



## **WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR MARCH 12, 2013**

The regular meeting of the Warrington Township Board of Supervisors was held on March 12, 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 Anderson, Chairperson; John Paul, Vice Chairperson; Marianne Achenbach, Secretary/Treasurer; and Shirley A. Yannich, members. Staff present were Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, Township Engineer; Barbara Livrone, Executive Assistant to the Township Manager; and Barry Lubber, Chief Financial Officer. Matthew W. Hallowell, Sr., was on vacation.

### **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 an executive session will be held after the meeting to discuss Lamplighter issues. These issues will be reported at the March 26th supervisors meeting.

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

1. **February 26, 2013 – March 12, 2013**      **\$681,848.49**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from 02/26/13 to 03/12/13 totaling \$681,848.49. This motion passed by a roll call vote of 4-0.

### **APPROVAL OF MINUTES:**

2. **February 12, 2013**

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

### **MINUTES FOR POSTING:**

3. **February 26, 2013**

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the posting of the February 26, 2013 Meeting Minutes. The motion passed unanimously.

**4. March 5, 2013 Work Session**

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the posting of the March 5, 2013 Meeting Minutes. The motion passed unanimously.

**PUBLIC COMMENT**

Rich Birett, 788 Triumphe Way and Mark Vosteen 876 Bridle Lane both questioned the tax millage allocated to the Warrington Ambulance Corps due to its recent investigation. Mr. Anderson stated the township is overseeing and administering all taxes and will continue in the future. The township's EMS Committee is studying how to handle the funds.

**OLD BUSINESS:****5. Board and Committee Appointments**

Mr. Paul motioned, seconded by Mrs. Yannich, to appoint T.R. Vincent Evans to the Planning Commission Board. This motion passed unanimously.

Mr. Paul motioned, seconded by Mrs. Yannich, to appoint Frances McKee to the Open Space and Land Preservation Task Force. This motioned passed unanimously.

Mr. Paul motioned, seconded by Mrs. Achenbach, to appoint Thomas Whelans to the Communications Advisory Board. Mr. Whelans also applied for various other boards and it was suggested to contact Mr. Whelans to find out if he would be willing to serve on additional board, the Historic Commission.

Mr. Paul noted the Buildings Code Appeals Board requires a mix of different disciplines, i.e., engineer, real estate, builder, etc in order to complete its membership. Currently, there are two (2) vacancies. Before an appointment can be voted on, staff is researching the discipline of the present BCAB's members.

The Board agreed to table the application of Thomas Fail until a determination is made for Mr. Fail to serve on a continuous basis since he is continuing with his college education.

**6. Consider adoption of amendments to Chapter 16 (Park and Open Space) of the Township's Code of Ordinances.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt the amendments to Chapter 16 (Park and Open Space) of the Township's Code of Ordinances. (*see Attachment A*)

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):****7. Discuss open space bond preparations for March 26, 2013 Meeting.**

First Municipals' Financial Advisor, Warren White briefed the Board on an upcoming open space bond issue which is scheduled for Board action at the March 26, 2013 regular meeting. The new bond debt refinancing will eliminate the balloon payment in 2025. At present value there is an \$800,000 savings. The Water and Sewer Department has major infrastructure issues that need to be addressed. Mr. White advised the board it is best to borrow when the project(s) are ready. Mr. Anderson stated the board is against raising taxes but may need a combination of increasing taxes and increasing the water and sewer rates to fund the water and sewer projects. A work session will be scheduled to discuss immediate and secondary water and sewer projects.

8. **Discuss Staff's preliminary DCNR grant recommendations.**

The staff recommendation is to authorize the preparation of a planning grant application to evaluate the feasibility of constructing a connector trail from the Route 202 Parkway to the Bradford Dam Trail. A meeting will be scheduled with Bucks County Parks and Recreation Director to discuss this connector trail. The Board concurred with Staff's DCNR grant recommendation to pursue the trail feasibility study.

9. **Discuss policy priorities for next CDBG funding round.**

Staff is preparing an application for the 2013 Community Development Block Grant (CDBG) which is administered by the County of Bucks. Two projects to qualify for are curb cuts and removing blight. After review, the Board did not support curb cuts due to changing regulations and the cost is prohibitive. The Board approved blight elimination as a project for the grant. At least twenty-five percent of the properties in a designated area must be blighted and a resolution passed declaring this area blighted.

10. **Discuss alternative(s) to Folly Road Schoolhouse Lease.**

The Board directed the township manager to provide a lease to the Historical Society for a twenty five (25) year term at \$1.00 per year. There will be an automatic renewal by either party with a one year notice.

11. **MANAGER'S REPORT:**

a. **Swim Club Promotional Recommendations**

Mrs. Yannich motioned, seconded by Mr. Paul to approve the Park and Recreation's recommendation to authorize a gift card incentive to any new member who belonged to another swim club in 2012 to join the Warrington Swim Club. Mr. Anderson and Mrs. Achenbach voted no to the recommendation. The motion failed 2-2. Mr Anderson approved the incentive letters to be mailed to the members of the former Warminster Swim Club.

b. **Concurrence on Consortium Sign and Post Material Bid**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the sign and post material bid as recommended by the township manager. The motion passed unanimously.

c. **Report on BCPC Economic Development Initiative**

Mr. Anderson requested scheduling a work session to discuss the 611 Corridor and Gateway zone and partner with the Bucks County Planning Commission.

12. **CHAIRMAN'S REPORT:**

Mr. Anderson stated that all of the board members will be attending the 2013 PSATS Conference on April 23. This date is a regular scheduled supervisors meeting.

Mr. Paul motioned, seconded by Mrs. Yannich, to cancel the April 23, 2013 Board of Supervisors meeting. The motion passed unanimously.

**13. ENGINEER'S REPORT:**

Mr. Wieland reported on a proposed traffic signal at Folly and Pickertown Roads. Central Bucks School District is going to discuss this light at their March 20<sup>th</sup> meeting. Mr. Wieland said this light does not meet the warrants and recommended waiting until after the school district meets. Mr. Wieland said the approximate cost of a traffic signal is \$100,000.

**14. SOLICITOR'S REPORT: No Report.****15. ESCROW AND MAINTENANCE BOND RELEASES:**

a. Warrington Meadows Escrow Release # 3: \$161,195.20. Mr. Anderson motioned, seconded by Mr. Paul to approve the Warrington Meadows Escrow Release # 3 in the amount of \$161,195.20. The motion passed unanimously.

b. Warrington Glen Escrow Release # 1: \$1,153,180.50. Mr. Anderson motioned, seconded by Mr. Paul to approve the Warrington Glen Escrow Release # 1 in the amount of \$1,153,180.50. The motion passed unanimously.

**16. EXTENSION REQUESTS: None****17. DEDICATION REQUESTS: None****SUPERVISOR COMMENTS:**

Mrs. Yannich reported her goals were ready to present. Mr. Anderson said this will be discussed at the next meeting.

Mr. Paul said the house on Phillips has not been demolished and the thirty days given to Katz Builder has expired. The asbestos needs to be tested and cost for removal has to be determined before the bid goes out. Mr. Paul directed the township manager to send a letter to Katz.

Mr. Paul inquired about the status of the Malcolm property and Mr. Casey said that he is waiting for preliminary objections.

Mr. Paul directed the township manager to send a letter to Valley Square to install a traffic light that was proposed for Phase I. Due to safety issues, this traffic light needs to be completed quickly.

Mr. Paul referenced the maintenance agreement with the State for the 202 Parkway. Mr. Paul suggested adding stone underneath the post and rail fence to eliminate mowing. This will save time and money for the township.

**ADJOURNMENT**

Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:15 p.m. The motion passed unanimously.

Edited and Reviewed By:



---

Timothy J. Tieperman, Township Manager



*ORDINANCE NO. 2013-O-04*

*AN ORDINANCE AMENDING CHAPTER 16 OF THE  
WARRINGTON TOWNSHIP CODE OF ORDINANCES*

*Part I*

*OPEN SPACE, PARKS AND RECREATION*

**Section 16-1 Definitions**

- A. Except where the context clearly indicates otherwise, the following terms used in this article shall have the following meanings:

**AMENITY**

A natural or created feature or structure that enhances the aesthetic quality, visual appeal or makes more attractive a particular property, place or area for the enjoyment of the public using open space, parks and recreational facilities.

**FACILITY**

Refers to areas and amenities within the open space, parks and recreational boundaries which are available for public use.

**FACILITY USE PERMIT**

Refers to the written authorization issued by the Township of Warrington for the use of a requested facility or activity within open space, parks and recreational areas.

**OPEN SPACE**

Any parcel or area of land or water improved or essentially unimproved and set aside, dedicated, designated or reserved for public use.

**OPEN SPACE GREEN**

An open space area not occupied by any structures or impervious surfaces.

**OPEN SPACE PUBLIC**

Open space owned and maintained by Warrington Township for the use and enjoyment of the general public.

**PARK**

A tract of land designated and used by the public for active and passive recreation.

**PERSON**

Any individual, corporation, partnership, association, unincorporated association or any other group who may apply for a facility use permit.

**PLAYGROUND**

An active recreational area with a variety of facilities, including equipment for younger children as well as court and field games.

**RECREATION ACTIVE**

Leisure-time activities usually of a formal nature and often performed with others requiring equipment and taking place at prescribed places, sites or fields

**RECREATION PASSIVE**

Activities that involve relatively inactive or less energetic activities such as walking, sitting, picnicking and table games.

**RECREATION FACILITY**

A place or structure designed and equipped for the conduct of sports and leisure-time activities.

**Section 16-2 General supervision; adoption of rules and regulations.**

All Township open space, parks, trails and recreational areas and other Township owned parcels shall be operated and maintained under the general supervision of the Board of Supervisors and the Warrington Township Park and Recreation Board. The Park and Recreation Board shall recommend adoption of the rules governing the open space, parks and recreational areas to the Board of Supervisors.

All trails traversing public open space, parks and recreational areas will be supervised by the Parks and Recreation Board

It shall be the duty of the Parks and Recreation Board, assisted by the Warrington Township Police Department, to enforce the provisions of this Article.

**Section 16-3 Hours**

The parks and playgrounds shall be open between the hours of sunrise and sunset. At sunset all activities in the parks and playgrounds shall cease and all persons in the parks and playgrounds shall leave as soon as possible.

The use of parks, playgrounds and active recreational areas beyond sunrise and sunset can continue in accordance with a facility use permit or by authorization by the Park and Recreation Board. No person shall enter or leave a park or playground except by the entrances provided for that purpose.

## **Section 16-4 Facilities**

The reserved use of Township open space, parks, recreational areas and or facilities such as recreation fields and other facilities by organized groups or individuals shall be scheduled at the discretion of the Park and Recreation Board or its designee and a facility use permit shall be issued specifying the date, time and location of the use and such use shall be subject to any conditions that may be imposed under this Article.

Application for a facility use permit shall be made upon the official forms designated by the Township and shall be accompanied by the required fee(s). An applicant must be at least eighteen (18) years of age. Applications for a facility use permit are available at the Township building.

Persons or organizations to whom facility use permits are issued will be held responsible for the actions and conduct of all those associated with the authorized facility use. Groups or persons in receipt of a facility use permit may not prevent other park system users from making use of available facilities.

**The Township reserves the right to revoke permits for any seasonal dates and times requested and not used.**

All groups using the facilities with a facility use permit must provide appropriate insurance to the township as per the application.

No gathering or meeting of any kind assembled through advertisement shall be permitted in any open space, parks or recreational areas without the prior written permission of the Parks and Recreation Board.

## **Section 16-5 Personal conduct**

No person shall improperly conduct him or herself within the open space, parks and recreational areas so as to annoy any other person using the facility.

No person or group shall possess or consume any drugs, alcoholic and/or intoxicating beverages in the open space, parks or recreational areas. No intoxicated person shall be permitted.

No gambling or obscene or indecent act shall be permitted in any open space, parks and recreational areas.

No abusive, indecent or threatening language or any conduct that may annoy others shall be permitted.

No person shall damage, deface, graffiti, destroy or remove any park property, including but not limited to signs, structures, equipment, natural growth or other amenities.

No person shall climb any tree or break, cut down or remove or in any manner injure or deface any ornamental tree, plant, shrub, fern, flower, flower bed or turf in any open space, park or recreational areas. Nor shall any person remove, disturb, interfere with or take any of the

blossoms or fruit growing upon any tree, shrub or bush in the open space, parks or recreational areas.

No person shall enter a lavatory in a park or playground set apart for the opposite sex.

#### **Section 16-6 Disposal of waste**

All waste, animal waste and garbage shall be disposed of in receptacles designated for such purpose. The burning of trash or garbage is prohibited. It is unlawful to transport trash, garbage or any other disposal matter to any park for the purpose of disposal.

