



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR JANUARY 28, 2014

The regular meeting of the Warrington Township Board of Supervisors was held on January 28, 2014, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

ATTENDANCE:

Gerald B. Anderson, Chairperson; John R. Paul, Vice Chairperson; Marianne Achenbach, Secretary/Treasurer; Matthew W. Hallowell, Sr., and Shirley A. Yannich, members. Staff present was Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Thomas A. Gockowski, Township Engineer; Barry Luber, 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.

SWEARING IN OF NEW FIREFIGHTERS

The Honorable Judge Jean Seaman swore in the following volunteer firefighters from Warrington Fire Company No. 1:

NAME	RANK
Michael Bean	Chief
Joseph Fuchs	Deputy Chief
Tim Campbell	Battalion Chief
Eric Woodring	Captain 29
Paul Martin	Captain 29-1
Dave Porco	Lieutenant 29
Steve Hughes (not present)	Lieutenant 78
Scott Martin	Safety 29
Ollie Groman	Safety 78
Gary Butterworth (not present)	Chief Engineer

RENAMING OF LOWER NIKE PARK

Prior to the Warrington Days recognition, Chairman Anderson unveiled a surprise sign rendering renaming the Lower Nike open space to *John Paul Park @ Lower Nike*. As part of the unveiling Mr. Anderson paid a tribute to Supervisor John Paul for his early efforts at preserving Lower Nike as well as his many hours of voluntary labor in helping develop this park. Mr. Paul's wife and several Public Works employees were in attendance to commemorate the special occasion.

SPECIAL WARRINGTON DAYS RECOGNITION

Mr. Paul presented two (2) framed copies of Proclamation Resolution 2014-R-11 to representatives of the Public Works Department and Township Administration, thanking them and all the Warrington Day Organization Committee volunteers for their tremendous teamwork in helping make the first Warrington Day at Lower Nike Park a memorable one.

EXECUTIVE SESSION REPORT

Mr. Casey stated there was no executive session on which to report.

APPROVAL OF BILL LIST:**1. January 14, 2014 – January 28, 2014 \$ 667,807.15**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from January 14, 2013 through January 28, 2014 totaling \$ 667,807.15. By roll call vote, the motion passed unanimously.

APPROVAL OF MINUTES:**2. December 10, 2013**

Mr. Paul moved, seconded by Mr. Hollowell, to approve the December 10, 2013 Meeting Minutes. The motion passed unanimously 5-0.

3. December 17, 2013

Mr. Paul moved, seconded by Mr. Hollowell, to approve the December 17, 2013 Meeting Minutes. The motion passed unanimously 5-0.

4. January 6, 2014

Mr. Paul moved, seconded by Ms. Yannich, to approve the January 6, 2014 Meeting Minutes. The motion passed unanimously 5-0.

MINUTES FOR POSTING:**5. January 14, 2014**

Mr. Paul motioned, seconded by Mr. Hollowell, to post the January 14, 2014 Meeting Minutes. The motion passed unanimously 5-0.

PUBLIC COMMENT:

The following individuals offered comment:

- Mr. Bill Snodgrass (4214 Meridian) provided an update on Meridian development activities. He reported substantial progress on the clubhouse, which should be completed in June. The swimming pool should be completed in August.
- Mr. Snodgrass inquired when the webstreaming of Supervisor meeting will be available to the public. He noted that the audio of these meetings was stopped several months ago in anticipation of this new

technology going online. Mr. Anderson replied that there were quality control issues with the new system that are almost fixed.

PUBLIC HEARING:

6. Receive public comments on a conditional use application filed by County Line Fence Company (2051 West County Line Road) to permit the outdoor display of goods in the Pi-1 Zoning District.

Mr. Anderson noted that the applicant for this conditional use application had a conflict and requested a continuance. Therefore, he motioned that the hearing be officially opened and continued at future meeting. Mr. Paul seconded the motion. The motion passed unanimously.

OLD BUSINESS (ACTION/DISCUSSION ITEMS)

7. Report from Supervisor Yannich regarding proposed ordinance amending Chapter 27 (Zoning), Section 410 (Transferrable Development Rights).

