



## **WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR OCTOBER 8, 2013**

The regular meeting of the Warrington Township Board of Supervisors was held on October 8, 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 Lubert, 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 there was no executive session held.

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

- a. **September 24, 2013 – October 8, 2013**      **\$1,561,114.77**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from September 24, 2013 through October 8, 2013 totaling \$1,561,114.77. By roll call vote, the motion passed unanimously.

### **APPROVAL OF MINUTES:**

2. **September 10, 2013**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the September 10, 2013 Meeting Minutes. The motion passed unanimously.

3. **September 17, 2013 Workshop**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the September 17, 2013 Workshop Meeting Minutes. The motion passed unanimously.

**MINUTES FOR POSTING:****3. September 24, 2013**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the September 24, 2013 Meeting Minutes. The motioned passed unanimously.

**PUBLIC COMMENT:** There was no public comment.

**PUBLIC HEARING:** None.

**OLD BUSINESS:****5. Continue 2014 Budget Discussions.**

The Township Manager review the 2014 Budget the all fund summary for the proposed 2014 Budget. Mr. Anderson stated the 2014 budget will be presented at the October 22, 2013 Board of Supervisors meeting for final adoption. If approved, the 2014 Budget will be posted on the website.

**6. Review proposed ordinance amendment restricting Pickertown Road truck traffic between Bristol and Folly Roads.**

Staff added Section 305 to Part 3, Chapter 15 (Motor Vehicles and Traffic) prohibiting truck traffic on Pickertown Road from Folly to Bristol between the hours of 12:00 a.m. and 6:00 a.m.

The Board discussed the proposed ordinance amendment restricting Pickertown Road truck traffic between Bristol and Folly Roads. Some suggestions are to add to the amendment that all municipal vehicles are exempt, and the weight limit on pickup trucks with a trailer exceeding 25,000 pounds would be restricted. The Board agreed to table this ordinance amendment and review it at their next meeting. Public comment came from Stan Schwartzman (604 Guilford) expressing concerns that this restriction will force traffic onto Street Road.

**7. Review and consider action on Planning Commission recommendations regarding proposed Gateway Overlay District.**

Mr. Anderson thanked the Planning Commission for their countless hours reviewing the proposed Gateway Overlay District. Fred Gaines presented to the Board recent drafts of the Overlay District Ordinances that were prepared by the Warrington Township Planning Commission (WTPC) plus a preliminary review prepared by the Bucks County Planning Commission (BCPC). The draft Ordinance was reviewed and commented on by workshops and public meetings with the impacted landowners. The WTPC intends to incorporate recommendations made by the BCPC, i.e., bike lanes into the draft ordinance.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):****8. Consider approval of developer's agreement for Ich Kien Tran (525 Easton Road).**

The Financial and Developers Agreement, along with the noted fees that have been paid in full, were presented for approval. Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the Financial and Developers Agreement for Ich Kien Tran (525 Easton Road). This motion passed unanimously.

9. **Consider approval of land development waiver for Carmel Café and Wine Bar (Valley Square Retail Building 1100).**

Doug Waite, P.E., Gilmore and Associates, Inc., reported on the construction of the proposed exterior patio being constructed at Carmel Café. A variance is not required for the patio being built in the front yard. There will be landscaping improvements which includes a two foot tall retaining wall to make up the grade. Mrs. Yannich expressed concern about the slope from the road to the patio. Mr. Paul motioned, seconded by Mr. Hallowell to approve the land development waiver for Carmel Café and Wine Bar located at the Shops at Valley Square, Building 1100. The motion passed unanimously.

Mr. Anderson recommended a letter, addressed to the owners of the Shops at Valley Square, to be mailed indicating a need for a traffic light at Phase I. Mr. Paul motioned, seconded by Mrs. Achenbach to approve the letter dated October 8, 2013 requesting a traffic light installed at the intersection of main Street and Valley Square Boulevard. The motion passed unanimously.

10. **Review proposed BCATO resolution 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.**

The Board of Supervisors agreed to table this agenda item until a future meeting.

11. **Review proposed BCATO resolution to amend Section 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.**

The Board of Supervisors agreed to table this agenda item until a future meeting.

12. **Discussion, presentation and possible advertisement authorization for an ordinance amending Chapter 1 (Administration and Government) to create a Planning Department.**

Mr. Anderson reported the Municipalities Planning Code (MPC) allows for a Planning Department to review plans and make recommendations to the Board of Supervisors.

Mr. Richard Rycharski (2344 Hemlock Court) suggested holding a workshop to discuss the creation of a Planning Department. Mr. Wayne Bullock (1525 Turk Road) stated he favors a Planning Department.

Mr. Paul motioned, seconded by Mr. Hallowell to advertise the ordinance with revisions amending Chapter 1 (Administration and Government) to create a Planning Department. The vote was 4 to 1, with Mrs. Yannich opposing the vote.

13. **Consider recommendation from the Veterans Affairs Committee to implement staggered terms for current and future members.**

Mr. Anderson motioned, seconded by Mr. Paul to implement staggered terms for current and future members of the Veterans Affairs Committee. The motion passed unanimously. (*See Attachment #1*)

**14. MANAGER'S REPORT:**a. 2014 Electric Contract Authorization

Mr. Tieperman recommended that Commercial Utility Consultants be authorized to solicit electricity quotes for a twelve to twenty four month term and execute a contract with the lowest responsible bidder. Mr. Anderson motioned, seconded by Mrs. Achenbach, to authorize the township manager to solicit bids for the 2014 Electric Contract. The motion passed unanimously.

b. Authorize bid advertisements for CDBG Projects 11-21 and 12-24 (Neshaminy Gardens)

Mr. Anderson motioned, seconded by Mr. Paul, to authorize bid advertisements for CDBG Projects 11-21 and 12-24 for drainage improvements at Neshaminy Gardens. The motion passed unanimously.

c. Authorize engineering work for 2013 CDBG Grant.

Mr. Anderson motioned, seconded by Mr. Paul, to authorize the township engineer to prepare specifications and obtain the necessary permits for the 2013 CDBG Grant. The motion passed unanimously.

d. Policy for Minor Development Agreements (Staff Recommendations)

The Board approved Staff's recommendation to adopt a policy requiring all building permits to be accompanied with some type of agreement that enshrines basic work standards for all types of projects. This is to encourage the need for escrow funds. A listing of components for the developer's agreements was discussed. Mr. Anderson requested the wording be changed from "Standard List of Components for Developers Agreements to "Suggested List of Components for Developers Agreements. Additionally, add to the list # 11 "maybe approved escrow." Mr. Anderson motioned, seconded by Mr. Paul to approve the policy for minor development agreements. The motion passed unanimously.

e. Warrington Day Preparations.

Mr. Tieperman presented a layout map of the Little Nike Park which is the location of Warrington Community Day on Saturday, October 12 from noon until 6:00 PM, followed by a firework display set to music starting at dusk. A bike tour is starting at the Upper Nike Park at 9:00 a.m. and will be approximately 6.2 miles, riding through the township's trail system. A performance schedule listing the entertainers, followed by a listing of activities which included Earthborne's Dancing Diggers was announced. Mr. Anderson suggested for the township to follow up in obtaining a one day insurance policy for non-profits.

**15. CHAIRMAN'S REPORT**a. Pension Advisory Committee Alternate

The Board approved an alternate to be placed on the Pension Advisory Committee. The police contract which states the membership for the committee and move forward with this proposal. All were in agreement.

b. Advisory Board Appointments

Mr. Paul motioned, seconded by Mr. Hallowell to appoint the following residents seeking committee appointments boards/commissions:

Dr. Constance L. Ace	Historic Commission
Mrs. Barbara Brown	Environmental Advisory Council – Alternate
Ted Piotrowicz	Park and Recreation Board and Liaison to Environmental Advisory Council
William Coyle	Building Code Appeals Board

The motion passed unanimously.

c. Loop Road Update

Mr. Anderson reported that two advertisements were placed in the Intelligencer on October 8 and 15th for the Loop Road Ordinance. The ads were the same except one ad added “exception to have a conditional use hearing.”

d. 202 Parkway Update

Mr. Anderson requested a letter be drafted to the state and to the legislators not to allow trucks onto the 202 Parkway and to remove the bicycle lane due to safety issues. He suggested including Montgomery Township in the letter.

e. Barness Park

Mr. Anderson stated if there are no liens on tax map parcel # 50-026-014 to move forward with the condemnation of the property. Mr. Paul presented a map showing four hundred feet along Bristol Road as a proposed trade off with Morrissey. This property will be an expansion to Barness Park. The driveways into the park will be moved for better access and visibility onto Bristol Road.

16. **ENGINEER’S REPORT**a. 2013 Road Program Progress Report

Mr. Gockowski reported that most of the milling work has been completed, the inlet tops have been replaced and paving should be completed by October 18, 2013.

b. Lower Nike Park Pedestrian Bridge

A field meeting was scheduled on October 4 with the contractor and PECO. The contractor for the Lower Nike Pedestrian Bridge reaffirmed mobilization of the bridge to be moved by the end of October, 2013.

c. Street Road

Mr. Gockowski reported that he met with PennDOT regarding the Street Road culvert flooding issue at the end of Warrington Glen. PennDOT is going to review the permit to find out who is responsible for repairing the culvert.

**17. SOLICITOR'S REPORT****a. Malcolm's**

Mr. Casey reported a brief is due by October 14, 2013 and will be presented to the judge.

**b. Meridian**

Mr. Casey reported the projected fees for Meridian were sent to the attorney for the bank. A response from the bank is due October 9<sup>th</sup>. The due diligence for the proposed sale has been completed.

**c. Interstate Supreme Court Decision**

Mr. Casey reported that Interstate Outdoor Advertising LP wanted to erect three large billboards within the township. The company appealed to the Warrington Township Zoning Board and was denied. They filed an appeal with the Pennsylvania State Supreme Court and the Court denied their appeal on September 18<sup>th</sup>.

**18. ESCROW AND MAINTENANCE BOND RELEASES:****a. Pete's Carwash Release # 1: \$145,989.50**

Mr. Anderson motioned, seconded by Mrs. Achenbach to approve Release # 1 in the amount of \$145,989.50 for Pete's Carwash. Mr. Paul recused himself. The motioned passed 4 to 1.

**b. Phase 2 – Warrington Glen Escrow Release # 1: \$66,419.25.**

Mr. Anderson motioned, seconded by Mr. Paul to approve Release # 1 in the amount of \$66,419.25 to Warrington Glen, Phase 2. The motion passed unanimously.

**19. EXTENSION REQUESTS: None****20. DEDICATION REQUESTS: None****SUPERVISOR COMMENTS:**

Mr. Anderson thanked The Shops at Valley Square as the largest contributory towards the township's Warrington Community Day event.

**ADJOURNMENT**

Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 10:00 p.m. The motion passed unanimously.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager