



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR JULY 13, 2010

The regular meeting of the Warrington Township Board of Supervisors was held on July 13, 2010, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976, followed by the pledge of allegiance. The members present were as follows:

ATTENDANCE:

Rebecca A. Kiefer, Chairperson; John Paul, Vice Chairperson; Marianne Achenbach, Secretary; Michael W. Lamond, Jr., Assistant Secretary; Paul Plotnick, Member; Timothy J. Tieperman, Township Manager; Richard Wieland, Township Engineer; William R. Casey, Esq., Township Solicitor; Vivian Bell, Township Treasurer; Carolyn Hanel, Director of Administrative Services/Parks and Recreation; Michael Mrozinski, Director of Planning and Economic Development; and Barbara Livrone, Executive Assistant to the Township Manager.

APPROVAL OF BILL LIST:

1. June 22, 2010 to July 13, 2010 - \$555,574.75

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the bill list from 6/22/10 to 7/13/10 totaling \$555,574.75. This motion passed unanimously by roll call.

APPROVAL OF MINUTES

2. June 1, 2010 Work Session

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the June 1, 2010 meeting minutes as amended. The motion passed unanimously.

MINUTES FOR POSTING

3. May 25, 2010

Mr. Paul motioned, seconded by Mr. Lamond, to post the May 25, 2010 meeting minutes. The motion passed unanimously.

4. June 8, 2010

Mr. Paul motioned, seconded by Mr. Lamond, to post the June 8, 2010 meeting minutes. The motion passed unanimously.

5. June 22, 2010

Mr. Paul motioned, seconded by Mr. Lamond, to post the June 22, 2010 meeting minutes. The motion passed unanimously.

PUBLIC COMMENT

Before taking public comment, Mrs. Kiefer commented that there were several issues on the meeting agenda that have deadlines that have to be met. After clarifying some of the current issues frequently expressed as concerns during public comment, Mrs Kiefer asked if there were any other issues to be addressed during public comment. Mrs, Kiefer advised that the Board will now accept public comment but there would be a time limit so that the Board can address some of the time sensitive issues on the agenda.

TEVA

Mrs. Kiefer announced she has been in discussion with Doug Skinner, Chairman of the Township Planning Commission and requested that the Planning Commission reconsider its recommendation on the proposed zoning change to take into account the traffic study, environmental study, and comparative traffic analysis as part of their review.

Mike Kelly, of 135 Muirfield Lane, Chalfont, a member of the Warrington Coalition, distributed a copy of a letter from their attorney. Mr. Kelly requested that the Township conduct their own environmental impact study at TEVA's expense to be considered by the Planning Commission in its review process; and that the Board to direct the township traffic consultant to conduct their own traffic impact study including input from the township residents that are most effected by the proposed development.

Lower Barness Road Sidewalks

Mrs. Kiefer advised that the Township Engineer (Carroll Engineers) would be overseeing the project in regards to the stormwater, trees, and a number of issues brought up by the residents. Mrs. Kiefer said the school district will be presenting this project before a public meeting.

Martin Blasko of 2359 Lower Barness Road commented that he has not received any responses to the issues contained in the letter he presented to the Board of Supervisors on June 22. Mr. Blasko asked for the status on a maintenance agreement. Mrs. Kiefer replied that the school district has agreed to maintain the sidewalks. Language to that effect will be contained in the maintenance agreement. Mr. Blasko wanted to know if there is anything in writing yet. Mr. Paul said that the maintenance agreement will not be prepared until a plan has been presented for approval by the Board. .

6. MANAGER'S REPORT

Mr. Tieperman highlighted the following bulleted items in his report:

- 2011 Budget Process and Capital Budget Guidelines
- Liquid Fuels Report and Recommendations
- Park and Recreation Board Recommendations
- County Open Space Plan Update
- Project and Development Updates
- Committee Resolution Amendments

Liquid Fuels Report and Recommendations

Mr. Paul motioned, seconded by Mr. Lamond, to approve the transfer of \$300,000 from State Liquid Fuels to the General Fund to cover snow/ice removal costs for the 2009-2010 winter, as well as projected expenses for the remainder of 2010. The motion passed unanimously.

Tower One Lease

Mr. Paul motioned, seconded by Mrs. Achenbach, to recommend that the Township Manager be authorized to sign the Tower One Lease located on Valley Road as recommended by the Township Solicitor. The motion passed unanimously.

Work Session

The Board agreed to hold a work session on Tuesday, July 20, 2010, 7 p.m. Agenda items will include 1) Capital Budget; and 2) Bond Issue.

Parks and Recreation Board Recommendations

Mrs. Hanel reported that the Warrington Warriors Football League has installed a storage shed at the area of King Park. The installation was presented to the Park and Recreation Board at their June 24 meeting and there were no objections. The Football League also repaired the paving in the parking lot adjacent to the shed and concession stand.

7. ENGINEER'S REPORT

Mr. Wieland reported that a pre-construction meeting was held July 8 with the contractor for the Palomino Basin Retention Basin project, the County Conservation District and Township staff. The Contractor has scheduled a start date for August 2 and the project will take approximately 2-3 months.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**8. Consider adoption of Resolution approving the final development plan for the Gavin Lingo Major Subdivision (Stump and Pickertown Roads).**

Mr. Bill Sansom of 108 Green Ash Lane said he wanted to verify that the existing trees will remain because they provide a buffer for his property. Steve Harris, attorney for the applicant and Bill Mc said we have to put in tree protection to insure that the trees will not be disturbed. Mr. Sansom asked how far from that buffer area can the developer build back to. Mr. Paul said the structures are already laid out in the plan, which the developer must adhere to.

Motion – Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt Resolution approving the final development plan for the Gavin Lingo Major Subdivision (Stump and Pickertown Roads) subject to the conditions as recommended by the township solicitor. The motion passed unanimously.

9. Consider adoption of an Ordinance amending Chapter 27 to establish a new Town Center District (Part 15A).

Mr. Paul motioned, seconded by Mr. Lamond, to table considering adopting an Ordinance amending Chapter 27 to establish a new Town Center District (Part 15A) until the August 24, 2010 meeting as amended. The motion passed unanimously.

10. Consider adoption of an Ordinance amending Chapter 27, Part 13 (Adult Commercial Uses) of the Township Code.

Mr. Paul motioned, seconded by Mr. Lamond to approve an ordinance amending Chapter 27, Part 13 (Adult Commercial Uses) of the Township Code as amended. The motion passed unanimously.

11. Consider adoption of an Ordinance amending Chapter 27, Parts 8 and 11 (Height and Open Space Restrictions) of the Township Code.

Mr. Paul motioned, seconded by Mr. Lamond, to table adoption of an Ordinance amending Chapter 27, (Parts 8 and 11 (Height and Open Space Restrictions) of the Township Code. The motion passed unanimously.

12. Consider authorization to advertise competitive bidding for the following projects:

- (a) King Park Field Lights
- (b) Swim Club Filter System (Family and Baby Pools)
- (c) Swim Club PVC Liner (Lap Pool)

Mr. Paul said there was some discussion on the field lighting at the Parks and Recreation Board meeting. The question of the lights has been reviewed by most of the neighbors around King Park and he is recommending that the Board advertise competitive bidding for lighting the three fields at King Park through the bond issue since he doesn't foresee any additional monies being received to provide the necessary lighting at these fields in a reasonable time period in the future.

The Board was in concurrence with authorizing advertising for competitive bidding for King Park Field Lighting.

The Board was in concurrence with authorizing advertising for competitive bidding for the Swim Club Filter System (Family and Baby Pools) and the Swim Club PVC Liner (Lap Pool).

13. Consider adoption of amending Resolutions for the following volunteer committees:

- (a) Permanent Finance Committee
- (b) Open Space and Land Acquisition Task Force

(a) Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt the 2007-R-03 Resolution establishing a Permanent Finance Committee for the purpose of providing recommendations to Board of Supervisors related to municipal finance matters as amended. The motion passed by a vote of 4-1. Mr. Lamond voted no. Mr. Lamond felt that this Permanent Finance Committee should be involved in reviewing the Budget and making recommendations as they deem appropriate.

(b) Mr. Paul motioned, seconded by Mr. Lamond, to approve the resolution re-establishing the Open Space and Land Preservation Task Force, its membership composition, terms of office and charge and also include the amended resolution. The motion passed unanimously.

Mrs. Kiefer motioned, seconded by Mrs. Achenbach, to appoint John Paul as the liaison supervisor to the Open Space and Land Preservation Task Force. The motion passed unanimously.

14. Consider the adoption of a Resolution identifying cost sharing requirements with PennDOT for the relocation of the Pickertown Road Public Water Main as part of the Route 202 Parkway.

Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt a Resolution identifying cost sharing requirements with PennDOT for the relocation of the Pickertown Road Public Water Main as part of the Route 202 Parkway. For the record, it was noted that Staff did attempt to persuade PennDOT to agree that the Township owned this road; however, it was noted that PennDOT officials would not negotiate with the Township on this issue. Therefore, the Township was faced with either accepting the cost sharing agreement or nothing at all. The motion passed by a vote of 3-2. Mr. Lamond and Mr. Plotnick voted no.

