



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR APRIL 12 2011

The regular meeting of the Warrington Township Board of Supervisors was held on April 12, 2011, 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 Anderson, Vice Chairperson; Marianne Achenbach, Secretary; Michael W. Lamond, Jr., Assistant Secretary; and Paul Plotnick, Member. Staff Present were Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, P.E., Township Engineer; and Barbara Livrone, Executive Assistant to the Township Manager.

EXECUTIVE SESSION REPORT

Mr. Casey reported that he had no executive session report.

APPROVAL OF BILL LIST:

1. **March 22, 2011 to April 12, 2011 - \$888,967.20**

Mr. Anderson motioned, seconded by Mr. Plotnick, to approve the bill list from 3/22/11 to 4/12/11 totaling \$888,967.20. This motion passed by a roll call vote of 5-0.

APPROVAL OF MINUTES:

2. **March 8, 2011**

Mr. Anderson motioned, seconded by Mr. Lamond, to approve the March 8, 2011 Meeting Minutes. The motion passed by a vote of 4-1. Mrs. Achenbach abstained.

MINUTES FOR POSTING:

3. **March 22, 2011**

Mr. Anderson motioned, seconded by Mr. Lamond, to approve the posting of the March 22, 2011 Meeting Minutes. The motion passed by a vote of 5-0.

PUBLIC COMMENT

Victory Gardens, Inc. Mulch Operation – Garges Farm: Mr. Bob Gillard of 308 Brentwood Drive spoke on behalf of several residents to complaint about numerous issues relating to Victory Gardens' mulch operation off of Pickertown Road. These complaints included hours of operation (trucks idling at 4:30 a.m.), traffic congestion, unsafe turning radiuses, infringement upon the protected agricultural easement, in addition to other quality of life complaints. Other residents who offered comment on this issue were:

- John McConnel (206 Trellis Drive)
- Ted Swider (3142 Pickertown Road)
- Diana Fuller (3007 Pickertown Road)

Mr. Paul acknowledged the neighbors' concerns and explained that a meeting was held earlier today with the Garges family, Victory Gardens and their counsel to address these concerns. He shared the results of this meeting with Kristin Gassman. Victory Gardens has agreed to change the hours of operations from 6-9 to 6-8 and will be actively exploring an alternative route to Bristol Road to reduce the traffic volume on Bristol Road. The Township Engineer was asked to develop a scope for a weight study as well as an intersection study to evaluate the existing turning radiuses. The engineer will be providing a report at an upcoming meeting.

Mr. Anderson commented on the conservation easement and the 25 permitted acres for the mulching operation. Victory Gardens is not allowed to cross the agricultural easement. He stated there's a possibility that this easement has been violated and that an alternative route will have to be located, else his operation could be shut down.

Deer Valley Development: Mr. David Fein of 2020 Ballantine Lane appealed to the Board for relief from the 25% impervious area requirement, stating that many of the homes within the Deer Valley subdivision already meet or exceed their impervious requirements.

Morrissey Quarry Parking Lot Operation

Mr. James Kelby of 150 Stump Road and Ms. Gail Galtz of 200 Stump Road expressed their concerns over JDM's planned staging area off of Stump Road as part of the County Line Road expansion project. Mr. Tieperman stated that no permits have yet been issued for this activity and that JDM officials advised him the area would only be used for employee parking.

Mr. Anderson motioned that the Board direct the Township Manager to issue a cease and desist order to JDM until such time the proper road access permits have been acquired and the safety concerns of the area residents satisfied. Mr. Lamond seconded the motion. The motion passed unanimously.

4. REPORT FROM PLANNING COMMISSION CHAIRPERSON, SHIRLEY YANNICH

Shirley Yannich, Chairperson of the Warrington Township Planning Commission, updated the Board on major Planning Commission activities. She focused on the the proposed zoning amendment establishing height standards in the Planned Industrial 1 and 2 Districts and the proposed Business Improvement District Ordinance (aka Town Center Ordinance). Other WTPC members joining Ms. Yannich in her presentation included Madeline Sturm, Doug Skinner and Joseph Balent.

