



WARRINGTON BOARD OF SUPERVISORS MINUTES FOR JANUARY 13, 2015

ATTENDANCE

Gerald A. Anderson, Chairman; John R. Paul, Vice Chairperson; 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 Luber, Chief Financial Officer and Barbara Livrone, Executive Assistant to the Township Manager.

PLEDGE OF ALLEGIANCE

The Chairman opened the meeting and asked for a moment of silence, followed by a pledge of allegiance to the flag.

SPECIAL RECOGNITION PRESENTATION – METROPOLITAN DEVELOPMENT GROUP

Mr. Paul presented Mr. Michael Tulio, Vice President of Metropolitan Development Group, with a special award acknowledging his company sponsorship of Warrington Community Day.

SPECIAL RECOGNITION PRESENTATION – CHRIS ROTH

Employee Christopher Roth presented the Board of Supervisors with a special American flag that was flown over Kandahar Airfield on behalf of Warrington Township. He announced that he will soon be departing again for another 400-day duty tour in the Kuwait region.

EXECUTIVE SESSION REPORT

There was no executive session report.

APPROVAL OF BILL LIST:

1. December 16, 2014 – December 31, 2014: \$ 985,652.97

Mr. Anderson motioned, seconded by Mr. Paul, to approve the bill list from December 16, 2014 through December 31, 2014 totaling \$ 985,652.97. By roll call vote, the motion passed unanimously 3-0.

2. January 1, 2015 – January 13, 2015: \$ 718,550.26

Mr. Anderson motioned, seconded by Mr. Paul, to approve the bill list from January 1, 2015 through January 13, 2015 totaling \$718,550.26. By roll call vote, the motion passed unanimously 3-0.

APPROVAL OF MINUTES:

3. December 9, 2014

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the December 9, 2014 Meeting Minutes. The motion passed unanimously 3-0.

MINUTES FOR POSTING:**4. December 16, 2014**

Mr. Anderson motioned, seconded by Mr. Paul, to approve the posting of the December 16, 2014 Meeting Minutes. The motion passed unanimously 3-0.

5. January 5, 2015

Mr. Anderson motioned, seconded by Mr. Paul, to approve the posting of the January 5, 2015 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 individuals spoke under public comment:

- Mr. Tim Caso (102 Sovereign Drive) addressed the Board about unauthorized construction work on Sunday (12/28) at 953 Elbow Lane. Mr. Anderson explained the enforcement procedure and the Township's response on first time offenses.
- Mr. Theodore Cicci (402 Prescott Court) inquired about the status of the street light repairs along Philips Avenue. Mr. Tieperman responded that this was caused by a PECO gas contractor and that repairs are planned shortly. Developer Michael Tulio confirmed this.

PUBLIC HEARING: None

OLD BUSINESS (ACTION/DISCUSSION ITEMS):**6. Consider approval of revised open space calculation formula for minor developments**

Mr. Gockowski summarized his January 9, 2015 letter to the BOS in which he outlined a new fee in lieu of formula for minor subdivisions. Both Supervisors Paul and Yannich raised a few hypothetical scenarios and asked how this new formula might apply. One scenario involved the subdivision of an existing residence. Under the new formula and consistent with past practice, a credit would be issued for the existing residence. Since this will involve minor changes to the Township Code, no action was taken this evening, pending the development of a clean copy for the Board's consideration at a future meeting.

7. Review proposed changes to the Township's Public Gathering Ordinance

Mr. Anderson reviewed the proposed changes to the Township's existing public gathering ordinance. The current ordinance establishes permit requirements based on various attendance thresholds. The revised ordinance lowers these thresholds and changes the appeal mechanism from the Board of Supervisors to the Director of Codes, Inspections and Emergency Services. Staff is proposing these changes based on some experiences last year. There was one question from the audience as to what qualified as a public gathering ordinance. Mr. Casey read the ordinance definition. It was also noted that the Township has discretion and that there were specific exemptions included in the draft.

There being no further comments, Mr. Anderson moved to advertise this Ordinance for adoption at a future meeting. Mr. Paul seconded. The motion to advertise was unanimous 4-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**8. Consider adoption of an Ordinance amending Chapter 6 (Conduct) and Chapter 16 (Parks and Recreation) by deleting references to the regulation of firearms.**

Mr. Anderson explained that this ordinance amendment was necessary because of recently enacted State legislation that preempts all local ordinances that regulate firearms. He noted that the County and other municipalities have already passed similar legislation and to avoid any potential litigation, the Board needed to pass this amendment. Therefore, Mr. Paul motioned, seconded by Mrs. Yannich, to adopt an Ordinance amending Chapter 6 (Conduct) and Chapter 16 (Parks and Recreation) by deleting references to the regulation of firearms. The motion passed unanimously 3-0.

9. Consider authorizing an Ordinance reaffirming the Township's participation in the PSATS Unemployment Compensation Trust.

Mr. Paul motioned, seconded by Mrs. Yannich, to approve an Ordinance reaffirming the Township's participation in the PSATS Unemployment Compensation Trust. The motion passed unanimously 3-0.

10. MANAGER'S REPORT:**a. Consider Approval of the Police Pension Plan Investment Policy**

The Board unanimously tabled this item until the next meeting when there's full contingency of Board members to vote on this policy.

b. Consider Approval of the Non-Uniform Pension Plan Investment Policy

The Board unanimously tabled this item until the next meeting when there's a full contingency of Board members to vote on this policy.

c. Records Disposition

Mr. Paul motioned, seconded by Mrs. Yannich, to approve a Resolution authorizing the shredding and destruction of 10 boxes of Township records, consisting primarily of weekly payroll reports and time sheets as authorized by the Commonwealth's Municipal Records Act.

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

Mr. Anderson tabled discussion on 2015 Board Goals until the next meeting, when there's a full contingency of Board members.

b. Elected Auditor Resignation

Mr. Anderson stated that elected auditor Russell Diamond submitted his letter of resignation since he no longer resides in Warrington Township. He said the Board needs to accept the resignation, after which it has 30 days in which to appoint a replacement. Therefore he moved to accept Mr. Diamond's resignation, seconded by Mr. Paul. The motion passed unanimously. Mr. Anderson asked that this be placed on the next agenda for discussion and that an ad be placed in the newspaper requesting candidates.

12. ENGINEER'S REPORT:**a. Main Street/Valley Square Boulevard Traffic Light**

Mr. Gockowski reported that the Township has received a traffic signal plan for the intersection of Main Street and Valley Square Boulevard. He said the applicant has also sent an identical plan to PennDOT for a concurrent review. If all goes as planned, the signal should be installed before the 2015 holiday season.

13. SOLICITOR'S REPORT:**a. Lowe's Assessment Appeal**

Mr. Casey reported that the Board of Assessment has rejected Lowe's assessment appeal application and that it has now filed an appeal before the Court of Common Pleas. The current assessment is \$1,143,760. The Board authorized him to work concurrently with the School District to fight this appeal.

b. Warrington Glen Phase III TDR Acknowledgment and Consent

Mr. Casey reported that since Warrington Glen (Phase III) is a TDR development, the Board needs to execute two (2) indentures approving the TDR deeds. Mr. Paul motioned, seconded by Mrs. Yannich to approve the following:

- Indenture between Bernard K. Ciliberto and David J. Rabbach, Executor of the Estate of Ronald S. Mintz and Toll PA XIV, L.P.
- Indenture between C& M Investor Partnership II and Toll PA XIV, L.P.

Mr. Paul motioned, seconded by Mrs. Yannich, to approve two indentures approving the TDR Deeds for Warrington Glen (Phase III). The motion passed unanimously 3-0.

14. ESCROW AND MAINTENANCE BOND RELEASES:**a. Valley Gate Escrow Release #14: \$1,499,158.12**

Mr. Anderson moved, seconded by Mr. Paul, to approve Valley Gate Escrow Release #14: \$1,499,158.12. The motion passed unanimously 3-0.

15. EXTENSION REQUESTS: None**16. DEDICATION REQUESTS:****a. Penrose Walk**

Mr. Gockowski reported the construction is complete and all punchlist items have been addressed to his satisfaction. He stated that an Operations and Maintenance Agreement has also been executed as has the maintenance release to the HOA. Mr. Casey also reported that a bond is in place for these improvements.

Prior to BOS action, Mr. Ted Cicci, representing the Lamplighter HOA, reported an unresolved billing dispute between the HOA and Metropolitan Development Group based on an agreement

between these organizations for maintenance along Philips Avenue during the construction period. He asked for Township assistance to arbitrate this dispute since it was part of the land development agreement. Mr. Tulio agreed to submit all documentation to the Township for Mr. Tieperman's and Mr. Casey's review. He said he will respect the Township's recommendation.

Since this is unrelated to the actual dedication issue, Mr. Paul motioned, seconded by Mrs. Yannich, to approve the Penrose Walk dedication. The motion passed unanimously 3-0.

SUPERVISOR COMMENTS:

Mrs. Yannich complimented Mr. Anderson for his involvement with Bucks County's new Justice Center. She attended the dedication ceremony and stated she was very impressed with the new facility. Mr. Tieperman, who also attended the open house, extended similar compliments. Mr. Anderson thanked everyone for attending and commented about the Mercer tiles that were installed throughout the new Center. He said that Warrington's tile is located on the fifth floor.

ADJOURNMENT

There being no further business Mr. Paul, seconded by Mrs. Yannich, to adjourn the meeting at 8:17 p.m. The motion passed unanimously 3-0.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager