out before by many municipalities.**
- **Says another question he doesn't know the answer was presented yesterday.**
 - **What happens to the Civilian Staff Personnel that are under pension with Warrington or under pension with Warminster?**
They are not carried forward under Act 600. We are trying to find out what the process is for that.

Michael J. Savona, Esq.:

- **A systemic question. You are talking about appointing a commission that is going to be independent. They are going to negotiate, work with their chief to craft an annual operating budget and then basically they are going to do that sometime well in advance of the township doing their Budget and then they are just going to give each one of the participating Townships a bill and say this is your police liability for next year.**

Joseph L. Kirschner:

- **Says, they try to give the township some lead time.**

Michael J. Savona, Esq.:

- **It is not the lead time that I am concerned about it is the consent.**
 - **What happens if the commission goes haywire and decides to expand and hire 50 new officers or buy a million dollars more of equipment and try to pass it through?**

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

SECOND PRESENTATIONS (Cont'd)

2. DCED – Police Regionalization Study (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

**Questions asked by Solicitor Michael J. Savona, Esq.
and the respective responses of Chief Kirschner (Cont'd)**

Joseph L. Kirschner:

- Says, hopefully, that won't happen. He doesn't know the answer to that.
- He asks, "...What legal arm do you have to prevent any other commission or authority to go haywire?"

Michael J. Savona, Esq.:

- None of our other commissions have that much authority. We are in unfamiliar territory.
 - You are saying they are going to be running the single, biggest, largest item of our budget, with the most significant impact to the public, and we are divesting all of the authority to these individuals.
 - We maintain appointment power but we can't tell them no if they want to hire, we can't tell them no if they want to spend money, we can't tell them no if they want to reduce the force.
 - They are going to hand a bill to this Board and we have to pay it.
 - I am just wondering, in the agreements, if there are measures for us to say no if we disagree with any of this stuff?

Joseph L. Kirschner:

- Says, there are many different types of agreements. Again, he recommends contacting Ron Stern in Harrisburg. He can meet with you.

Michael J. Savona, Esq.:

- Does DCED have available some of the model agreements?

Joseph L. Kirschner:

- Says there are agreements DCED can provide. They have the regional studies and the cost studies as well.

Questions asked by Supervisor Ellen Jarvis brought forth the following respective responses from Chief Kirschner:

- The simplest answer to what are the benefits to the taxpayer's is they will have a bigger, better police department.
 - More Officers on the street, better Administrative Staff, better control, better supervision of the Officers, better policies and procedures, better equipment for the Officers to do their jobs and a faster response time.
- When communities grow you still have crime increases. A statistical measuring stick is how many arrests are being made to the proportion to how many crimes are being reported. By working together, each community is going to tap into the resources of a bigger, better, more efficient Police Department.

Questions asked by Township Manager Bob Tate brought forth the following respective responses from Chief Kirschner:

- Yesterday's informative voluntary meetings were well attended. Generally, it went very well. The Officers were excited and in favor of regionalization.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

THIRD PRESENTATION

3. Approval of Final Budget for 2010

Bob Tate:

- He extends his thanks to the Staff for their cooperative efforts in the preparation of the 2010 Budget.
- Says the Preliminary Budget was approved November 12, 2009 subject to the following changes:
 - Eliminate the \$113,561 located in the General Fund that was transferred from the Golf Fund.
 - Increase the Stormwater Management Fund an additional \$200,000.00.
- Says the amount of \$113,561 was eliminated from the Golf Fund. Through the review efforts of Karen Whitney and her Staff, the Revenue was reduced and some expense line items were adjusted. The surplus of \$113,561 was brought down to zero.

Says the Golf Course Budget is now much more conservative. The changes made did not impact Marketing and Advertising. The 2010 Budget for Advertising is \$30,000.00. A plan is being developed to show off one of the biggest assets we have in the Township.

Says in the General Fund the Revenues were reduced by \$113, 561. To decrease that much Revenue 15 to 20 line items were reduced across the board (Police, Public Works, L&I etc.).

- Says the 2010 Stormwater Management Projects were changed from \$440,000 to \$640,000, an increase of \$200,000.

Says the expense entry to the Stormwater Fund and the Road Program is a single line item.

 - There will be supporting schedules as the varying projects anticipated for 2010 are identified for stormwater and for the road program.
 - Craig Kennard and his group have already done a number of cost projections.
 - One of the most significant stormwater projects is in the area of 8th & Greene. Projects details will follow.
- Says before the Final Budget, the updated figures from the County were received which shows that Real Estate values throughout the Township have decreased. This necessitated that the amount of \$19,000 be taken out of the Budget. This impacted the General Fund and all of the other funds that share in the RE Tax Revenue.
- Says the Township is getting 9% of the revenues from tax bills for School, County and Local. The Township relies on a lot of other revenue streams to fund its Budget e.g. Earned Income Tax, Business Privilege Taxes. In the last five years, as those funding streams were impacted, we have seen the trickle down affect it has on the Township Budget.
- Says with the many adjustments that were made there is no proposed tax increase in the 2010 Final Budget.
- There is an annual decrease of \$20.00 in trash pick up cost. The decrease is projected to be the same for 2010 and 2011.
 - Those paying \$456.00 will now be paying \$436.00 in 2010 and 2011. Seniors paying 401.00 a year will now be paying \$381.00 in 2010 and 2011.

N O T A T I O N

Prior to the segment on questions and answers Leo Quinn mentions the following:

- Says contrary to what was said at the 11/12/09 meeting the plans (honeymoon) that kept him from attending that meeting were made a year and a half in advance.
- Says he was a bit miffed. He received the Preliminary Budget on a Monday and the meeting was that Thursday.
 - A lot of things were on that budget that he had not seen up to that point and he had a lot of questions and still does.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

THIRD PRESENTATION (Cont'd)

3. Approval of Final Budget for 2010 (Cont'd)

QUESTIONS AND ANSWERS

Questions asked by Supervisor Leo Quinn brought forth the following respective responses:

1. Bob Tate (Final Budget – Community Development Projects – page 19)
 - 2009 Budget shows \$120,000 and 2010 Budget shows \$228,000. There are unused funds rolling over from 2009 that will be applied to 2010. That represents unused and new money for 2010.
2. Bob Tate (Final Budget – Capital Outlay/Vehicles – page 20)
 - 2009 Budget shows \$286,926 and 2010 Budget shows \$600,000. The title of that line is incorrect. That is General Capital. \$242,000 represents Capital Equipment submitted from the Police Department which does include vehicles, other police equipment needed, and two motorcycles. The total is close to \$250,000. The Balance of that \$350,000 is police buy out of the approved comp time per the contract. We are financing a total of 600,000.
3. Bob Tate (regarding buying the comp time)
 - There is \$600,000 in Revenue and \$600,000 in expense. The Chief provided a three page supporting schedule summary that detailed all the expenditures that were making up the equipment side of that. I have an updated spreadsheet on the buy out side of that. It is roughly \$250,000 to \$350,000. It might be a couple thousand under Budget when it is all said and done.