5. MANAGER'S REPORT:

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

1. **Consent Item:** Proposed Fee Schedule Changes: Fence Agreements and Escrows

The Board asked township manager to refine and clarify his recommendations before the Board acts on any fee changes to the processing of fence easement agreement and the elimination of minor escrow accounts for minor zoning and conditional use hearings. Mr. Tieperman will report back at a future meeting.

2. **Consent Item:** Local Government Week Resolution: April 11-15, 2011

Mr. Anderson motioned, seconded by Mr. Lamond to approve the resolution establishing Local Government Week in Warrington Township designating the week of April 11-15, 2011. The motion was passed unanimously.

3. **Consent Item:** Euclid and Martindale Sanitary Sewer Bid Award.

Mr. Anderson motioned, seconded by Mr. Lamond, to award the Euclid and Martindale Sanitary Sewer Rehabilitation Project to DOLI Construction Corporation in the amount of \$264,115.00, as recommended by Carroll Engineers in its April 15, 2011 letter. The motion passed unanimously

4. **Consent Item:** Tradesville SBR and Equalization Tank Bid Awards.

Mr. Anderson motioned, seconded by Mr. Lamond, to award the Tradesville Wastewater Treatment Plant Equalization Basin Equipment Project to Aqua-Aerobic Systems, Inc. in the amount of \$343,523, as recommended by Carroll Engineers in its April 15, 2011 letter. The motion passed unanimously.

Mr. Anderson motioned, seconded by Mr. Plotnick, to award the Procurement Contract to Universal Blower Pac, Inc. in the amount of \$34,958 for the Tradesville Wastewater Treatment Plant Positive Displacement Blowers, as recommended by Carroll Engineers in its April 15, 2011 letter. The motion passed unanimously.

5. **Consent Item:** 2011 Lawn Maintenance Bid Award.

Mr. Anderson motioned, seconded by Mrs. Achenbach, to award the 2011 Lawn Maintenance Bid to Landtech Enterprises in the amount of \$110,220, being the lowest qualified bidder meeting all general bid specifications. The motion passed unanimously.

6. **Consent Item:** 2011 Lawn Fertilization Broadleaf Control Bid Award.

Mr. Plotnick motioned, seconded by Mr. Lamond, to award the 2011 Lawn Fertilization Broadleaf Control Bid to The Davey Tree Expert Company in the amount of \$13,203. The motion passed unanimously.

7. **Consent Item:** 2011-2012 Road Materials and Stone Asphalt Bid Award.

Mr. Anderson motioned, seconded by Mr. Lamond, to award the 2011-2011 Road Materials and Stone Asphalt Bid to Eureka Stone Quarry in accordance to the unit quantities recommended by the Public Works Foreman. The motion passed unanimously.

6. **ENGINEER'S REPORT:**

a. **Neshaminy and Walnut Avenue Stop Signs.**

Mr. Wieland reviewed two (2) viable options for stop signs at Neshaminy and Walnut. He recommended that a permanent stop sign be placed on the stub portion of Walnut Avenue (eastbound) and that a placard be installed along Neshaminy Avenue saying "except right turn". He stated that no stop sign is needed on westbound Walnut Avenue. The result of this arrangement is that the intersection will operate as much as possible as a free-flowing movement for all vehicles using Walnut Avenue or Neshaminy Avenue.

Mr. Anderson motioned, seconded by Mr. Lamond, to approve this recommendation and authorize Mr. Casey to prepare a revised ordinance codifying this change. The motion passed unanimously.

b. **Buffer Status Report – John Ball (981 Lower State Road).**

After reviewing the buffer status report from Carroll Engineering Corporation dated 4/4/11 for the John Ball property located at 981 Lower State Road, the Board concurred that this issue was a private one between neighbor and that the Township should not take any written position. The Township Manager will communication this position to Mr. Ball.

