



## **AGENDA**

### **WARRINGTON BOARD OF SUPERVISORS MINUTES FOR MAY 13, 2014**

#### **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 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.

#### **PLEDGE OF ALLEGIANCE**

The meeting opened with a pledge to the flag.

#### **ROTARY RAFFLE DRAWING**

Chairman Anderson yielded the floor to Vice-Chairman John Paul, who as President of the Warrington Rotary, explained the genesis behind the special raffle fundraiser to benefit the future education of Ian Bennett, the son of the late officer Timothy J. Bennett. He gave special commendations to Joseph Bonargo, who steered the early organizational efforts. He also acknowledged the tireless efforts of Cpl. Michael Neipp and Off. Libby Phillips who co-chaired the fundraising efforts. Cpl. Neipp presented special commendations to those individuals and organizations that went above and beyond the call of duty in supporting the fundraising effort.

#### **BUILDING SAFETY MONTH PROCLAMATION**

The Board of Supervisors officially and unanimously proclaimed May as Building Safety Month,

#### **SWEARING IN OF NEW FIREFIGHTERS**

Chairman Anderson gave the historical background over the emergency services study, leading to the recent hiring of new full-time career firefighters/emergency medical technicians. He thanked the fire company for its support in this new direction. He then asked District Justice Jean Seaman to swear in the new staff members of the Warrington Township Emergency Services. Those being sworn in: Lee C. Greenberg, William J. McCann, Keith A. Miller and Joseph N. Pfizenmayer.

#### **WARRINGTON YOUTH BASEBALL FUNDRAISING PRESENTATION**

Chairman Anderson yielded the floor to Mr. Jon Biederman of Warrington Youth Baseball (WYB) who explained WYB's Barnes Park Lights Initiative and its planned fundraising efforts to pay for a portion of the lights. He said the estimated budget is around 125K to 188K. He referenced that WYB officials have approached the new homeowners. Approximately \$30,000 has already been in the last four (4) months. Mr. Biederman formally asked the Township to be involved in a lighting engineering study.

Following the presentation, Mr. Anderson proposed that the Township's lighting consultant review and propose a lighting scheme for Barness Park. Mr. Anderson stated the Township is also looking at making other improvements to address the congestion there. He is pleased that there is an evolving partnership between the WYB and Township.

**EXECUTIVE SESSION REPORT:** No Report

**APPROVAL OF BILL LIST:**

1. **April 23, 2014 – May 13, 2014:** \$ 1,506,088.15

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from April 23, 2014 through May 13, 2014 totaling \$ 1,506,088.15. By roll call vote, the motion passed unanimously 5-0.

**APPROVAL OF MINUTES:**

2. **April 8, 2014**

Mr. Paul motioned, seconded by Mr. Achenbach, to approve the April 8, 2014 Meeting Minutes. The motion passed unanimously 5-0.

**MINUTES FOR POSTING:**

3. **April 22, 2014**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the April 22, 2014 Meeting Minutes. The motion passed unanimously 5-0.

**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.*)

The following individuals offered comment:

- Mr. Steven Filipe (Cable Advisory Board Chair) asked for Board feedback on what (if any) remaining issues it has regarding the online video streaming of meetings. He said the Board is eager to resolve any lingering issues so that the streamed meetings can be posted online.

**PUBLIC HEARING:**

4. **Hearing on a new conditional use application filed by KTMT Warrington Springs, L.P. for the use of transferrable development rights to create a 53-lot single family detached subdivision on TMP 50-020-006; 50-010-110 and 50-010-111, located in the R-2 Zoning District. (Advertised April 25, 2014 and May 2, 2014).**

Mr. Anderson opened the conditional use hearing. Township Solicitor Casey confirmed that the hearing was properly advertised. Mr. Anderson asked if anyone in the public wished to be designated as party-of-record. It was agreed that Mr. Ted Cici and Mr. Herbert Rubenstein, both members of the Lamplighter Villas Home Owners Association, will serve as party of record. He asked if any of the other Supervisors had any objections to incorporating the testimony from the other hearings into this new record. There were no objections.

Mr. Anderson welcomed Attorney Robert Gundlach, who represented KTMT Warrington Springs, L.P., who had filed a new conditional use application for the creations of a 53-lot single family detached subdivision on TMP 50-020-006; 50-010-110 and 50-010-111, located in the R-2 Zoning District. The application calls for the use of transferrable development rights. He presented three witnesses. Scott Mills, a landscape architect, explained the planned buffering. Mr. John Wichener, a traffic engineer, explained the internal traffic configuration and internal road circulation. Mr. John Morrissey, NV Homes Vice President, discussed the price ranges and marketing strategy for the new homes.

Following the above testimony Mr. Anderson opened the floor for discussion among the Supervisors. Mr. Anderson had a few a questions regarding the type of open space being dedicated, whether it will be left natural and whether a homeowner's association will be responsible for basin maintenance as well as a question on the planned traffic light. There being no questions from the Board, the interveners, or the public, Mr. Chairman asked for a motion.

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the condition use application filed by KTMT Warrington Springs, L.P. for the use of transferrable development rights to create a 53-lot single family detach subdivision of TMP 50-020-006; 50-010-110 and 50-010-111. By roll call vote, all five Supervisors unanimously approved the motion 5-0. The hearing was officially closed and regular meeting resumed.

*Discussion on Proposed Conveyance of Township TDRs.*

Immediately following the hearing, there a general discussion on whether the Township should convey its TDRs to Warrington Springs in exchange for an undesignated capital contribution. Mr. Gundlach referenced an April 17, 2014 offer letter to Township Manager Tieperman and forward to the Board. Mr. Gundlach stated that it would be possible for the Township to convey some of its TDRs to Warrington Springs in exchange for a monetary capital contribution to benefit the Township's park system.

Mr. Anderson asked for other Supervisor comments on this proposal. Mr. Paul supported the idea of using TDR sale proceeds for a capital project, preferably at Barness Park to alleviate parking congestion. The other Supervisors were generally supportive. Mrs. Yannich was non-committal, pending further information regarding the final costs of these improvements. Mrs. Achenbach stated that she is fine with a capital contribution but that before allocating it to a specific project, the Board should review and prioritize its capital needs.

There were a few public comments in support of the Township's selling its TDR: Mr. Wayne Bullock, Mr. Fred Gaines and Mr. Joseph Bonargo.

The comments being generally favorable, Mr. Anderson asked that the TDR conveyance be placed on the May 27, 2014 BOS agenda for possible action. Mr. Casey stated that we will need to confirm that TDR's overall value to prepare a proposed agreement of sale.

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

**5. Continue Resolution approving an amended final plan for Park View (TMP #50-022-012).**

Mr. Anderson said that this will be formally tabled until a date certain.

**6. Consider Resolution approving minor development plan for 2506 Park Road (TMP #50-022-009)**

Mr. Anderson said that this will be formally tabled until a date certain.

**7. Consider adoption of an Ordinance amending Chapter 1, Part (b) (Non-Uniformed Employment Pension Plan Ordinance) of the Township Code amending sections 721 (Definitions) and 724 (Eligibility). (Advertised April 28, 2014).**

Mr. Paul motioned, seconded by Mr. Hallowell, to adopt an Ordinance amending Chapter 1, Part (b) (Non-Uniformed Employment Pension Plan Ordinance) of the Township Code amending sections 721 (Definitions) and 724 (Eligibility). The motion passed unanimously 5-0.

**8. Consider adoption of an Ordinance establishing a Non-Uniformed Defined Contribution Pension Plan for new employees hired after April 27, 2014 (Advertised April 28, 2014).**

Mr. Paul motioned, seconded by Mr. Hallowell, to adopt an Ordinance establishing a Non-Uniform Defined Contribution Pension Plan for new employees hired after April 27, 2014. The motion passed unanimously 5-0.

**9. Approve amended Personnel Policy Handbook referencing changes to the non-uniform pension plan.**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve amendments to the Personnel Policy Handbook which reference the changes to the non-uniform pension plan for new hires and the formal establishment of a bi-weekly pay period. The motion passed unanimously 5-0.

**10. Consider adoption of an Ordinance amending Chapter 16 (Parks and Recreation) formalizing the naming of specific parks within Warrington Township.**

Ms. Achenbach motioned, seconded by Mr. Hallowell, to adopt an Ordinance amending Chapter 16 (Parks and Recreation) formalizing the naming of specific parks within Warrington Township. The motion passed unanimously 5-0.

