

# WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

## MINUTES FOR MAY 27, 2008

The regular meeting of the Warrington Township Board of Supervisors was held on May 27, 2008, 7:30 p.m. at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

### 1. ATTENDANCE:

Paul Plotnick, Chairman; Carol Butterworth, Vice Chairman; Glenn McKay, Secretary; Michael W. Lamond, Jr., Assistant Secretary; Rebecca A. Kiefer, Member; Timothy J. Tieperman, Township Manager; Michael P. Clarke, Esq.; Michael Mrozinski, Director of Planning and Economic Development; Paul Gdanski, Director of Public Works; Thomas F. Zarko, Township Engineer; Vivian Bell, Finance Director; Richard Lesniak, Director of Fire, Inspection and Emergency Services; Dan Hinkle, Fire Chief; Chief James Miller, Chief of Police; and Carolyn Hanel, Director of Administrative Services/Parks and Recreation.

### 2. PLEDGE OF ALLEGIANCE

The meeting opened with a pledge to the flag.

### 3. PUBLIC COMMENT

a) Mill Creek Development. Mr. Goline Vanderhoof who resides on Hillside Drive in the Mill Creek development had concerns about the road maintenance in his village.

b) 2166 Street Road. Mr. Charles Yarmark had concerns about his property located at 2166 Street Road. Over the past two years he has been attempting to sell this property but his attempts have failed due to the requirements imposed by the township. The township has zoned this property commercial. He said he went before the zoning hearing board to make it into a duplex, which they approved. He said the township has challenged this action. Mr. Plotnick suggested he meet with township staff to discuss this matter further.

### 4. PUBLIC HEARING:

a) To hear public comment and consider adoption of an amendment to Warrington Township Zoning Ordinance Chapter 27, Sections 202, 411, 706, 806, 855 and 1508, concerning the provision for a fee-in-lieu of open space in subdivision and land development plans.

Mr. Mrozinski gave a brief overview and stated that this amendment was previously brought before the Board. The ordinance was forwarded to the Bucks County Planning Commission for their review, which is the normal procedure. Action taken tonight would concern only the six sections referenced in the amendment.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors adopted an amendment to Warrington Township Zoning Ordinance Chapter 27, Sections 202, 411, 706, 806, 855 and 1508, concerning the provision for a fee-in-lieu of open space in subdivision and land development plans. This motion passed by a vote of 5-0.

**5. Continue discussion and consider action regarding 2008 bond program.** Mr. Randy Lawlace, our bond counsel, discussed financial strategies and options, along with their perspectives on interest rate trends over the next few years.

Mr. Tieperman reported that we are now at a critical point, where the Board needs to provide some policy direction regarding the size and composition of our next bond issue. Copies were distributed of an updated Table I showing the current revised estimates for projects identified in the 2008 plan in addition to new ones, for which we are still finalizing the preliminary estimates. Table II shows the anticipated tax impact on the average Warrington resident for that portion of the debt service not included in the firehouse project.

Mr. Tieperman recommended to the Board that they seek a consensus on one general aggregate amount to be included in the bond sale so we can give direction to our Finance Advisors.

Mrs. Butterworth stated to Mrs. Kiefer that she has not voted for anything related to money so far, have not voted for three budgets, and all I'm asking is that you come up with a dollar figure. Mrs. Kiefer said there are a lot of things that we need to do in the township but we have to look at how we're going to finance these projects. She said the maximum figure that she would agree to would be \$5 million.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to appropriate \$7.5 million as the bond amount for the 2008 Capital Projects. This motion passed by a vote of 4-1. Mrs. Kiefer voted no.

Mrs. Kiefer stated that it's been led to believe that she doesn't vote for the issues of spending that we need to spend in the township. She said that she has actively supported two bonds in the past but her issue is that the taxpayers are not here represented. If you are going to be indebting the taxpayers, it should go to referendum so the taxpayers can actually vote on deciding whether these issues are things that they need to spend the money on. She feels it is not fair that we're not representing them by allowing them the opportunity to speak.

**6. Consider adoption of resolution authorizing a professional services agreement for a document management system and authorizing a project budget for its implementation.** Mr. Mario Duckett, Senior Director of Business Development for Metasource, Inc. reviewed his company's document management plan for Warrington Township.

It was noted in the resolution that the execution of a professional services agreement with Metasource, Inc. would be for the full implementation of a town-wide document management system for all municipal departments, conditioned upon the satisfactory legal review by township counsel. Also it was noted that Metasource, Inc. is the vendor that most closely meets the specifications outlined in the Township's RFP. The total figure for the project budget to cover all project phases would be \$173,000.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors adopted the resolution authorizing a professional services agreement with Metasource, Inc. for a document management system and authorizing a project budget for its implementation. This motion passed by a vote of 4-1. Mrs. Kiefer voted no.

**Note: Due to illness Carol Butterworth excused herself from the meeting at 9:45 p.m.**

7. **MANAGER'S REPORT:** Mr. Tieperman reviewed the manager's report which included a) Traffic Study Update; b) 2009 Capital Budget Meetings; c) Director of fire, Inspections and Emergency Services Monthly Report; d) Fire Chief's Monthly Report; e) Parks and Recreation Monthly Report; f) Zoning Hearing on Interstate Sign Billboards; g) Other Business; and h) Correspondence.

Fire Chief Dan Hinkle reviewed his monthly report for May 2008.

Mr. Rick Lesniak, Director of Fire, Inspections, and Emergency Services reviewed his monthly report for May 2008.

Carolyn Hanel, Director of Parks and Recreation reviewed her monthly report for May 2008.

Mr. Mike Mrozinski reported that the zoning hearing dates for the Interstate Sign Billboards has been changed to June 30 and July 21.

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

8. **Review capital lease program and recommendations for the procurement of minor equipment and software.** Mr. Tieperman gave the Board an update on where we stand with the capital lease program. He indicated that with our capital lease line of credit with Commerce Bank due to expire at the end of this month, and with the document management project nearing the implementation stage, he is recommending that we do not renew this credit line.

Mr. Tieperman reviewed the proposal from Municipal Capital Corporation, which offers lease terms from 36 to 84 months (3-7 years). He is recommending going forward prospectively that we look at each project on a case by case basis and the interest rates at the time. Mr. Plotnick is recommending going no more than a 60 Months (5 Years) lease with an annual obligation of \$38,930 for a document management system.

9. **Consider adoption of a resolution authorizing bid award, special financing, and establishing a proprietary fund for construction of cellular tower.** Mr. Zarko reported that this project involves the installation of a 150' monopole cellular tower and associate site improvements at township property located at 1860 Street Road. He said the project design was prepared by the township's tower consultant, Betzwood Associates. The township received two bid proposals for the project on April 17, 2008. His office has reviewed the bid packages, checked the references and qualifications of the low bidder, Carr & Duff of Huntingdon Valley, PA. The low bid proposal is \$270,250.

Mr. Zarko said if the budget constraints will allow he recommended that the Board award the contract to Carr & Duff at the low bid proposal of \$270,250. He said the manager has prepared a financial analysis that is included in the Board's packets addressing the budget issue.

Mr. Gdanski said if T-Mobile builds the cellular tower they would stay on the tower rent free for 15 years. The township would receive full revenue from co-leases on the tower. After 16 years T-Mobile's monthly rent would be \$1,500. Mr. McKay asked if Mr. Gdanski could put some figures together for a ground lease potential for 3-4 carriers with T-Mobile building the cellular tower by our June 10 meeting.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to table the resolution authorizing bid award, special financing, and establishing a proprietary fund for construction of cellular tower until the Board's June 10 meeting while we consider other options of the cell tower on the same site. This motion passed by a vote of 4-0.

**10. Disposition of bids for 2008 Roadway Improvement Program.** Mr. Zarko reviewed the 2008 Roadway Improvement Program. He said the township received nine bid proposals. The scope of work to be performed under this year's program include 1) Milling repairs and overlay of Pickertown Road in the section between Mill Creek Road and Red Coat Farm Drive; 2) Elbow Lane for the entire length and that includes the installation of traffic calming devices and sidewalk along a section of the roadway; and (3) The entire length of Stuckert Road. Additionally the program includes spot repairs along Detweiler Road, spot repairs along Folly Road (between Pickertown Road and Street Road), and spot repairs on Bradley Road.

Motion – It was moved by Mr. Lamond, seconded by Mrs. Kiefer, that the Board of Supervisors award the Township's 2008 Roadway Improvement Program, Contract No. 4100-66-08 to Miller & Son Paving, at the bid price of \$467,044.20 and also add on the traffic calming device for Bradley Avenue. This motion passed by a vote of 4-0.

**11. Disposition of funds for the King Park expansion project.** Mr. Zarko reported that the King Park Expansion Project is one of the township's 2007 bond issue projects. He said it involves the completion of the expansion area within the township's King Park. The scope of work generally includes the installation of a restroom and concession stand, paving of parking lots and access drives, development of playing fields, and installation of parking lot lighting and landscaping.

Motion – It was moved by Mr. Lamond, seconded by Mrs. Kiefer, that the Board of Supervisors awarded the King Park – Proposed Expansion Project, Contract No. 4182 to S & H Landscaping Contractor, at the bid price of \$760,133.85. This motion passed by a vote of 4-0.

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

**12. To consider the following escrow releases:**

<b>Development Name</b>	<b>Release #</b>	<b>Amount</b>
Heritage Center	4	\$ 313,098.50
Home Depot	1	\$2,714,279.21
175 Titus Avenue	6	\$ 20,277.00
Warrington Shopping Center/Warrington Square	8	\$ 45,268.77
Warrington Ridge – Phase I	3	\$ 135,147.00

Motion - It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors approved the escrow release for Heritage Center, Release #4 in the amount of \$313,098.50. This motion passed by a vote of 4-0.

Motion - It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors approved the escrow release for Home Depot, Release #1 in the amount of \$2,714,279.21. This motion passed by a vote of 4-0.

Motion - It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors approved the escrow release for 175 Titus Avenue, Release #6 in the amount of \$20,277.00. This motion passed by a vote of 4-0.

Motion - It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors approved the escrow release for Warrington Shopping Center/Warrington Square, Release #8 in the amount of \$45,268.77. This motion passed by a vote of 4-0.

Motion - It was moved by Mr. McKay, seconded by Mrs. Kiefer, that the Board of Supervisors approved the escrow release for Warrington Ridge – Phase I, Release #3 in the amount of \$135,147.00. This motion passed by a vote of 4-0.

13. **To consider the following extension requests:**

a) **Tamanend Middle School**

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors granted the extension request for Tamanend Middle School to ninety (90) calendar days from the submission of revised plans. This motion passed by a vote of 4-0.

b) **Meehan-Lacey**

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors granted the extension request for Meehan-Lacey for a period of ninety (90) days from the receipt of new plans or May 27, 2009, whichever is sooner. This motion passed by a vote of 4-0.

14. **To consider the following dedication requests:**

a) **Valley Square Village Center**

Motion – It was moved by Mr. McKay, seconded by Mrs. Kiefer, that the Board of Supervisors approved the resolution for denial of dedication of public improvements for the Valley Square – Phase II/Parcel, C & C1: Village Center. This motion passed by a vote of 3-1. Mr. Lamond abstained.

b) **Warrington Shoppes**

Motion – It was moved by Mr. McKay, seconded by Mrs. Kiefer, that the Board of Supervisors approved the resolution for denial of dedication of public improvements for the Warrington Shopping Center Land Development aka Warrington Shoppes, L.P.. This motion passed by a vote of 4-0.

## **CONSENT AGENDA**

15. **Motion to approve the extinguishment of an easement for a pool installation.** Mr. Zarko reported that several months ago Mr. & Mrs. Bass, the owners of 321 Crimson Court within the Redstone woods Phase III Development, contacted the township questioning the validity of deed restricted easement area in the rear of their property. He said the area had been designated as wetlands on the original subdivision plan that created their lot. Mr. and Mrs. Bass felt that the area was not wetlands and they had wanted to install a pool in the rear yard area of the property, which would encroach upon that deed restricted area.

Mr. Zarko said Staff had recommended that Mr. and Mrs. Bass engage a wetlands specialist to go out to the site to assess the area to confirm one way or the other whether it was or was not wetlands. He said they had a wetlands specialist go out and evaluate the site. The wetlands specialist has issued a report basically providing an opinion that the area is not wetlands in the rear yard of the property.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors approved the extinguishment of an easement for a pool installation of the property of Gerard and Stephanie Bass. This motion passed by a vote of 4-0.

16. **Motion to approve traffic signal agreement for the Route 202 Project.** Mr. Paul Gdanski reported that he had received a revised “Traffic Light Maintenance Agreement” for the Route 202 Project and found it to be acceptable.

Motion – It was moved by Mrs. Kiefer, seconded by Mr. McKay, that the Board of Supervisors voted to approve the traffic signal management agreement between PennDOT and Warrington Township for the intersections of SR 6202 and Limekiln Pike, and intersections of SR 6202 and Bristol Road. This motion passed by a vote of 4-0.

17. **Consider adoption of a resolution authorizing the Township Manager to enter into a car lease with Commerce Bank for the amount of \$145,749.50.**

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors adopted the resolution authorizing the Township Manager to enter into a car lease with Commerce Bank for an amount not to exceed \$145,749.50 subject to review by legal counsel. This motion passed by a vote of 4-0.

18. **APPROVAL OF BILL LIST: 4/24/08 to 5/13/08**  
**5/13/08 to 5/27/08**

Motion – It was moved by Mr. Plotnick, seconded by Mr. McKay, that the Board of Supervisors voted to approve the bill list from 4/24/08 to 5/13/08 in the amount of \$649,200.17. This motion passed by a roll call vote of 4 years.

Motion – It was moved by Mr. Plotnick, seconded by Mr. McKay, that the Board of Supervisors voted to approve the bill list from 5/13/08 to 5/27/08 in the amount of \$1,298,320.87. This motion passed by a roll call vote of 3 years. Mrs. Kiefer abstained.

19. **APPROVAL OF MINUTES**

a) **March 11, 2008**

Motion – It was moved by Mrs. Kiefer, seconded by Mr. Plotnick, that the Board of Supervisors voted to table approval of the minutes of the March 11, 2008 meeting. This motion passed by a vote of 4-1. Mr. Lamond abstained.

b) **April 8, 2008**

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to approve the minutes of the April 8, 2008 meeting. This motion passed by a vote of 4-0.

20. **MINUTES FOR POSTING**

a) **April 24, 2008**

Motion – It was moved by Mr. McKay, seconded by Mr. Plotnick, that the Board of Supervisors voted to post the minutes of the April 24, 2008 meeting. This motion passed by a vote of 4-0.

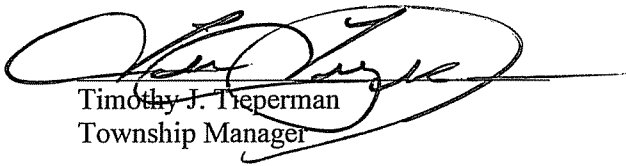
b) May 6, 2008

Motion – It was moved by Mr. McKay, seconded by Mr. Plotnick, that the Board of Supervisors voted to post the minutes of the May 6, 2008 meeting. This motion passed by a vote of 4-0.

21. EXECUTIVE SESSION. Let the minutes reflect that the supervisors held an executive session meeting on May 21, 2008, at 3:15 p.m. to discuss legal issues, TDRs, and setbacks.

22. ADJOURNMENT

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to adjourn the meeting at 11:50 p.m. This motion passed by a vote of 4-0.



Timothy J. Tieperman  
Township Manager

6/26/2008  
Date