



## **WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR APRIL 10, 2012**

The regular meeting of the Warrington Township Board of Supervisors was held on April 10, 2012, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

### **ATTENDANCE:**

Gerald Anderson, Chairperson; John Paul, Vice Chairperson; Marianne Achenbach, Secretary/Treasurer; Matthew W. Hallowell, Sr. and Shirley A. Yannich, members. Staff present were Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, Township Engineer; Barry Lubber, Chief Financial Officer; and Barbara Livrone, Executive Assistant to the Township Manager.

### **MOMENT OF SILENCE**

Mr. Anderson asked for a moment of silence to remember the two Philadelphia firefighters who lost their lives in a fire.

### **PLEDGE OF ALLEGIANCE**

The meeting opened with a pledge to the flag.

### **EXECUTIVE SESSION REPORT**

Mr. Anderson reported that no executive session was held.

### **INTRODUCTION OF BUCKS COUNTY COMMISSIONER CHAIRMAN ROBERT G. LOUGHERY**

Mr. Anderson introduced newly elected Bucks County Commissioner and Chairman Robert G. Loughery. Mr. Loughery thanked the Board for extending him the opportunity to update the Board and residents about the County's priorities as well as to learn more about the priorities from each of Bucks' 54 municipalities. His presentation focused on the three (3) top priorities: (1) Balancing the County's 2012 Budget; (2) Pursuing economic development initiatives to develop stronger relations between the municipalities and businesses; and (3) reusing the existing courthouse after the Justice Center is built.

### **APPROVAL OF BILL LIST:**

1. **March 27, 2012 to April 10, 2012: \$563,746.26**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from 3/27/12 to 4/10/12 totaling \$563,746.26. This motion passed by a roll call vote of 5-0.

### **APPROVAL OF MINUTES:**

2. **March 13, 2012**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the March 13, 2012 Meeting Minutes. The motion passed by a vote of 5-0.

**MINUTES FOR POSTING:****3. March 27, 2012**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the March 27, 2012 Meeting Minutes. The motion passed by a vote of 5-0.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):****4. Consider adoption of Resolution granting preliminary and final plan approval for Blichasz, Phase II Subdivision located off of County Line Road adjacent to Bradford Greene.**

Mr. Paul motioned, seconded by Mrs. Yannich, to adopt the Resolution granting preliminary and final plan approval for Blichasz Phase II Subdivision located off of County Line Road adjacent to Bradford Greene. The motion passed by a vote of 5-0.

**5. Authorize contract to lowest qualified bidder for the rehabilitation of the main pool at Twin Oaks.**

Mr. Paul motioned, seconded by Mr. Hallowell, to authorize the contract to the lowest qualified bidder for the rehabilitation of the main pool at Twin Oaks contingent on Township Staff notifying each individual Supervisor with the bid results before the contract is let. The bid will then be formally ratified at the next regularly scheduled meeting. The motion passed unanimously.

**6. MANAGER'S REPORT:****Consent Items****a. Advertisement Authorization for No Impact Home Occupation Uses.**

Mr. Paul motioned, seconded by Mrs. Yannich, to authorize the advertisement for No Impact Home Occupation Uses. The motion passed unanimously.

**b. Approval of contractor for Palomino Basin Repairs.**

Mr. Paul motioned, seconded by Mrs. Yannich, to award the contract for the Palomino Basin Repairs to S & H Landscaping Contractor in the amount of \$6,277.85, which includes erosion and sedimentation controls. The motion passed unanimously.

Mr. Paul motioned, seconded by Mr. Hallowell, to request that Carroll Engineering prepare a mini-study proposal for the release rate of the detention basin in Willow Knolls that goes into Palomino Farms and report back to the Board with their recommendations. The motion passed unanimously.

**c. Consider referral of TDR applications (3) to the Planning Commission.**

Mr. Paul motioned, seconded by Mrs. Yannich to table the referral of TDR applications to the Planning Commission until a further review is complete. The motion passed unanimously.