Frank Feinberg:

- He requested that Mr. Tate email the detail information to the Board members.
4. Bob Tate (responding to vehicle inquiry)
 - The inventory tracking doesn't provide all the information that is being requested. Says he needs to download the information to modify it so we can identify exactly who has vehicles, the age and their privileges with it.
 5. Bob Tate (Final Budget – Executive Summary-millage)
 - The millage in Parks & Recreation has been moved from 1.94 down to 1.85. This has to do with putting all of our Debt Service under a category and just fund it with millage.
 6. Frank Feinberg (Parks & Recreation – new roof)
 - Parks and Recreation has a large cash fund. It is his understanding the roof cost and also the matching portion for the open space money will come from their cash fund.
 7. Michael J. Savona, Esq. (Open Space money)
 - Says we are stalled on closing the Open Space Acquisition. Karen Whitney and her Department need to complete the Open Space Plan Update. When completed, this has to be submitted to the County Planning Commission for approval. They need to have an approved Current Open Space Plan that contemplates what we are talking about acquiring. With their approval we can then move forward.
 - Karen Whitney expects to be in a position to have the Open Space Plan Updates completed, compiled and submitted to the County, for at least their Preliminary Approval, by the first quarter of the year.
 - We need two appraisals under the County's Program. When we get those done it is about a 30 day turnaround time. Then we can move forward to close.
 8. Michael J. Savona, Esq. (Appraisals – Open Space)
 - We have one appraisal. We need another one. We need two, what we call self-contained appraisals which is a little bit different.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

THIRD PRESENTATION (Cont'd)

3. Approval of Final Budget for 2010 (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

Questions asked by Supervisor Leo Quinn brought forth the following respective responses: (Cont'd)

8. Michael J. Savona, Esq. (Appraisals – Open Space) (Cont'd)

- We still have to work out with the County the Appraisal of the Value of the Easement Area that is going to be eligible for inclusion.
- There is about 8.7 to 9 acres that we can put the easement over. We are going to have to figure out how to calculate the value of that raw ground to match the County's \$782,000 or what it is that we are getting. There is a little bit of paper work left to go
- Realistically, I think there is no reason we shouldn't be able to close in the beginning of the 2nd quarter.

9. Frank Feinberg (Back to P & R roof money)

- Says on the Budget Summary, it shows that the Parks and Recreation has \$705,295 in their cash fund to handle upgrades and such.

Note: Bob Tate mentioned that the matching funds are already out of that amount.

10. Bob Tate (cash reserve 1.5 million)

- Says the second column of the Budget Summary is the Fund Balance for 12/31/09 (2,724,191). This is what we project is going to be our balance of cash at the end of this year. The General Account is the only wildcard with a balance now of \$112,000.
- Says what this table shows is what is going to come in, what is being transferred in/out, what we are spending, what is our fund surplus/appropriation and the fund Balance at 12/31/10 (1,449,341).
- Says when you see Fund Appropriation, we are spending down the money that is setting there. Stormwater is the most significant.
- Says we are spending down. We are spending down money in highway aide and debt services because it is there and we should be spending it.

Frank Feinberg:

- Says that the Stormwater Fund Balance is as noted on the Budget Summary. The Fund Balance at 12/31/09 is \$1,070,195.

Bob Tate:

- Says we are going to spend \$640,000 and we still have over a half million (\$534,709) left.

11. Michael J. Savona, Esq. (Bond rating)

- Says the Township's Fund Balance is just setting in your General Fund. If you are constantly running with this flow of extra money in the checkbook it is hard to keep track of the reserve funds unless you are moving it into a capital fund or operating reserve fund.
- Says the Township does not have Operating Reserve or Capital Reserve Funds that are provided for in the Township Code. This takes the money out of circulation. The Township runs on a zero Budget basis. You start the year at zero and close the year at zero. You should only tax what you are going to spend and every year should clear itself out.
- Says one of the things Bob and he are going to look at next year is transitioning to create an operating reserve where you can actually allocate money every year.
 - You can budget for the cash surplus on hand. For instance, you would never have to take a Tax Anticipation Note again because you have cash on hand to borrow from yourself and save yourself interest.
 - You always have that reserve so you don't have to worry about impairing your bond rating or credit rating because no matter what this year your budget shows you know you have cash reserves set aside and segregated for precisely that reason.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

THIRD PRESENTATION (Cont'd)

3. Approval of Final Budget for 2010 (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

Questions asked by Supervisor Leo Quinn brought forth the following respective responses: (Cont'd)

11. Michael J. Savona, Esq. (Bond rating) (Cont'd)

Bob Tate:

- Says that it is going to take years. Once we institute it, we will build that over a number of years to accomplish a substantial reserve. One year might be a little unrealistic.
- Says it is something we have to work toward. It's a discipline. I feel we are at a starting point to begin putting some of those disciplines in place.

12. Bob Tate (300th Anniversary – General Fund – Page 70)

- Says we budgeted in 2009 \$25,000 which we did not spend.
- Says we budgeted in 2010 \$15,000. We will pay the author (book) and other preliminary expenses in 2010.
- Says we did not set up a separate fund.

Michael J. Savona, Esq.:

- Says the budgeted \$25,000 for year 2008 and 2009 is in your cash balance. It is unspent money that is just not specified.
- Says that is what he means about running it out of the check book. The money is in there it is just not specified.
- Says when you do it again this year the amount \$15,000 is added to the prior and floating in that General Cash Balance that is not necessarily segregated.

13. Ellen Jarvis (300th Anniversary- likelihood of the 2011 Budget entry of \$35,000)

- Says she has a bit of trust just knowing that the Board has gone on record as saying we are going to have a great party for our 300th Anniversary and thinks we can feel comfortable in approving the 2010 Final Budget without change.

Frank Feinberg:

- He indicates making an adjustment on the 2010 Budget for an additional \$10,000 to the Tri-Centennial Fund is not necessary.

