



## **WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR DECEMBER 10, 2013**

The regular meeting of the Warrington Township Board of Supervisors was held on December 10, 2013, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

### **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 R. Casey, Esq., Township Solicitor; Thomas A. Gockowski, Township Engineer; Barry Luber, 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.

### **EXECUTIVE SESSION REPORT**

Mr. Anderson reported that the Board held a pre-meeting executive session to discuss a legal matter regarding Donald Lankford. He expects Board action on this matter at a future meeting.

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

#### **1. November 26, 2013 – December 10, 2013      \$ 870,613.89**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from November 26, 2013 through December 10, 2013 totaling \$870,613.89. By roll call vote, the motion passed unanimously.

### **APPROVAL OF MINUTES:**

#### **2. November 12, 2013**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the November 12, 2013 Meeting Minutes. The motion passed unanimously.

### **MINUTES FOR POSTING:**

#### **3. November 26, 2013**

Mr. Paul motioned, seconded by Mr. Hallowell., to approve the posting of the November 26, 2013 Meeting Minutes with a correction made to Item #9 to reword the assignment of Planning Commission to Planning Department. The motioned passed unanimously.

**PUBLIC COMMENT:**

Ms. Mildred Lang (767 S. Settlers Circle) expressed concerns of over mischievous 4-wheelers causing noise along the Legacy Oaks berms. She asked whether the Township has received any complaints. Mr. Anderson stated that such instances should be reported immediately to the police. He thanked her for her comments.

**PUBLIC HEARING:**

There was no public hearing.

**OLD BUSINESS:****4. Consider adoption of new Ordinance to improve the enforcement of non-traffic violations in Warrington Township.**

Mr. Anderson asked the Solicitor if the Ordinance was duly advertised. Mr. Casey answered affirmatively. Mrs. Achenbach asked for clarification on an apparent inconsistency between “sworn” and “authorized” employees. Mr. Casey confirmed that the Ordinance allows deputized officers to be either sworn or authorized Township personnel. Mrs. Achenbach also asked what procedures will be employed to determine compliance with the property maintenance regulations. Mr. Anderson confirmed the current use and occupancy procedures should flag any property maintenance violation. With those clarifications, Mr. Anderson called for a roll call vote. All Supervisors voted 5-0 in favor of the new ordinance.

**5. Consider preliminary/final approval of Egenolf development.**

Ms. Christine Holmes of Holmes Cunningham Engineering represented the Egenolf family and stated that the applicant will comply with all findings in the Township Engineer’s report with the exception of the waiver request. There being no further Board comments, Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the preliminary/final Egenolf development plan. The motion passed unanimously.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):****6. Consider authorizing necessary bond anticipation document(s) to begin incurring costs for planned 2014 bond projects.**

Mr. Anderson reviewed the proposed bond anticipation language as prepared by bond counsel and reviewed by the Township Solicitor. He asked Mr. Casey whether the draft resolution could be amended to replace “certain” capital projects with “any capital projects without limitation” to ensure funding flexibility for when the actual bonds are finally issued. Mr. Casey had no legal objections to these changes. With those amendments, Mr. Paul motioned, seconded by Mr. Hallowell, to approve all necessary bond anticipation documents to begin incurring costs for the planned 2014 bond projects. The motion passed unanimously.

**7. Review and consider adoption of Trail Plan Update.**

Mr. Anderson explained that the Township Trail Plan has been subject to much discussion over the past 15 years. It has undergone some changes during that period. He believes it is time that the Board officially adopts the update to improve the review process of new development plans as they come forward. He complemented the various advisory bodies who were actively involved in

preparing this update. Ms. Yannich noted that several volunteers staked the trails to provide accurate GPS coordinates for the trails' future layout.

Mr. Anderson stated that one major challenge is developing a trail access across the creek that runs adjacent to the current public works building. He has asked the Township Engineer to begin evaluating the feasibility of providing an extension to the County-owned Pickertown Bridge for a stream crossing. Mr. Paul expressed concerns over the required uphill/downhill grades. He suggested using some available fill to level out these grades. Mr. Anderson believes if engineered correctly, the slopes could be tempered without importing additional soil. Mr. Gockowski will study this area further and report back at a future meeting.

There being no further discussion, Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the 2013 Trail Plan Update. The motioned passed unanimously.

## **8. Adoption of 2014 Budget**

Mr. Anderson stated that he believes the 2014 is ready for adoption with the exception of two major issues: (1) The introduction of paid firefighters as recommended by the Emergency Services Committee; and (2) recommended merit/equity adjustments under the Board's new pay/performance program.

### *Fire Program*

Mr. Anderson believes there is general consensus that something needs to be done to address daytime fire calls. He recommended the Board consider authorizing the hiring of one full-time firefighter and a few part-timers to comprise two fulltime equivalent positions. In conferring with CFO Luber, he stated that with modest adjustments to next year's earned income tax forecasts coupled with other revenue projections, the Township should be able to cover the first year's program without imposing a fire tax. He suggested a June 1 effective date for these new employees, which will give Mr. Paul and Emergency Services Committee sufficient time to begin forming the administrative structure for the new program's implementation. He asked for Board comments on his recommendation:

- Mr. Paul supported this approach and believes having 1 full-time employee on board by early June, along with sufficient part-time backup, is manageable without a fire tax increase. He also suggested that he is comforted knowing that over 60% of township housing units have sprinklers.
- Ms. Yannich also agreed that starting small is a good idea and that it would serve as a good pilot program. She stated that her analysis of Township demographics shows a need for better fire protection during daytime hours.
- Mrs. Achenbach also supported the recommendation, stating that she was not prepared to support a fire tax increase for a program that was not yet ready for full implementation on January 1, 2014. She stated this approach will give her more time to work with Finance on some financial modeling scenarios in anticipation for a full implementation in 2015.
- Mr. Hallowell supported the Chairman's recommendation.

Mr. Anderson reviewed the parameters for the merit adjustments. The budget included an upper threshold of \$100,000, of which \$75,000 was appropriated from the General Fund; \$25,000 from Water/Sewer. He asked Board members for consensus on this cap. There was unanimous agreement on the cap but with the understanding that the individual merit/equity adjustments require further scrutiny, which will be reviewed at a future meeting.

#### *Budget Summary*

Following these discussions Mr. Anderson then reviewed the status of the 2014 budget figures. He affirmed there will be no mil increase for the general fund and no fire tax. However, funding the \$4.0 million bond projects next year will require a 0.62 mil debt service mil adjustment. The 2014 mil rate will be 12.84, which pales in comparison to the District and County levies at 122.8 and 20.0, respectively. The final 2014 spending package is 26,947,796.

Before calling for a vote Mr. Anderson asked if there were any public comment on the proposed budget.

#### *Public Comment*

- Mr. Mike McGeehan (1099 Lincoln Court) asked the Board to clarify the Township's policy for providing response support to other communities and whether these communities will help pay for these new paid positions. Mr. Paul responded that some of these towns such as Horsham and Montgomery already have paid positions. Mr. Anderson confirmed the Township does receive some financial support from Doylestown.

#### *Budget Adoption*

There being no further comments, Mr. Anderson asked for a roll call vote to approve Resolution 2013-R-50 approving the 2014 budget. The vote was unanimous 5-0. (*See Attachment 1*)

### **9. MANAGER'S REPORT:**

- 2014 Budget Update:** Refer to above discussion.
- Water/Sewer police recommendation regarding credit card transactions:** Mr. Tieperman forwarded a draft policy recommendation from the Water and Sewer Department for its preliminary review. The policy proposes the discontinuance of credit card transactions for water/sewer payments. Mr. Luber and Mr. Achenbach explained the primary reasons for the change were a combination of reducing staff time and the transaction costs which the Township bears. The goal is to encourage more people to participate in the direct debit plan, in which the Township uses a third-party (Municipay) to handle all backend transactions. The Township does not get directly involved in debit transactions.

There was substantial Board discussion on this program. Concerns were voiced on whether the Township would lose more money since the credit card option is most often used by delinquent payers. Secondly, there was a concern over the impact this might have on the senior population, especially for those that don't own a computer and still rely on phone transactions.

**10. CHAIRMAN'S REPORT****a. Review of 12/17/2013 Meeting**

Mr. Anderson reviewed the brief agenda for the December 17, 2013 meeting.

**b. PennDOT Response Letter to Board's 202 Parkway Concerns**

Mr. Anderson stated that PennDOT did respond to the Township's November 17, 2013 letter expressing safety concerns over the 202 Parkway. He said a response letter will be issued within the next couple of weeks and that it will be hand-delivered.

**c. Planning Department Report**

Mr. Anderson gave a brief report on the December 3, 2013 kickoff meeting of the new Planning Department. Several open-ended items were discussed to get all new members acclimated to all current and future pending issues. The next meeting is scheduled for Tuesday, January 7, 2014.

**d. Transportation Bill Report**

Mr. Anderson reported that Governor Corbett did sign the Transportation Bill and that he was still analyzing the final legislative report. He stated the bill will require some increases in the gas tax but has many overriding good features, including a positive impact on the local economy. There will be more updates at a future meeting.

**11. ENGINEER'S REPORT**

- a. Mr. Gockowski updated the Board on the MS4 Compliance Project. He stated the original 10 year permit expired in March 2013. In 2012 the Township submitted a new MS4 general permit application. DEP has not yet acted on the permit. When issued the new permit will impose new TMDLs for sediment reductions in Warrington's three (3) watershed areas. The Township is required to submit a Phase 1 report by March 15, 2014. He states this will be a very time-sensitive project since all Township outfalls will need to be inspected.

**12. SOLICITOR'S REPORT**

- a. Mr. Casey stated that he was still awaiting a final hearing date from Judge Gibbons to hear the preliminary objections filed by Malcolm's attorney. Rather than scheduling the hearing, however, Ms. Gibbons ruled against the objections and in the Township's favor. He says the case will now move forward. The defendant has 20 days to respond.
- b. Mr. Casey received a request from Valley Gate officials to increase the project escrow amount by \$1 Million to \$12 Million to coincide with their bank loan. Doing this required the Board to amend Valley Gate's financial security agreement. From this new amount, Valley Gate has also requested its first escrow release for \$413,515.81, which Mr. Gockowski has reviewed and approved. Mr. Anderson called for two (2) separate motions:

- i. Mr. Paul motioned, seconded by Mr. Hallowell, to approve the amended financial security agreement with Valley Gate to increase the total project escrow amount to \$12 Million. The motion passed unanimously 5-0.
- ii. Mr. Paul motioned, seconded by Mr. Hallowell, to approve Valley Gate Escrow Release #1 in the amount of \$13,515.81. The motion passed unanimously 5-0.
- c. Mr. Casey explained that the Pennsylvania Liquor Control Board (PLCB) has asked the Board to approve an amended liquor transfer resolution for Carmel Café which changes the street address from Street Road to 1613 Main Street at the Shops at Valley Square. Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the amended resolution. The motion passed unanimously 5-0.

### **13. ESCROW AND MAINTENANCE BOND RELEASES**

#### **a. Estates at Valley View Release #1: \$11,650.00**

Mr. Anderson moved to approve Escrow Release #1 for the Estates at Valley View in amount of \$11,650.00 as reviewed by the Township Engineer. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

#### **b. Tran Nail Salon Escrow Release #2: \$7,600.00**

Mr. Anderson moved to approve Escrow Release #2 for Tran Nail Salon in the amount of \$7,600.00 as review by the Township Engineer. Mr. Hallowell seconded the motion. The motion passed unanimously 5-0.

### **14. EXTENSION REQUESTS**

There were no extension requests.

### **15. DEDICATION REQUESTS**

There were no dedication requests.

### **SUPERVISORS COMMENTS**

Mr. Paul discussed the following five (5) issues:

- 1) Warrington Baseball Meeting. Mr. Paul briefed members on a recent meeting he had with the President of the Warrington Baseball Association (WBA). The Association is interested in kicking off a fundraiser for lighted fields and would like to change the lighting scheme from King Park to Barness Park, specifically a field located nearest to the concession stand.

Mr. Paul stated the WBA heavily utilizes this field, attracting over 280 families. He said lighting this field will provide more opportunities for parents to attend the games as well as stabilizing traffic flows throughout the day. He would like assist by having DPW crews install the light ballasts and other necessary infrastructure to reduce the project's overall cost.

However, he will not proceed on this project without BOS approval. Mr. Anderson recommended delaying any action on this until the Solicitor can confirm there are no restrictive land covenants preventing the lights at this location in light of past legal challenges.

