

PLYMOUTH TOWNSHIP

REGULAR MEETING

May 9, 2011

Plymouth Township Council held its Regular Meeting at the Plymouth Township Building. The following officials were in attendance:

Council: Vince Gillen ----- Chairman
Maria Weidinger ----- Vice-Chairman
Dean Eisenberger
Mary Lou Readinger
Sheldon Simpson

Staff: Karen Weiss ----- Manager
Michael Clarke ----- Solicitor
Michele Mintz ----- Solicitor's Office
Tim Creelman ----- Finance Director
Chris Loschiavo ----- Public Works Director
Russ Benner ----- T & M Associates
Joe Lawrence ----- Chief of Police
John Myrsiades ----- Deputy Police Chief
Jack Hoffman ----- Code Enforcement Dir.
Rick Miles ----- Building Code Official

Pledge of Allegiance - The Regular Meeting was called to order by Mr. Gillen at 7:02 p.m. and opened with the Pledge of Allegiance.

Mr. Gillen announced that Global Connect provided a presentation to Council prior to the Regular Meeting this evening beginning at 6:00 p.m. Following the Regular Meeting this evening Council will hold a Public Hearing and Meeting pertaining to an Alternative Energy Ordinance.

Public Comment

Mr. Gillen asked if there was any public comment pertaining to any of the items advertised on the agenda and there was none.

ANNOUNCEMENT - Executive Session held May 2, 2011

Mr. Gillen announced that an Executive Session was held on May 2nd in order to discuss litigation and personnel matters.

APPROVAL OF MINUTES: Chairman Gillen called for the approval of the

minutes.

- a. Workshop Meeting April 4, 2011
- b. Regular Meeting April 11, 2011

Ms. Weidinger made a motion to approve the minutes without the necessity of reading. The motion was seconded by Ms. Readinger; a roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

APPROVAL OF DEPARTMENTAL REPORTS AND BILLS: Chairman Gillen called for the approval of the departmental reports and bills.

Mr. Simpson made a motion to approve the departmental reports and bills. The motion was seconded by Ms. Weidinger; a roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

ADMINISTRATION

a. Health America Settlement - Mr. Clarke stated that this item pertains to a proposed settlement between Plymouth Township and Health America PA, Inc. for a business privilege and mercantile tax assessment settlement. Following an audit by Plymouth Township it was determined that Health America PA, Inc. had underpaid its taxes, and interest and penalties were assessed. In consideration for the settlement of this tax assessment, the Township is agreeing to waive the penalty and collect only half of the interest with the taxpayer agreeing to pay the total sum of \$1,822.63. Ms. Weidinger made a motion to approve the settlement and was seconded by Mr. Simpson. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

b. Health Assurance Settlement - Mr. Clarke stated that this item pertains to a proposed settlement between Plymouth Township and Health Assurance PA, Inc. for a business privilege and mercantile tax assessment settlement. Following an audit by Plymouth Township it was determined that Health Assurance PA, Inc. had underpaid its taxes, and interest and penalties were assessed. In consideration for the settlement of this tax assessment, the Township is agreeing to waive the penalty and collect only half of the interest with the taxpayer agreeing to pay the total sum of \$180,852.39. Mr. Eisenberger made a motion to approve the settlement and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

c. Post Retirement Healthcare - Mr. Clarke stated that this is a policy amendment to the Post Retirement Health Insurance for non-bargaining employees. The Plymouth Township Employee Handbook and

the Township Policy Memo dated December 10, 2001 are hereby amended to provide for the following. A non-union employee hired after July 1, 2011 is eligible to receive Post Retirement Group Health Insurance provided by the Township only after attaining age sixty and completing twenty-five years of service. This Health Insurance will be on the same basis as active employees. Mr. Simpson made a motion to adopt this policy and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

d. Parks and Recreation Ordinance Amendment - ACTION - Mr. Clarke read the ordinance authorizing an amendment to Chapter 15, Parks and Recreation, Section 15-3, Injury, Defacing Property, of the code of Ordinances of Plymouth Township. Ms. Weidinger made a motion to approve the ordinance and was seconded by Mr. Eisenberger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

e. Blackboard Connect Renewal - Mr. Eisenberger stated that currently Plymouth Township is under contract with Blackboard Connect regarding the mass notification system. Under the contract, the Township must give at least thirty days with written notice if it will not be renewing the current contract with a thirty day notice. Mr. Eisenberger made a motion that the Township not renew its current contract with Blackboard Connect. The motion was seconded by Ms Weidinger; a roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

Jane Dougherty, 101 Archbishop Drive asked if the Township would still be using a mass notification system. Mr. Eisenberger stated that they would but it will be a new vendor.

