

**BOARD OF COMMISSIONERS SPECIAL MEETING
THURSDAY, SEPTEMBER 15, 2016
6:30 P.M.**

CALL TO ORDER: Chairman Sam Abatta called the meeting of September 15, 2016 to order at the Robinson Township Municipal Complex, 1000 Church Hill Road, Robinson Township, PA at 10:09 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mancini-Present, Barefoot-Present, Kisow-Present, Shiwarski-Present, Abatta-Present. Also in attendance were Solicitor Nate Boring, Township Manager Silka and Assistant Manager Susko

Discussion regarding a motion to hire FMS Group as Construction Manager/Owner's Representative for the Municipal Building Project.

Chairman Abatta, do we have any discussion on this project?

Commissioner Barefoot, yes there is. I will be voting no on this, not because of the person or firm that we are hiring. I believe that this project has been short cut and never since I have been on the Board for the past three years have we held a special meeting at 10:10 in the evening. We advertised for this meeting, but we did not advertise to hire a construction manager or an owner/representative. The firm that we are hiring could be qualified, but we did not do the same process as we did with the architect and we had seventeen architects apply for this. We are going to be spending \$8 to \$10 million on this project. The person or firm that we are hiring has never started a project and completed a project. They have worked for firms. They are architects. They are not construction managers. Our manager, of this Township, has looked at the qualifications and is uneasy in recommending this firm. We will pay this person 3%. We don't know how. We don't know the number yet, but we will pay him 3% of \$10 million, 3% of \$8 million, 3% of \$6 million. We are not sure what it will be. That is why I am voting no on this. There are too many undecided things. There are answers that need to be made. The process was shortcutted. There was no urgency to do this. It could have been done at the regular meeting and the public could have talked about it. There are no citizens here to talk. We do not even have a sign-up sheet. We always have sign-up sheets at meetings. This is not a good decision to make at 10:15 at night. We should have slept on it and then decided. I am sure there are a lot more firms out that who would be interested in building our building. We do not own the property yet, but we are hiring people.

Chairman Abatta, are you done?

Commissioner Barefoot, I don't know. It is just very, very disheartening. Am I done?

Chairman Abatta, let me just try to put some thoughts here.

Commissioner Barefoot, not my thoughts, your thoughts.

Chairman Abatta, of course.

Commissioner Barefoot, you can interject.

Chairman Abatta, you let me know when you are done.

Commissioner Barefoot, you can interject. I will come back.

Chairman Abatta, anyone can interject, it is discussion. Jeff, is this an illegal meeting?

Mgr. Silka, I can answer no, but it may be better for the Solicitor to answer that.

Solicitor Boring, to my knowledge, the meeting has been properly advertised. The position itself of Construction Manager does not need to be advertised, it falls under the realm of special services.

Chairman Abatta, so basically what you are telling me is that everything is done in a legal fashion?

Solicitor Boring, correct.

Chairman Abatta, this meeting in and of itself was called at my request because of some travel issues, things that I have coming up in the very near future. The concerns that I have is that this is the group that we would like to bring on and I think they are highly qualified to take this project from start to finish and it is known to Robinson Township. They have done projects similar to this before and are currently working on other projects of this nature. For the money we are spending on this project, this group is highly qualified. Speaking for myself, I feel that this is a right move. Everything is legal and on board. I think this group is qualified. It is my belief that in order to maintain the integrity and keep this project rolling in a timely fashion, this is the first step that needs to be taken. We need a representative who is going to help us, the Township of Robinson, take this building program to full fruition. This group is, as I said, qualified. Our bonding is set for this particular project, which we voted on at the last meeting. We are in the process of securing the definite piece of property that we have in mind. A title search is in the process and from what I spoke to my attorney about, that should be completed within a week or so, if not less. What is the name of the other search that we have to do?

Mgr. Silka, a Phase I Environmental.

Chairman Abatta, that is also in the works. I want to get ahead of this project and make sure that we make all of the correct decisions for the Township of Robinson and all of its residents. This process should be started. It is not too early to get it up and running. I am sure it is the best thing to do. Is there any more discussion?

Commissioner Barefoot, we have not acquired the property and we have not acquired the bonding. The bonding has been acquired to refinance our bonds because we are saving money and to put money in the pool. We have not acquired this money yet.

Chairman Abatta, where are we with the bonding Jeff?

Mgr. Silka, the bonds should go out for sale early to mid next week, we will be doing not to exceed \$10 million or roughly \$4.2 million will be going to refinance the 2006 bond effort. The residual will be used for the pool and to start the capital on the building.

Commissioner Barefoot, when will the next bond be issued?

Mgr. Silka, it will be issued in 2017, after we have a hard budget for the building.

Commissioner Barefoot, so we have to acquire another bond.

Mgr. Silka, that is correct.

Commissioner Barefoot, we have not acquired that bond for the building yet?

Chairman Abatta, we have talked about the bond, Mr. Barefoot. I am reiterating it for you. This is a two step process that has already been started.

Commissioner Barefoot, but we have not acquired it yet? We have not even got the property from the school. It has taken us three years to do that.

Chairman Abatta, that is a different issue.

Commissioner Barefoot, I understand that. Hopefully it will not take us three years to get this property. That is all. We know what the vote is going to be, so have your vote.

Commissioner Mancini, just for myself in my job, every day and pretty much every minute, I have to make decisions. I have done it for 30 years. These are decisions on care, as well as personnel. I learned a long time ago that I try to make my decision as fast as I can and move on to the next thing. I have had no program in making this decision.

Vice-Chairman Shiwarski, we did have interviews tonight and we interviewed three companies. All three companies were well represented. It enabled me to be comfortable with voting for a particular company. My uneasiness, and I do have uneasiness here, is the timing of the vote. I believe that this vote should be held during our full regularly scheduled meeting, but I am not compromised in any way on who I will vote for today, if the majority has me call for a vote. That being said, I want it to be known that I am comfortable with the decision as to who we are going to hire and their qualifications and value that they present. The issue that I have and it is a strong issue and I am greatly conflicted. I want to go on record to state this, is that I do not see the difference between September 15th and the first Monday in October. As far as making the decision, again, let me reiterate that the company that we are going to be voting on, answered a rigorous round of questioning from all of the Commissioners. Their response was equal or superior to the other two companies that we talked to and the value that they represent, both in their fee and compared to the other firms, again I am comfortable moving forward and making that vote. However, again, I cannot state it enough that I do not think this is the time to have a special meeting when it could have been carried on to our regular meeting. That being said, I am ready to proceed.

Commissioner Barefoot, I have one more comment. To what Commissioner Shiwarski said, this meeting probably could have been avoided if we had done our due diligence in the way we conduct ourselves as we did with the architects. I would also like a copy of these minutes sent out to me in a hard copy, as well as to the Board members. Is that o.k. Jeff?

Mgr. Silka, you get copies of everything sent out prior to approval.

Commissioner Barefoot, I want a hard, printed out copy.

Chairman Abatta, just to reiterate that everything is legal.

MOTION Mancini, SECOND Kisow to hire the FMS Group as Construction Manager/Owner's Representative for the Municipal Building Project.

ROLL CALL: Mancini-Y, Barefoot-N, Kisow-Y, Shiwarski-Y, Abatta-Y.
M/C 4 Yes, 1 No.

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MOTION Mancini, SECOND Kisow to adjourn the meeting. Meeting was adjourned at 10:24 p.m.

Respectfully submitted,



Carol Merks
Township Secretary