There shall be no littering in any open space, park or recreational areas including along the public trails.

#### **Section 16-7 Motor vehicles**

No person shall operate, stop or park any motor vehicle except on park roads, parking areas or other areas so designated for such use; nor shall any person operate any motor vehicle, including but not limited to an automobile, motorcycle or mini-bike in a reckless or negligent manner in excess of the posted speed limit or in such a manner as to become a nuisance to other recreational users.

The speed limit in all Township open space, parks and recreational areas shall be fifteen (15) miles per hour.

#### **Section 16-8 Firearms and hunting**

No person other than an officer of the law shall carry any firearm within the limits of the open space, parks and recreational areas unless licensed to do so.

Hunting, shooting, trapping, injuring, killing or otherwise disturbing of any birds or animals in any Township open space, park or recreational areas and the damaging, destroying or removal of any nest or habitat is strictly prohibited.

No person shall disturb the water fowl in the streams, pools or ponds or birds, nests or eggs or fish (other than by fishing in areas where fishing is permitted) in any part of the open space, parks and recreational areas.

#### **Section 16-9 Building of fires**

No person shall set or maintain any fire in the open space, parks or recreational areas except in grills or fireplaces maintained for that purpose and located by authority of the Parks and Recreation Board.

#### **Section 16-10 Pets/Animals**

Dogs and other domestic animals are allowed only in designated areas and must be tethered on leash no longer than six (6) feet. Dogs and other domestic animals are strictly prohibited in all



play areas including but not limited to ball fields, tennis courts, basketball courts and playgrounds within any open space, park or recreational area.

All animal droppings shall be immediately removed from the open space, park and recreational areas by the person in ownership or control of the animal.

#### **Section 16-11 Notices**

No person shall deface or destroy any notice or sign posted at any place within the open space, park or recreational areas by authority of the Parks and Recreation Board, nor shall any person post any notice or placard at any place within the open space, parks and recreational areas other than by authority of the Parks and Recreation Board or the Board of Supervisors.

#### **Section 16-12 Dangerous athletic equipment**

No person shall use javelins, arrows, discus, lawn darts or similar athletic equipment dangerous in character unless the use has been expressly permitted by the Parks and Recreation Board.

#### **Section 16-13 Sound equipment**

No person shall use any sound amplification equipment in the open space, parks and recreational areas except by special permission from the Parks and Recreation Board.

#### **Section 16-14 Explosives and fireworks**

No person shall have in his or her possession or ignite any fireworks as defined in the BOCA Fire Prevention Code.

The discharge or possession of any rocket, firecracker or other fireworks or any explosive substance within the park system is prohibited unless authorized by a permit.

#### **Section 16-15 Golf**

The playing or practicing of golf is prohibited except in areas specifically designated for that purpose by the Parks and Recreation Board.

#### **Section 16-16 All terrain vehicles (ATV's)**

The use of all terrain vehicles (ATV's) is prohibited in all open space, parks and recreational areas.

#### **Section 16-17 Skateboarding**

Skateboarding is prohibited in all open space, parks and recreational areas.

#### **Section 16-18 Sale of items**

No person or business shall set up any booth, table, stand or vehicle for the sale of any article, merchandize or food whatsoever within the limits of the open space, parks and recreational areas without the consent of the Board of Supervisors, which shall have the authority to refuse

such consent in the instance upon the recommendation of the Parks and Recreation Board. All requests must be in writing to the Parks and Recreation Board. The police will be notified of any permits or authorities.

**Section 16-19 Solicitation**

Solicitation is prohibited and enforced by the Warrington Township Police Department.

**Section 16-20 Penalties**

Any person, firm, association or corporation who shall violate any provision of this Article, upon conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Article continues or each section of this Chapter which shall be found to have been violated shall constitute a separate offense.

**ORDAINED and ENACTED** this                      day of March, 2013.

**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS**

**ATTEST:**

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

\_\_\_\_\_  
**Gerald B. Anderson, Chairperson**

\_\_\_\_\_  
**John R. Paul, Vice-Chairman**

\_\_\_\_\_  
**Marianne Achenbach, Secretary-Treasurer**

\_\_\_\_\_  
**Matthew W. Hallowell, Sr., Member**

\_\_\_\_\_  
**Shirley A. Yannich, Member**