

**EAST MARLBOROUGH TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF SPECIAL MEETING HELD
FRIDAY, DECEMBER 23, 2011
AT 7:30 A.M.**

Pursuant to Public Notice, Board Chairman Cuyler Walker convened a Special Meeting and Hearing of the East Marlborough Township Supervisors at 7:30 a.m. on Friday, December 23, 2011.

All members of the Board of Supervisors were present at the portion of the meeting devoted to public hearing on proposed Ordinance 2011-05 ("An Ordinance to Extend Health Insurance Coverage to Certain Employees of the Township Upon Their Retirement, After Forty Years' Employment Service to the Township.")

Several employees of the Township, together with spouses of some employees, attended the meeting. In addition, the Township Solicitor, Fronefield Crawford, Jr., was in attendance at the meeting. The draft Ordinance had been published in its entirety, in accordance with the requirements of the Second Class Township Code, providing public notice of the hearing thereon. Also, a copy of the draft Ordinance was placed on the Township's Bulletin Board and website.

It was suggested by certain employees that the time threshold under the Ordinance for provision of health insurance benefits be reduced from forty years to thirty years. It was discussed that the proposed extension of availability for health insurance under the Township's Plan for retired employees was not mandatory under Pennsylvania or Federal law, and further, that the proposed Ordinance, if adopted, could be amended at any time.

Mr. Weer suggested that the appropriate time limit for the benefit should be modified to be either the availability of Medicare health insurance for the retired employee or three years and nine months, whichever first occurs.

It was also discussed that the partial reimbursement of the cost for health insurance for a retired employee be limited to the employee only, and would not extend to a dependent of the employee.

At 8:15 a.m., the hearing portion of the meeting was closed, and the Board announced that it would adjourn to Executive Session to discuss personnel matters, but with the proviso that the public meeting would be resumed upon completion of the Executive Session. The Executive Session excluded Mr. Caudill, as he stood to benefit from the terms of the proposed Ordinance.

At approximately 8:45 a.m. the Executive Session was completed, and the Board resumed the Public Meeting, with several employees of the Township also attending at this time. Mr. Caudill was not present for the resumed portion of the Public Meeting and has not participated in the deliberation or formal action with respect to the pending Ordinance.

Mr. Weer made a motion to adopt the Ordinance, with Mr. Hannum seconding the motion.

Mr. Weer then made a motion to amend the Ordinance, such that the termination of the benefit for a retired employee would extend to eligibility for Medicare health insurance coverage or three years and nine months from the date of retirement, whichever first occurs. Mr. Weir also moved to amend the Ordinance such that the Township would reimburse fifty percent of the retired employee's cost of health insurance for the time period outlined above, but excluding the cost of such health insurance for any dependents of the retired employee.

The exact language of the amendment was thereupon inserted into the draft Ordinance.

The motion to amend the Ordinance was passed by vote of three in favor (Walker, Weer, Hannum) with Mr. Hicks voting nay.

Thereupon, Mr. Walker called the question with regard to the passage of the Ordinance as so amended. By vote of three in favor (Walker, Weer, Hannum) and one against (Hicks), the Ordinance was passed and adopted as so amended.

Mr. Hicks then made a motion, which was seconded and passed by unanimous vote (Walker, Weer, Hicks, Hannum) that the Board of Supervisors re-examine the Ordinance within the next few months, after an employee handbook has been drafted and implemented, so that changes can be made as will appropriately benefit affected employees upon reaching retirement age.

It is noted that, in the opinion of the Solicitor, the changes to the Ordinance were not so substantial as to require re-advertisement of notice of the Ordinance as amended, particularly in that the amendment, as approved, served to limit and reduce the potential costs to be incurred by the Township pursuant to this Ordinance.

Respectfully submitted.

Fronefield Crawford, Jr.
Acting Recording Secretary
East Marlborough Township