



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR NOVEMBER 9, 2010

The regular meeting of the Warrington Township Board of Supervisors was held on November 9, 2010, 7:30 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:

John Paul, Chairperson; Gerald B. Anderson, Vice Chairperson; Marianne Achenbach, Secretary; Michael W. Lamond, Jr., Assistant Secretary; Paul Plotnick, Member; Staff Present were Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, P.E., Township Engineer; Carolyn Hanel, Director of Administrative Services/Parks and Recreation; and Barbara Livrone, Executive Assistant to the Township Manager.

PLAQUE PRESENTATION BY HISTORIC COMMISSION

Mrs. Mary Roth, Chairperson of the Warrington Historic Commission; Ken Samen, Vice Chairperson; and members Stuart Cohen and Scott Yates were on hand to present five plaques to recognize owners of historic properties in the Township. 1) 830 Valley Road; 2) 2501 Freedom Way; 3) 2288 Oakfield Road; 4) 369 Bradford Avenue; and 5) 1248 Easton Road. Mrs. Roth thanked the Supervisors for continuing to support the plaque program and also the homeowners for allowing the Township to recognize their homes.

EXECUTIVE SESSION REPORT

Mr. Casey reported that an executive session meeting would be held at the conclusion of the regular meeting to discuss personnel issues and potential litigation.

APPROVAL OF BILL LIST:

1. October 26, 2010 to November 9, 2010 - \$465,969.37

Mr. Anderson motioned, seconded by Mr. Lamond, to approve the bill list from 10/26/10 to 11/9/10 totaling \$465,969.37. This motion passed by a roll call vote of 5-0.

APPROVAL OF MINUTES:

2. October 5, 2010

Mr. Anderson motioned, seconded by Mr. Plotnick, to approve the October 5, 2010 Meeting Minutes. The motion passed by a vote of 5-0.

3. October 12, 2010

Mr. Anderson motioned, seconded by Mr. Lamond, to table approval of the October 12, 2010 Meeting Minutes for further review. The motion passed by a vote of 5-0.

6. October 26, 2010

Mr. Plotnick motioned, seconded by Mr. Lamond, to approve the posting of the October 26, 2010 Meeting Minutes with corrections. The motion passed by a vote of 5-0.

On page 2, Item #3 (Approval of Bill List), Mr. Plotnick said the question had been raised why he and Mr. Lamond voted no on the bill list. His response was that they felt there was some unethical conduct involved with the payment of a bill to an employer of one of the Board of Supervisors. He said they felt it was not right and this matter should be brought to the public's attention. He requested a copy of the meeting tape for his review.

PUBLIC COMMENT

The following residents provided comment:

- Mr. Mike Kelly of 135 Muirfield Lane (regarding TEVA and height ordinance restrictions in an Industrial Zoning District).

Mr. Tieperman said TEVA is having an environmental review done on another site on Red Lion Road in Philadelphia. The study takes about three months, and TEVA wants the study results and all permits secured before it withdraws its Warrington application.

Mr. Anderson motioned, seconded by Mr. Lamond to direct the solicitor to advertise a public hearing for December 14, 2010 to review the proposed amendment to the Zoning Ordinance affecting building heights. This motion passed unanimously.

- Mrs. Kristen McDemus of 1007 Linden Way (regarding TDR's)

Mr. Lamond said the Board held a special meeting on September 21, 2010 prior to the appointment of a Township Supervisor. During that special meeting, Mr. Lamond said the Board went into executive session to discuss how they would proceed with voting on the thirteen (13) applicants. He reviewed the pertinent sections of the Second Class Township Code and the Sunshine Law regarding what items can be discussed in an executive session. Mr. Lamond said he had spoken to the Chief of Police and asked him to pass his concerns along to the Bucks County District Attorney. Mr. Lamond also voiced his concern that the Solicitor did not stop the Board from discussing the process in executive session. He said the Board was clearly violating the Sunshine Law, in his opinion.

Mr. Paul Plotnick asked about road improvements never completed at the intersection of Turk & Bristol Roads. Mr. Wieland explained that the Garges Farm was asked for a right of way on their property to make these improvements that we were never able to successfully negotiate. The township manager along with Mr. Casey was directed to contact Mr. Garges to determine the status of this project. Mr. Anderson also asked that the township manager keep the Supervisors updated via his manager's report. Mr. Paul stated that there were two other properties involved beside the Garges Farm.

Mrs. Achenbach inquired as to the status of the traffic light to be installed at the intersection of Folly & Pickertown Roads. Mr. Wieland said the Central Bucks School District had committed to putting a traffic light at this intersection. He further stated that the signal permit application to PennDOT was submitted with comments from PennDOT and the plans were revised. He said the school district had hired a traffic engineer to make the application. The traffic engineer had made some revisions and forwarded this application to PennDOT and is waiting to hear from them.

7. MANAGER'S REPORT

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

- Paychex Proposal
- Change Order #1 – Filter Replacement Project
- Change Order #1 – Liner Installation Project
- Municipal Open Space Program Application
- Preliminary Budget Meeting
- Architectural Pre-Conference Meeting
- Palomino Basin Emergency Culvert Bid
- Town Center Update
- Building Height Revisions to P11 and P12 Districts
- Water Main Break

Consent Item: Palomino Basin Emergency Culvert Bid. Received a bid of \$16,200, which is well within CEC's \$40,000 estimate to proceed with the Palomino Basin Emergency Culvert repairs. Work should be completed by the end of next week.

Consent Item: Warrington Swim Club Filter Replacement Change Order No. 1.

Mr. Plotnick motioned, seconded by Mrs. Achenbach to approve the Warrington Swim Club Filter Replacement Change Order No. 1 that authorizes the removal and replacement of two (2) leaking converter flanges and the installation of two (2) isolation valves on the main pool and to locate a suspected leak in the lines to the wading pool. This motion passed by a vote of 4-1. Mr. Anderson voted no.

Consent Item: Warrington Swim Club Liner Installation Change Order No. 1.

Mr. Plotnick motioned, seconded by Mrs. Achenbach to approve the Warrington Swim Club Liner Installation Change Order No. 1 that authorizes the removal and replacement of a deteriorated wall section, located at the interior corner of the pool. This motion passed by a vote of 4-1. Mr. Lamond voted no.

Consent Item: Municipal Open Space Program Application.

Mr. Anderson motioned, seconded by Mr. Lamond to approve filing a County Open Space Grant Application for the fee simple acquisition of the Dempsey property located at 785 Stump Road. This motion passed unanimously.

Consent Item: Paychex.

Mr. Tieperman was seeking the Board's consent to change our payroll services from ADP to Paychex, effective January 1, 2011. Discussion followed but no action was taken by the Board pending receipt of additional information.

Road Tour.

Mr. Tieperman said on Saturday, November 20, the Board would be taking a ½ day road inspection.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**8. Consider Lot Line Change for Charles Rueger, 1279 School Lane, Tax Parcel Numbers 50-022-024 and 50-022-025.**

Mr. Anderson motioned, seconded by Mr. Lamond to approve the resolution for the lot line change for Charles Rueger, 1279 School Lane, Tax Parcel Numbers 50-22-024 and 50-022-025. This motion passed unanimously.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):**9. Consider approval for Landlord Consent Agreement for Tower One (Valley Road Cell Tower).**

Mrs. Achenbach motioned, seconded by Mr. Plotnick that the Board approved the Landlord Consent Agreement for Tower One (Valley Road Cell Tower). This motion passed by a vote of 3-1. Mr. Anderson abstained and Mr. Lamond voted no.

10. Consider approval for the Development and Financial Securities Agreement for Pal's Building.

Mr. Anderson motioned, seconded by Mrs. Achenbach to approve the Development Agreement with Pal's Building, LLC as prepared by the solicitor. This motion passed by a vote of 4-1. Mr. Lamond voted no.

Mr. Anderson motioned, seconded by Mrs. Achenbach to approve the Financial Securities Agreement between Warrington Township, Pal's Building, LLC, and Ambler Savings Bank supported by a letter of credit that the township has in their possession. This motion passed by a vote of 4-1. Mr. Lamond voted no.

11. Consider appointments to the following Boards and Commissions:

- A. TDR Committee
- B. Open Space and Land Preservation Task Force

Mr. Anderson motioned, seconded by Mr. Lamond to appoint Madeline Sturm to the TDR Review Board, representing the Planning Commission; and Joseph Balent, representing the Planning Commission; Ivy Ross, representing the Environmental Advisory Board; and Ruth Schemm, representing Parks and Recreation to the Open Space and Land Preservation Task Force. This motion passed unanimously.

ESCROW AND MAINTENANCE BOND RELEASES:**12. Consider escrow release #8 for Stone Manor Center, Hotel Site.**

Mr. Anderson motioned, seconded by Mr. Plotnick to approve escrow release #8 for the Stone Manor Center, Hotel Site in the amount of \$23,884.75. This motion passed unanimously.

13. Consider request for release of 18-Month Maintenance Bond for Stone Manor/Kelly Road.

Mr. Anderson motioned, seconded by Mr. Lamond to approve the release of the 18-Month Maintenance Bond for Stone Manor/Kelly Road in the amount of \$44,343.98. This motion passed unanimously.

DEDICATION REQUESTS**14. Consider dedication request for Spognardi Office Building, 1214 Easton Road.**

Mr. Anderson motioned, seconded by Mr. Lamond to approve the dedication request for Spognardi Office Building, 1214 Easton Road in the amount of \$15,444.44. This motion passed unanimously.

SUPERVISORS' COMMENTS

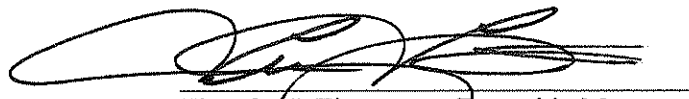
- **Audit**

Mr. Anderson said he and Mrs. Achenbach met with members of the audit committee. The meeting was less productive than anticipated because the 2009 audit had not been completed. He requested that the audit be completed prior to the budget.

ADJOURNMENT

Mr. Anderson motioned, seconded by Mr. Lamond, to adjourn the meeting at 9:30 p.m. The motion passed unanimously.

Edited and Reviewed By:



Timothy J. Tieperman, Township Manager