

**FINAL
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
JOINT MEETING
WITH
WESTTOWN TOWNSHIP BOARD OF SUPERVISORS
AND WESTTOWN EAST GOSHEN POLICE COMMISSION
December 12, 2013**

The East Goshen Township Board of Supervisors held a joint meeting in conjunction with the Westtown Township Board of Supervisors and the Westtown East Goshen Regional Police Commission at the Westtown Township Building on Thursday, December 12, 2013 at 6:00 p.m. pursuant to a public notice that was advertised in the Daily Local News on December 11, 2013.

East Goshen Township Board of Supervisor members present were: Senya Isayeff, Chairman; Carmen Battavio, Janet Emanuel, Charles Proctor, Esq., and E. Martin Shane.

Westtown Township Board of Supervisor members present were: Tom Haws, Chairman, Charles Barber and Carol DeWolf.

Westtown East Goshen Regional Police Commission members present were: Charles Barber, Chairman and Charles Proctor, Esq., Vice Chairman.

Others present were: Rick Smith, East Goshen Township Manager; Robert Layman, Westtown Township Manager; Brenda Bernot, WEGO Police Chief; and Kathy Brill, WEGO Business Manager.

Police Commission Special Meeting

Charles Barber, Chairman, Police Commission, called the Police Commission Special Meeting to order at 6:00 pm. He led those present in the Pledge of Allegiance and asked for a moment of silence to remember our troops here and abroad.

Charles Proctor, on behalf of the Police Commission made a motion to approve the following agreement:

Westtown-East Goshen Police Commission,

Westtown Township & East Goshen Township

(The Employers)

And the

Westtown East Goshen Police Association

(The Employees)

Agreement to Modify the Collective Bargaining Agreement

Due to Expire on December 31, 2018,

To Comply with the Affordable Care Act.

Whereas, the Employers are subject to the Affordable Care Act, and
Whereas, Independence Blue Cross, who provides healthcare benefits to the Employees is subject to the Affordable Care Act, and
Whereas, the Employers have been advised by Independence Blue Cross that pursuant to the Affordable Care Act, the Personal Choice HDHP 2 health insurance plan will not be available in 2014, and
Whereas, the Employers are obligated to provide healthcare benefits to the Employees, and
Whereas, the Independence Blue Cross PPO Platinum H.S.A. 50 health insurance plan provides healthcare benefits that are comparable to the discontinued Personal Choice HDHP 2 health insurance plan, and
Whereas, the Employers must notify Independence Blue Cross of their choice for the health insurance plan by the close of business on December 13, 2013, and
Whereas, the Employers intend to notify Independence Blue Cross to enroll the Employees in the PPO Platinum H.S.A. 50 health insurance plan to avoid a lapse in coverage for the Employees.
Whereas, the Employer can cancel the health insurance plan with 30-days' notice to the healthcare provider.

Healthcare:

1. Effective 1/1/14, the Employers shall replace the current healthcare benefits for employee, spouse and dependents pursuant to the Independence Blue Cross Personal Choice HDHP 2 medical and prescription plan (the "High Deductible Plan") with the Independence Blue Cross PPO Platinum H.S.A. 50 medical and prescription plan (the "PPO Platinum Plan").
2. The Employers shall reimburse any officer for any out-of-network deductibles and out-of-network out-of-pocket expenses incurred under the PPO Platinum Plan that are in excess of what was provided pursuant to the High Deductible Plan.
3. Due to unforeseen issues with the implementation of the Affordable Care Act and the resulting changes in the available health care plan options, the Employers reserve the right to reexamine as needed the healthcare benefit plan offered to the Employees prior to the conclusion of the current Collective Bargaining Agreement, and to change the healthcare benefit plan to a comparable plan as long as the benefits are not decreased.
4. In the event that the plan specified in this agreement becomes unavailable prior to the conclusion of the current Collective Bargaining Agreement, the contractual requirements of a health care plan provided to the officers of Westtown-East Goshen Regional Police Department shall revert back to the parameters established in the current Collective Bargaining Agreement, expiration date of December 31, 2018.
5. In the event that the Independence Blue Cross Personal Choice HDHP 2 (the plan currently specified in the current Collective Bargaining Agreement) becomes available in the future, the Employers reserve the right to re-institute this health care plan.