14. Michael J. Savona, Esq. (Bond / paving all roads using 75% liquid fuels money--?? 2010 Budget item)

- Says he thinks if the Board elected to go in that direction he doesn't think it would impact the 2010 Budget at all because part of the year would be spent planning for cost estimates for that scope of work and then arranging the financing. If the Bond could be closed next year the first payments wouldn't hit until 2011.
- Says there is time to get all of the ducks in a row this year before having to anticipate a Bond payment in the Budget out of Liquid Fuels and that would not be until 2011. You could do it without making an adjustment to this year's budget.
- He suggests looking at doing what Middletown Township did. They repaved all of Levittown. It was a huge project which they broke in two pieces. Half was done in year one. Bond financing covered that cost plus a bunch of other projects. A year or two later they came back and did another bond to finish the road paving.
- Says it depends on Craig and how fast he can turn around specs and get it ready to go to bid and give us a rough estimate number. Once he puts a rough number on it, Bob can start looking at Bond rates and we can start exploring financing based on the guess estimated number.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

THIRD PRESENTATION (Cont'd)

3. Approval of Final Budget for 2010 (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

Questions asked by Supervisor Leo Quinn brought forth the following respective responses: (Cont'd)

14. Michael J. Savona, Esq. (Bond/ paving all roads--?? 2010 Budget item) (Cont'd)

- Says looking at 2010 you could break it up. He equates it to a Municipal Authority he had in western PA who put in sewers in an entire township. It was an enormous project that they broke into multiple contracts. They didn't just hire one contractor. They broke it into pieces and had five groups of contractors going out at one time. This cuts construction time down.
- Says this does tie into the need to have an Operations Reserve. If we could start actually budgeting money into an operating reserve, it could be used for extraordinary operating expenses that you don't otherwise anticipate. If you get a really bad winter and have to blow over the budget, there would be funds available for that.

Craig D. Kennard, PE:

- Says it will involve quite a bit of planning and even if we started right away you are talking six months.
- Says he assumed it was going to be a 2011 project. It is something he'll need direction on to put his staff on it and to work with Buddy, his crew, and Jim.
- Says it's been recommended getting accounting involved because upgrading the handicap ramps will generate a lot of costs.

Jim Krueger provides variables:

- Says they are in the process of evaluating from past paving projects what needs to be done in the Township.
- Says his Staff is working on coming up with the square yardage of the roads, which, we think could be part of the suggested paving program.
- Says any monies used on a PennDot projects require that each intersection be brought into ADA Compliance.
- Says what they are hearing from PennDot is that the amount of monies that communities receive might not be as much as anticipated.
- Says Lynn Bush is in charge of the stimulus money. After the first of the year, we would like to set down with Lynn Bush to see if we would qualify. We would be talking between \$8 Million and \$15 Million depending on the amount of curb projects. We are looking at \$2800 dollars a corner. Counting the number of corners that would have to be brought into compliance is quite significant.
- Says it might be a good time for cost of asphalt. We would need to know how much interest we would be paying for the project.
- Says the Municipal Authority has eight projects throughout the Township to replace a sewer main because of infiltration of ground water getting into the stormwater.
- Says that they will meet with PECO the second week in January. Buddy informed me that our Davisville Road project might have to be coordinated with PECO because they have a cast-iron main that has several leaks and they don't know if they are going to dig it up to replace it or if they'll sleeve it with plastic pipe through it.
- Says he likes the idea of getting everything done all at once but is the liquid fuels money going to be as generous? The last severe winter in 1996 we exceeded our liquid fuels budget.

Frank Feinberg:

- Says for such a huge project there is a lot we have to look into. He expects that the Liquid Fuels money will drop. That money comes from gasoline. In PA the use of gasoline and trucks has been going down drastically.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

THIRD PRESENTATION (Cont'd)

3. Approval of Final Budget for 2010 (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

15. Bob Tate (Where is salary increases monies coming from? - ?? Insurance credits taken)

- Says we have a lot of categories of revenue. One is our Real Estate Taxes which are up four grand.
- Says our Local Enabling Taxes are actually down almost \$400,000 but our biggest reduction in the budget was eliminating expense by taking advantage of the DVIT credits. We are in the Delaware Valley Insurance Trust (DVIT) for Worker Comp and Property & Liability.
 - We have accumulated years and years of credits that offset our entire workers comp premium this year and a substantial part of the premium in 2011. We applied those credits in 2010 for the premium.
 - We went through each individual budget and took out Workers Comp and Property and Liability Insurance costs. It shows up as zero in this year's budget.
- Says we have reduced the Debt Service obligation for 2010 with the refinance. That saved us \$200,000. Although Revenues are down we are getting through this year by taking advantage of as many areas that we could cut and taking the credits. We are not flourishing but we are building up big reserves.
- Says next year we will take whatever available credits we have against the premiums which are what other municipalities are doing. None of the municipalities he spoke with ever built up credits the way we have.
- Says we are the anomaly never taking the credits and were number one Workers Comp. We used the reserves; we did not raise the taxes. Short of a windfall, eventually taxes will have to go up. We have potential windfalls in the future. There are a couple things that we know about for next year and subsequent years but we don't budget on potentials. The reality is we used our credits, we cut costs and we refinanced the bonds. I think we did a lot of good things and will be ok.
- Says he looks forward to the days that we can start building back up the reserves.

Frank Feinberg:

- Says we also cut costs in other areas. We are going to save a couple hundred thousand dollars in healthcare, more than a couple of hundred thousand dollars in reorganizing the golf course. We are saving about a quarter of million dollars there. It just keeps adding up.

Michael J. Savona, Esq.:

- Says one of the benefits of belonging to a self-insurance trust is that you will get more credits each year. Every year you get a return dividend on what you are spending on the General Liability and Worker Comp based on over-all trust return in cash plus they credit you for those credits.
- Says Townships he knows applies the credits every year or every other year. It is free money. We apparently just sat on them.

16. Bob Tate (Yearly raises – 4% – what does that mean for Salary Budgets 2011 and 2012?)

- Says 70% of the workforce is covered under a Collective Bargaining Agreement. We know that number is a built in growth factor.
- Says it is the same wall we hit every year. The reason it is more in the limelight is that in the past five years impact fees, business permit fees, business privilege taxes were all other sources of revenue. They are slowly on the down size.
- Says that earlier in his presentation he showed that in 2006 we had a nice up tick. Revenue taxes went up and there was a significant windfall from one developer in town and there was a two million jump in revenue because of the increase in taxes. It slowly started coming down. General Fund Revenues 2005, 2006, 2007, 2008 and 2009 has seen that slow decline.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

THIRD PRESENTATION (Cont'd)

3. Approval of Final Budget for 2010 (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

Questions asked by Supervisor Leo Quinn brought forth the following respective responses: (Cont'd)

16. Bob Tate (Yearly raises – 4% – what does that mean for Salary Budgets 2011 and 2012?)
(Cont'd)

- Says, there has not been an increase in taxes, there is less development, etc. That reality of declining revenue and increasing expenses is a little more in our face.

