



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR JANUARY 10, 2012

The regular meeting of the Warrington Township Board of Supervisors was held on January 10, 2012, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

ATTENDANCE:

Gerald Anderson, Chairperson; John Paul, Vice Chairperson; Marianne Achenbach, Secretary/Treasurer; Matthew W. Hallowell, Sr. and Shirley A. Yannich, members. Staff present were Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, P.E., 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. Casey reported there was an executive session and discussed two matters of litigations; i.e., Pete's Car Wash and condemnation of property on Maple Avenue.

APPROVAL OF BILL LIST:

1. December 20, 2011 to January 10, 2012 - \$799,907.41

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from 12/20/11 to 1/10/12 totaling \$799,907.41. This motion passed by a roll call vote of 5-0.

APPROVAL OF MINUTES:

2. November 22, 2011

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the November 22, 2011 Meeting Minutes. The motion passed by a vote of 3-2. Mrs. Yannich and Mr. Hallowell abstained.

MINUTES FOR POSTING:

3. December 13, 2011

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the December 13, 2011 Meeting Minutes. The motion passed by a vote of 3-2. Mrs. Yannich and Mr. Hallowell abstained.

4. December 20, 2011

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the December 20, 2011 Meeting Minutes with noted comments to be added. The motion passed by a vote of 3-2. Mrs. Yannich and Mr. Hallowell abstained.

5. January 3, 2012

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the January 3, 2012 Meeting Minutes. The motion passed by a vote of 5-0.

PUBLIC COMMENT

The following residents offered public comment:

- Vince Fernandez of 301 Ingleton Court regarding a status on the removal of trailers along Phillips Avenue.
- Joseph Stryjewski of 502 Hanley Court regarding status of Lamplighter escrow fund. He was advised that an outside counsel was retained to investigate the phase 4 escrow issue and that a full copy of the report would be provided to him prior to the next Board meeting.

PUBLIC HEARING

6. Consider decision for Penrose Walk Conditional Use Application (a/k/a Sunrise Court). (This conditional use hearing was closed on October 11, 2011. This will be a discussion among Board members to render a final decision.)

Mr. Anderson reported that the conditional use hearing was closed on October 11, 2011 and that the Board will not be receiving any more testimony. He said the issue before the Board is whether or not the applicant met the conditional use criteria as contained in Section 2302 of the Warrington Township Zoning Ordinance.

Mr. Robert Gundlach, attorney for the applicant, Sunrise Court, was present along with Stefan Richter, attorney for Lamplighters Homeowners Association. Mr. Richter wanted to clarify that the testimony in this matter was only closed pending an agreement between the applicant and the HOA. With this agreement, Mr. Richter opined that the Board of Supervisors may now formally approve the conditional use.

Mr. Casey thanked both parties for submitting a proposed decision, which referenced the conditional use criteria and how the criteria would be satisfied. He clarified that the Township is not party to this private agreement between the applicant and HOA but that important parts of the agreement relating to the Township have been included in the proposed decision to be enforced by the Township.

Mr. Anderson clarified for the record that the Board is not approving the plan but only the proposed conditional use. The preliminary plan must still go through the normal review process with the Planning Commission.

General deliberation ensued among the Board as to whether the applicant had met all conditional use provisions. All Board members concurred that the applicant had met these general conditional use standards.

Mr. Gundlach was asked to confirm that construction vehicles will be restricted to the use of Bradford Avenue only. He was asked to ensure that Bradford Avenue residents will be properly notified when the construction process commences.

Mr. Anderson then opened the floor to any public comments. Mr. Stan Schwartzman of 604 Guilford Court reiterated the terms of the agreement prohibiting construction vehicles along Phillips Avenue.

There being no other comments, Mr. Paul motioned, seconded by Mrs. Yannich, to approve the Penrose Walk Conditional Use Application (a/k/a Sunrise Court). The motion passed by a vote of 4-1. Mr. Hallowell abstained.

OLD BUSINESS

7. Consider change to Township Zoning Map amending thirty-four (34) parcels from R2 Medium Density Residential to R2-I Residential Infill in the Neshaminy Gardens located between Bradford Avenue, Grady Avenue, Street Road, and Tohickon Lane.

Mr. Wieland reported that all of the thirty four parcels within Neshaminy Gardens are currently zoned R2 Medium Density Residential and that it was the recommendation of the Planning Commission that these parcels be rezoned R2-I Residential Infill to conform with the nature and character of other similar lots within the existing Infill zone.

Ms. Mary Rogalski of 503 Bradford Avenue expressed concerns about the potential adverse impact this rezoning might have on neighborhood drainage issues. Mr. Wieland stated that the Township has received CDBG funding to conduct a comprehensive study of this area to address and mitigate the types of drainage problems identified by Ms. Rogalski.

There being no further public comment on the matter, Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the Ordinance amending the Warrington Township Zoning Map changing thirty-four (34) parcels from R2 Medium Density Residential to R2-I Residential Infill District in the Neshaminy Gardens located between Bradford Avenue, Grady Avenue, Street Road, and Tohickon Lane. The motion passed by a vote of 5-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

8. Appointment of BOS Member to Pension Committee

Mr. Paul motioned, seconded by Mr. Hallowell to appoint Marianne Achenbach to be the Board's representative on the Pension Committee. This motion passed unanimously.