6. The purpose of this agreement is to select a comparable health care plan to that established in the current Collective Bargaining Agreement. However, if unforeseen issues arise which would indicate that the rights of either the Employers or the Employees that were established in the current Collective Bargaining Agreement have been negatively impacted, that party reserves the right to seek redress through grievance.

7. The Employer will work hand-in-hand with the Employees to encourage the cessation of tobacco use by the employee, their spouse and their dependents.

As-Is

The terms set forth in this agreement shall be incorporated into the collective bargaining agreement between the parties and any terms or conditions of employment not altered or amended as agreed herein, shall remain as-is.

Consolidated Contract

Both parties agree to consolidate the provisions of this agreement into the consolidated contract document required pursuant to the October 2012 agreement.

Intending to be legally bound hereby, and being duly authorized to bind the party indicated, witness our signatures:

The motion was seconded by Charles Barber. There was no public comment and the motion passed unanimously.

Charles Proctor moved to adjourn the meeting. Charles Barber seconded the motion. There was no public comment and the motion passed unanimously. The Police Commission meeting was adjourned at 6:10 pm.

Westtown Township Special Meeting:

Tom Haws, Chairman of the Westtown Township Board of Supervisors called the Westtown Township special meeting to order to vote on the Westtown East Goshen Townships' and Westtown East Goshen Police Association's modification to the Collective Bargaining Agreement that is due to expire on 12/31/18, to comply with the Affordable Care Act. As was stated previously at the Police Commission meeting, the current healthcare plan Personal Choice HDHP2 is no longer being offered by Blue Cross/Blue Shield. We as a Board of Supervisors as well as in partnership with our colleagues in East Goshen discussed changing this healthcare plan with the Police Bargaining Unit and are prepared to make recommendations to agree to change from Personal Choice HDHP 2 health insurance plan to Independence Blue Cross PPO Platinum H.S.A. 50 health insurance plan. Carol DeWolf moved to approve this recommendation. Charles Barber seconded the motion. There was no public comment. The motion passed unanimously. Meeting adjourned at 6:11 pm.

East Goshen Township Special Meeting:

Senya Isayeff, Chairman, called the special meeting of the East Goshen Township Board of Supervisors to order and welcomed everyone to the meeting being held in Westtown Township. He asked the East Goshen Township Police Commissioner, Charles Proctor Esq., to give his report.

Charles Proctor commented, Mr. Chairman, earlier this evening the Police Commission approved a motion whereby the current healthcare plan, which is no longer being offered by Blue

Cross, be replaced by the Blue Cross PPO Platinum HAS 50 Plan. I recommend to the East Goshen Township Board of Supervisors that we adopt and confirm that motion by the Police Commission. E. Martin Shane moved that we accept the recommendation from our Police Commissioner in respect to the modification of the healthcare plan in the current agreement due to expire on 12/31/18. Carmen Battavio seconded the motion.

Senya made the following statement.

“The implementation of the Affordable Care Act (ACA) has caused great uncertainties and left the health care insurance industry in a flux.

What is very clear and certain is that we cannot allow the uncertainties caused by others to affect our contractual and social relationship with the Association nor our obligation to provide the Members and their families with the health care they are entitled to under the contract.

What is helpful and comforting moving forward is the fact that we can adopt a plan this evening that is as close to the Current Plan as possible and cancel it anytime and without any penalties with a 30-day notice.

This will enable us to review, research, and study the various new health care plans and options that will come about as the dust of the implementation/roll-out of the ACA begins to settle down. It is also comforting to know that we, as the Employer, will work closely with the Employees, their spouses, and dependents to help and encourage members of the health care plan with programs designed for the cessation of tobacco product use.”

Senya asked for any more public comments. There were none. The motion passed unanimously.

A motion was made to adjourn the meeting. The meeting was adjourned at 6:15 pm.

Respectfully submitted,

Louis F. Smith, Jr.
East Goshen Township Manager