17. Bob Tate (Pension calculation to hit 2011, 2012. - ??Funds for that)

- Says the first place we go to draw from is employee contributions. Other townships have to set aside money because they are having their employees contribute.
- Says he would rather have a nice surplus because we are all putting something in. Just 6% (maximum) is a small number for the benefit at the end of the game.
- Says the new legislation for the Actuarial Smoothing indicates there is a creative way to spread the liability out. It appears as though measures are being taken to avoid (early projections) a million dollar hit.

Frank Feinberg:

- Says the overall stock market has come up over 50% since the lows in March. If it continues to go up by 2011 it might not be an issue.

Jim Krueger:

- Says we are looking at Large Cap Funds International.

18. Gail Johnson (How much money is the Library saving by not opening up on a Thursday night?)

- Says he doesn't know how much was saved but it was a way they could balance their budget. They choose Thursday night because he thinks it had the least amount of traffic.

Question asked by Supervisor Ellen Jarvis brought forth the following respective responses:

1. Bob Tate (page 28 - Parks & Recreation-Capital Project-Building/Generator \$75,000 and Building Repair/Maintenance \$18,000 would the roof fall under those?)

- Says the cost of the roof is not in those amounts. It is a huge substantial amount (\$400,000 to \$500,000).
- Says he will provide the Board with Karen Whitney's detailed listing for the \$75,000 (Capital Project-Building/Generator) as well as her capital (cash account).

Frank Feinberg:

- Says Parks and Recreation has sufficient funds in the cash account. There it not a worry about covering the cost of the roof. It is how you want to report it.

Supervisor Ellen Jarvis acknowledges the hard work by the Township Staff in preparing the 2010 Budget:

- Says a lot of time and effort has gone into its preparation.
- Says she wanted to acknowledge the same Staff by saying that the employees have gotten a 3.75% increase in their wages.
- Says that there have been some particular Department Heads and our Township Manager who were given extra bump ups. The Board recognized their hard work and the extraordinary efforts they made in 2009.

Bob Tate:

- Says, thank you. It was much appreciated.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

THIRD PRESENTATION (Cont'd)

3. Approval of Final Budget for 2010 (Cont'd)

QUESTIONS AND ANSWERS (Cont'd)

Questions asked by Supervisor Gail Johnson brought forth the following respective responses:

1. Bob Tate (with regard to the Business Privilege Tax Audit – potential returns)
 - Says that the 2010 Budget does not reflect any monies anticipated by the Business Privilege Tax Audit. Over a course of a couple years, Conshohocken received returns close to a million dollars.
2. Bob Tate (Energy Conservation Measures – potential returns)
 - Says on page 7 of the 2010 Budget the amount of \$5,000 is budgeted for Energy Conservation Measures.

Question asked by Supervisor Fred Gold brought forth the following respective responses:

1. Bob Tate (What can be expected from Anne's Choice?)
Anne's Choice:
 - They have one more year under the Pilot Agreement.
 - If they went for a non-profit we would have to work out another agreement. They are already under a favorable agreement now if they were not granted a non-profit status.
 - Their independent living is not a charitable purpose. They are making a lot of money.
 - They do have Assisted Care and Hospice Care.

<p>Ellen Jarvis made the motion for the approval of the Final Budget for 2010. The motion was 2nd by Gail Johnson. The vote carried 4-1-0 (Quinn).</p>

CONSENT AGENDA ITEMS

- A. Approval of Minutes of November 12, 2009
- B. Appointment of an Acting Zoning Officer – Ann Marie Pearson
Note: Mr. Feinberg says for those who do not know, our Zoning Officer, Tom Thern has recently had major surgery. He is out of action for awhile but he is doing well.
- C. Authorization to Advertise Ordinance #692 – Warminster Townships Property Maintenance Code, Fire Prevention and Life Safety Code and repealing of several Ordinances
- D. Approval of Escrow Release #1 (Revised – Final) in the amount of \$30,877.00 - 625 Mearns Road – Super Value Beverage
- E. Approval for Payment #3 (Final) in the amount of \$9,150.00 to High Peak Electrical, Inc - Contract #2008-11 – Warminster Community Dog Park Pavilion and Maintenance Building
- F. Approve extension of Phase Two Construction Deadline for BB&K/Devon Self Storage – 300 Jacksonville Road, until June 19, 2012
- G. Contract Extensions – Tack Coat & Trucking/Hauling

<p>Fred Gold so moved the motion to approve the Consent Agenda Items A, B, C, D, E, F and G as read by Mr. Feinberg. The motion was 2nd by Ellen Jarvis. The vote carried 5-0-0.</p>

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

OLD BUSINESS

Frank Feinberg:

- Says regarding the “Dryer Vent Issue” the residents at Centennial Station are asking the following:
 1. What can be done about grandfathering this issue?
 2. That they not have to provide an Engineering, Architectural or Technical Drawings.
 - They ask that a sketch showing how they are going to install the dryer vent be accepted.
 3. That the \$60.00 permit fee is waived.

Michael J. Savona, Esq.:

- Says the nature of that regulation is such that there is no permissible way to grandfather the structure. It is a property maintenance issue and it is a safety issue.
- Says they must comply with the code and the code requirements. The manner in which we go about obtaining compliance can be a little more flexible.
- Says it is not something we can ignore because it is a regulation that applies to every structure in the Township regardless of when it was built.

Jim Krueger:

- Says he consents to accepting a sketch and waiving the \$60.00 permit fee.

Frank Feinberg makes the motion that the Board agrees to allow Centennial Station to submit to L & I an acceptable sketch for “Installation of the Dryer Vents” and also to waive the \$60.00 permit fee.
The motion was 2nd by Gail Johnson. The vote carried 5-0-0.

NEW BUSINESS

1. Approval of Chemical Bid - 2009-07

Frank Feinberg:

- Karen Whitney provided a listing of the acceptable chemical bidders and unit prices (per gallon, per pound etc.). The Specs on Bid shows that cost includes all supplies and delivery.
- The Golf Course Budgeted \$81,000 for Chemicals in 2010. By bidding these products, there is an estimated savings of \$15,000.

Michael J. Savona, Esq.:

- Says there is some confusion with respect to what Karen Whitney talked about regarding early pricing (November 12, 2009 minutes).
 - This is not early pricing. You are not getting a discount for buying by the end of the year.
- Says according to the bid tabulation and the numbers looked at in the spec you are voting on the per unit price. This price will hold until December 31, 2010.

Ellen Jarvis makes a motion for approval of the Chemical Bid 2009-7.
The motion was 2nd by Gail Johnson. The vote carried 5-0-0.

