



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

The regular meeting of the Warrington Township Board of Supervisors was held on November 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 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 Lubner, 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 with Warrington Fire Company Board of Directors to review personnel issues related to the 2014 Budget.

### **RECOGNITION OF ENDOM & FREDDIE ROBERTSON**

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

- 1. October 22, 2013 – November 12, 2013      \$2,894,233.73**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from October 22, 2013 through November 12, 2013 totaling \$2,894,233.73. By roll call vote, the motion passed unanimously.

### **APPROVAL OF MINUTES:**

- 2. October 8, 2013**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the October 8, 2013 Meeting Minutes. The motion passed unanimously.

### **MINUTES FOR POSTING:**

- 3. October 22, 2013**

Mr. Paul motioned, seconded by Ms. Achenbach, to approve the posting of the October 22, 2013 Meeting Minutes. The motion passed unanimously.

**PUBLIC COMMENT:**

There was not public comment.

**PUBLIC HEARING:**

There was no public hearing.

**OLD BUSINESS:****4. Resume discussion and consider approval of a Resolution adopting the 2014 Operating and Capital Budget.**

Mr. Tieperman summarized the 2013 Operating Budget. He stated that the \$27,199,196 proposed budget remains unchanged from what was advertised and made available to the public. He stated that the budget's operating portion remains balanced with no tax increase. However, the budget does include a .62 mill increase in debt service for a new \$4 million bond issue to fund major infrastructure improvement next year; he stated an additional .92 mill increase will be necessary should the Board decide to implement the recommendations from the Emergency Services Committee. The latter is a policy decision that the Board must address before the budget is finalized.

Mr. Anderson stated the Board will make a final decision on the 2014 budget sometime in December. He noted the Supervisors have until year's end to pass a final budget.

**5. Consider approval of developers agreement for Valley View (formerly West Tract)**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the development agreement for the Valley View subdivision, also known as the West Tract. The motion passed unanimously.

**6. Consider approval of Ordinance amendment to Chapter 15 (Motor Vehicles and Traffic)**

Mr. Anderson moved, seconded by Mr. Paul, to table final action on an Ordinance amendment to Chapter 15 (Motor Vehicles and Traffic) until the November 26, 2013 regular meeting.

**7. Review proposed BCATO Resolutions:****a. To amend Act 84 by applying bidding thresholds to "new" equipment only, thereby enabling Townships of the Second Class to obtain used equipment without restriction.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt a Resolution advocating an amendment to Act 84 by applying bidding thresholds to "new" equipment only, thereby enabling Townships of the Second Class to obtain used equipment without restriction. The motion passed unanimously.

**b. To amend §3107 of the Second Class Township Code to allow building contracts of any amount to be awarded to a single prime contractor as opposed to bidding it out separately to multiple primes.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt a Resolution to allow building contracts of any amount to be awarded to a single prime contractor as opposed to bidding it out separately to multiple primes. The motion passed unanimously.

**8. Review final changes to Non-Traffic Enforcement Ordinance based on Solicitor's final review and authorize advertisement.**

Mr. Anderson reviewed the updated mark-up of the proposed enforcement overly ordinance. Mr. Casey provided an affirmative review of the latest draft. There being no substantive comments, Mr. Paul motioned to authorize the advertisement of the new enforcement overlay ordinance. Mrs. Achenbach seconded the motion. The motion passed unanimously.

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

**9. Consider bid award to Blue Bell-based Betta Construction in the amount of \$143,037.00 for the Neshaminy Gardens CDBG Drainage Project, being the lowest responsible bidder meeting all federal bidding requirements.**

Mr. Anderson moved to award the Neshaminy Gardens CDBG Drainage Project to Blue Bell-based Betta Construction in the amount of \$143,037.00, being the lowest qualified bidder meeting all federal bidding requirements. Mr. Paul seconded the motion. The motion passed unanimously.

**10. Consider approval of Meridian financial and land development agreements.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the financial and land development agreements for the completion of the Meridian development. Mr. Casey explained these agreements reflect the culmination of many months of negotiations between the successful bidder and Wells Fargo Bank. The motion passed 4-0. Mrs. Yannich recused herself since she is a Meridian resident.