The members who voted in favor of the cost sharing agreement were not pleased with PennDOT's hard stance. However, the members felt it was to the township's advantage to obtain some revenue than none at all and to continue to pursue this issue with PennDOT.

Mr. Lamond asked the Township Solicitor to review this Resolution document and make any recommendations and send it back to PennDOT indicating this is what Warrington Township will agree to.

15. Consider the adoption of a Resolution in support of an acquisition grant through the Bucks County Open Space Fund.

Mr. Paul motioned, seconded by Mr. Lamond to adopt a Resolution in support of an acquisition grant through the Bucks County Open Space Fund. The motion passed unanimously.

16. Amend Ordinance 2009-0-07 establishing Water and Sewer District on County Line Road.

Mr. Paul motioned, seconded by Mr. Lamond to amend Ordinance 2009-0-07 establishing the County Line Road Water and Sewer District Amendment. The motion passed unanimously.

17. Consider Resolution to amend the 2010 Fee Schedule under Section XXVII. Miscellaneous Charges; Open Records Fees to add a fee of \$10.00 for providing requested information on a CD.

Mr. Paul motioned, seconded by Mr. Lamond, to approve the resolution to amend the 2010 Fee Schedule under Section XXVII. Miscellaneous Charges; Open Records Fees to add a fee of \$10.00 for providing requested information on a CD.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

18. Consider adoption of an Ordinance amending Chapter 27, Part 22 (Signs) of the Township Code.

Mr. Paul motioned, seconded by Mr. Lamond, to adopt an Ordinance amending Chapter 27, Part 22 (Signs) of the Township Code. The motion passed unanimously.

19. Consider adoption of an Ordinance amending the Non-Uniform Pension Plan to allow the return of member contributions.

Mr. Paul motioned, seconded by Mr. Plotnick to table adoption of an Ordinance amending the Non-Uniform Pension Plan to allow the return of member contributions until the July 27, 2010 meeting. The motion passed unanimously.

20. Review Board policies with respect to the following:

- (a) Preparation of BOS Minutes
- (b) Pre-authorized expenses for Supervisors

(a) **Preparation of BOS Minutes.** Mrs. Kiefer reviewed the State's Sunshine Act 65 Pa. C.S. Chapter 7 in regards to recording of minutes. She said this has been discussed before regarding minutes and the content. She said the object of the minutes based on the State's Sunshine Law is specific about what should appear in the minutes. The minutes should include the date, time and place of the meeting, the names of members present, the substance of all official actions and a record by individual member of the roll call votes taken, and the names of all citizens who appeared officially and the subject of their testimony.

Mr. Paul motioned, seconded by Mr. Lamond that the Board's minutes are kept to the requirements in Section 706 under 2004 amendment, Act 88 referring to the requirement as to what should be in the minutes. The motion passed unanimously.

Mr. Lamond added if a Board member votes no on a motion their reason for voting no should be included as part of the minutes.

(b) **Pre-authorized expenses for Supervisors.** State Ethics Code defines reimbursement of pre-authorized expenses for supervisors. She said policy has always been that any pre-authorized expenses as well as any emergency expenditure will be paid to any member of the Board. It is a good policy to have as it prevents the fact that when there are no restrictions, how expansive it can get. Pre-authorized expenses have more controls and restrictions. Documentation would be required before a Board member is reimbursed.

Mr. Plotnick said as a supervisor he feels that he has to record all the things that he does for the township. He feels that any supervisor that provides an itemized list of their expenses should be reimbursed for that expense.

Mr. Paul suggested that we get an opinion from PSATS on reimbursable expenses. Mr. Casey was directed to contact PSATS on reimbursable expenses.

ESCROW AND MAINTENANCE BOND RELEASES

21. **Consider request for Escrow Release #3 for the Reserve at Warrington in the amount of \$74,578.80.**

Mr. Paul motioned, seconded by Mr. Plotnick, to approve the Escrow Release #3 for the Reserve at Warrington in the amount of \$74,578.80. The motion passed unanimously.


22. **Consider request to release the Maintenance Bond for the Kelly Road improvements at Estate of Warrington Ridge in the amount of One Hundred Ninety Four Thousand Five Hundred Seventy Dollars and 37/100 (\$194,570.37).**

Mr. Paul motioned, seconded by Mr. Lamond to approve the release of the Maintenance Bond for the Kelly Road improvements at Estate of Warrington Ridge in the amount of One Hundred Ninety Four Thousand Five Hundred Seventy Dollars and 37/100 (\$194,570.37). The motion passed unanimously.

ADJOURNMENT

Mr. Paul motioned, seconded by Mr. Lamond, to adjourn the meeting at 9:50 p.m. The motion passed unanimously.

Edited and Reviewed By:


Timothy J. Tieperman, Township Manager