2. Stormwater complaint – Foster Avenue

Leo Quinn:

- Says he received stormwater complaint from Gary Ward who lives on Foster Avenue. His issue has become more and more chronic.
- Says he forwarded the information to Mr. Tate and asked that Foster Avenue be added to the list for investigation.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

NEW BUSINESS (Cont'd)

2. Stormwater complaint – Foster Avenue (Cont'd)

Bob Tate:

- **Absolutely. We are tracking the complaints as they come in. That is why doing a list outside the budget will give us room to do something more comprehensive.**

FINANCE

1. Approval of Bill List for December 10, 2009

BILL LIST FOR THE PERIOD ENDING DECEMBER 10, 2009

Prepays - \$290,231.23

General Fund	\$ 307,198.40
Library Fund	41,500.00
Park & Recreation Fund	35,793.48
Storm Water Management Fund	9,138.68
Sanitation Fund	307,579.33
Golf Fund	77,827.17
Highway Traffic Capital Improvement Fund	1,251.75
Highway Aid Fund	30,303.83
Legal & Engineering Escrows Fund	128,372.79
Payroll Date November 12, 2009	281,183.16
Payroll Date November 25, 2009	<u>267,211.01</u>
Grand Total	<u><u>\$1,487,359.60</u></u>

**Fred Gold made the motion to approve the Bill List for December 10, 2009.
The motion was 2nd by Gail Johnson. The vote carried 5-0-0.**

2. Approval of Transfers and Statements for October 2009

**Fred Gold made the motion to approve the Transfers and Statements for October 2009.
The motion was 2nd by Gail Johnson. The vote carried 5-0-0.**

QUESTION

Michael J. Savona, Esq. to Bob Tate

- **When the Budget was adopted, did you also do the Tax Levy Resolution? Are you doing it with the reorganization?**

Bob Tate:

- **That's with the reorganization. It will be very first Resolution of the year 2010 (establishing the Real Estate Tax Millage in Warminster Township for 2010).**

PROFESSIONAL REPORTS

1. Manager's Report – Robert Tate, Township Manager

Administration & Management

- **We are making progress with the new Accounting System. The Bill Lists are coming out ok. The Financial Statements will be made available after all the trouble-shooting is complete. A draft of the Financial Statements, off of the new system, has been provided to the Board in their packets. More work needs to be done, such as, prior year balances have to be added in.**

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

PROFESSIONAL REPORTS (Cont'd)

1. Manager's Report – Robert Tate, Township Manager (Cont'd)

Administration & Management (Cont'd)

- There is some delay with the County regarding the web based application for GIS. At this point, we are in a holding pattern.
- Nothing new on the codification. We are still waiting for the Editorial Analysis to come from General Code Publishers.
- Unfortunately, the Township was not successful in being awarded any clean energy grant monies.
- The Map project is ongoing. The deadline has been extended since sponsorships was not coming in as quickly as anticipated.

Parks & Recreation

- All park facilities were winterized the past couple weeks – blowing out pipes – turning off building electric – closing restrooms before freezing weather sets in.
- We are still spending down the money on the DCNR Grant – maintenance facility complete - basketball courts complete– Dog Park still under construction but almost done.
- The Staff is finalizing the Winter Directory which will be mailed in early January.

Public Works

- Crews have been busy clearing inlets, repairing potholes and preparing equipment for snow removal. Asks that the residents contact the Township 215-443-5414 if they see any potholes or road hazards.
- December 15th is the last day for yard waste pick up. Do not blow or sweep leaves into the street.

Police Department

- Recruiting efforts – in October there were 264 applicants, 202 took the exam, 153 passed and 86 were invited to the PT assessment. From the 86 only 32 were interviewed. There now remains less than 18 candidates. The work that goes into the hiring of a police officer is quite extensive. More information will be available in January.

License & Inspections / Fire Marshal and EMS

- We wish Tom Thern a speedy recovery from his surgery. We expect him back early in 2010. In his absence, we pledge our support to Ann Marie Pearson as the active zoning officer.

Administration

- Enrollment will be completed tomorrow and changes will be effective and implemented as of January 1, 2010. I have been very much uninvolved for the first time.
- With the change in Broker, the transition has been very smooth. Meetings with our Staff have been very productive. The renewal premiums are better than anticipated. Projected for 2010 is an overall decrease in the health insurance program costs of \$42,000. We have a good program that is working here.
- My thanks to Patti, Tim, the Broker and their Staff. They have done a great job with arranging, coordinating meetings, phone calls, emails etc.

Five Ponds Golf Course & Clubhouse

- With the result of the reorganization, the golf course is now part of the Parks & Recreation Department and under the direction of Karen Whitney. I thank Karen for accepting the challenge again. She has my continued full support as well as the staff's and the Board. We are looking forward to a very successful, productive season in 2010.
- The LED sign was installed. My thanks to Jim Krueger who helped push this project along. He is working to get the electricity run. He is also involved with the pump and the dredging.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

PROFESSIONAL REPORTS (Cont'd)

1. Manager's Report – Robert Tate, Township Manager (Cont'd)

QUESTIONS

Fred Gold:

- He wants to know, how are we doing with buying supplies, copy paper etc. from COSTARS vendors?

Bob Tate:

- Says that all of the departments have someone in charge of ordering (Patti included). Everyone is accustomed to and familiar with COSTARS.
- He mentions that supplier Hilliard, before the November meeting, was approved as a COSTARS vendor and their prices are very competitive.

Fred Gold:

- He wants to know, are Hilliard's prices lower than before they were approved as a COSTARS vendor? He contends that Hilliard's has been overcharging the Township for years.
- He asks Mr. Tate to check and see if Hilliard's prices are lower as a COSTARS vendor. If the prices are lower, he suggests that possibly some of that overcharging could be recouped.

Bob Tate:

- Says that once on COSTARS, it is ongoing to use it and leverage it to our advantage by competitively shopping one vendor against the other.

2. Engineer's Report – Craig D. Kennard, PE

General Township Projects

- There are eight projects under this category. Four are related to stormwater management. One is tied in to the Golf Course and Dredging along the Fourth Fairway.
- We have been working very close with L&I and Public Works on these drainage projects. In our meetings, we are talking more and more about stormwater management. There are some small complaints that are addressed right away. The larger ones are being prioritized.
- 8th & Green Drainage – we did provide a report. Since that report a study has been submitted. There are recommendations in there for option to mitigate the flooding. We'll work closely with Jim Krueger and the Township Staff to figure out how to proceed.
- 2009 Road Paving Program – Speedway Area – that is complete and payments are approved. Over the next few months, we will be working with Public Works and L&I on moving forward on the 2010 Road Paving Program.

Subdivision and Land Development Projects
--

- Over the last couple weeks we received seven Land Development Projects. I also counted at least five projects that where just stagnate over the summer but now we're scheduling field meetings, engineering meetings, staff meetings etc. It has picked up and my staff is busy. There are still some large projects (such as County View Properties) that are ready to go but are waiting on funding. Hopefully, some of these Land Development Projects should get approval through the winter and start construction. You'll start seeing Building Permits come into the Township in the spring and early summer.
- Petrucci-333 Jacksonville Road – Transit Oriented Development – Their attorney and engineer just contacted me today about coming in and having an engineer's meeting to show me their revised sketch plan to address the Ordinance that was adopted, some comments I had previously related to previous sketch and preparations submitting a full Land Development Plan. I anticipate the Board seeing that project in the next few months.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

PROFESSIONAL REPORTS (Cont'd)

2. Engineer's Report – Craig D. Kennard, PE (Cont'd)

Subdivision and Land Development Projects (Cont'd)

- **CVS Pharmacy – 455 W. Street Rd - and also tied into the Beneficial Bank Project next door which is all part of the Brandow property. We had a very successful PennDot meeting with the applicants, attorneys and my Staff. PennDot was agreeable to work on a plan to look at the CVS project and the remainder of development of that property trying to address traffic concerns now and also planning for the future.**
- **Christ Home Phase II / III – Land Development – CCRC – Jim Krueger just related to me that some of the units are not selling. We have been asked to close out that project as far as site improvements and public improvements. We have started doing a punch list. They have completed 95% of that project. The units/lots will stay vacant and we will work toward closing out. Related to that, they are moving forward with Phase II and III. We had a Staff meeting on that back in November. I anticipate seeing a revised set of plans over the next month or two. I have received calls regarding stormwater management design and revised layout of those units.**
- **Three smaller Projects that just came in:**
 - **216 Maple Street – Matt Piotrowski**
 - **318 York Road – Warminster Center**
 - **380 York Road – Warminster Dental Associates**
- **Willowdale Elementary - We had a Staff meeting, Mr. Savona could not attend, but I and Mr. Krueger met with the School District Staff. What they are doing right now is getting proposals for an engineer. They anticipate submitting a Land Development Plan probably within the next two or three months. They would like an approval in the spring to move forth with renovations when the kids are out.**
- **Vertical Screen – Franklin Corp. Center – Lot 4 – Today I was working on fine-tuning their escrow to be sent to Mike and their attorney. You should probably see the Development Agreements by next meeting. I have the Record Plans to sign. I'll shipped that off to the Township in one bundle. They are ready to have a pre-construction meeting in the next two weeks.**

Construction Projects

- **McGrath Homes – Phase I – We did have a productive meeting with McGrath Homes. I will defer the closing out of the Phase I project to Mr. Savona.**
- **William Tennent High School - We had several issues related to some of the storms over the last few months and failure of erosion controls measures. Not Stormwater facilities. We did coordinate a meeting with the School Districts representative, contractors and Bucks County Conservation District to put a game plan together. We were pro-active. The contractor did jump on some of the issues. There have been no calls following the last storm.**

QUESTIONS

Fred Gold:

- **Says he heard there was flooding on the road leading to the Golf Course. He asks if that problem been resolved?**

Craig D. Kennard, PE:

- **That is the first I heard of that.**

Jim Krueger:

- **Says the developer (McGrath Phase II) had a problem with their silt vents. Supposedly, this was taken care of.**
- **Says he is having a meeting with McGrath:**
 - **On Monday, Kevin McGrath and I will check the increased buffering along Delmont Avenue.**
 - **John McGrath and I are to meet on Wednesday regarding other issues.**

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

PROFESSIONAL REPORTS (Cont'd)

2. Engineer's Report – Craig D. Kennard, PE (Cont'd)

QUESTIONS (Cont'd)

Leo Quinn to Craig Kennard:

- Says the next time you are scheduled to go to 8th & Green he asks that he be given notice. He wants to do a walk-about.

3. Solicitor's Report – Michael J. Savona, Esq.

Vertical Screen

- Says he got a call today from their attorney. They want to finalize their agreement and are ready to pull permits.

Issues surrounding the AT&T's Cellular Monopole on Street Road

- Says there have been significant discussions with Grace Lutheran Church.
- Says the meeting with them concerned:
 - A possible option whereby we could facilitate a cell tower on that site and
 - divert some of the revenue to the church and
 - permit the Township to lease the property from them
 - to enable TowerOne to build the tower and somehow
 - we would portion the revenue to the church.
- TowerOne did make a presentation to the church and
 - Says he is pleased to report the church has approved moving forward with a cell tower at that location.
- Says earlier this week he received the final proposed site leases and the drawings from TowerOne as to where we would locate the tower.
- Says he is going to go to the church's attorney and finalize a ground lease with them.
- Says at the next meeting in January, we will have everybody come in so the Board can see the proposed placement. Says if the Board approves:
 - We can approve the lease with the church and the lease with TowerOne.
 - It will be clear for TowerOne to get the tower up.

Contract award to J. P. Mascaro

- Says that our award of the contract extension to J. P. Mascaro for 2010 and 2011 was made subject to a challenge in the Court of Common Pleas by a disgruntled resident AKA (also known as) Republic Waste.
 - We met with Judge Fritsch who put us on a very short leash in terms litigating this case.
 - Mr. DeGennaro from Mascaro and I have worked very hard to focus the issues down to the legal issues and not get distracted.
 - We have filed answers, we have exchanged documents and today we finalized a large joint stipulation of facts which will preclude the need to drag anybody up for testimony.
- Says the judge has set a proposed argument date for next Friday (12/18) and based on the fact that we have agreed completely to a Stipulated Record, we are going to save a lot of time and money.
 - We will brief it and argue the points raised by Mascaro to the court.
 - Judge Fritsch will decide either that we could accept a rebate or not.
 - As a practical matter to the Township, it shouldn't affect the residents at all.
 - The judge has already ordered that Mascaro will continue to pick up the trash if it goes beyond the first of the year at the new price.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

PROFESSIONAL REPORTS (Cont'd)

3. Solicitor's Report – Michael J. Savona, Esq. (Cont'd)

Contract award to J. P. Mascaro (Cont'd)

- Says if we are ordered to re-bid it, typically, in a contested situation like that you won't see an increase in price over what your current contract price because the two tend to compete to see who can underbid each other.
- Says the worst scenario is that we can save the \$800,000 we already thought was a good enough deal to exercise the option. The better case scenario is if the judge orders us to re-bid we can save even more money than that.
- Says it is really a no lose situation for us. It is just a matter of the inconvenience of having to jump through loops of writing yet another brief.
- Says he should have a better sense from the Judge on December 18th as to which way it is going to go. If necessary, we can start taking the steps to comply with whatever the court orders.