**d. Disposition of Lawn Bids.**

Mr. Paul motioned, seconded by Mr. Hallowell, to award the 2012 lawn bid contract to Greenscape Landscape Contractor, Inc. in the amount of \$162,280, subject to the Township Solicitor's affirmative review of all supporting legal documents. The motion passed unanimously.

e. **Approval of 2012 Fee Schedule adjustments.**

Mr. Paul motioned, seconded by Mrs. Yannich to approve the recommended 2012 fee schedule amendments. The motion passed unanimously.

f. **2012/2013 Bucks County Consortium Fuel Bids Recommendations.**

Mr. Paul motioned, seconded by Mr. Hallowell, to award the 2012/2013 Bucks County Consortium Fuel Bid to 1) Riggins, Inc. for unleaded regular gasoline, on-road ultra low sulfur diesel, and winterize additive; 2) Farm & Home Energy or ISO Bunker, LLC for propane as they are identical in price; and 3) Superior Plus Energy Service for #2 heating oil. The motion passed unanimously.

7. **CHAIRMAN'S REPORT:**

a. **Discussion of upcoming Board of Supervisors meeting schedule.**

Mr. Paul motioned, seconded by Mrs. Yannich to approve the date change for the next Supervisors meeting to Wednesday, May 9 due to Election Day on April 24 and the PSATS Conference on May 8. The Board authorized the Solicitor to work with Staff in placing the appropriate legal notice(s) advertising this special meeting.

b. **Discussion on Doylestown Dog Park.**

Mr. Tieperman reported that the Park and Recreation Board and he toured the Doylestown Dog Park site this past Saturday and noted its close proximity to King Park. He said that Park Board members were in general agreement in a reciprocity arrangement whereby in exchange for giving Warrington residential rates to access to the facility, the Township will permit a pathway linkage to the King Park parking lot area.

The Board of Supervisors' consensus was to move forward and have the Township Manager notify Doylestown that the Township is agreeable with this mutual arrangement. The Manager was also asked to notify all leaders of the Warrington sports organizations of this new arrangement.

c. **Appointment of Supervisor on TDR Board.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to appoint Gerald Anderson as the voting Supervisor on the TDR Board. The motion passed unanimously.

d. **Errors on Tax Collector Bills.**

Mr. Anderson reported that the newspaper had been notified about errors on tax collector bills and also a public service announcement had been placed on the website stating that any Warrington Township who sees a discrepancy with their tax bill to contact John Mohan, the tax collector and include his telephone #. He recommended that the website be monitored to see how many hits were received on this tax collector bills error. He would like to have some statistics a future meeting on the amount of traffic the Township's website is receiving.

**8. ENGINEER'S REPORT:****a. Lamplighter Villas Update.**

Mr. Wieland reviewed Carroll Engineering's final estimates totaling \$558,826.75 for the required public improvements to Phases 1-3 of Lamplighter Villas. These estimates take into account all necessary repairs to curbs, sidewalks, storm sewers and the water/sewer systems. He stated that the remaining escrow funds should cover the costs of the remaining work, although the actual contractor bids will determine the actual costs.

Mr. Casey reported that he is still investigating the escrow allocation for a traffic signal and whether any deviation is legally permitted.

The following Lamplighter residents offered the following comments:

- Mr. Alan Director (1005 Malvern Court) and Vice President of the Lamplighter Villas Homeowners Association requested having HOA representatives included in the review of all escrow items being contemplated for their development.
- Mr. Stan Schwartzman (604 Guilford Court) inquired on the future status of the escrowed traffic light funds should PennDOT not grant the required warrants
- Mr. Fred Achenbach (905 Farnham Court) commented on the possibility of receiving reimbursement for 202 Parkway traffic that feeds onto Township roads.
- Mr. Ted Cicci (407 Prescott Court) inquired whether the wearing course expenses included all wearing course costs.

Mr. Paul motioned, seconded by Mrs. Yannich, to direct the Township Engineer to start the process of preparing the bid documents for these public improvements and instructs the Solicitor to prepare the necessary bid advertisements. The motion passed unanimously.

**9. SOLICITOR'S REPORT:****a. 2-Lot Subdivision on Park Road.**

Mr. Casey updated the Board on the legal issues surrounding a 3-lot subdivision on Park Road. A previous Board approved this 3-lot subdivision but that Park Road residents appealed the decision based on an existing deed restriction which precludes this development from moving forward. Mr. Casey said the case has been lingering for some time. He has spoken to opposing counsel, who will be requesting a Court argument and filing a brief shortly. In turn the Township will also file a brief and await the Court's decision. If the Court upholds the deed restriction, then the builder will only be allowed to construct 2 building lots. Mr. Casey expects this issue to be resolved within the next three (3) months.

**10. ESCROW AND MAINTENANCE BOND RELEASES:****a. Final Certificate of Completion #14 at Warrington Center, L.P. in the amount of One Hundred Sixty Two Thousand Three Hundred Eighty One Dollars and Eighty Six Cents (\$162,381.86)**

Mr. Anderson motioned, seconded by Mr. Paul to table approval of the Final Certificate of Completion #14 at Warrington Center, L.P. in the amount of One Hundred Sixty Two Thousand Three Hundred Eighty One Dollars and Eighty Six Cents (\$162,381.86). The motion passed unanimously.

**b. Escrow release for Cambria, L.P. (Forest Ridge).**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the escrow release for Cambria, L.P. (Forest Ridge) in the amount of \$134,862.02. The motion passed unanimously.

**11. DEDICATION REQUESTS:****a. Dedication of Warrington Center, L.P. (formerly Jomac Site).**

Mr. Anderson motioned, seconded by Mr. Paul, to table approval for the dedication of Warrington Center, L.P. (formerly Jomac Site). The motion passed unanimously.

**SUPERVISORS COMMENTS:****Fire Call**

Mr. Paul reported that he had received a call from the fire chief this evening notifying him that Bucks County has activated a regional task force to send different equipment from parts of Bucks County to areas in distress; i.e., to Chester County to aid in wildfire control.

**Rezoning of 611 Corridor**

Mr. Paul feels in planning for the rezoning of the 611 Corridor that it's time for the Township to place a timeline on the owner of the Malcolm property located on Route 611, which is in deplorable condition. Mr. Tieperman stated that a court order would be needed to access the property.

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize the Solicitor to prepare the proper documentation for the orderly demolition of the old Malcolm gas station and give the current owners proper notice and a timeline for the prompt removal of these unsafe structures. The motion passed unanimously.

**202 Parkway**

Mr. Hallowell asked if the Township could be reimbursed with liquid fuel monies for the traffic impact from the 202 Parkway on our local Township roads. Mr. Wieland said the State doesn't budget towards the townships because of increased traffic volume on their roads.

**Alternative Energy Ordinance**

Mrs. Yannich referenced a newspaper article on a residential property regarding solar panels in residential neighborhoods. The property that she cited was in the Richboro section of Northampton Township. She said the solar panels were built at least 6' above the ground.

She recommended that the Township obtain a model ordinance from the County and customize it for Warrington Township so that the Township has the adequate enforcement tools to regular these new and evolving types of alternate energy structures. She offered to work with Township Staff and have a proposed ordinance for advertisement consideration at the May 9, 2012 special meeting. Board members were in unanimous agreement with this approach.

**New Township Planning Commission Member**

Mr. Anderson acknowledged in the audience Mr. Ben Redd, who is the newest member on the Warrington Township Planning Commission. All Supervisors warmly welcomed him on board.

**ADJOURNMENT**

Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:45 p.m. The motion passed unanimously.

Edited and Reviewed By:



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Timothy J. Tieperman, Township Manager