

WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

MINUTES FOR JULY 14, 2009

The regular meeting of the Warrington Township Board of Supervisors was held on July 14, 2009, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

1. ATTENDANCE:

Carol M. Butterworth, Chairperson; Michael W. Lamond, Jr., Vice Chairperson; Glenn McKay, Secretary; Rebecca A. Kiefer, Assistant Secretary; and Paul Plotnick, Member; Timothy J. Tieperman, Township Manager; Thomas F. Zarko, Township Engineer; Carolyn Hanel, Director of Administrative Services/Parks and Recreation; Michael Mrozinski, Director of Planning and Economic Development; Michael P. Clarke, Esq., Township Solicitor; Richard Lesniak, Director of Fire, Inspection and Emergency Services; Vivian Bell, Township Treasurer; Gay Currie, Communications Officer; and Barbara Livrone, Executive Assistant to the Township Manager.

2. PLEDGE OF ALLEGIANCE

The meeting opened with a pledge to the flag.

3. EXECUTIVE SESSION REPORT. Mr. Clarke reported that on July 7, 2009 the Board held an executive session to discuss various matters including an update from the township's labor counsel regarding the negotiation of Police Collective Bargaining Agreement. They also discussed a lawsuit that has been filed against the township from S & H Landscaping, and discussed several other matters of potential litigation.

4. APPROVAL OF BILL LIST: 6/23/09-7/14/09 - \$607,568.72.

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors voted to approve the bill list from 6/23/09 to 7/14/09 in the amount of \$607,568.72. This motion passed by a roll call vote of 5 yeas.

5. APPROVAL OF MINUTES:

a) May 26, 2009.

Motion – It was moved by Mr. Plotnick, seconded by Mrs. Kiefer, that the Board of Supervisors voted to approve the minutes of the May 26, 2009 meeting. This motion passed by a vote of 3-2. Mr. Lamond and Mr. McKay abstained.

b) June 9, 2009.

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors voted to approve the minutes of the June 9, 2009 meeting. This motion passed by a vote of 5-0.

6. MINUTES FOR POSTING**a) June 23, 2009**

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors voted to post the minutes of the June 23, 2009 meeting. This motion passed by a vote of 4-1. Mr. Plotnick abstained.

7. PUBLIC COMMENT

a) **Lighting of Soccer Fields**. Al Stretton, President of the Warrington Soccer Club, was here to discuss an issue that has been distressing their membership for some time. This Club has been active for 23 years in Warrington Township. During that entire time we have petitioned the Board again and again for lighted practice facilities. Being a fall sport lighted practice facilities are critical to the training of our children. There are 2,000 kids in our programs ranging in ages from 4-18. Currently we have no lighted practice facilities, which limits our ability to allow these kids to play, train, and build the skills they need to enjoy the game and ultimately be competitive. Five years we had petitioned the Board and two fields were being built at King Park. These fields were designated as soccer fields. When Warrington-Warwick Association football lost their field at Barness Field, the Board of Supervisors saw fit to switch them from soccer to football fields. We brought the issue to the Board and the Board then said that's okay we'll give you Pickertown field until we are built because we're going to build two more lit fields at the King property as well. He said now Pickertown now has a firehouse on that property and King 2 is still not lit.

We have worked with the Parks and Recreation Board but we have been unable to come up with a resolution. He said the only answers we've had so far is that we can put temporary lights if we want to pay for them at King 2 and the price of that would be about \$43,000. The other alternative is that we have gone out and rented an indoor facility, which will cost the Club over \$20,000 this year. We do not have a facility to support our program.

Mr. Lamond, who is the liaison representative from the Board of Supervisors to the Parks and Recreation Board, asked if Mr. Stretton had looked at the water and sewer property. Mr. Stretton said he went over to the Tradesville site and said basically it's a corn field.

b) **Huntingdon Valley Swim Club**. Ed Wolfe said he understood that the township has offered the use of the Warrington Swim Club to camp groups who were not allowed to use the Huntingdon Valley Swim Club. Mrs. Hanel said the invitation was extended and the group commented that it was a little far to travel to but that they appreciated the invitation.

c) **Stagner Avenue**. Ann Shade, who resides at 2430 Stagner Road, said she is very careful about leaving standing water around for mosquitoes. She said there was a storm drain that was put in the parking lot behind C & M that simply holds water and doesn't go anywhere. She said she was waiting for them to hook it up so the water could go somewhere.

d) **Parks and Recreation Board Meeting**. Mrs. Butterworth announced that the Parks and Recreation Board's meeting that was originally scheduled for July 23 has been rescheduled for July 30.

9. **MANAGER'S REPORT**. Mr. Tieperman reviewed the manager's report which included a) Harvest Grant Update; b) Playground Equipment Grant; c) Solar Grant; d) Street Road Cell Tower; e) Canada Geese Problem; f) Warrington Day Preparations; g) Surveillance Cameras; h) Clean Energy Program; i) Redstone Open Space Meeting; j) Meridian HOA Meeting; k) County Optional Sales Tax Update; l) Communications Initiatives Updates; m) Other Business; n) Legal Correspondence; and o) Correspondence.

a) **Township Engineer's Monthly Report.** Mr. Zarko, Township Engineer, reviewed his monthly report for July 2009 as follows: a) Maple Avenue Extension; b) Warrington Trail Extension, Phase 2; c) 2009 Paving Program; and d) West End Fire Station.

West End Fire Station

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors authorized final approval for proceeding with the second floor finish alternate on the West End Fire Station in the amount of \$137,270. This motion passed by a vote of 5-0.

b) **Planning and Development Monthly Report.** Mr. Mrozinski, Director of Planning and Development reviewed his monthly report for July 2009.

Mr. Mrozinski reported that several development proposals are in the early stages of consideration. Of these, the Wingate Hotel on the Knight Tract has moved forward with a sketch plan that has been reviewed by the Engineer's office and will be reviewed by the Planning Commission. Mrs. Butterworth requested that Mr. & Mrs. Harold Schultz be notified and the other residents on Georges Lane about the sketch plan proposal for the Knight Tract and invited to a future Board of Supervisors meeting to hear about the development proposal for a hotel to be built on this property.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

10. **Consider recommendation from the Ad Hoc Recycling Committee program changes to the Township's Leaf Drop-Off Program.** Mr. McKay reported that we passed an Ordinance last year regarding leaf waste drop-off points and that Ordinance stated one week a month. When we enacted the leaf drop-off points we ended up having it run all month long. We immediately saw our budget blossoming beyond what it should be so we curtailed the Valley Road Site and we're just operating at the Tradesville Site. In the meantime we have looked at other alternatives to reduce our costs and still provide a benefit to the residents.

Mr. McKay said recently the Ad Hoc Recycling Committee had recommended we look at a couple of options. One was to look at a mulching operation over in Warwick Township and also in conjunction with trying to lower our pick-up charge for dumpsters at leaf waste locations. We've arrived at some economic alternatives based on what we're doing now.

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick that the Board of Supervisors adopted a resolution authorizing a programmatic change in the township's leaf drop-off program. This motion passed by a vote of 5-0.

11. **Consider approval of Change Order No. 1 (2009 Roadway Improvement Program) for the rehabilitation of the Lower Nike Park Access Driveway.** Mr. Zarko reported that this project was discussed recently with the Board on several occasions. He said it involves a rehabilitation of the access driveway to Lower Nike Park and the work is to be performed in conjunction with the township's 2009 Roadway Improvement Program as a change order. He said the proposed cost is \$30,099.10.

Motion – It was moved by Mr. Lamond, seconded by Mrs. Kiefer, that the Board of Supervisors approved Change Order No. 1 (2009 Roadway Improvement Program) for the rehabilitation of the Lower Nike Park Access Driveway in the amount of \$30,099.10 This motion passed by a vote of 5-0.