- 2) Public Works Commendation. Mr. Paul asked if the Board would consider recognizing the Public Works Department for its contributions in making Warrington Day a huge success. Mr. Anderson suggested a Recognition Resolution at a future meeting. All unanimously concurred with this recommendation.
- 3) Rehabilitation of Lower Nike Park Ice Skating Rink. Mr. Paul informed Board members that he is working with Township Staff in obtaining quotes for rehabbing the Lower Nike ice skating rink. He noted the rink has been out of commission for some time and would like to retrofit it for a hockey rink. Preliminary estimates are in the \$50K+ range but are still being compiled. Board members supported the project. Mr. Luber confirmed there were sufficient park assessment monies to fund this project. Mrs. Yannich asked if there were any local hockey leagues that might be interested in helping the project financially. Mr. Anderson advised against this in light of the current prohibition on organized sports in Lower Nike.
- 4) Ambulance Banquet. Mr. Paul attended the recent ambulance banquet and presented an award that the Board was presented thanking it for its support.
- 5) Snow Plowing Issues. Mr. Paul acknowledged some challenges this year in providing prompt snow removal services in all residential neighborhoods. The most recent storm was particularly problematic because of a flu outbreak in the department and the lack of sufficient subs. The last opening for subs yielded no additional bidders. He said the crews are doing their best in clearing all the roads this evening.

#### ADJOURNMENT

There being no further business Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:10 p.m. The motion passed unanimously.

Respectfully Submitted By:



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Timothy J. Tieperman, Township Manager

**RESOLUTION 2013-R-50**

**WHEREAS**, on September 24, 2013, the Board of Supervisors reviewed a preliminary budget in the amount of \$26,947,796 for all proposed operating and capital expenditures in 2014; and

**WHEREAS**, the Township advertised the preliminary budget's availability for public inspection and November 12, 2013 as the earliest possible date for its final adoption as required under § 3202 of the Second Class Township Code; and

**WHEREAS**, the Finance Department has continued to refine the final budget numbers based on new information and Supervisor feedback; and

**WHEREAS**, these final refinements have been incorporated into the final budget document on which the Board has deliberated;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Warrington Township that it hereby approves a final 2014 budget in the amount of \$26,947,796.

Summarized in Table I below is a compilation of all the associated funds in the 2014 budget:

**TABLE I**  
*All Funds Summary*

<b>FUND CATEGORY</b>	<b>FINAL</b>
General Fund	\$ 12,626,583
Water and Sewer	\$ 7,238,536
Open Space	\$ 1,500,000
Capital Bonds – Roads	\$ 326,450
Capital Projects – 2014 Bonds	\$ 1,750,000
Capital Reserve – 2008 Bonds	\$ 0
Capital Improvement Fund	\$ 295,000
Debt Service Fund	\$ 1,967,778
Highway Aid Fund	\$ 849,409
Internal Service Fund	\$ 394,040
	<b>\$ 26,947,796</b>

**BE IT FURTHER RESOLVED** by the Board of Supervisors that in order to fund properly the above appropriations, the Board hereby adopts a 2014 mill levy schedule as summarized in Table II.

**TABLE II**

<b>MILL CATEGORY</b>	<b>2013 LEVY</b>	<b>2014 LEVY</b>
General Fund	5.90	5.90
Debt Service Fund	3.39	4.01
Fire Protection Fund	0.00	0.00
Ambulance Fund	0.00	0.00
Park and Recreation Fund	2.26	2.26
Open Space Fund	0.67	0.67
	<b>12.22</b>	<b>12.84</b>

**RESOLVED** this 10<sup>th</sup> day of December, 2013

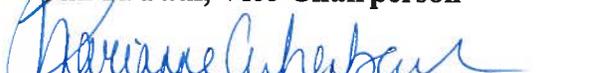
**BOARD OF SUPERVISORS OF WARRINGTON TOWNSHIP**

**ATTEST:**

  
\_\_\_\_\_  
**Timothy J. Tieperman**  
Township Manager

  
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**Gerald B. Anderson, Chairperson**

  
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**John R. Paul, Vice-Chairperson**

  
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**Marianne Achenbach, Secretary**

  
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**Matthew W. Hallowell, Member**

  
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**Shirley A. Yarnich, Member**