Mrs. Yannich summarized her January 28, 2014 memorandum regarding possible amendments to the TDR Ordinance. She recommended against incorporating by-right language into the Ordinance since this is often associated with density. She opined that density is not an issue here and that there are no public costs that would otherwise warrant this change. Mr. Anderson disagreed, stating that TDRs do carry a cost and that both the by-right and 25 acre minimum standards should be included to eliminate the current flaws in the ordinance.

The Board then deliberated on the tabled Jerman TDR application, which proposed the creation of 13 additional TDRs. Mr. Anderson expressed concern there is no adequate receiving district for these new TDR and that the Township already has too many TDRs on its books.

Mr. Paul motioned to prepare and advertise an amendment to Chapter 27, Section 410 to include a by-right plan and a 25 acre lot minimum.

[Special Note: While the Board majority voiced approval of this change, the audio review shows there was not second and no official vote. Therefore, the TDR Ordinance will be rescheduled for reconsideration on February 11.]

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

8. Presentation from Steve Harris regarding a proposed rezoning from Office Industrial (OI) to Quarry (Q):

Attorney Steve Harris, representing the Morrissey family, shared a proposed rezoning concept in on which he sought the Board's feedback before filing an official application. He shared a little history of the former Albert Cornell airport, which is now owned by Morrissey and situated adjacent to the Quarry. Understanding that Barnes Park is in dire need and additional fields and parking, the family is proposing rezoning the former airport property Quarry and in exchange deeding 15 acres of Bristol Road frontage for park and recreation use. He shared on the smart board a possible field layout scheme along with an additional parking, access roads and a trail extension.

After some deliberation among the Board members and public, the Board raised no major objections to the concept and unanimously concurred that Mr. Harris should proceed and file an official rezoning application.

9. MANAGER'S REPORT:**a. Legal Advertisement Authorization – Alternative Energy Ordinance**

Neither Mr. Anderson nor Mr. Tieperman received any additional feedback on the Planning Commission's presentation at the last meeting. Board Member unanimously concurred to delay advertisement until the next meeting to allow everyone sufficient time to review the draft and the opportunity to make any necessary changes. Mr. Paul motioned to table, seconded by Mr. Hallowell. The motion passed unanimously.

10. CHAIRMAN'S REPORT:**a. Valley Road Response**

Mr. Anderson updated the Board on Warminster's response to its Valley Road letter. One of the Supervisors there did contact him and thanked him for the letter and stated that he shares the concern. He stressed the main purpose of the letter was to call the matter to their attention. The letter appears to have accomplished this goal.

b. County Line Road

Mr. Anderson informed that Board that he had asked the Township Manager to turn up the heat on NWWA officials to improve the unacceptable conditions along County Line Road, due mostly in part to the Forrest Main project. He conceded that current weather conditions, coupled with the lack of assistance from PennDOT, have impacted a timely response. He said both NWWA and Bucks County Water/Sewer Authority are aware of Township's displeasure.

Mr. Anderson noted the Randy Scott property (850 Easton Road) is under agreement of sale. The new owner wishes to continue to utilize this building as office use. This item will be presented to the Planning Department at their February 4, 2014 meeting. Mr. Anderson concluded by stating this building will be protected.

Mr. Anderson was informed that PennDOT is planning a project at the Lower State and Route 152 intersection. They are planning on removing most of the improvements at CVS, i.e., wall and clock.

11. ENGINEER'S REPORT:**a. Township Building Roof Replacement Project**

Mr. Gockowski reported that his office is currently preparing plans and specifications for the complete reroofing of the township building, including all gutters. He noted that the roof-mounted solar panels and ventilation systems will need to be removed safely before this project begins. Some of these systems are as old as the roof itself and will need to be replaced also. Current estimated project cost is between \$175-200K. He expects the project to be ready for advertisement at the next meeting.

b. MS4 Compliance Initiatives and Recommendations

Mr. Gockowski stated the State has still not issued the new MS4 permit. However, in anticipation of the new TMDLs for sediment reduction, Staff is proceeding with the mapping of the Township's storm sewer system and will be incorporating these new data layers into MuniLogic (i.e.,

Township's GIS System). This will be a 5-year effort and will include all park outfalls and some updates to the 2007 mapping project.