12. **Consider request to authorize advertisement of the Bituminous Trail Project (Bradford Reservoir Connector).** Mr. Zarko reported that he had mentioned this project earlier that it is the second phase of the township's trail extension project at Lower Nike Park. He said it includes the construction of

5,100 linear feet of bituminous trail from Lower Nike Park through the County Open Space at Bradford Reservoir. This project is to be partially funded by a DCNR Grant.

Motion – It was moved by Mr. Lamond, seconded by Mrs. Kiefer, that the Board of Supervisors authorized the advertisement of the bituminous trail project bids for Bradford Reservoir Connector. This motion passed by a vote of 5-0.

13. Consider adoption of a Resolution supporting for a Growing Greener Grant at the Palomino Basin. Mr. Zarko reported that we're taking another crack at the Growing Greener Grant pertaining to the Palomino Basin Rehab Project. We have revised the current application at the direction of the DEP to eliminate any sort of references to maintenance work such as the dredging. We're totally focusing on the aspects of the rehabilitation project that deal with environmental enhancements, etc. At this point we would have to have a matching grant and the request that we are making to the DEP is that they provide \$525,000 towards the project.

Motion – It was moved by Mr. Plotnick, seconded by Mrs. Kiefer, that the Board of Supervisors adopted a Resolution supporting the Growing Greener Plus Grant Application for the Palomino Farms Basin Retro-Fit in the amount of \$525,000. This motion passed by a vote of 5-0.

14. Consider request to authorize advertisement of the Shetland Drive Elevated Water Storage Tank Repainting Project. Mr. Zarko reported that this project includes the repainting of the interior and exterior purposes of the township's Shetland Drive Elevated Water Storage Tank as well as some miscellaneous maintenance work at the Township's Fairways and Costner Road water storage tanks. He said the scope of the work to be performed in conjunction with the project was developed as part of the prior tank maintenance reports that were provided by the township. This work was included in the 2009 Water and Sewer Capital Budget.

Motion – It was moved by Mr. Plotnick, seconded by Mr. Lamond, that the Board of Supervisors voted to authorize the advertisement of the Shetland Drive Elevated Water Storage Tank Repainting Project and some miscellaneous maintenance work. This motion passed by a vote of 5-0.

15. Consider adoption of Resolution authorizing a professional service agreement for an Alternative Energy Grant Application. Mr. Tieperman reported that we have a draft resolution to engage the services of the Spiezle Group to put together an Alternative Energy Grant for the Tradesville Sewage Treatment Plant. He said Mr. Scott Mallon is here tonight from the Spiezle Group to answer any of the Board's questions.

Motion – It was moved by Mrs. Kiefer, seconded by Mr. McKay, that the Board of Supervisors adopted a Resolution to authorize the expenditure of funds to prepare and submit an Alternative Energy Grant Application and the fixed proposal not to exceed \$5,000 to the Spiezle Group. This motion passed by a vote of 5-0.

Motion – It was moved by Mrs. Kiefer, seconded by Mr. McKay, that the Board of Supervisors authorized the expenditure of funds not to exceed \$5,000 to the Spiezle Group to prepare and submit an Alternative Energy Grant Application for the amount of \$315,000. This motion passed by a vote of 5-0.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

16. Continue discussion and consider authorization to advertise proposed rental inspection ordinance. Mr. Lesniak reviewed several documents related to the proposed implementation of a Rental Inspection Program.

Motion – It was moved by Mrs. Butterworth, seconded by Mr. Lamond, that the Board of Supervisors consider authorization to advertise for a proposed rental inspection ordinance. This motion failed by a vote of 2-3. Mrs. Kiefer, Mr. McKay, and Mr. Plotnick voted no.

17. **Continue discussion and consider authorization to advertise ATV ordinance.** Mr. Mrozinski reported that at the last meeting there was a comment that the Board wanted to include motorized go-karts. He said that the Board had some concern about this ordinance being too restrictive. The Board wanted to regulate the use of ATV’s but not be “Big Brother” to borrow a term.