McGrath Homes – Phase I

- Says we did have a meeting with McGrath concerning the closeout of the Villas at Five Ponds – Phase I.
- Says a lot of it is still up in the air.
 - There are some outside agencies' approvals we have to verify.
 - There are some matters that will need to be transferred from Phase I Escrow to Phase II Escrow because there are still items that are outstanding.
 - For example the traffic signal and the finish coat on the road apron at the signal.
- Says if there are items that are remaining open and outstanding we will transfer those into the open escrow for Phase II. We then can finish up and close out Phase I.
 - Any current obligations will remain current in the new escrow.
 - This will also enable us to recapture some additional contingency money that Pennoni, prior to this, had released.
 - When an escrow came in and was approved they would release 100% of the amount.
 - Gilmore's practice is to keep the contingency on each one of those escrows.
 - If we reset and move some of those things into the Phase II escrow we can start recapturing that contingency.
- Says he should have more for the Board to consider on that, in terms of the detail and specifics, at the next meeting in January (14th).

Kushnir Daycare

- Says we did have the Conditional Use Hearing at our last meeting for Kushnir Day Care at 188 Evergreen Avenue.
- Says he is awaiting final written submissions which he thinks are due this Friday. He did receive a filing from Mr. Harris and is am waiting for Mr. Shaffer's filing.

NOTATION: Mr. Savona will forward to Leo Quinn, who was not present at the hearing, a PDF copy of the transcript, for his review.

- Says as soon as he has the final submissions he will forward a packet out to the Board
 - with the two opposing sides,
 - the PDF of the transcript for their review and
 - a memo from his office recommending what we think is the law points.
 - We will have to render a decision on that at you next regular meeting in January.
 - It might bear some discussion or at least some consideration by you in advance.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

PUBLIC COMMENT

Barbara Wolverton – 273 W. County Line Road - Warminster

- She mentions three properties:
 - A property (Business frontage on County Line Road),
 - B property
 - C property (the owners then obtained access to Park Avenue with the three combined properties).
- A drawing is shown with a line in red to indicate the proposed property line that the owners were requesting. That change would allow the owners to sell off an existing property along Park Avenue.
- She requested to read a one page letter. It was not read.
- She tells Mr. Savona she is not asking for approval tonight and that she did submit an application for a lot line change.

Craig D. Kennard, PE to Mr. Savona

- Says they have already reviewed it.
- Says this applicant has not yet been in front of the Planning Commission.

Michael J. Savona, Esq. to Barbara Wolverton

- Says this is premature.
- Says this Board doesn't hear a matter relating to these kinds of applications until the Review Process that's required under the MPC from the Planning Commission is completed.
- Says then we have an opportunity to get all their comments, the engineer's comments and everyone's comments.
- Says once you have had a chance to hear what those other outside agencies have to say then, in the proper format, you present your case.

Barbara Wolverton - 273 W. County Line Road

- Says since 2002 we have been in contact with several different departments but mainly the Zoning Department.
- Says because of the new change that was just enacted with wetlands in the Township, which is part of our property, we were under the impression from Zoning that we would have to ask for waivers through the supervisors.

Michael J. Savona, Esq. to Barbara Wolverton

- Says that is part of your subdivision approval application. You would not do that in this forum.

Michael J. Savona, Esq. to Barbara Wolverton

- Says if you have applied for a subdivision approval or a lot line change your surveyor and/or engineer has prepared a plan (which she has), and you submitted an application to the Township (which she did).
- He asks Mr. Kennard if that application is in process.

Craig D. Kennard, PE to Mr. Savona

- Says they are not happy with his report.
- Says based on the conversation with their engineer before the Planning Commission they were missing information. It was presented as a minor subdivision, however, there are several zoning issues related to the existing business, the way they went about presenting the plan they are asking for numerous waivers. There is much more devil in the details.
- Says if they are looking for direction he recommends a Staff meeting.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

PUBLIC COMMENT (Cont'd)

Michael J. Savona, Esq. to Barbara Wolverton

- Says the Board cannot act on anything.
- Says he is going to direct Board that you not present anything. He doesn't want to prejudice their consideration when your application actually comes up.
- Says it is better that we do this in the proper format and there are rules as to how we present these.
- Says he is going to ask Mr. Kennard to contact your engineer (Carroll Engineering). We will arrange for a Staff meeting were Mr. Kennard, myself, Mr. Schroeder, Mr. Krueger will all meet with your engineer. If you have counsel involved we will include them.
- Says we then will see what the issues are in the Plan and figure out a way of trying to move it forward.
- Say we'll try to work that out as quickly as possible. So, when your plan is ready to be presented to the Board, we will all have a thorough understanding.

Barbara Wolverton to Mr. Savona

- Says that Carroll Engineering told us we would have to come before the supervisors to obtain waivers.

Michael J. Savona, Esq. to Barbara Wolverton

- Carroll Engineering is correct, but your application is not on the Agenda for the Boards consideration. They can't vote to give you anything without a proper presentation.

Real Estate Broker (Ron D.)

- Says the Wolverton's are going to lose the buyer to this property because of the changes in the Land Development Ordinance. It has severely impacted the property from a 0 to 100 foot buffer line. This takes about 40% of the build-able property from the owner.
- Says it is not going to just be on this property it is going to be on several properties in the township now that they made this change.
- Says this is going to be quite an issue - taking away developable property from the people.

Michael J. Savona, Esq.:

- Says he understands that the Wolverton's may want waivers, variances and they may want a complete waiver for land development. This is not the format where that issue can be addressed.

Craig D. Kennard, PE to Barbara Wolverton

- Says he wants to go on record that he has already spoken with your engineer and she has been working with his Staff. The direction right before Planning Commission was that you could come to present and discuss the project and then usually we have a Staff meeting.
- Says the feedback that he has gotten back from your engineer was that the project was probably dead and that was the last time he heard of it for over a month.
- Says we have already had this discussion and assumed the project was dead because of the additional zoning problems with the property.

Michael J. Savona, Esq. to Craig D. Kennard, PE

- Says this is not the forum to sort that out.
- Says when you call tomorrow:
 - You can find out if we need to meet to move forward to see if there is any kind of relief we can give to these folks or
 - if the engineer on their side believes it is not worth pursuing.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

PUBLIC COMMENT (Cont'd)

Leo Quinn to Craig D. Kennard, PE

- Says what is it that the property had a zero buffer and there is a 100 foot buffer requirement now.

