



## **WARRINGTON BOARD OF SUPERVISORS MINUTES FOR FEBRUARY 24, 2015**

### **ATTENDANCE**

Gerald B. Anderson, Chairperson; John R. Paul, Vice 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 F. Lubert, Chief Financial Officer and Barbara Livrone, Executive Assistant to the Township Manager.

### **PLEDGE OF ALLEGIANCE**

Chairperson Gerald B. Anderson opened the meeting and asked for a moment of silence, followed by a pledge to the flag.

### **SPECIAL RECOGNITION PRESENTATION – TOLL BROTHERS**

Vice Chairman John Paul recognized Mr. John Lyons and Mr. David Anderson from Toll Brothers for their sponsorship of Warrington Day.

### **EXECUTIVE SESSION REPORT**

Mr. Anderson announced there was a short pre-meeting executive session pertaining to Victory Gardens.

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

#### **1. February 10, 2015 – February 24, 2015: \$ 2,099,920.05**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from February 10, 2014 through February 24, 2015 totaling \$ 2,099,920.05. By roll call vote, the motion passed unanimously 4-0.

### **APPROVAL OF MINUTES:**

#### **2. January 27, 2015**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the January 27, 2015 Meeting Minutes. The motion passed unanimously 4-0.

### **MINUTES FOR POSTING:**

#### **3. February 10, 2015**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the February 10, 2015 Meeting Minutes. The motion passed unanimously 3-1. Mr. Anderson abstained.

**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.*)

**PUBLIC HEARING:** None

**OLD BUSINESS (ACTION/DISCUSSION ITEMS):****4. Consider approval of the Police Pension Plan Investment Policy.**

Mrs. Achenbach stated she's very impressed with Peirce Park and has confidence that their proposed investment policy is sound. However, she stated she would prefer to see a red-lined version comparing their document to InR's old document. Furthermore, she said she would like to see red-lined versions in the future whenever the Board's asked to amend a policy or ordinance. The Board concurred with the recommendation. Mr. Anderson moved, seconded by Mr. Paul, to table approval until the next meeting. The motion passed unanimously 4-0.

**5. Consider approval of the Non-Uniform Pension Plan Investment Policy.**

Similar to #4 above, Mr. Anderson moved, seconded by Mr. Paul, to table approval until the next meeting. The motion passed unanimously 4-0.

**6. Consider approval of amendment to Warrington Springs Phases I & II Developers Agreement.**

Mr. Anderson stated that this has been removed from the agenda to resolve some pending issues and when ready will be added to a future Board agenda.

**7. Consider procurement for a replacement fire truck at a cost not exceeding \$570,000, using a 10-year lease/purchase financing mechanism and utilizing Fire Company capital reserves.**

Mr. Anderson recognized Director Lee Greenberg and Fire Chief Michael Bean to discuss the replacement of a 1996 fire truck. He had two specific questions regarding the demo unit being purchased and the estimated delivery time. Mr. Greenberg stated that the demo unit could be delivered to the Township as early as April, after which it would need about \$65,000 in modifications, bringing the total estimated cost to around \$570,000. Purchasing the unit new would delay the delivery time by almost one year and would cost the Township around \$700,000. He said they plan to sell the 1996 pumper and deposit all proceeds back into the fire capital reserve fund.

Mr. Anderson moved, seconded by Mr. Paul, that the Board authorizes the purchase and modification of a 2014 Pierce Velocity Model Rescue Pumper for a not-to-exceed price of \$570,000 and to authorize the Chief Financial Officer to prepare the necessary financial documents for Board approval as soon as they are ready. The motion passed unanimously 4-0.

Formal ratification of the funding Resolution will be scheduled at the Board's next regular meeting.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):****8. Consider authorizing an Ordinance amending Chapter 13, Part 5 (Public Gathering Regulations) of the Township Code of Ordinances. (Advertised February 17, 2015)**

In reviewing the ordinance in greater detail, Mr. Anderson had some concerns over Section 508(4), which restricted live musical entertainment to 500 feet and the hours of operation from 11:00 p.m. to 10:00 a.m. He recommended eliminating any distance restriction and reducing the operation from 10:00 to 10:00, which he stated is more the norm in our neighboring municipalities. The other Board members had no issues with this change, and the Solicitor affirmed the changes were not substantial. Section 508(4) would be revised as follows:

~~No musical entertainment, either live or recorded, utilizing sound amplification equipment, shall be operated in a location which is less than five hundred (500) feet from any school house, church, dwelling unit, or any other place of permanent human habitation, and~~ There will be no programmed entertainment provided between the hours of ~~11:00~~ **10:00 p.m.** and 10:00 a.m.

There being no further Board comments, Mr. Paul motioned, seconded by Mrs. Achenbach, to approve an Ordinance (2015-O-06) amending Chapter 13, Part 5 (Public Gathering Regulations) of the Township Code of Ordinances as amended. The motion passed unanimously 4-0.

**9. Consider action on High Grove Manor's fee-in-lieu open space proposal as reviewed and recommended by the Township Engineer.**

Mr. Anderson stated that this has been removed from the agenda to resolve some pending issues and when ready will be added to a future Board agenda.

**10. Consider authorizing a \$73,178 credit change order for the Ann/Honora Water and Sewer Sanitary Sewer Extension Project.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve Change Order No. 1 to decrease the contract price by \$73,178.00 as a final adjustment to the Contract quantities for the Anna/Honora Water & Sanitary Sewer Extension Project. The motion passed unanimously 4-0.

**11. Consider approval of Warrington Avenue Construction and Escrow Agreement**

Prior to taking action on the above agreement, Mr. Anderson acknowledged receipt of a fax received from Attorney Jill Nagy, representing Steven and Sunshine Silenzei, who are neighboring property owners to the Warrington Avenue Construction Project. Mr. Anderson stated in his discussions with Solicitor Casey and Township Engineer Gockowski that he believes everything is in order and that there is no reason to deny the project's approval and escrow agreement.

In response she cited numerous objections to the project and further alleged that the Township did not respond timely to an open records request, the information of which would have buffered her argument for a denial. She requested that this approval be tabled until March 10, 2015 to allow her sufficient to review this requested information. In hearing this, Mr. Anderson motioned, seconded by Mrs. Achenbach, to table this item until the March 10, 2015 meeting.

**12. MANAGER'S REPORT:**

**a. Consider advertisement authorization for a proposed Ordinance concerning responsibility to maintain driveway culverts and crossing pipes.**

Mr. Anderson stated he did not support enacting a separate policy to enforce an existing Ordinance. He said any changes should be made to the ordinance itself, not through a separate policy document. He also encouraged Mr. Tieperman to consider establishing internal administrative guidelines to enforce the culvert ordinance. The other Board members concurred with Mr. Anderson's recommendation.

**b. Bid Advertisement Authorization – Carriage Way Areas Sanitary Sewer Rehabilitation Project**

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize the bid advertisement for the Carriage Way Area Sanitary Sewer Rehabilitation Project. The motion passed unanimously 4-0.

**c. Bid Advertisement Authorization – Wastewater Treatment Plan SBR Equipment Replacement Project**

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize the bid advertisement for the Wastewater Treatment Plan SBR Equipment Replacement Project. The motion passed unanimously 4-0.

**13. CHAIRMAN'S REPORT:****a. 2015 Board Goals**

Mr. Anderson said he will review his calendar and propose some possible dates for a future Board Workshop.

**b. Volunteer Committee Appointments**

Mr. Anderson stated the Board is in receipt of a volunteer application to fill a vacancy on the Planning Commission. He suggested scheduling this interview when Mrs. Achenbach returns from vacation. All were in agreement.

**c. Need for ZHB Alternates**

In light two ZHB members recusing themselves from the Victory Gardens appeal, Mr. Anderson stated there is a need to appoint some alternates to ensure a meeting quorum. He recommended the appointment of Mr. Tom Watkins to serve as an alternate for a one year term. Mr. Paul agreed and made that motion, seconded by Mrs. Achenbach. The motion passed unanimously 4-0.

**d. Other Business**

Mr. Anderson announced the following:

- March 1, 2015 Warrington Cares fundraiser at TJ Smith's
- February 28, 2015 BCATO Conference at Spring Mill Country Club
- March 10, 2015 Board of Supervisors Meeting

**14. ENGINEER'S REPORT:**

Mr. Gockowski reviewed the final change orders associated with the 2014 Road Programs.

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|-----------|-----------------|--------------------------|
| <b>a.</b> | CO #1 Decrease: | (7,650.00)               |
| <b>b.</b> | CO #2 Increase: | 105,999.90               |
| <b>c.</b> | CO #3 Increase: | 400.00                   |
| <b>d.</b> | CO #4 Increase: | 1,062.38                 |
| <b>e.</b> | CO #5 Decrease: | (106,182.92)             |
|           |                 | <u><u>(6,370.64)</u></u> |

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the above four (4) change orders. Each change order was voted on separately with Mrs. Achenbach seconding the 5<sup>th</sup> Change Order. The total is a cumulative net decrease of 6370.64. All five (5) change orders were unanimously approved 4-0.

**15. SOLICITOR'S REPORT:****a. Comfort letter request concerning Wal-Mart water/sewer dedication**

Mr. Casey stated that Wal-Mart has requested to have all water and sewer facilities dedicated before they build their store, which is contrary to the normal practice of dedicating these facilities after the building's construction. To protect the Township, Wal-Mart agreed to provide a comfort letter to indemnify the Township from any damages incurred as a direct result of the building's construction. Mr. Paul motioned, seconded by Mrs. Achenbach to accept this comfort letter from Wal-Mart. Mr. Casey confirmed that the letter is addressed to Mr. Fred Achenbach, who will then work with him in preparing

these facilities for dedication at future Board meeting. Mr. Casey stated further that the Wal-Mart is scheduled for this week.

#### **16. ESCROW AND MAINTENANCE BOND RELEASES:**

**a. Warrington Springs Phase I & II Escrow Release No. 1: \$1,233,670.03.**

Mr. Anderson moved, seconded by Mr. Paul, to approve Warrington Springs Phase I & II Escrow Release No. 1: \$1,233,670.03. The motion passed unanimously 4-0.

#### **17. EXTENSION REQUESTS:**

There were no extension requests.

#### **18. DEDICATION REQUESTS:**

There were no extension requests.

#### **SUPERVISOR COMMENTS:**

Mr. Paul updated the Board on the current issues surround the salt shortage. He said that DPW finally received 140 tons of salt, far below the amounts that were ordered. He said crews are doing their very best to keep the roads safe despite these limited quantities.

Mrs. Achenbach raised some concerns regarding the amount the Township spends on vehicle repairs and maintenance. She said according to Finance, the Township spent over \$380,000 in repairs last year. She raised the question that in light of recent attrition at DPW, whether it would pay to have a full-time mechanic back on staff. Mr. Paul replied that for the last ten (10) years, this would make perfect sense. Unfortunately today, most major mechanical work – especially on large trucks like the Ford 550 – cannot be done at a DPW shop. He said the department is bringing on part-time mechanics.

Mr. Paul said one of his major issues is the exterior condition of the trucks, especially the expanding rust on the white vehicles. He said these types of improvements in addition to the routine oil changes, can still be performed in-house.

Mr. Anderson stated that it would still be worthwhile for Staff to do a more in depth analysis of the \$380,000 figure, specifically the breakdown in in labor, parts per vehicle. Mr. Tieperman agreed to raise this topic at the next Staff Meeting. Mrs. Achenbach also cautioned also not to run afoul with the new ACA guidelines.

#### **ADJOURNMENT**

There being no further business Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 8:11. p.m. The motion passed unanimously 4-0.

Respectfully Submitted By:



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Timothy J. Tieperman, Township Manager