Motion – It was by Mrs. Kiefer, seconded by Mr. Plotnick, that the Board of Supervisors voted to authorize the advertisement of an ATV ordinance. This motion passed by a vote of 3-2. Mr. Lamond and Mr. McKay voted no.

18. **Consider adoption of Resolution for communication site lease agreements between Clearwire and Warrington Township at 2210 Shetland Drive and 1485 Stuckert Road.** Mr. Clarke said if there are particular terms or conditions that the Board wants he would be happy to go back to these applicants and ask them to put in these conditions. He was authorized by the Board to contact Clearwire to re-negotiate what the Board discussed at tonight’s meeting re: the communication site lease agreements between Clearwire and Warrington Township at 2210 Shetland Drive and 1485 Stuckert Road.

19. **Escrow and Maintenance Bond Releases:**

Development Name	Release #	Amount
Warrington Shopping Center	10	\$ 91,588.07
Children of America	Final	\$ 10,584.76
Valley Square Traditional Retail Section – Parcel E – Phase II	18 Month Maintenance Bond	---

Motion - It was moved by Mr. Lamond, seconded by Mrs. Kiefer, that the Board of Supervisors approved the escrow release for Warrington Shopping Center, Release #10 in the amount of \$91,588.07. This motion passed by a vote of 5-0.

Motion - It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors approved the escrow release for Children of America, Final Release in the amount of \$10,584.76. This motion passed by a vote of 5-0.

Motion – It was moved by Mr. Lamond, seconded by Mrs. Kiefer, that the Board of Supervisors approved the release of the 18 Month Maintenance Bond for Valley Square Traditional Retail Section – Parcel E – Phase II. This motion passed by a vote of 5-0.

20. **To consider the following extension requests:**

a) **Elsner Minor Subdivision.**

Motion – It was moved by Mr. McKay, seconded by Mr. Plotnick, that the Board of Supervisors approved the extension request for the Elsner Minor Subdivision until 8/31/09. This motion passed by a vote of 5-0.

21. CONSENT AGENDA:

a) **Consider donation request from Warrington Lions Club for donation from Warrington Cares.** Mrs. Butterworth said the Board received a request from the Warrington Lions Club. She said before we expend any money we have to develop a policy on how we do it. The Board was in agreement to have Vivian Bell, Township Treasurer, research the files to determine what she can find and report back to the Board to give them some direction. Mrs. Butterworth said she is in favor of giving a donation but she wants to know before the donation is given the policy intent for Warrington Cares.

b) **Police Pension Cola Adjustment for Retirees.** Mr. Tieperman reported that we had our Pension Board Meeting before the regular meeting of the Supervisors. He said the police contract that the Pension Committee is supposed to review any requests for any Cola adjustment for police retirees. Based on feedback from the actuary on the current fiscal state of our pension plan we're recommending that we grant no Cola increase in 2009 to the current police retirees.

Motion – It was moved by Mr. Plotnick, seconded by Mr. Lamond, that the Board of Supervisors voted not to grant any Cola increase to the police pension for retirees for 2009 upon the recommendation from the Pension Committee. This motion passed by a vote of 5-0.

c) **Affidavit Resolution for Utility Easements.** Mr. Zarko reported that the township is requesting that PennDOT do some modifications to some water and sewer facilities in conjunction with the 202 Project. He said the facilities are located within an existing easement that extends between Whitehorn and Warrington Lea developments. We could not locate any evidence of recorded easement document for that particular easement and PennDOT has to have some sort of documentation in order to enter into that area to do some work.

Motion – It was moved by Mrs. Kiefer, seconded by Mr. McKay, that the Board of Supervisors authorized approval of the Affidavit resolution for easement documents for Warrington Township Sanitary Sewer and Water Facilities located within the Township Utility Easement. This motion passed by a vote of 5-0.

22. ADJOURNMENT

Motion - It was moved by Mr. Lamond, seconded by Mr. McKay, the Board of Supervisors voted to adjourn the meeting at 10:35 p.m. This motion passed by a vote of 5-0.