**11. Consider waiver approval for Wagner (Kansas and Elm)**

**12. Change Order Approvals**

- a. **Tradesville Sewage Treatment Plant:** Mr. Paul motioned, seconded by Mr. Hallowell, to approve a \$775.92 change order to AJM Electric, Inc. for the installation of a circuit breaker.
- b. **Public Works Facility:** Mr. Paul motioned, seconded by Mr. Hallowell, to approve the following change orders:
  1. Twining – Time Extension (\$0) and Additional Paving (\$50,015.00)
  2. AJM Electric – Time Extension (\$0)
  3. Rogers Mechanical Company – Time Extension (\$0)
  4. Hollenbach Construction, Inc. – Time Extension (\$0)
  5. Guy M. Cooper, Inc. – Time Extension (\$0)
  6. Buckl Architects – Additional Construction Administration (\$1,820)

The motions passed unanimously.

**13. MANAGER'S REPORT:**

**a. Approval for 2013-2014 Snow Plowing and Salt Application Services**

Mr. Tieperman summarized the bid results and recommended that the Board award contracts to BP Paving, T. Schieffer Contractors, Inc. and GRZ Contractors, LLC. He recommended also that the Board authorize advertisement for additional contractors to provide Public Works with sufficient manpower for snow removal. Mr. Paul motioned,

seconded by Mr. Hallowell, to accept this recommendation and to authorize another advertisement to secure additional contractors. The motion passed unanimously.

**b. Approval of Egenolf Sewer Facilities Module (401 Mill Creek Road)**

Mr. Anderson moved that the Board approved the Egenolf Sewer Facilities Module for 401 Mill Creek Road. Mr. Paul seconded the motion. The motion passed unanimously.

**c. 2014 Hometown Press Renewal**

There was no action on this renewal. Mr. Anderson asked Mr. Tieperman whether the newsletter is revenue neutral and whether there's a formal accounting for the advertisement revenue and rates collected by Hometown Press. Mr. Tieperman affirmed the newsletter is revenue neutral but that Staff does not track the company's advertising rates. He suggested that before the Board renew Hometown's agreement that they appear before a future Supervisors meeting. All Supervisors unanimously concurred with this recommendation.

**d. Ratification of Electrical Contract**

Mr. Tieperman explained that the original electrical contract that the Board passed at its October 22 meeting had some bidding errors on which the Township's electricity consultant brought to Staff's attention. The contract was since rebid.

Mr. Paul recommended, seconded by Ms. Achenbach, to award a twenty-four (24) month contract to PPL Energy Plus, LLC for electricity services to all Township facilities. The motion passed unanimously.

**e. PennDOT Video Sharing Agreement**

Mr. Anderson moved to approve the PennDOT Video Sharing Agreement. This Resolution, required by PennDOT, identified the Township officers with the authority to sign these types of agreements. Mrs. Achenbach seconded the motion. The motion passed unanimously.

**f. Environmental Finance Center Proposal**

Ms. Ivy Ross, Vice Chairperson of both the Township's Environmental Advisory Committee (EAC) and Open Space Task Force (OSTFF), spoke briefly in support of this proposal from the Environmental Finance Center. The Center is affiliated with the University of Maryland.

Ms. Ross stated the only requirement is a letter of support from the Township. There are no financial obligations. Mr. Anderson and Mrs. Yannich spoke in support of the proposal and recommended the Township's partnership with the EFC.

Mrs. Yannich motioned, seconded by Mr. Anderson to authorize the support letter. Mr. Anderson further suggested that such a letter be signed by the Chairman on behalf of the Board. Mr. Tieperman agreed to make the necessary edits for the Board's final approval at the next meeting.

## **14. CHAIRMAN'S REPORT**

### **a. Route 202 Parkway Letter**

Mr. Anderson reviewed the final draft letter addressed to the PennDOT Secretary citing serious public safety issues and recommendations for action, including the petition to remove all truck traffic from the Parkway. The Board unanimously approved the letter that will be signed by each Supervisor.

### **b. Bristol Road & Route 611 Concept Discussion**

Mr. Anderson reviewed some engineered concept plans prepared by Carroll Engineers for discussion purposes only. The first slide showed that with the acquisition of some additional land near the Lukoil station, it would be possible to install a designated left turn lane. This would allow those traveling eastbound on Bristol to turn southbound on 611.

The second slide showed a conceptual feeder road around 611 near the former C&M property that would divert some Bristol Road traffic directly to 611 via Stagner Avenue. Mr. Anderson stated that this particular design requires further study.

Mr. Paul raised the possibility of resurrecting an old concept plan that would provide an additional lane near the Bristol/Pickertown intersection to alleviate traffic for travelers on Pickertown wanting to turn westbound on Pickertown. Mr. Gockowski recalls that this required some land acquisition which the Township was not able to acquire short of condemnation. Mr. Anderson stated this should be revisited.

Mr. Anderson concluded these discussions by stating his desire to schedule a special meeting with PennDOT's District 6 administrators to discuss all these concept plans in addition to the planned Loop Road. The Board was unanimous in its support for such a meeting. He will work with Mr. Tieperman in getting this meeting scheduled.

### **c. BOS Meeting Schedule for November/December**

Mr. Anderson stated that the Board's next meeting is Tuesday, November 26, followed by December 10 and December 17. He does not expect any holiday conflicts. Assuming all budgetary issues have been resolved, he expects final budget adoption on December 10.

### **d. Appointment of Supervisor to new Planning Department**

Mr. Paul nominated Marianne Achenbach as the second Supervisor on the new Planning Department. Mr. Hallowell seconded the motion. The motion passed unanimously.

### **e. Planning Department Meeting Topics**

Mr. Anderson distributed a draft copy of the Planning Department's first meeting scheduled for Monday, December 3, 2013 at 7:00 p.m.

**15. ENGINEER'S REPORT**

- a. Mr. Gockowski updated the Board on the Lower Nike Pedestrian Bridge. He stated the bridge is in as well as the gravel trail. There will be a meeting scheduled shortly to develop a punch list for substantial completion.

Mr. Anderson asked Mr. Paul if he could coordinate with Public Works the installation of additional work to provide additional site work around the pump station to give Bradford Greene residents' safer access until the final PECO Trail Extension is completed.

**16. SOLICITOR'S REPORT**

- a. Regarding Malcolm's Mr. Casey is still awaiting a final hearing date from Judge Gibbons. He noted, however, that Ms. Gibbons has scheduled a hearing for the Illg bond request. The Township Engineer has been asked by the developer's attorney to submit evidence in support of the bond request.
- b. Regarding the Snyder property, Mr. Casey reported that even though the Board had authorized him to final the condemnation filing, the process has been delayed because the title company will not issue title insurance on the property because its research shows that the Snyder's were not officially served. However, the property was posted in accordance to State law and no appeal was file. Thus the sale was valid. Mr. Anderson moved, seconded by Mr. Hallowell, to authorize the Solicitor to proceed with the filing despite the title insurance issue. The motion passed unanimously.
- c. Mr. Casey had hoped to have the Board approve the Lamplighter (Phase 1-3) Water and Sewer dedication. While the title company has issued a commitment letter, it has declined to release the actual policy itself until all judgments have been removed from the official record. He noted that Redus should have removed them as part of the bankruptcy.
- d. As part of the Meridian settlement, Mr. Casey stated the Board needs to execute an official document releasing Wells Fargo from any further financial obligations related to the Meridian development. Mr. Anderson moved to authorize the Secretary-Treasurer and the Chairman to execute this document. The Board gave its unanimous consent.

**17. ESCROW AND MAINTENANCE BOND RELEASES****a. Oak Creek GA, JP**

Mr. Anderson moved to approve Escrow Release #4 for Oak Creek at Warrington in the amount of \$57,344.50. Mr. Paul seconded the motion. The motion was approved unanimously.

**b. Ich Tran GA, MH**

Mr. Anderson moved to approve Escrow Release #1 for Tran Nail Salon in the amount of \$47,441.97. Mr. Hallowell seconded the motion. The motion was approved unanimously.

**18. EXTENSION REQUESTS**

There were no extension requests.

**19. DEDICATION REQUESTS**

There were no dedication requests.

**SUPERVISORS COMMENTS**

Mr. Anderson asked Mr. Paul for an update on the status of converting the defunct ice skating rink to a functioning skateboarding venue. Mr. Paul responded that he is working with Finance in obtaining estimates for a possible spring project. He will update the Board at the next meeting.

**ADJOURNMENT**

There being no further business Mr. Paul motioned, seconded by Mr. Hallowell, to adjourn the meeting at 9:30 p.m. The motion passed unanimously.

Respectfully Submitted By:



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Timothy J. Tieperman, Township Manager