Craig D. Kennard, PE to Leo Quinn

- I don't really think that was an issue. It was the uses on property. The new zoning ordinance whether to conform or none conforming.
- They want to do a minor subdivision but you also heard they mentioned land development. There is another piece to this whole puzzle. They want to develop that next piece.
- Once you subdivide and then they come with land development on the new piece, we can't address the whole other piece of the property.

Michael J. Savona, Esq.:

- It is a clever trick that is used a whole lot of times to get the owners who own the property and don't want to spend money to remediate handling their land development issues, to shoved off those responsibilities and defer it until land development.
- By then, you subdivided the parcel and created two parcels (A & B parcel). The guy who is coming in to land develop is only going to develop parcel B. All the issues you could remediate for parcels A and B suddenly you can't touch A since that is not subject to a land development plan.
- We have been very diligent. If a parcel is being subject to subdivision and land development we try to address all of the issues for the whole parcel in one shot.

SUPERVISOR'S COMMENTS

Ellen Jarvis:

- She wishes all of the residents and fellow supervisors warm holiday greetings. Happy Hanukkah (starts tomorrow), a Very Merry Christmas and a Happy New Year.

Gail Johnson:

- Happy Hanukkah, Merry Christmas and Happy New Year. Let us all enjoy!

Frank Feinberg:

- Happy Hanukkah, Merry Christmas and Happy New Year.
- He compliments the Township Staff, the professionals Mr. Savona, Mr. Kennard and the other Board members (Ellen, Gail, Fred, Leo) by saying everybody did an excellent job. Each worked hard and although we didn't always agree, we fought, but, in the end, together, we came through with doing a lot of right things for the Township. Thank you!

NOTATION

The Ben Wilson Senior Center's Christmas & Hanukkah Luncheon is Friday, December 18th.

Fred Gold:

- Says he will be attending Senior Center's Luncheon. He mentions that Gail Johnson has RSVP. Frank Feinberg said that he will also be there.
- Says this is a good year that more people will be attending that luncheon for the seniors.
- Says it was a pleasure working with everyone. At first, he was a bit apprehensive.
- Says the Board worked well together and they got a of lot things accomplished for the residents of Warminster.
- Happy Hanukkah, Merry Christmas and a Happy New Year.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

SUPERVISOR'S COMMENTS (Cont'd)

Leo Quinn:

- He congratulates Fred Gold for making it through seven years and wishes him the best as he moves forward.
- Says Fred addressed a number of issues that brought forth some valuable dialogue with savings to the Township. He paid attention to the details. Warminster is better because of that.
- **Regarding Archbishop Wood:**
 - He wishes luck to Archbishop Wood's Football Team who tomorrow will be playing in the state semi-finals against Selinsgrove, out in Hershey. Selinsgrove is favored. The Wood team played Selinsgrove last year in the semi-finals.
 - This is a re-building year for Wood Football. They started the year 0 and 2 and won 11 straight.
 - They won the District 12 Championship. They won the first round last week in an upset against Pottsgrove.
 - If the team wins the semi-finals they will play for the state title. The championship game will also be played in Hershey.
 - He says that Archbishop Wood's Boys and Girls Soccer Team won the District 12 Championship. The Catholic League just joined District 12 last year.
 - That means they won their league and won the city title by winning District 12.
- He suggests that the Board, at their second meeting in January 2010, recognize both the boys and girls soccer teams for their accomplishment winning District 12.
- Says after we see how the football team does, we should recognize them for their accomplishments.

**Frank Feinberg: Our next meeting is Monday, January 4, 2010 at 7:00 PM
(The Reorganization of Township Government Meeting)**

MEETING ADJOURNED AT 10:08 PM

INDIVIDUAL ACTION ITEMS:

Michael J. Savona, Esq.:

- The Solicitor report indicates that at a January meetings matters are to be discussed on the following:
 - Cell Tower – proposed placement
 - Mascaro Litigation
 - McGrath Homes Phase I - closing
 - Kushnir Daycare - decision

Craig Kennard:

- Per Leo Quinn, contact him when next you are scheduled to go to 8th and Green.
- Per Mr. Savona, contact the Wolverton's engineer (Carroll Engineering) to set up a Staff meeting to also be attended by you, Mr. Savona, Mr. Schroeder, Mr. Krueger and the Wolverton's counsel.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, DECEMBER 10, 2009**

INDIVIDUAL ACTION ITEMS: (Cont'd)

Bob Tate:

- **Contact Ron Stern in Harrisburg (DCED) regarding the questions raised by Mr. Savona:**
 - 1) **Regarding the consolidation of two pension funds. What happens to an unfunded liability in pension plans, if the municipalities are carrying an existing unfunded liability based on the then current Actuarial Study?**
 - 2) **Regarding new commission authority. In the agreements are there measures the Townships BOS can take if they disagree with any of the commissions determinations?**
 - 3) **Regarding obtaining copies of some of the model agreements.**
- **Per Mr. Feinberg, forward to the Board of Supervisor an email attachment with the following:**
 - 1) **A copy of the three page summary provided by the Police Chief detailing equipment (vehicles etc.) expenditures.**
 - 2) **A copy of the updated spreadsheet on the buy-out time.**
- **Per Mr. Quinn, regarding all vehicles, provide to the Board of Supervisors the following:**
 - 1) **The total number of vehicles we have.**
 - 2) **The names of who have a vehicle.**
 - 3) **Who has permission to take the vehicle home? Who does not have permission to take the vehicle home?**
 - 4) **Where are the vehicles in their life cycle?**
 - 5) **Are we getting full utilization out of the vehicles?**
- **Provide the Board of Supervisors with a copy of Karen Whitney's Capital Projects Detail listing (\$75,000) as well as her capital listing (cash account).**
- **Per Mr. Feinberg, although the budgeted amount in the 2010 Budget for the 300th Anniversary was not changed from \$15,000 to \$25,000 it should be noted that the 2011 Budget should reflect \$35,000. (Note: It is intended that \$100,000 will be available for the Tri-Centennial celebration needs.)**
- **Per Mr. Gold, he requests that you check Hilliard's prices as a COSTAR vendor against the prices that were previously charged to the Township. It is Mr. Gold's contention that the Township has for years been overcharge. If that is the case, possibly, there could be some recouping of that money.**
- **Per Mr. Quinn, put Foster Avenue on the investigative listing for stormwater issues.**
- **Per Mr. Quinn, at the BOS second meeting in January recognize Archbishop Woods Girls and Boys Soccer Teams their accomplishments.**