**11. Consider adoption of an Ordinance amending Chapter 15 establishing speed and parking restrictions.**

Mr. Anderson referenced a seven page listing of streets that are being included in this ordinance. He noted that many of these are existing streets with installed speed limit signs that were never codified in the Township Code. Including them will enable the police to enforce them. Mr. Cici (Lamplighter Villas HOA) had a question on why parking is not banned on both sides of Phillips Avenue. Mr. Anderson stated that doing so would be too restrictive, that some parking accommodation is needed next to the synagogue. Mrs. Achenbach had some question regarding the status of no parking regulations along Park Road. Mr. Tieperman will investigate.

Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt an Ordinance amending Chapter 15 establishing speed and parking restrictions. The motion passed unanimously 5-0.

**12. Consider bid award for Palomino Tennis Court Replacement Project (Bids opened May 1, 2014)**

Mr. Anderson referenced a May 9, 2014 bid review letter from the township engineer, identifying Warrington-based S & H Landscaping Contractors, Inc. as the lowest qualified bidder for the Palomino Tennis Court Replacement Project out of ten (10) sealed bids that were opened on May 1, 2014. in the amount of \$128,122. Mr. Paul motioned, seconded by Mrs. Achenbach, to award the bid to S & H Landscaping Contractors in the amount of \$128,122. The motion passed unanimously 5-0.

**13. MANAGER'S REPORT:****a. Authorize W/S Electronic Bill Presentment and Payment Processing Service**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve an agreement with Municipay to begin offering electronic bill presentment and payment processing services for Water and Sewer Customers. The motion passed unanimously 5-0.

**b. Bid Authorization – Hockey Rink Dasher Board (John Paul Park @ Lower Nike)**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the bid advertisement for the Hockey Rink Dasher Board to be located at John Paul Park @ Lower Nike. The motion passed unanimously 5-0.

**c. Bid Authorization – W/S Project for Honora/Anna Streets**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the bid advertisement for the Water/Sewer Connection Project for Honora and Anna Streets. The motion passed unanimously 5-0.

**d. Bid Authorization – Oak Avenue Water Extension Project**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the bid advertisement for the Water/Sewer Connection Project for Honora and Anna Streets. The motion passed unanimously 5-0.

**e. Advertisement Authorization – Special Purpose Tapping Fee (2222 & 2216 Bristol Road)**

Mr. Paul motioned, seconded by Mr. Hallowell, to authorize legal advertisement of a Special Purpose Tapping Fee Ordinance for 2222 and 2216 Bristol Road. The motion passed unanimously 5-0.

**f. Traffic Signal Application Approval – County Line Road Widening Project**

Mr. Paul motion, seconded by Mr. Hallowell, to authorize the Township Manager to sign the Traffic Signal Application Approval form for the County Line Road Widening Project. The motion passed unanimously. Mr. Paul had some question about project's scope which Mr. Gockowski will investigate and report back.

**14. CHAIRMAN'S REPORT:****a. Presentation on Route 611/Bristol Intersection**

Mr. Anderson briefly discussed the possibility of future improvements at the Route 611 and Bristol Road intersection which will become more definitive as the loop road is finalized.

**b. Flag Lot Discussion**

Mr. Anderson discussed a proposed flag lot ordinance which is designed to place additional restrictions on the future use of flag lots in Warrington Township. He reviewed the contents of the draft ordinance prepared by Roy Rieder and reviewed by Solicitor Casey. He believed it was imperative for the Board to move ahead quickly on this ordinance before other flag lots – similar to the ones currently proposed along Park Road – are submitted to the Township.

After some deliberations the Board unanimously concurred to authorize the Solicitor to prepare the necessary legal advertisement for possible adoption at the Board's June 10, 2014 regular meeting.

Supervisor Yannich recused herself from this discussion.

c. **Valley Road**

Mr. Anderson acknowledged Warminster's efforts at paving its section of Valley Road. He suggested that the Board forwarding of a thank you letter to the Warminster Supervisors. Mr. Tieperman will draft a letter for the Board's signature(s).

d. **Corridor Overlay Decisions – Meridian & Valley Square**

Mr. Anderson reported that both Meridian and The Shops at Valley Square are subject to architectural provisions included in the Route 611 Corridor Overlay Ordinance. Meridian had proposed a certain earth tone color on the siding of its new Building D & E. Secondly, Valley Square had proposed new dumpster enclosures to service its tenants. The Planning Department had no objections on either of these proposals. The Board concurred with the Department's affirmative recommendations.

**15. ENGINEER'S REPORT:**

a. **2014 Road Program Update**

Mr. Gockowski stated that he expect he will be ready to discuss CEC's recommendations for the 2014 Road Program.

b. **Valley Road Culvert**

Mr. Gockowski reported on the deteriorating conditions of the Valley Road Culvert and the best long-term solution for its repair. He estimated the cost at around \$185,000, which will involve some stream realignment. He said it would be desirable to replace this culvert before the next winter.

**16. SOLICITOR'S REPORT:**

a. **Malcolm's**

Mr. Casey reported that the recent pleading phase is over and that the matter is currently before Judge Gibbons. Mr. Anderson read a letter that he received from the Bucks County Veterinary Trauma Services, which is located adjacent to the Malcolm's complex. The letter cited numerous examples on the adverse impact this complex poses to its business' health and welfare. Mr. Casey will use this letter to help document the ongoing public safety hazards.

b. **Professional Service Agreement for Public Works Facility – Phase II**

Mr. Casey reviewed briefly the proposed architectural agreement for the Public Works Facility – Phase 2 Project. He said the document has gone through various mark-ups and that the draft before the Board represents the final and best version. Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the Professional Services Agreement between Warrington Township and Easton-based Buckl Architects. The motion passed unanimously 5-0.

**17. ESCROW AND MAINTENANCE BOND RELEASES:**a. **Meridian at Valley Square – Uwchland Properties – Escrow Release #1: \$60,197.20**

Mr. Anderson moved that the Board approve Escrow Release #1 in the amount of \$60,197.20 for Meridian at Valley Square (Uwchland Properties). Mr. Paul seconded the motion. The motion passed unanimously 5-0.

b. **Estate at Valley View – Escrow Release #4: \$53,422.00**

Mr. Anderson moved that the Board approve Escrow Release #4 in the amount of \$53,422.00 for the Estate at Valley View. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

c. **Valley Gate – Site Development Escrow Release #6: \$140,153.26**

Mr. Anderson moved that the Board approve Site Development Escrow Release #6 in the amount of \$140,153.26 for Valley Gate. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

**18. EXTENSION REQUESTS:** JP, MA to grant extension for park view....5-0.a. **Park View 90 Day Extension**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve a 90 day extension for Park View. The motion passed unanimously 5-0.

**19. DEDICATION REQUESTS:**a. **Lamplighter Villas Water/Sewer Dedication**

Mr. Anderson moved that the Board take dedication of Lamplighter Villas Water and Sewer Facilities. Mr. Paul seconded motion. The motion passed unanimously 5-0.

**SUPERVISOR COMMENTS:**

- Mrs. Yannich commented on an email that all Board members received asking that a former committee member be recognized for his voluntary service. Mr. Anderson thanked Mrs. Yannich for raising this and agree that the Board needs to reinstitute this past practice of recognizing all volunteers who had served on a Township advisory committee. He recalls during an earlier term that the Board use to recognize volunteer regularly. He recalls the Board presented past volunteers with specially engraved Mercer tiles. He said he will work with Staff in reinstituting this program.
- Mr. Paul asked that the Board consider awarding a \$683.00 change order to Roger's Mechanical for installing sixty inch (60") thermostats and enclosing them in lock boxes. Mr. Hallowell motioned, seconded by Mrs. Achenbach, to approve the change order. The motion passed unanimously 5-0.
- Mrs. Achenbach shared concerns over correspondence she received from a resident who had complained about lack of response to an online service request that he filed through the Township's Action Line system. She indicated Mr. Tieperman has offered to begin providing Action Line updates to the Board as part of his regular week-in-review. She said that while many residential complaints

may be outside the Township's purview, the Township needs to do a better job in communicating with the resident before closing the file. The Board members concurred.

**ADJOURNMENT**

There being no further business Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 8:55 p.m. The motion passed unanimously 5-0.

Respectfully Submitted By:



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Timothy J. Tieperman, Township Manager