



## WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR JULY 27, 2010

The regular meeting of the Warrington Township Board of Supervisors was held on July 27, 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; William R. Casey, Esq., Township Solicitor; Roy Rieder, Engineer from Carroll Engineering; Michael Mrozinski, Director of Planning and Economic Development; Carolyn Hanel, Director of Administrative Services/Parks and Recreation; and Vivian Bell, Township Treasurer .

### EXECUTIVE SESSION REPORT

Mr. Casey reported that an executive session was held regarding a police grievance. Action on this grievance was handled later in the meeting.

### VACANCY BOARD

The Board received a letter from Mr. Gerald Anderson resigning as Chairman of the Vacancy Board, effective upon the appointment of his successor. Mr. Paul motioned, seconded by Mrs. Kiefer, the appointment of David Achenbach to fill the position as Vacancy Board Chairman. The motion passed unanimously 5-0.

### RESIGNATION AS BOARD OF SUPERVISORS CHAIRPERSON

The Board received a letter from Mrs. Kiefer announcing her resignation as Board Chair, effective immediately because of health issues. Mrs. Kiefer motioned, seconded by Mrs. Achenbach, the appointment of John Paul as Board Chair. The motioned passed unanimously 5-0.

Mr. Plotnick motioned, seconded by Mr. Lamond, to appointment Mrs. Kiefer as Board Vice Chair. The motioned passed unanimously 5-0.

### APPROVAL OF BILL LIST:

#### 1. July 13, 2010 to July 27, 2010 - \$586,848.04

Mrs. Achenbach motioned, seconded by Mrs. Kiefer, to approve the bill list from 7/13/10 to 7/27/10 totaling \$586,848.04. This motion passed by a roll call of 5-0.

### APPROVAL OF MINUTES:

#### 2. May 25, 2010

Mrs. Kiefer motioned, seconded by Mrs. Achenbach, to approve the May 25, 2010 meeting minutes. The motion passed by a vote of 4-1. Mr. Plotnick voted no.

**3. June 8, 2010**

Mrs. Kiefer motioned, seconded by Mrs. Achenbach, to approve the June 8, 2010 meeting minutes. The motion passed unanimously.

**4. June 22, 2010**

Mrs. Kiefer motioned, seconded by Mr. Plotnick, to approve the June 22, 2010 meeting minutes as amended. The motion passed unanimously.

**MINUTES FOR POSTING****5. July 13, 2010**

Mrs. Kiefer motioned, seconded by Mrs. Achenbach, to post the July 13, 2010 meeting minutes as amended. The motion passed unanimously.

**6. July 20, 2010**

Mrs. Kiefer motioned, seconded by Mrs. Achenbach, to post the July 20, 2010 meeting minutes. The motion passed unanimously.

**PUBLIC COMMENT**

The following residents provided comment:

- Ms. Vicki Blasko of 2359 Lower Barness Road spoke regarding the District's sidewalk project along Lower Barness Road and concerns regarding the proposed engineering plan(s) for the area.
- Mr. Herb Rubenstein of 907 Farnham Court spoke regarding the conditions at Lamplighter Villas and asked for status on the Township's request for the release of escrow monies to complete the public improvements. Solicitor Casey commented that the Township has received a response from the bank and that a copy has been forwarded to Lamplighter Villa's bankruptcy attorney. He indicated the Township is researching an appropriate response to the bank's denial, including litigation if necessary.
- Mr. Mike Kelly of 135 Muirfield Lane inquired on the status of TEVA. He asked if the Township was conducting its own environmental and traffic impact study on the site as well as pursuing height restrictions on the industrial-zoned property.

**7. MANAGER'S REPORT**

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

- Development Updates
- Palomino Basin Project Update
- Approval of Environmental Covenant
- Arbor Ridge Update
- Communications Advisory Board Survey Draft
- Security Camera Project Update

**Palomino Farms Retention Basin Silt Removal Project – Change Order No. 001**

Mrs. Kiefer motioned, seconded by Mr. Lamond, to approve the Palomino Farms Retention Basin Silt Removal Project – Change Order No. 001 in the amount of \$4,200. This motion passed unanimously.

**Approval of Environmental Covenant (RACR Report)**

Mrs. Kiefer motioned, seconded by Mr. Lamond to authorize the township manager to sign and execute the environmental covenant on the Board's behalf. This motion passed unanimously.

**Communications Advisory Board Survey Draft**

Mr. Tieperman said that the Communications Advisory Board is seeking Board feedback on a draft survey to be included in the fall edition of *The Link*. It was suggested that questions #12 and #13 were not relevant to the survey and should be removed. With those modified changes, the Board approved the survey's inclusion in the *Link*.