POLICE/PUBLIC SAFETY

a. Officer of the Year Resolution - Mr. Gillen read the resolution Whereas, Chad Robinson has performed diligently and faithfully the duties and services required of him by the Township of Plymouth, and whereas the performance of Chad Robinson is in the highest standard of the law enforcement profession; therefore be it resolved Plymouth Township commends Officer Robinson for his outstanding service. Mr. Gillen made a motion to approve the resolution and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

b. Outstanding Police Officers Performance Award - Mr. Gillen stated that on behalf of Plymouth Township Council the Township would like to acknowledge Officers Doug Copestick and Chris Schwartz who were presented with the Outstanding Police Officers

Performance Award by the PA Narcotics Officers' Association.

b.National Police Week Resolution - Mr. Simpson read the resolution declaring the week of May 15th through May 21st as National Police Week and commending the Township Police Department for their services and dedication to the Township. Mr. Simpson made a motion to approve the resolution and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

PUBLIC WORKS/SEWER

a.National Public Works Resolution - Ms. Weidinger read the resolution declaring the week of May 15^h through May 21st as National Public Works Week and commending the Township Public Works Department for their services and dedication to the Township. Ms. Readinger made a motion to approve the resolution and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

b.Highway Materials and Street Paving Notice of Intent to Award - Mr. Simpson reported that the Township held a bid opening on April 26, 2011 for the Highway Materials and Street Paving Project. Chris Loschiavo, the Public Works Director has recommended that the bid be awarded as follows: 1) Item 1A - Fine Graded Course - 9.5 mm to Glasgow, Inc. in the amount of \$5,300. 2) Item 1B Wearing Course 9.5 mm to Glasgow, Inc. in the amount of \$5,200. 3) Item 1C - Wearing Course - 12.5 mm to Glasgow, Inc. in the amount of \$4,925. 4) Item 1D - Wearing Course 19.0 mm to Glasgow, Inc. in the amount of \$4,700. 5) Item 1E - Binder Course - 19.0 mm to Glasgow, Inc. in the amount of \$4,625. 6) Item 1F - Binder Course - 25.0 mm to Glasgow, Inc. in the amount of \$4,200. 8) Item 1G - Base Course - 25 mm to Glasgow, Inc. in the amount of \$4,125.00. Mr. Simpson made a motion to approve the bid award as recommended by staff. The motion was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

Mr. Simpson made a motion to issue a Notice of Intent to Award Bid for the Township's annual street paving to Glasgow, Inc., the low bidder, in the amount of \$320,976.80. The motion was seconded by Ms. Weidinger; a roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

ENGINEERING

SUBDIVISION AND LAND DEVELOPMENT

SUBDIVISION AND LAND DEVELOPMENT

a.S.D. 08-3 Iannuzzi/2750 Narcissa Road

1. Expiration date August 31, 2011

b.Escrow Releases - ACTION

1. 1310 Wood Street - Ms. Readinger stated that the Township is in receipt of correspondence from T & M Associates authorizing the release of escrow funds in the amount of \$18,143 for items completed in accordance with said plans. Ms. Readinger made a motion to approve the escrow release and was seconded by Ms. Weidinger. Mr. Clarke stated that there are fees that the developer currently owes to the Township, therefore the \$18,143 will be split releasing a portion to the developer and a portion directly to the Township. Ms. Readinger amended her motion to reflect such which Ms. Weidinger seconded. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

c. Cold Point Village - Extension requested to June 30, 2011 -

Mr. Gillen made a motion to approve the extension request until June 30, 2011. The motion was seconded by Ms. Weidinger; a roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

CODE ENFORCEMENT/HEALTH

a.Certificate of Appropriateness - Ms. Readinger stated that this item pertains to 127 Meetinghouse Road which is located in the Historic District and therefore needs a Certificate of Appropriateness to receive a zoning use and occupancy permit to replace a detached garage. Ms. Readinger made a motion to approve the Certificate of Appropriateness and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

b.Mosquito Announcement - Mr. Eisenberger announced that the Township is conducting the mosquito spraying program again this year which includes treatments in all Township parks and certain tributaries running through Plymouth Township from June through September. If additional information is needed, residents can contact Ed Slanker, the Public Works Foreman at 610-277-4105.

c.Waiver of Conditional Use Hearing and Building Permit Fees -

Mr. Eisenberger stated that Brandywine Realty Trust has agreed to spend \$22,000 to purchase and install a bus shelter on Chemical Road. For that, they have asked the Township for a waiver of the building permit fees and a waiver from a conditional use hearing that would be necessary. Mr. Eisenberger made a motion that the Township waive these items and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms.

