



## **WARRINGTON BOARD OF SUPERVISORS MINUTES FOR JULY 8, 2014**

### **ATTENDANCE**

Gerald B. Anderson, Chairperson; Marianne Achenbach, Secretary/Treasurer, and Shirley A. Yannich, Member. Staff present was Timothy J. Tieperman, Township Manager; William H.R. Casey, Esq., Township Solicitor, Thomas A. Gockowski, 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 and asked that we keep John Paul in our prayers.

### **PLEDGE OF ALLEGIANCE**

The meeting opened with a pledge to the flag.

### **EXECUTIVE SESSION REPORT:**

There was no executive session report.

### **PRESENTATION – WARRINGTON FIRE COMPANY**

Warrington Fire Company Chief Mike Bean gave his activities report from January – June 2014. Notable statistics for this period include the following: 283 service calls; 10 average firefighters per call; average response time 08:05; 1,554 fire service hours; 1,077 training hours; 6,606 non-incident hours for duty crew and 770 meetings/events. The Chief stated that he expects to have better statistics at the end of the year once the impact of the new career staff can be factored in. He anticipates the average response time to decrease by year's end. He will report back again after the next quarter.

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

#### **1. June 25, 2014 – July 8, 2014: \$ 510,238.96**

Mrs. Achenbach motioned, seconded by Mrs. Yannich, to approve the bill list from June 25, 2014 through July 8, 2014 totaling \$ 510,238.96. By roll call vote, the motion passed unanimously 3-0.

### **APPROVAL OF MINUTES:**

#### **2. June 10, 2014**

Mrs. Achenbach motioned, seconded by Mrs. Yannich, to approve the June 10, 2014 Meeting Minutes. The motion passed unanimously 3-0.

### **MINUTES FOR POSTING:**

#### **3. June 24, 2014**

Mrs. Achenbach motioned, seconded by Mrs. Yannich, to approve the June 24, 2014 Meeting Minutes. The motion passed unanimously 3-0.

**PUBLIC COMMENT** *(The Board will hear from any interested resident or taxpayer who would like to comment on an item not on this evening's agenda. Respondents are asked to keep their comments to 3 minutes.)*

There was no public comment.

**PUBLIC HEARING:**

There was no public hearing.

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

**4. Consider approval of a lease agreement for 2210 Shetland (aka former W/S Authority Building)**

Mr. Casey stated he has resolved all of the details for the 2210 Shetland Drive lease, which was recently bid. He said the lease will be a net—net—net lease. Mr. Anderson moved, seconded by Mrs. Yannich, to approve the lease and authorize the Chairman and Assistant/Secretary to execute the document. The motion passed unanimously 3-0.

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

**5. Consider adoption of Resolution approving the preliminary/final subdivision plan for KTMT Warrington Springs, L.P. – Phases 1 & 2**

Robert Gundlach, Esq. of Fox Rothschild, representing KTMT Warrington Springs, L.P. appeared before the Board to address any outstanding issues related to the preliminary/final subdivision plan for KTMT Warrington Springs. He referenced a generally favorable review from the July 1, 2014 Planning Department meeting.

Chairman Anderson raised a couple of housekeeping issues regarding trail connectivity to the future PECO powerline trail. Mr. Gundlach stated there are currently some stream crossing challenges and other obstacles which his client is trying to address. He agreed to add some language to the developer's agreement memorializing the developer's commitment to working with Staff in identifying appropriate rights-of-way (ROW) along Street Road for trail purposes as well as fair remuneration for the procurement of these easements. He said there might be available grants to help offset these connection costs.

Mr. Anderson requested that the development agreement include some language substantiating TDR ownership. He also asked whether there is a plan to have phase 1-3 infrastructure completed before the winter months. Mr. Gundlach responded affirmatively to both questions.

Mr. Gundlach addressed a belated letter from BCPC Planner David Zipf to Roy Rieder indicating they will be issuing an updated review letter in response to the revised 48-lot subdivision as opposed to the 49-lot proposal which the BCPC reviewed in April. Mr. Gundlach opined that they will rely on the County's April letter as the official review, especially since the revised application has fewer lots.

Mrs. Yannich asked some question regarding the application fee, conservation easements and fee-in-lieu of formula. Mr. Gundlach replied that they will comply with all township engineer recommendations as well as the recent conditional use decision for the development. He noted that the CU decision does not require conservation easements.

There being no further Board comments, Mr. Anderson asked for a motion. Mrs. Achenbach motioned, seconded by Mrs. Yannich to adopt a Resolution approving the preliminary/final subdivision plan for KTMT Warrington Springs, L.P. – Phases 1 & 2. The motion passed unanimously 3-0.

**6. Presentation from Township Underwriter Warren White on the 2014 Bond Issue**

Mr. Anderson introduced Warren White, who is serving as the Township's underwriter for the 2014 bond issue. He explained that the 2014 issue's main driver is the refinancing of the water/sewer debt, which could not be refinanced earlier because of call restrictions. In addition to the refinancing component, he explained this issue will include an \$810,000 open space component, representing the last portion of the 2012 open space bond, and will include \$4 million in new money projects.

Mr. White explained the substantial debt service savings that he is projecting based on current interest rates. Projected annual debt service savings will be over \$100,000 for cumulative savings of over \$1 million or 13% of the original bond. This far exceeds the average 3% savings rate.

Regarding the timeline, Mr. White explained that he is currently working on the official statement, which will differentiate between the bonds being financed through the water/sewer enterprise fund and the Township's regular debt service fund. He estimates the bond delivery date at no later than October 9 with the W/S bonds being called in November. He said there are new security regulations in place now which lengthens the bond sale process.

Mr. Anderson asked if it would be possible to add more new money to this refinancing given the anticipated influx of additional state liquid fuels money in addition to a favorable interest rate environment. Mr. White stated it would be possible to leverage these funds, similar to what was done with the 2012 road bonds.

Mr. Anderson asked Mr. Luber and Mr. White to explore the possibility of adding additional monies to the 2014 issue and develop some options for the Board's review and discussion a future meeting.

**7. Consider bid award to Nazareth, PA-based R-III Construction, Inc. for the Anna/Honora Water and Sanitary Sewer Extension Project in the amount of \$757,076.72, being the lowest responsible bidder.**

After confirming with Staff that all was in order for the above project, Chairman Anderson asked for a motion. Mrs. Achenbach motioned, seconded by Mrs. Yannich, to award the Anna/Honora Water and Sanitary Sewer Extension Project to Nazareth, PA-based R-III Construction, Inc. in the amount of \$757,076.72, being the lowest qualified bidder within budget limitations. The motion passed unanimously 3-0.

**8. Consider Change Order #1 for Shetland Drive Sanitary Sewer Rehabilitation**

Mr. Anderson moved, seconded by Mrs. Achenbach, to approve the \$6,975 change order credit for the Bradford Green Force Main Project. The motion passed unanimously 3-0.

**9. MANAGER'S REPORT:****a. Open Space Update**

Mr. Tieperman provided an open space activities report update. He stated the Open Space Task Force (OSTF) is in the process of meeting with two (2) area land trust for possible consultancy services and grant writing assistance. Mr. Anderson suggested there may be a disconnect between Chairman McGowan and other OSTF members based on last month's progress report. Mr. Anderson asked that Mr. Tieperman forward to all BOS members correspondence he received regarding this disagreement.

**b. Floodplain Management Ordinance Update**

Mr. Tieperman provided a timeline report of the planned revisions to the Township's Floodplain Management Ordinance.

**10. CHAIRMAN'S REPORT:****a. Schedule Pension Advisor Interviews**

Mr. Anderson asked that Mr. Tieperman schedule 15-minute interviews with the top 2 firms recommended by the Township's Pension Committee prior to the Board's next meeting.

**b. Carmel Kitchen Pre-Opening**

Mr. Anderson announced the upcoming pre-opening festivities for the new Carmel Café which is scheduled to open to the public next week. He welcomed this new business to the Warrington community and wished them much success.

**c. Hearing Officer**

Mr. Anderson stated that the Township received its first appeal under its new non-traffic enforcement program and now needs to appoint a hearing officer. He recommended that the Board consider appointing Township Solicitor William Casey to this position. Mrs. Achenbach motioned, seconded by Mrs. Yannich, to appoint Mr. Casey to this position. The motion passed unanimously 3-0.

**11. ENGINEER'S REPORT:****a. Palomino Tennis Court Project**

Mr. Gockowski explained that the contractor encountered subgrade soil conditions beneath the Palomino Tennis Court. He said soil stabilization measures will be required before any further work commences. He said the contractor's estimate is around \$17,000. Given that this project could encounter the same conditions elsewhere, Mr. Anderson recommended against remobilizing and restarting the project at another location. He moved to the Board that they accept this change based on the Township Engineer's unit costs. Mrs. Achenbach seconded the motion. The motion passed unanimously 3-0.

**12. SOLICITOR'S REPORT:****a. Malcolm's**

Mr. Casey stated that discovery continues on the Malcolm's property. He stated that the fence has been repaired and that the Township has received reimbursement from an insurance settlement. He says that there's a prospective buyer investigating the property.

**13. ESCROW AND MAINTENANCE BOND RELEASES:****a. Valley Gate – Site Development Escrow Release #8: \$422,348.50**

Mr. Anderson moved that the Board approve Site Development Escrow Release #8 in the amount of \$422,348.50. Mrs. Achenbach seconded the motion. The motion passed unanimously 3-0.

b. **Meridian at Valley Square – Parcel H (Uwchland Properties) – Escrow Release #3: \$42,444.30**

Since Mrs. Yannich resides at Meridian, she recused herself from the vote. Given the lack of a quorum to pass this release, this release was automatically tabled until the July 22, 2014 Meeting.

c. **Estates at Valley View – West Tract – Escrow Release #6: \$52,325.00**

Mr. Anderson moved that the Board approve Estates at Valley View – West Tract – Escrow Release #6 in the amount of \$52,325.00. Mrs. Achenbach seconded the motion. The motion passed unanimously 3-0.

**14. EXTENSION REQUESTS:**

a. **Egenolf – 401 Millcreek Road**

Mr. Anderson moved to approve a 1 year extension for the Egenolf Minor Subdivision. Mrs. Yannich seconded the motion. The motion passed unanimously 3-0.

**15. DEDICATION REQUESTS:** None

**SUPERVISOR COMMENTS:** None

- Mrs. Achenbach raised objections to a series of emails from an anonymous individual who was chastising the Board for not recognizing a past advisory Board member. She said it's important for all Supervisors to be on the same team when responding to these individuals.
- Mr. Anderson read aloud a letter he received from Richard Peacock commending Police Officers Hackman and Kelly for their compassionate response to a June 24, 2014 call, in which their 97-year old father-in-law passed away in his sleep. He said they were very sympathetic and stayed with them until the funeral home arrived.

**ADJOURNMENT**

There being no further business Mrs. Achenbach motioned, seconded by Mrs. Yannich, to adjourn the meeting at 8:58 p.m. The motion passed unanimously 3-0.

Respectfully Submitted By:



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Timothy J. Tieperman, Township Manager