**Support Resolution for the Reinstatement of Regional Rail Service on the SEPTA Newtown Line North of Fox Chase**

Mr. Paul Iverson, representative from the Pennsylvania Transportation Expansion Coalition, appeared to support the Board's adoption of Resolution supporting the restoration of rail service on SEPTA's Newtown Line North of Fox Chase. After some discussion Mrs. Kiefer motioned, seconded by Mr. Lamond, to approved the resolution.

**Update on the Solar Grant Project**

Mrs. Hanel provided an update on the solar grant project. She stated that the State needs a commitment from the Township on whether it intends to move forward with the project since the initial grant deadline has expired. The original grant scope included the installation of solar panels at the Tradestville treatment plant but was changed to the Swim Club for feasibility reasons. The new scope proposes the installation of picnic pavilions with solar panels as roofs and includes virtual metering and the potential sale of energy credits. Mr. Paul inquired whether the Township would suffer any monetary loss should it commit now and decide later not to move forward. Mrs. Hanel responded this commitment would allow the State to prepare an amended grant agreement and that the Board can choose in the future whether to execute it. It was unanimously agreed to proceed with the commitment but that the Board should finalize the scope as soon as possible, preferably at the next meeting

**2009 Audit**

Mr. Tieperman asked for the Board's consent to consult with the previous auditors in order to get the 2009 audit completed. This may require obtaining some accounting services to complete the audit on a timely basis.

Mrs. Kiefer motioned, seconded by Mrs. Achenbach, that the Board approve bringing in our past auditors to discuss and explain some of the accounting procedures utilized to help complete the 2009 audit. The motion passed unanimously.

## 8. ENGINEER'S REPORT

Mr. Rieder commented that the Palomino Farms Retention Basin Silt Removal Project should be getting underway next week.

## NEW BUSINESS (ACTION/DISCUSSION ITEMS):

### 9. Review updated concept plan for Penrose Tract located at 213 Easton Road

Attorney William Benner, Esq., appeared on behalf of Metro Development Company to provide background information on this property and the primary elements of the revised concept plan, which was last reviewed by the Board at its March 9, 2010 meeting. Also present were Mr. Michael Grasso of Metro and his engineer Mr. Jack Schneider. At that meeting the Board had requested that Metro consider revising the Plan to eliminate the connection with the Hampton Greene's development and explore the possibility of a connection to Paul Valley Boulevard.

Mr. Benner stated that the revised plan didn't eliminate the Hampton Greene connection but showed instead an emergency access connection. Mr. Schneider and Mr. Grasso discussed their continuing vision for this development of the property. Mr. Drew Rieser, Officer for Delaware Valley Market for Pulte Group, announced that his company has reached an agreement to be the primary residential builder associated with this plan.

Board members provided some preliminary feedback on issues such as traffic configuration, storm water management and historic preservation of the old Penrose homestead. Residents offering additional comments were of Mr. Ed Knell of 1754 Costner Drive, Mr. Jonathan P. Archibald of 101 Hickory Hollow Circle, and a Hampton Greene resident.

### 10. Consider approval for the West Tract Subdivision Preliminary Plan located at Valley Road/Appaloosa Road.

Mr. Brian Horner, engineer from Pro Tract Engineering, Inc. reviewed the West Tract Subdivision Preliminary Plan located at Valley Road/Appaloosa Road.

The following individuals had questions on the West Tract Subdivision:

- Mr. Timothy Mosser of 1723 Harness Drive South (regarding proposal to change the storm basin).
- Betty Schnurr of 1058 Arabian Court (regarding location of open space and naming of development).
- Jerry McIntyre of 1719 Harness Drive (regarding retention basin capacity being addressed).

Mr. Paul commented that the township engineer will need to review the calculations as contained in the resolution before the Board takes any action on the preliminary plan.

Mrs. Kiefer motioned, seconded by Mr. Lamond to table the resolution for the West Tract Subdivision Preliminary Plan until such time that the township engineer has had sufficient time to review the stormwater plans and affirm the correct fee in lieu of calculation. This motion passed unanimously.

**11. Joint discussion with members for the Warrington Township Veterans Affairs Committee.**

Mr. Joseph Fels, Vice Chairperson of the Veteran Affairs Committee (VAC), commented that in order to recognize the service of more veterans who reside in Warrington Township, the Committee recommends more flexible criteria for inclusion on the Veterans Monument at IPW Park and provided some new draft standards for the Board's future consideration. VAC members commented that these proposed changes will recognize the service of more Warrington veterans. Other committee members present were Gerald Regan and Albert Cornell. There was also some discussion on charging a modest fee of \$50 to cover some of the stone engraving costs.

Mr. Paul recommended that the Veterans Affairs Committee finalize its recommendations into a formalize set of criteria for the Board's consideration and action a future meeting.

**12. Consider appointment (s) to Volunteer Boards and Commissions.****Appointments to the Planning Commission**

Mrs. Kiefer motioned, seconded by Mrs. Achenbach to appoint Madeline Sturm to the Planning Commission. The motion passed unanimously.

Mrs. Achenbach motioned, seconded by Mrs. Kiefer, to appoint Joseph M. Balent, Jr., to the Planning Commission. The motion passed unanimously.

Mr. Plotnick motioned, seconded by Mr. Lamond, to appoint Francis Lally to the Planning Commission. The motion failed by a vote of 2-3. Mrs. Achenbach, Mr. Paul, and Mrs. Kiefer voted no.

Mrs. Achenbach motioned, seconded by Mrs. Kiefer, to appoint Michael Murphy to the Planning Commission. The motion passed by a vote of 3-2. Mr. Lamond and Mr. Plotnick voted no.

**13. Review proposed Resolution to Establish an emergency task force to evaluate the township's radio needs under the new County program.**

Mrs. Kiefer motioned, seconded by Mr. Plotnick to approve the resolution establishing an emergency services radio committee task force, its membership composition, terms of office and charge. The motion passed unanimously as amended.

**14. Consider authorization to advertise an amendment to Chapter 15 of the Township Code (Motor Vehicle and Traffic) regarding the enforcement of traffic movement and parking during snow emergencies.**

Mrs. Kiefer motioned, seconded by Mr. Lamond, to authorize advertising an amendment to Chapter 15 of the Township Code (Motor Vehicle and Traffic) regarding the enforcement of traffic movement and parking during snow emergencies. This motion passed unanimously.

**15. Consider adoption of an Ordinance to make changes to the Water and Sewer Department Standard Specifications to allow the use of PVC SDR-35 for building sewers and to clarify the Lateral Connection and Typical Sewer Connection details.**

Mrs. Kiefer motioned, seconded by Mr. Plotnick, to adopt an Ordinance to make changes to the Water and Sewer Department Standard Specifications to allow the use of PC SDR-35 for building sewers and to clarify the Lateral Connection and Typical Sewer Connection details. This motion passed unanimously.

**16. Consider adoption of a Resolution amending the Warrington Township Plumbing Code Specifications to include PVC SDR-35 for gravity sewer mains, laterals building sewers.**

Mrs. Achenbach motioned, seconded by Mr. Lamond to adopt a Resolution amending the Warrington Township Plumbing Code Specifications to include PVC SDR-35 for gravity sewer mains, laterals building sewers. This motion passed unanimously.

**17. Consider adoption of Resolution opposing HB 2431 and SB 1357.**

Mrs. Kiefer motioned, seconded by Mr. Lamond, to adopt a Resolution opposing HB 2431 and SB 1357. This motion passed unanimously.

**OLD BUSINESS (ACTION/DISCUSSION ITEMS):**

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

Mrs. Kiefer motioned, seconded by Mr. Plotnick to adopt an Ordinance amending Ordinance 03-0-23, titled non-uniform pension amendment, to address the return of member contributions, plus interest, if such amount is greater than a terminnee's present value of vested accrued benefit. The motion passed unanimously.

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

Mrs. Kiefer motioned, seconded by Mr. Plotnick to adopt an Ordinance amending Chapter 27, Parts 8 and 11 (Height and Open Space Restrictions) of the Township Code. The motion passed unanimously.

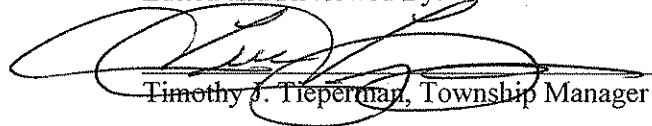
**20. Consider approval of WPBA Side Letter.**

Mrs. Kiefer motioned, seconded by Mr. Plotnick to accept and approve the WPBA Side Letter to resolve the WPBA's hospitalization grievance. This motion passed unanimously.

**ADJOURNMENT**

Mr. Plotnick motioned, seconded by Mr. Lamond, to adjourn the meeting at 11:05 p.m. The motion passed unanimously.

Edited and Reviewed By:

  
Timothy J. Tieperman, Township Manager