There was some discussion regarding the need for the County to expedite the drawdown of local dams within Warrington to allow its crews to enter the area and remove excess branches and other wooden debris that have contributed to past stormwater backups. Mr. Anderson stated the goal is to get this completed before the current permits expire.

c. 2014 Road Program Update

Mr. Gockowski reported on a recent meeting between his office, DPW staff and the Township Manager's office to review the latest list of roads to be included in the 2014 road paving program. He's finalizing cost estimates for 13-14 areas within Warrington requiring attention. He informed the Board of a new wrinkle in this year's program as a result of a new June 2013 DOJ ruling that no longer classifies road paving as a maintenance activity. It's now classified as an alteration, thus triggering ADA curb-cut requirements.

Mr. Gockowski stated Bucks County is in process of implementing a maintenance program at Bradford Dam. This program will expose outlet structures and remove debris.

12. SOLICITOR'S REPORT:

a. Malcolm's

Mr. Casey reported that he is preparing to file an answer to Malcolm's counsel's lengthy responses (70+ paragraphs), some of which erroneously allege hardship and emotional distress. He will keep the Board posted as this meanders through the court system.

b. Special Purpose Tapping Fee Ordinance

Mr. Casey explained that this new sewer district will allow the servicing of seven (7) County Line Road residents. The Montgomery Township Sewer Authority will actually serve the residents through a low pressure sewer system. The tapping fee will go directly to MTSA, who will directly bill Warrington Water/Sewer based on MTSA rates. Now that DEP has approved the 537 amendment, the Ordinance is ready for advertisement.

13. ESCROW AND MAINTENANCE BOND RELEASES:

a. CVS Phase 1 – Escrow Release #1: \$521,084.01

Mr. Anderson moved to approve Escrow Release #1 for Penrose Walk in the amount of \$521,084.01 as reviewed by the Township Engineer. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

b. Warrington Glen Phase I – Escrow Release #4: \$40,390.60.

Mr. Anderson moved to approve Escrow Release #4 for Warrington Glen Phase I in the amount of \$40,390.60 as review by the Township Engineer. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

c. Warrington Glen Phase II – Escrow Release #3: \$295,616.60

Mr. Anderson moved to approve Escrow Release #3 for Warrington Glen Phase II in the amount of \$295,616.60 as review by the Township Engineer. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

d. Valley Gate – Escrow Release #2: \$162,795.77

Mr. Anderson moved to approve Escrow Release #2 for Valley Gate in the amount of \$162,795.77 as reviewed by the Township Engineer. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

e. Penrose Walk – Escrow Release #3: \$122,470.57

Mr. Anderson moved to approve Escrow Release #3 for Penrose Walk in the amount of \$122,470.57 as reviewed by the Township Engineer. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

f. Release of Maintenance Bond Security for Titus Road Outparcel

Mr. Anderson asked the Township Manager, Township Engineer and Township Solicitor whether all was in order to justify the release of this maintenance bond. They responded in the affirmative. Mr. Gockowski clarified that this release applies only to the bank portion of this site, not Starbucks. With that clarification, Mr. Anderson moved, seconded by Mr. Hallowell, the release of Maintenance Bond Security for the bank portion of Titus Road Outparcel. The motion passed unanimously 5-0.

14. EXTENSION REQUESTS

There were no extension requests.

15. DEDICATION REQUESTS

There were no dedication requests.

SUPERVISORS COMMENTS

Mrs. Yannich raised concerns over the TDR ordinance amendment, specifically that there was no official vote taken. The minutes will reflect her concern. Staff agreed to review the tape.

Mr. Anderson recommended that the February 25, 2014 Board of Supervisors meeting be cancelled due to a scheduling conflict. He stated if necessary a special meeting can be arranged to handle any unforeseen, time sensitive matters. Mr. Anderson asked Mr. Tieperman to ensure that all time-sensitive action items be included on the February 11, 2014 agenda. Mr. Paul motioned, seconded by Mr. Hallowell to cancel the February 25, 2014 Board of Supervisors meeting. The motion passed unanimously 5-0.

Mr. Anderson asked if all Supervisors received the invitation to the February 22, 2014 BCATO (Bucks County Association of Township Officials) Meeting. He also reminded them to review the proposed bylaw changes which will be acted on at this meeting.

ADJOURNMENT

There being no further business Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:08p.m. The motion passed unanimously.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager