



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR MAY 25, 2010

The regular meeting of the Warrington Township Board of Supervisors was held on May 25, 2010, 7:33 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976, followed by the pledge of allegiance. The members present were as follows:

ATTENDANCE:

Rebecca A. Kiefer, Chairperson; John Paul, Vice Chairman; Marianne Achenbach, Secretary; Michael W. Lamond, Jr., Assistant Secretary; Paul Plotnick, Member; Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, Township Engineer; Carolyn Hanel, Director of Administrative Services/Parks and Recreation; and Barbara Livrone, Executive Assistant to the Township Manager.

SPECIAL PRESENTATION – HERB KAHL SCHOLARSHIPS BY MRS. ROBERTA KAHL

Mrs. Kahl announced the Herb Kahl Scholarships were organized by the Board of Supervisors in 1996 in honor of her late husband, Herb. Mrs. Roberta Kahl and Mr. Harry Chess recognized two college bound Warrington Township students who currently attend Central Bucks High School South. Gabrielle Vass and Mira Amin received Two Thousand Dollars (\$2,000) each for their outstanding service and volunteering countless hours to the community. Mrs. Kiefer thanked Ms. Vass and Ms. Amin for their dedication to the community.

EXECUTIVE SESSION REPORT

Mr. Casey reported in executive session two (2) Katz Builders developments: Lamplighter Village II and Meridian of Valley Square are currently in bankruptcy. They have been declared in fault and the escrow money held by Wachovia Bank should be sent to the township to perform improvements. The first step is to authorize an agreement with the bank and with Katz Builders.

Mr. Paul motioned, seconded by Mrs. Achenbach to declare land development known as Lamplighter Village II in default and directed appropriate staff to notify Wachovia Bank requesting transfer of funds to the Township. This motion passed unanimously.

The following residents questioned the escrow account for Katz:

- Graham Smith of 1204 Lyndhurst Court
- Joe Stryjewski of 502 Hanely Court
- Gene Shuster of 901 Farnham Court

Mr. Casey stated a meeting will be held after the money is received to decide how the repairs will be made.

Mr. Paul motioned, seconded by Mr. Plotnick to declare land development known as Meridian of Valley Square in default and directed appropriate staff to notify Wachovia Bank requesting transfer of funds to the Township. This motion passed unanimously.

APPROVAL OF BILL LIST:**1. May 11, 2010 to May 25, 2010 - \$1,634,455.45**

Mr. Plotnick questioned the expense request he submitted has not been listed on the bill list. Mrs. Kiefer stated the policy is that all bills submitted are pre-authorized and approved.

Mr. Plotnick questioned the cell phone bills.

Mr. Tieperman stated the PECO bill for \$9770.28 was miscoded and should be coded against the street light account.

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the bill list from 5/11/10 to 5/25/10 totaling \$1,634,455.45. This motion passed unanimously by roll call.

APPROVAL OF MINUTES**2. April 27, 2010**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the April 27, 2010 meeting minutes as amended. The motion passed unanimously.

MINUTES FOR POSTING**3. May 11, 2010**

Mr. Paul motioned, seconded by Mrs. Achenbach, the posting of the May 11, 2010 meeting minutes. The motion passed unanimously.

PUBLIC COMMENT

- Mr. Mike Kelly of 135 Muirfield Lane commented on the following matters: (1) Proposed taping/televising of BOS meetings; (2) status the TEVA Project; (3) status of Penrose Tract; and (4) street sweeping schedule.

4. MANAGER'S REPORT.

Mr. Tieperman highlighted the following bulleted items in his report:

- Review June 1, 2010 Workshop Agenda
- CBSD Meeting
- Development Activities Report
- PennDOT Updates
- Solar Energy Project

There were substantial comments and discussion from concerned residents regarding a policy decision by the Central Bucks School District (CBSD) to reduce bus transportation to Titus Elementary School. Mr. Tieperman provided some highlights of his discussions with CBSD personnel on how best to install new sidewalks and refurbish existing trails to allow for more students to walk to school.

CBSD officials proposed, endorsed by Staff, that the township engineer work closely with District officials to ensure that the project is designed and administered correctly. It was reported that the District would cover all costs associated with this change in District policy. It was explained to the residents in attendance that the Township Supervisors have no authority to override this new District policy and that any concerns should be voiced directly with the School Board.

The following residents voiced opposition to the District policy:

- Kevin Peacock of 2394 Lower Barness Road
- Keith Van Buskirk of 2364 Lower Barness Road
- Carrie Connelley of 1097 Washington Court

The Chair called a minor recess to allow residents an opportunity to sign their names, addresses and contact information for recording purposes. This listing is attached (Attachment A).

5. **ENGINEER'S REPORT**

No report.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

6. **Authorize Carroll Engineering Corporation to serve as engineer to the Central Bucks School District for the installation of sidewalk and trailway improvements to the Titus Elementary School.**

There was discussion regarding the recommendation for the Township Engineer to serve as the District's appointed engineer for this project. District officials have asked Carroll Engineering Corporation (CEC) to provide a proposal for the design of the sidewalk/trail project. It was pointed out that by doing this would reduce redundant engineering costs and save some taxpayer money. Types of issue that will address will include storm water, drainage and other logistical-related design issues. Some opposition to the idea of hiring the township engineer was expressed by two supervisors that the use of the township engineer is a conflict of interest.

Mr. Paul motioned, seconded by Mrs. Achenbach to authorize Carroll Engineer to handle all Township and District-related engineering work associated with the Titus project. Mrs. Kiefer voted yea. Mr. Lamond and Mr. Plotnick opposed. The motion carried.

7. **Authorize waiver of penalty and interest for business privilege tax.**

Mr. Casey reported that the Supreme Court is going to hear the Township's BPT case on the narrow provision pertaining to gross receipt. Mr. Casey read an amended resolution to waive all interest and penalty charges for the 2009 and 2010 tax bills that were mailed out in May with an established due date of June 1, 2010, provided the tax itself is paid or appropriate arrangements made to complete payment. This waiver applies only to the 2009 and 2010 bills for this specific flat-rate mercantile and business privilege tax and does not apply to any other authorized tax or levy.

Mr. Paul motioned, seconded by Mr. Plotnick to authorize the Resolution as read by the solicitor. The motion passed unanimously.

8. **Consider authorizing participation in a Municipal Utility Alliance with Constellation Energy.**

The Board decided to table this issue until more information is obtained and requested a comparison with other companies relating to energy use. This will be placed on a future agenda at an appropriate time.

9. **Consider bid award for pool replastering at Swim Club.**

Mr. Wieland reported that bids were opened the week prior to the meeting. The bids included a base bid for replastering and tile replacement of the lap pool and an alternate bid for installation of a PVC liner in lieu of replastering at the Warrington Swim Club. The time schedule for replastering is June 24, 2010. The PVC alternate bid would not fit into the June 24th time schedule and would take approximately eight to ten weeks. The PVC liner has a ten year warranty.

Due to the fact that the pool is close to open, the Board decided to patch the existing plastering, rebid the work and have the work completed in the fall.

10. **Consider Bucks County Consortium Fuel Bid.**

Mr. Paul motioned, seconded by Mr. Lamond to approve the amended Resolution as read by the Solicitor for the 2010/2011 Bucks County Consortium Fuel Bids. The motion passed unanimously.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

11. **Consider authorization installation of a cell tower on township owned property along Valley and review leasing options with/without stealth technology.**

Mr. Nicholas S. Pullen, Principal of Tower One Partners, reviewed revenue and cost differentials for both a six-carrier monopole and 4-5 carrier stealth pole. It was pointed out that the stealth option does not provide as many carriers, which does impact the tower's long-term revenue generating capacity.

After some deliberation on both the monopole and stealth design options, a vote was taken as to preferred design option.

Mr. Paul motioned, seconded by Mr. Plotnick, to choose a six-carrier monopole design. Mr. Paul, Mrs. Achenbach and Mr. Plotnick voted in favor of the monopole design. Mrs. Kiefer and Mr. Lamond voted for stealth technology. The monopole option was approved.

Mr. Paul motioned, seconded by Mr. Plotnick to authorize Tower One Partners to enter into a contract for the installation of a monopole at the Valley Road location, subject to the affirmative review of the Township Solicitor. All were in favor except for Mrs. Kiefer and Mr. Lamond who opposed.

12. **Consider adoption of an Ordinance amending Chapter 15, Section 213 (Stop Signs) of the Township Code.**

Mr. Paul motioned, seconded by Mr. Lamond to approve the ordinance as submitted by the township solicitor. The motion passed unanimously.

13. Consider adoption of an Ordinance amending Chapter 27, Part 22 (Signs) of the Township Code.

Mr. Paul motioned, seconded by Mr. Lamond to table the Ordinance until changes are made by the township solicitor. The amended Ordinance will be presented at the June 8, 2010 Board of Supervisors meeting. The motion passed unanimously.

ESCROW AND MAINTENANCE BOND RELEASES:

14. Consider request for Escrow Release #6 for Stone Manor Corporate Center, Hotel Site in the amount of \$118,221.09.

Mr. Paul motioned, seconded by Mr. Plotnick to approve the request for Escrow Release #6 for Stone Manor Corporate Center in the amount of \$118,221.09. The motion passed unanimously.

SUPERVISORS' COMMENTS

Mr. Plotnick requested the Veterans Committee to make a presentation to the Board at the July 13, 2010 Board of Supervisors meeting.

Mr. Plotnick stated the Memorial Day services will be held at Igoe, Porter, Wellings Park starting at 2:00 PM.

Mrs. Achenbach requested adding the Deer Valley sidewalk issue to a future Board of Supervisors meeting as an agenda item.

ADJOURNMENT

Mr. Paul motioned, seconded by Mr. Lamond, to adjourn the meeting at 9:45 p.m. The motion passed unanimously.

Edited and Reviewed By:

Timothy J. Tieperman, Township Manager