7. SOLICITOR'S REPORT:**a. Folly Road Schoolhouse located at 10 Folly Road.**

Mr. Casey reported that the Second Class Township Code does permit townships to sell or lease to non-profit organizations properties for the purpose of historic preservations. Mr. Gary Schlechter, grandson of the original owner, expressed his interest to develop a mutually beneficial agreement, whereby the family could repurchase the property from Warrington Township, after which the building would be historically restored to the 1-room schoolhouse. The Board directed the Solicitor to meet with Mr. Schlechter to discuss these logistical details and report back with a recommendation.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**8. Consider Authorization to advertise Consortium 2011 Pipe and Precast Bid.**

Mr. Anderson motioned, seconded by Mr. Lamond, to authorize the advertisement of the Consortium 2011 Pipe and Precast Bid. The motion passed unanimously.

9. Consider appointments to fill various boards and commissions vacancies.

Mr. Anderson motioned, seconded by Mr. Plotnick, to appoint Peter Grochowiak to the vacancy on the Veterans Affairs Committee. The motion passed unanimously.

Mr. Anderson motioned, seconded by Mr. Lamond, to appoint William J. Roth, IV, CA to the vacancy on the Open Space & Land Preservation Board. The motion passed unanimously.

Mrs. Achenbach motioned, seconded by Mr. Plotnick, to appoint Carol Facenda to the vacancy on the Zoning Hearing Board. The motion passed unanimously.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):**10. Review proposed amendment to the Township's Zoning Ordinance Chapter 27 (Parts 2, 12, 13, and 14 establishing height limitations in the PI-1 zone and if appropriate, authorize advertisement.**

Mr. Anderson motioned, seconded by Mr. Lamond, to accept an ordinance change that establishes a building height restriction in the Planned Industrial 1 and 2 Zoning Districts of thirty-five (35) feet with standard building setbacks and a reduction from fifty-five (55) feet (as recommended by the WTPC) to forty-five (45) feet and the changing of the ratio setback from three (3) feet to five (5) feet on all sides for each additional one (1) foot of building height. The motion passed unanimously.

Mrs. Kristen McDemus of 1007 Linden Way commented on the proposed changes and inquired whether any conditional use provisions will be added to the draft ordinance.

ESCROW AND MAINTENANCE BOND RELEASES:**11. Consider Escrow Release No. 4 in the amount of Thirty-Eight Thousand Four Hundred Forty-Six Dollars and Four Cents (\$38,446.04) for the Pal's Building located at 3245 Limekiln Pike.**

Mr. Anderson motioned, seconded by Mr. Plotnick to approve Escrow Release No. 4 in the amount of Thirty-Eight Thousand Four Hundred Forty-Six Dollars and Four Cents (\$38,446.04) for the Pal's Building located at 3245 Limekiln Pike. The motion passed by a vote of 4-1. Mr. Lamond voted no.

SUPERVISORS' COMMENTS

Bucks County Commissioners Meeting. Mr. Anderson reported that the Bucks County Commissioners would be holding their Wednesday, April 20, 2011, 10 AM meeting at the Special Equestrian Center.

Victory Gardens, Inc. Mulch Operation – Garges Farm. Mr. Paul distributed copies of the letter received from counsel for Victory Gardens, Inc. Mulch Operation – Garges Farm dated 4/12/11. He said he had asked Dick Wieland to prepare a proposal and cost estimate for doing a road study of Pickertown Road (from Bristol Road to Lower State Road). He stated the safety study would take approximately 4-5 weeks for completion. Mr. Paul noted that if there are any safety issues connected to the Victory Gardens, Inc. operation, they should be immediately brought to the township manager attention.

ADJOURNMENT

Mr. Lamond motioned, seconded by Mr. Anderson, to adjourn the meeting at 10:15 p.m. The motion passed unanimously.

Edited and Reviewed By:



Timothy J. Tieperman, Township Manager