



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR FEBRUARY 14, 2012

The regular meeting of the Warrington Township Board of Supervisors was held on February 14, 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. Hollowell, Sr. and Shirley A. Yannich, members. Staff present were Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Ken Yerger, P.E., with Carroll Engineering; Barry Lubert, Chief Financial Officer; and Barbara Livrone, Executive Assistant to the Township Manager.

MOMENT OF SILENCE

Mr. Anderson asked for a moment of silence.

PLEDGE OF ALLEGIANCE

The meeting opened with a pledge to the flag.

EXECUTIVE SESSION REPORT

Mr. Anderson reported there was no executive session meeting.

RECOGNITION OF EAGLE SCOUT KRISTOFER WOLFF

Eagle Scout Kristofer Wolff of Boy Scout Troop 139 and a resident of Warrington Township was recognized by the Township Supervisors for his Eagle Scout community service project entailing constructing a storage system for chairs and tables under the stage in the auditorium of his church, North and Southampton Reformed Church in Churchville. He was presented with a Citation of Commendation for his commitment and the Board extended its congratulations for attaining the rank of Eagle Scout.

APPROVAL OF BILL LIST:

1. January 24, 2012 to February 14, 2012 - \$1,220,198.53

Mrs. Achenbach motioned, seconded by Mr. Hollowell, to approve the bill list from 1/24/12 to 2/14/12 totaling \$1,220,198.53. This motion passed by a roll call vote of 5-0.

APPROVAL OF MINUTES:

2. January 10, 2012

Mr. Paul motioned, seconded by Mr. Hollowell, to approve the January 10, 2012 Meeting Minutes. The motion passed by a vote of 5-0.

MINUTES FOR POSTING:**3. January 24, 2012**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the January 24, 2012 Meeting Minutes. The motion passed by a vote of 5-0.

PUBLIC COMMENT

Mike Kelly, who resides at 135 Muirfield Lane (regarding public viewing of 2012 Fee Schedule at Township meetings using our new technology).

OLD BUSINESS**4. Consider action on proposed agreement for traffic improvement and traffic disbursement for Victory Gardens mulching operations.**

Mr. Paul reported he had met with Herbert K. Sudfeld, Jr., Victory Gardens solicitor who has developed a Memorandum of Understanding regarding Victory Gardens, Inc. truck turning movements and use of Pickertown, Folly, Lower State, and Bristol Roads in an effort to reduce the truck traffic on Pickertown Road. He indicated that a disbursement plan has been devised that spreads out the truck traffic using Pickertown and Folly Roads. He said the goal was to reduce the traffic on Pickertown Road.

John McConnell, who resides at 206 Trellis Drive, said there is no control on how many trucks go in and out of Victory Gardens everyday. He read through the proposal and noted that a lot of the traffic is based on which entrance is being used and he doesn't see how this proposal is providing any relief for the residents. There are a lot of other vehicles that go in and out of the Garges Farm for other types of business at that location as well.

Mr. Sudfeld said historically the hours of operation run from 6 AM to 9 PM during the heavy season for truck traffic, which runs from March 1, 2012 through July 3, 2012. After that timeframe the hours would cut back to 8 PM. Mr. McConnell said if all vehicles entered off of Bristol Road onto Folly Road no monitoring of truck traffic would be necessary.

Mr. Anderson said he looks at this proposal as a first step and see how goes with running this operation from March 1, 2012 through July 3, 2012 between the hours of 6 AM to 9 PM. He stated that there is no perfect solution. The Township's responsibility will be to monitor the truck traffic and strike a compromise between the residents and Victory Gardens. He suggested that Mr. Paul meet with the engineer and prepare a flow chart. Once that is completed Mr. Paul would schedule a meeting with the local residents.

Kristin Gassman (114 Arbor Ridge Drive) said there are only a few trucks that use "Jake Brakes" on Pickertown Road. Mr. Sudfeld said that all drivers will be instructed not to use "Jake Brakes" in township residential areas.

Mark Gassman (114 Arbor Ridge Drive) said part of the problem is that congestion along Pickertown Road consists not only from VG truck traffic but also high school buses.

Mr. Paul motioned, seconded by Mrs. Yannich to approve the agreement on the contingency that a traffic flow chart be attached to the agreement. The motion passed unanimously.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**5. Review and consider adoption of Resolution approving Cardamone Final Subdivision Plan located at Stump and Pickertown Roads.**

Mr. Paul motioned, seconded by Mr. Hallowell, to adopt the Resolution approving Cardamone Final Subdivision Plan located at Stump and Pickertown Roads. The motion passed by a vote of 5-0.

6. Consider Adoption of Resolution granting preliminary plan approval for a mixed-use land development plan known as Valley Gate.

Mr. Anderson reviewed the information he had researched on the gas pipe lines that run under the proposed mixed-use development known as Valley Gate. He wanted assurances that all safety regulations were being followed and that future residents would be apprised of their existence through properly executed disclosure statements.

The Valley Gate project is planned for what has been historically called the Penrose Tract on Route 611 across from the BJ's Wholesale Club near County Line Road. The townhouse development is planned for 20 acres at the southern end of the property. The plan calls for two access driveways on Route 611 and one driveway from Paul Valley Road as well as internal roads.

Mrs. Yannich did not believe the proposal was detailed enough as it related to the emergency access routes and other pipeline-related issues. The engineer for Metro Development addressed those concerns. Mr. Anderson said with regards to the emergency accesses, the plan has yet to be reviewed by PennDOT. He was confident all issues would be resolved before the plan is considered for final approval.

Mrs. Yannich also wanted to ensure that the plan clearly absolves the townhouse community of any financial burden, particularly with roads shared by the commercial aspect of the plan. Mr. Grasso said after the preliminary approval was granted, the roadways in the townhouse community would be private but that the residents would only be asked to share a small portion of maintenance costs for the nearby roadway leading to the commercial properties.

William Benner, Grasso's attorney told the Board the developer has agreed to comply with several points made by both the planning commission and the township engineer.

Mrs. Yannich said she was unhappy the preliminary plan did not include sidewalks for both sides of the streets. Mr. Anderson said he would not approve the plan without them and Mr. Benner told the Board that Mr. Grasso would comply with that request as well.

Stan Schwartzman (604 Guilford Court) would like to see a traffic light planned for this development to alleviate some of the traffic problems that will inevitably occur. Mr. Anderson said that a whole traffic review still needs to be completed and that those answers would come before final approval.

Mr. Anderson stated that when the easement condemnation is finalized, the developer shall bear all costs associated with the eminent domain process. Mr. Benner told the Board that Mr. Grasso would definitely cover all costs related to the condemnation.

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the resolution granting preliminary plan approval for the Valley Gate mixed-use development plan. The motion passed by a vote of 4-1. Mrs. Yannich voted no. Solicitor Casey will incorporate in the Resolution these additional items: (1) Applicant agrees to apply to PennDOT for emergency access onto Route 611; and (2) the Board of Supervisors agrees to pursue the condemnation connection to Paul Valley Road at the developer's expense.

7. **Review and consider amendment to Warrington Township Code of Ordinance, Chapter 27 (Section 2312) Animals and Animal Shelters.**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the amendment to Warrington Township Code of Ordinance, Chapter 27 (Section 2312) Animals and Animal Shelter. The motion passed unanimously.

8. **Review and consider amendment to Warrington Township Code of Ordinance, Chapter 2 (new Part 4) Maximum Number of Animals.**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the amendment to Warrington Township Code of Ordinance, Chapter 2 (new Part 4) Maximum Number of Animals. The motion passed unanimously.

9. **MANAGER'S REPORT:**

Consent Items:

a. **Authorization of Audit Engagement Letters**

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize the execution of the audit engagement letters between Warrington Township and Maillie, Falconiero & Company, LLP. The motion passed unanimously.

b. **Authorization of Demolition Project (s)**

Mr. Paul motioned, seconded by Mrs. Achenbach to authorize the demolition of the property located at 2353 County Line Road by Altino Concrete Construction in the amount of \$9,000. The motion passed unanimously.

c. **Skelly's Amusement Agreement (Warrington Days)**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the Skelly's Amusement Agreement for Warrington Days. The motion passed unanimously.

d. **Authorize Advertisement – SALDO Lighting Regulations**

Mr. Paul motioned, seconded by Mrs. Yannich, to authorize the advertisement of the proposed amendment to the SALDO Lighting Regulations. The motion passed unanimously.

e. **Authorize Advertisement – Financial Security Ordinance for New Developments**

Mr. Paul motioned, seconded by Mrs. Achenbach to authorize the advertisement of the Financial Security Ordinance for New Developments. The motion passed unanimously.

f. **Resolution Authorizing online filing for State Liquid Fuels Funds**

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize the resolution for the online filing for State Liquid Fuels Funds. The motion passed unanimously.

10. SOLICITOR'S REPORT:**a. 2009 Audit Release**

Mr. Casey reported that we have resolved the audit dispute with the previous auditor.

b. Malcolm's Garage

Mr. Casey reported that he received a telephone call from Charles Weiss, Esq. for Mrs. Malcolm. She told him that their realtor has action on that site and inquired about the action on the 611 Corridor.

c. Prevailing Wages

Mr. Casey reported on a PSATS memo that stated that a bill to increase the prevailing wage threshold on sealed-bid projects was being voted on in the floor in Harrisburg.

d. Lamplighter Escrow Update

Mr. Anderson reported that a check has been received in the amount of \$558,826.75 for Lamplighter Village. He said once bid specifications have been prepared and awarded the successful bidder will be charged with the responsibility of making the necessary improvements as required.

Mr. Theodore "Ted" Cicci, President of Lamplighter Village Homeowners Association, asked 1) if the escrow was going into an interest bearing account and 2) whether the HOA would be allowed to participate in the work planning for these public improvements. Mr. Anderson said yes as the Board wants to work with the Association.

Mr. Joseph Stryjewski (502 Hanley Court) said besides the roads there are other issues that also need to be addressed.

SUPERVISOR COMMENTS**Fee Schedule for Central Bucks School District**

Mr. Paul said he had attended the Park and Recreation meeting and learned about a new CBSD fee schedule being imposed for the use of District field by not-education organizations. He requested that the Township Manager draft a letter to the CBSD to get their position on these fields, a copy of which was provided to all Board members. He will keep the Board advised as soon as he has received a response back from the CBSD.

Public Works Building

Mr. Paul has worked up a schedule of completion dates for each phase of the work being done on the Public Works Building. He will be preparing a progress report that will be emailed to the Board periodically to keep them abreast of progress being made.

611 Corridor and Improve the Zoning Regulations

Mrs. Yannich reported that she is preparing a spreadsheet on the uses of the eight (8) districts along Route 611. Her recommendation is to move forward with a proposed rezoning. Mr. Anderson recommended that a special meeting be scheduled for Mrs. Yannich to make her presentation as soon as her report is completed.

ADJOURNMENT

Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:30 p.m. The motion passed unanimously.

Edited and Reviewed By:



Timothy J. Tieperman, Township Manager