Weidinger in favor.

ZONING

a. Zoning Hearings - Mr. Simpson announced that the Zoning Hearing Board of Plymouth Township will hold a public hearing on Monday, May 16, 2011, commencing at 7:00 p.m., in the Plymouth Township Building on the following applications. 1) KEVIN BISCH, 2) CHRIS PRICE AND 3) SO FUN! FROZEN YOGURT (PLYMOUTH SQUARE SHOPPING CENTER). Any citizen of Plymouth Township or interested person may attend the public hearing and have an opportunity to be heard.

PARKS AND RECREATION

a. UV Protection Project - Mr. Eisenberger stated that the Township is in receipt of bids for the UV Protection Project for the pool at the Community Center. Due to an irregularity in the bid process, Mr. Eisenberger made a motion to reject the bids and to re-bid the project. The motion was seconded by Ms. Weidinger; a roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

b. American Healthways Services Amendment - Ms. Weidinger read the American Healthways Services Amendment which pertains to the Township's Silver Sneakers Program regarding reimbursement of fees for the program to the Township. Ms. Weidinger made a motion to approve the amendment and was seconded by Ms. Readinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

PLANNING AND DEVELOPMENT

MISCELLANEOUS/OLD BUSINESS

a. Environmental Advisory Board Vacancy - Ms. Readinger announced that there is a vacancy on the Environmental Advisory Board and if any resident is interested in serving on the Board, they may submit a letter of interest to the Township Manager.

AUDIENCE PARTICIPATION

Jane Dougherty, 101 Archbishop Drive mentioned there is a major problem with parking at the 1600 Fayette Street complex. She stated that there are three businesses in that location with limited parking. She questioned why three businesses are operating in that one building. Ms. Dougherty asked if a variance or a special exception was granted for the property. Staff will look into this issue and notify Ms. Dougherty by the end of the week.

ADJOURNMENT

There being no further business, the Regular Meeting was adjourned at 7:40 p.m.

A Public Hearing was called to order at 7:43 on the motion made by Mr. Eisenberger and seconded by Ms. Weidinger. The motion passed unanimously.

The Public Hearing pertained to the following ordinance.

1. An Ordinance providing for the use of alternative energy systems in Plymouth Township - It is the goal of Plymouth Township Council, to provide a sustainable quality of life for Plymouth Township residents, making careful and effective use of available natural, human and economic resources and ensuring that resources exist to maintain and enhance the quality of life for future residents. In accordance with that goal, Plymouth Township finds that it is in the public interest to encourage alternative energy systems that have a positive impact on energy production and conservation while not having an adverse impact on the community. Therefore, the purposes of this Ordinance include: promote rather than restrict development of alternative energy sources by removing regulatory barriers and creating a clear regulatory path for approving alternative energy systems, to create a livable community where development incorporates sustainable design elements such as resource and energy conservation and use of renewable energy, to protect and enhance air quality, limit the effects of climate change and decrease use of fossil fuels and to encourage alternative energy development in locations where the technology is viable and environmental, economic and social impacts can be mitigated.

This Ordinance regulates the installation, use and maintenance of small wind energy systems, geothermal heating/cooling systems and photovoltaic (solar) systems for commercial and residential properties within Plymouth Township.

The Hearing was adjourned upon the motion by Ms. Readinger and seconded by Ms. Weidinger. The motion passed unanimously.

The Public Meeting was convened whereupon Council took action on the ordinance as follows.

Mr. Eisenberger made a motion to adopt the ordinance and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Mr. Eisenberger, Mr. Gillen, Ms. Readinger, Mr. Simpson and Ms. Weidinger in favor.

The Meeting was adjourned at 7:54 p.m.

Respectfully Submitted,

Mary Beth Jamison
Recording Secretary