9. Discussion on Board Appointments

Mr. Anderson recommended that the Board review all current board and commission vacancies. Mr. Paul noted that these opening have been advertised on the Township's webpage and the local newsletter. It was noted that a motion was made at the January 3, 2012 Reorganization Meeting that all current members whose terms had expired at the end of 2011 to continue to serve. Mr. Anderson asked the manager to continue advertising these vacancies until the positions have been filled.

10. 2012 Strategic Goal Planning

Mr. Anderson said he would like the Board of Supervisors to be more proactive than reactive and asked each Board to present their proposed strategic goals for 2012. A total of 18 goals were presented and displayed on the smart board. Mr. Anderson asked each Board member to review and independently rank these goals for further discussion and refinement at the January 24, 2012 meeting.

11. MANAGER'S REPORT:

- a. **Policy Amendment – Military Leave:** Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt the military leave policy amendment as recommended by Staff. The motion passed by a vote of 5-0.
- b. **Policy Compliance Amendment: GASB Statement 54:** Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt the policy compliance amendment GASB Statement 54. The motion passed by vote of 5-0.
- c. **Hough Associates Agreement (PA DEP 904 Recycling Grant Application):** Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the Hough Associates Agreement (PA DEP 904 Recycling Grant Application in the amount of \$11,500 for 2012. The motion passed by a vote of 5-0.
- d. **EAC Detention Basin Agreement:** Mr. Anderson motioned, seconded by Mr. Hallowell, to direct the township Manager to investigate more thoroughly this EAC Detention basin Agreement before the Board makes a final decision. The motion passed unanimously. Ms. Yannich requested that EAC representative(s) be at the next BOS meeting to discuss this naturalization project.
- e. **Authorize Change Order #2 for Tradesville Wastewater Treatment Plant Operations Building:** Mr. Paul motioned, seconded by Ms. Yannich, to authorize Change Order #2 for the Tradesville Wastewater Treatment Plants Operations building in the amount of \$4,940.

12. ENGINEER'S REPORT:

- a. **Report on traffic improvement plans related to Victory Gardens mulching operations along Pickertown Road:**

Mr. Wieland provided a brief background report on the Victory Gardens traffic issue. He stated that since the last meeting before the Board, Victory Gardens had promoted a remedy to use two access points for truck traffic. One would be located on Folly Road; the other on Pickertown Road, the goal being to disperse traffic volumes in more than one direction. The Township had asked for additional engineering reviews to show how large tractor trailers could safely negotiate turns onto either of these roads. VG has since retained the engineering firm of Gilmore Associates to perform further traffic analyses. Mr. Eric Clase of Gilmore and Attorney Herb Sudfeld reviewed the preliminary results of this study, which showed that trucks can continue using Pickertown Road safely but that the Folly Road alternative had more restrictions preventing clean turning radiuses. Based on these studies, VG has proposed a new plan showing egress traffic dispersed along several routes: Pickertown & Site Intersection, Pickertown & Folly Intersection, Bristol & Folly Intersection, Folly & Site Intersection, and Bristol & Pickertown Intersection.

Mr. Sudfeld said during mulching season (March 1-June 1) VG is proposing that between the hours of 6 AM to 8 AM, all the tractor trailers would have to exit onto Pickertown Road. He reiterated that all of these intersections had been thoroughly studied by Gilmore & Associates. Mr. Anderson referenced the noise from jake brakes when the tractor trailers are exiting Lower State Road onto Pickertown Road. Mr. Sudfeld said that drivers have been informed that no jake brakes will be allowed on any of the local roads. Mr. Paul raised his concern with the time of the day and recommended that tri-axles only use Folly Road and exiting onto Bristol Road between the hours of 7 AM to 9 AM. Mr. Paul suggested that the engineer take another look at the sight distance exiting from Garges property onto Pickertown Road.

The following residents from Arbor Ridge offered comments regarding their continued concerns over heavy traffic patterns during the mulching season and the need to find a workable remedy before the start of the next mulching season: Mr. John McConnell of 206 Trellis Drive and Mr. Kristin Gassman of 114 Arbor Ridge Drive. Mr. Wayne Bullock of 1525 Turk Road offered comments about jake brake safety issues.

Mr. Anderson recommended that Mr. Paul be appointed the Board's representative to work out the final details with Mr. Sudfeld and report back to the Board at their February 14, 2012 meeting. A report of his findings would be made available to the Board prior to this date.

SOLICITOR'S REPORT:

Mr. Casey said the Township has two contracts with Horsham Township Water and Sewer Authority and the Montgomery Township Municipal Authority to provide water and/or sewer service to residents of Warrington along County Line Road to adopt their respective fee schedules effective January 1, 2012.

Mr. Paul motioned, seconded by Mrs. Yannich, to adopt the Horsham Township Water and Sewer Authority and the Montgomery Township Municipal Authority rates for 2012. The motion passed by a vote of 5-0.

ADJOURNMENT

Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:05 p.m. The motion passed unanimously.

Edited and Reviewed By:



Timothy J. Tieperman, Township Manager