



## WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR SEPTEMBER 14, 2010

The regular meeting of the Warrington Township Board of Supervisors was held on September 14, 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:

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

### EXECUTIVE SESSION REPORT

Mr. Casey reported on the following items:

Supervisor Vacancy: He explained the legal process for the appointment of a new supervisor, and announced the convening of a special meeting on Thursday, September 16, 2010 to allow for interviews of candidates who submitted letters of interest. The process will conclude if an agreement for a replacement is reached. The current supervisors have thirty (30) days in which to make an appointment. The deadline is Friday, September 17, 2010. If no appointment is made a special meeting of the Vacancy Board will be advertised for Tuesday, September 21, 2010 at 7:30, at which time an appointment will be made.

Debt Issue: Mr. Casey informed the Board that a former Supervisor, Carol Butterworth, has an outstanding debt of \$4,000+ for the nonpayment of health insurance premiums. The Board authorized Mr. Casey to take the necessary steps to collect this debt.

### APPROVAL OF BILL LIST:

#### 1. August 24, 2010 to September 14, 2010 - \$788,883.19

Mrs. Achenbach motioned, seconded by Mr. Lamond, to approve the bill list from 8/24/10 to 9/14/10 totaling \$788,883.19. This motion passed by a roll call of 4-0.

### APPROVAL OF MINUTES:

#### 2. August 10, 2010

Mrs. Achenbach motioned, seconded by Mr. Lamond, to approve the August 10, 2010 meeting minutes. The motion passed by a vote of 3-1. Mr. Plotnick abstained.

### MINUTES FOR POSTING

#### 3. August 24, 2010

Mrs. Achenbach motioned, seconded by Mr. Lamond, to approve the August 24, 2010 meeting minutes. The motion passed by a vote of 3-1. Mr. Plotnick abstained.

**PUBLIC COMMENT**

The following residents provided comment:

- Mrs. Janice DeVito of 1881 Walnut Avenue (regarding fees for testing of wells).
- Mrs. Kristen McDemus of 1007 Linden Way (opposing the appointment of David Achenbach to the Vacancy Board position)
- Mr. Rick Weiss of 2751 Spring Meadow Drive (regarding timing for the bid process and the purchase of lights for installation at King Park II)
- Mr. Jeff Coogan Cameron of 110 Muirfield Lane (regarding process of appointing a supervisor to fill vacancy).

**ADJOURNMENT**

Mrs. Achenbach motioned, seconded by Mr. Lamond, to adjourn the regular meeting at 8:00 p.m. The motion passed unanimously.

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**OPEN PUBLIC HEARING:** Chairman Paul opened the public hearing at 8:00 PM to receive public comment on the proposed use of Community Development Block Grant funding of \$109,100. Mr. Tieperman explained that Federal guidelines require the Township to hold a properly advertised public hearing to receive any public comments for consideration for Community Development Block Grant (CDBG) funding.

Mr. Tieperman stated that Mr. Mrozinski and he met recently with Mr. Vitor Vicente, Director of Community and Business Development at Bucks County, to review some viable projects outside the Township's census block area neighborhoods that might qualify for public funding if they meet certain national objectives. Staff has a limited window in which to put together a viable application this year. Some of the these proposed projects concerned demolition of blighted properties, stormwater management and/or other public facility-related projects.

The Staff's general consensus is to continue on with stormwater mitigation projects. Mr. Wieland gave an overview of what could be completed with this year's \$109,100 for drainage in Neshaminy Gardens. He referenced an area commonly referred to as "Neshaminy Gardens", which has experienced past drainage problems. The project scope would focus on the upper drainage area on westward side of Neshaminy Gardens. Funds can be used for a drainage study, which would identify the problem areas and subsequent solutions to address the problem. The remaining funds could be applied to the actual construction project.

Mr. Tieperman referenced projects outside the census tract that could also be viable projects, most notably curb cuts to comply with state and federal regulation pertaining to curb cuts.

Mrs. Janice DeVito of 1881 Walnut Avenue asked if there was any possibility a stormwater study on the lower end of Neshaminy Valley would be researched. Mr. Wieland said the Neshaminy Valley area has not been identified to receive the CDBG funding, as it lies outside the approved census block area.

Mr. Fred Gaines of 200 Beech Boulevard asked if curb cuts are mandated by PennDOT. Mr. Wieland said upgrading the curb cuts and handicap ramps to current standards typically occur when there are improvements made to a particular frontage. That is when the new regulations become effective.

There being no further public comment, the Board then deliberated on the most appropriate project scope for the application. All were in unanimous favor to direct Staff to prepare a stormwater mitigation application for the Neshaminy Valley.

#### **CLOSE PUBLIC HEARING**

Mrs. Achenbach motioned, seconded by Mr. Plotnick to close the public hearing at 8:10 PM. The motion passed unanimously.

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The regular meeting reconvened at 8:10 PM.

#### **4. MANAGER'S REPORT**

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

- Energy Performance Contract Proposal
- 2011 Minimum Municipal Obligation
- Auditor RFP
- Route 202 Maintenance Agreement
- Bucks County Tax Collection Committee Recommendation
- Election Day – District 1
- Other Business

#### **Energy Performance Contract Proposal**

Mr. Anthony DePaul, CEO and Founder of Wireless Energy Solutions, reviewed his proposal that provides energy savings through the installation of a wireless control system.

Mr. Paul said if Board members had any additional questions to forward them onto the township manager and he will contact Wireless Energy Solutions.

#### **2011 Minimum Municipal Obligation**

Mr. Plotnick motioned, seconded by Mr. Lamond to approve and submit the 2011 Minimum Municipal Obligation to the Pennsylvania Employee Retirement Commission for the Warrington Township Police Pension Plan and the Warrington Township Non Uniform Pension Plan. This motion passed unanimously.

#### **Auditor RFP**

Board agreed to authorize the township manager to prepare and advertise an RFP for 2010 auditing services, subject to the affirmative review of the Township Solicitor.

#### **Route 202 Maintenance Agreement**

Mrs. Achenbach motioned, seconded by Mr. Lamond to authorize the execution of the Route 202 Maintenance Agreement for traffic signalization controls. This motion passed unanimously.

**Bucks County Tax Collection Committee Recommendation**

Mr. Plotnick motioned, seconded by Mr. Lamond, to authorize the township manager to follow the lead of the Central Bucks School District and the other CB municipalities and issue a 90-day termination notice to Berkheimer Associates and proceed with the appointment of Keystone Collection Group effective January 1, 2011 as part of the early implementation compliance with Act 34 as well as the collection of the local services tax (LST). This motion passed unanimously.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):****5. Consider approval for the West Tract Subdivision Preliminary Plan located at Valley Road/Appaloosa Road.**

This Agenda Item was removed per Chairperson John Paul. It will be reschedule for the September 28, 2010 meeting.

**6. Consideration adoption of an Ordinance amending the Warrington Township Zoning Map to rezone portions of TMP 50-41-54 & 50-46-46 from RA-Residential Agricultural to RA-2 Residential Agricultural (located northeasterly of the intersection of Bellflower and Buttercup Boulevards).**

Mrs. Achenbach motioned, seconded by Mr. Lamond, to adopt an Ordinance amending the Warrington Township Zoning Map to rezone portions of TMP 50-41-54 & 50-46-46 from RA-Residential Agricultural to RA-2 Residential Agricultural (located northeasterly of the intersection of Bellflower and Buttercup Boulevards). This motion passed unanimously.

**7. Review proposed Sidewalk Maintenance Agreement between Warrington Township and Central Bucks School District.**

The solicitor was directed to contact the Central Bucks School District and ask them to include all of the items requested by the township in the proposed Sidewalk Maintenance Agreement between Warrington Township and the Central Bucks School District.

Mr. Marty Blasko of 2359 Lower Barness Road commented that the sidewalk maintenance agreement is lagging behind and inquired whether the Board was empowered to stop construction until all parties were satisfied with the agreement's wording and commitments. Mr. Paul responded that the Township needs to give the District a reasonable time period to respond and that there is no substantial basis for issuing a desist order at this time. He does not anticipate a problem as long as the District is agreeable to the Township's original terms. He does not anticipate any problems in resolving these issues.

Mr. Lamond commented that in his review of the maintenance agreement, no township approvals were obtained for the sidewalk construction. He opined that the Township must follow its own regulations to get the job completed correctly. He believes procedures mandated in the 2<sup>nd</sup> Class Township Code were not appropriately followed. Mr. Paul responded that he does not believe the township has violated anything, that the paramount issue for the Board was to secure the public safety of the children.

Mr. Kevin Peacock of 2394 Lower Barness Road requested that proper diligence is done before any appropriate action is taken care of to make sure that the residents are protected. It was agreed that Mr. Casey will follow-up with the District's Solicitor on these concerns.

**8. Review Deer Valley residents' request to reconsider decision to remove sidewalk along Arabian Drive.**

Mrs. Achenbach provided some historical context to the reasons behind the earlier decision, stating that since only three homes were impacted, the sidewalk was not necessary. In light of the new District policy on bussing, she understands that the issue should be re-investigation. The Board received comments from several residents:

- Mr. Matthew Williams of 2006 Ballantine Lane spoke regarding the sidewalk's design. He stated that the Deer Valley development is a walking community and is not in favor of eliminating a sidewalk that takes children to Barclay Elementary School.
- Mr. Craig Jeffers of 1112 Arabian Court said the sidewalk's elimination creates a safety issue for his children.
- Mr. Bob Gracie of 1801 Gait Circle spoke against having the sidewalk installed, stating that his property was not suited for a sidewalk and that its maintenance would pose an unacceptable financial burden on him.
- Mr. Ivars Bilkens of 1109 Arabain Court spoke against the sidewalk's installation.

In conclusion Mr. Paul stated he understands everyone's concerns and that the Township will revisit the sidewalk issue at a future agenda. He asked residents to leave their names and the Township will keep them informed as this matter is further evaluated by the Township Engineer.

**9. Joint discussion with members for the Environmental Advisory Council.**

Mrs. Ivy Ross, Vice Chairperson of the Warrington Township Environmental Advisory Council (EAC), introduced members Adele Weremeychik, Todd Baratz, Lynn Laurelli, and Nicholas Weremeychik. Mrs. Ross gave a power point presentation that reflected the 2009 and 2010 accomplishments of the EAC and ongoing projects. Project examples included Adopt-A-Road, Bucks Beautiful Garden Fair, Clean Energy Campaign, Earth Day Community Service, Growing Greener Grant-Naturalizing Detention Basins, Healthy Yards, Rain Barrels, Warrington's 275<sup>th</sup> Anniversary, Warrington Day 2009, and Summer Internships.

On behalf of the Board, Chairman Paul thanked the EAC for its many accomplishments and tireless efforts in making Warrington Township a better place to live.

**10. Consider approval of the Villa Barolo/Stutz Candy Preliminary/Final Plan.**

Mr. Robert Showalter, P.E., Showalter & Associates, Inc. reviewed the Villa Barolo/Stutz Candy Preliminary/Final Plans. Mr. Mrozinski requested the engineer supply a narrative of the construction sequence. The Board had no issues with overall plan.

Mrs. Achenbach motioned, seconded by Mr. Lamond to approve the Resolution for the Villa Barolo/Stutz Candy Preliminary/Final Plan as amended. The motion passed unanimously.

**OTHER BUSINESS (ACTION/DISCUSSION ITEMS):****11. Review and finalize prioritization of 2008 Bond Projects.**

Mr. Paul reviewed the supervisor rankings for the 2008 bond projects. Based on these rankings Mr. Tieperman prepared a drawdown schedule for each project in order of priority. He included a 10% contingency to account for any project overages. Currently, there appears to be sufficient funding to cover all but the last two projects on the list.

Mr. Tieperman said there are not sufficient funds to cover the proposed Solar Grant project at the Swim Club. His recommendation would be to keep the project as a viable "shovel-ready" project should more significant grant dollars become available in the future.

The Board was in unanimous agreement to proceed forward with the first six ranked projects. Mr. Tieperman stated that he will advise bond counsel of the new rankings to ensure there are no issues with these revised project lists.

**12. Make final decision on Solar Grant Program.**

At this time the Board was in agreement to not proceed with the Solar Grant program at the Mary Barness Swim Club. (Refer to Mr. Tieperman's comments in #11 above).

**ESCROW AND MAINTENANCE BOND RELEASES:****13. Consider Escrow Release and Certificate of Completion #13 in the amount of \$36,085.00 for Heritage Center at Warrington.**

Mrs. Achenbach motioned, seconded by Mr. Lamond, to approve the escrow release and certificate of completion #13 in the amount of \$36,085.00 for Heritage Center at Warrington. This motion passed unanimously.

**SUPERVISORS' COMMENTS****Warrington Day**

Mr. Paul commented Warrington Day was well attended with over 6,000 people in attendance.

**Bond Projects**

Mr. Lamond said he would like to see the Twin Oaks project consider for funding since the solar project has been removed.

**ADJOURNMENT**

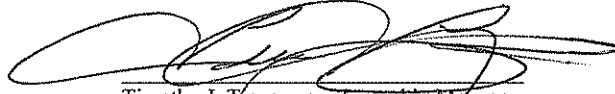
Mrs. Achenbach motioned, seconded by Mr. Lamond, to adjourn the meeting at 10:00 p.m. The motion passed unanimously.

Edited and Reviewed By:

Warrington Township Supervisors

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September 14, 2010



Timothy J. Tieperman, Township Manager