



## **WARRINGTON BOARD OF SUPERVISORS MINUTES FOR APRIL 14, 2015**

### **ATTENDANCE**

Gerald B. Anderson, Chairperson; John R. Paul, Vice Chairperson; Marianne Achenbach, Secretary/Treasurer; Shirley A. Yannich, Member; Matthew H. Hallowell, Member. Staff present was Timothy J. Tieperman, Township Manager; William H.R. Casey, Esq., Township Solicitor, Thomas A. Gockowski, Township Engineer, Barry F. Lubber, Chief Financial Officer and Barbara Livrone, Executive Assistant to the Township Manager.

### **PLEDGE OF ALLEGIANCE**

Chairperson Anderson opened the meeting and asked for a moment of silence, followed by a pledge to the flag.

### **SPECIAL RECOGNITION PRESENTATION – ELBOW LANE DAY CAMP**

Mr. Paul presented a plaque to Mr. Robert Lester, for Elbow Lane Day Camp, and Program Director Adrian Hazell, thanking the organization for its Warrington Community Day sponsorship. Mr. Lester also took time to explain a special award bestowed upon ELDC. It received a \$15,000 award from a well-known area banking institution, recognizing it as an outstanding area business that gives back to the community. These awards may go to a charity of their choosing. ELDC officials stated that \$7,500 will go to the Juvenile Diabetes Research Foundation; and \$7,500 to support locally injured veterans.

### **EXECUTIVE SESSION REPORT: None**

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

#### **1. March 24, 2015 – April 14, 2015: \$ 1,089,411.72**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from March 24, 2015 through April 14, 2015 totaling \$ 1,089,411.72. By roll call vote, the motion passed unanimously 5-0.

### **APPROVAL OF MINUTES:**

#### **2. March 10, 2015**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the March 10, 2015 Meeting Minutes. The motion passed 4-0-1 Mrs. Achenbach abstaining.

### **MINUTES FOR POSTING:**

#### **3. March 24, 2015**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the posting of the March 24, 2015 Meeting Minutes. The motion passed 5-0.

#### **4. March 31, 2015**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the March 31, 2015 Work Session Minutes. The motion passed 4-0-1, Mr. Anderson abstaining.

**PUBLIC COMMENT** *(The Board will hear from any interested resident or taxpayer who would like to comment on an item not on this evening's agenda. Respondents are asked to keep their comments to 3 minutes.)*

- Mike Kelly (135 Muirfield Lane): He voiced his opposition to any proposed zoning changes in the Comprehensive Plan and emphasized the fact that concerns of residents should take precedent over the interests of developers.

**PUBLIC HEARING:** None

**OLD BUSINESS (ACTION/DISCUSSION ITEMS):**

**5. Consider adoption of Resolution approving final land development agreement for Highgrove Manor, as recommended by the Planning Department.**

One pending issue that had prevented action on the final land development agreement was the final resolution to the fee-in-lieu payment owed by the developer. At issue was the final tally for the number of trees removed from the site and an equitable fee-in-lieu-of payment. After some deliberation, the Board agreed to a 244/200 split to recognize the park infrastructure improvements throughout the Highgrove Development.

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the adoption of a Resolution approving the final development agreement for Highgrove Manor, as recommended by the Planning Department. By roll call vote, the motion passed unanimously 5-0.

**6. Disposition of bids for Carriage Way Sewer Rehabilitation Project.**

Mrs. Paul motioned, seconded by Mrs. Achenbach, to award the bid for the Carriage Way Sewer Rehabilitation Project to Bethlehem-based Joao & Bradley Construction Co., Inc. in the amount of \$898,889.50. The motion passed unanimously 5-0.

**7. Consider amendment to Warrington Springs Phases I-II Developers Agreement.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to untable the above item. The motion passed unanimously 5-0.

The pending issue preventing the ratification of the above agreement was whether the Township should issue a credit for the developer's incurred cost for installing 153 linear feet of fencing and landscaping to add additional buffer for the Lamplighter development. Mr. Gundlach stated that the developer had no problems providing this added buffer but that it was not intended to be free of charge. He reiterated that the cost be charged against its fee-in-lieu-of credits. Lamplighter HOA officials, however, claimed that this was never part of the agreement, that the developer agreed to provide this additional buffer without charge.

After substantial discussion, it was finally agreed between both parties to split the cost, which will be reflected in the final agreement which Mr. Casey will modify. With that change, Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the amendment to the Warrington Springs Phases I-II Developers Agreement. The motion passed unanimously 5-0.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):****8. Discuss proposed concept plan for Warrington Run and developer's request to amend the Comprehensive Plan and Zoning Code**

Representing Metropolitan Development Group, Mr. Gundlach summarized the proposed concept plan for Warrington Run. He introduced members of the presentation team to review all aspects of the plan, including but not limited to density, municipal, environment, and traffic impacts.

There was substantial discussion on the plan's overall density, especially the potential adverse impact of such density on the nearby Legacy Oaks and Morning Walk developments. The developer's engineer, Sam Costanzo, showed renderings of the types of homes to be constructed. Mr. Gundlach responded to the density issue and explained the justification for the requested zoning change. He cited surrounding developments with densities similar to what is being proposed at Warrington Run.

Mr. Anderson took some exceptions to Mr. Gundlach's density comparisons, asserting most of these developments arose because of the curative amendments from the 1990s. He also took exception to the fact that the developer never approached the Board about this rezoning proposal, resulting in various phone calls from upset residents about a proposal on which Board members were never briefed.

Following the panel's presentation, Mr. Anderson opened the floor for comments from several residents, most of which were from Legacy Oaks and Morning Walk:

- Joseph Stine (754 S. Settlers Ridge)
- Joseph Hogan (164 S. Founders Court)
- Connie Walsh (162 Morning Walk)
- Carol Rice (170 Morning Walk)
- Charles Rueger (1279 School)
- Connie Ace (1067 Folly Road)
- Damar Rose (3172 Street Road)
- Nick Plenzick (3154 Street Road)
- Mike Kelly (135 Muirfield Lane)

**9. Disposition of bids for Tradesville Wastewater Treatment Plant SBR Equipment Replacement.**

Mr. Paul motioned, seconded by Mr. Hallowell, to award a \$1,222,540.00 bid to Bath, PA-based RGC Development, L.P. for the Tradesville Waste Water Treatment SBR Equipment Replacement Project, being the lowest qualified bidder as recommended by the Township Engineer and Water/Sewer Manager Fred Achenbach. The motion passed unanimously 5-0.

**10. MANAGER'S REPORT:****a. Resolution approving temporary no-parking restriction in Willow Knoll.**

Mr. Anderson moved, seconded by Mr. Paul, to adopt a Resolution authorizing road closing and parking restrictions in the Willow Knoll neighborhood in the near future to accommodate the necessary site work to install storm sewers as part of the High Grove Manor Development. The motion passed unanimously 5-0.

**b. County Line Road WD-2 Cost Sharing Agreement**

Mr. Paul motioned, seconded by Mrs. Achenbach, to adopt a Resolution approving a 75% reimbursement to Warrington Township for all costs, less any betterments, incurred in relocating its public water and sanitary sewer facilities affected by the County Line (SR 2038 Section WD2) Road

Widening Project necessitated by the Pennsylvania Department of Transportation Highway improvement in Bucks County. The motion passed unanimously 5-0.

**c. Concurrence on Consortium Fuel Bid**

The Board unanimously concurred with the Department of Public Work's recommendation to approve the 2015-2016 Bucks County Consortium Fuel Bids as summarized in its April 2, 2015 memorandum. Motion was made by Mr. Paul and seconded by Mrs. Achenbach.

**d. 2015-2016 Life Insurance Renewal**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the Township Manager's recommendation to select Standard Insurance as the Township's carrier for Life and AD&D Insurance, Short-Term Disability, and Long-Term Disability Insurance. The renewal date is May 1, 2015. Estimated project savings is \$15,000 over the 2015 budgeted amount. The motion passed unanimously 5-0.

**e. DPW Facility Change Order(s)**

The Board approved the following five (5) change orders for the DPW Facility, which resulted in a cumulative \$7,704.00 credit. Each change order was voted on separately:

- Mr. Paul motioned, seconded by Mr. Hallowell to approve a \$3,104 credit from Craft Source, Inc. for removal of loft wall and DBD Doors. Motion passed unanimously 5-0/
- Mr. Paul motioned, seconded by Mrs. Yannich, to approve a \$5,000 credit for heat pumps. Motion passed unanimously 5-0.
- Mr. Paul motioned, seconded by Mr. Hallowell, to approve a \$14,032 plumbing credit. Motion passed unanimously 5-0.
- Mr. Paul motioned, seconded by Mr. Hallowell, to approve a \$1,200 added charge to AJM Electric. Motion passed unanimously 5-0.
- There were no additional change orders to the Fire Alarm Contract, which was separately bid. This charge is reflected the final cumulative \$7,704 credit.

**f. Bid Authorization – Water Tank Painting**

Mr. Anderson motioned, seconded by Mr. Paul, to authorize the bid advertisement for the Warrington Water Tank Painting Project. The motion passed unanimously 5-0.

**11. CHAIRMAN'S REPORT:**

**a. Body Cameras**

Mr. Anderson informed the Board that he had discussions with Chief Miller about the possibility of purchasing new body cameras for the Warrington Police. He asked Chief Miller to begin researching the program and to get back to him on the estimated costs and policy issues. He noted that some other Bucks County jurisdictions are also researching this program and that the Chief will be networking with those communities.

**b. Zoning Officer Appointment**

Mr. Paul moved, seconded by Mrs. Achenbach, that the Board remove the Township Manager as Chief Zoning Officer and appoint the Director of Codes and Emergency Services (Lee Greenberg) as CZO, effective immediately. The purpose of this was to correct a flaw in the Planning Department's membership composition. The motion passed unanimously 5-0.

**12. ENGINEER'S REPORT:****a. Neshaminy Glen**

Mr. Gockowski updated the Board on the status of the Neshaminy Glen 9-lot subdivision. He stated that Staff has issued a letter stating the plan is administratively incomplete.

**b. MM Storage**

Mr. Gockowski talked about the former Malcolm's property. He expects the land development will be on the Planning Department's May 5, 2015 Agenda.

**c. Palomino Farm Streambank Stabilization Project (Status)**

Mr. Gockowski reported that joint DEP, NPDES and conservation permits have been submitted. He said they are also awaiting easements from seven affected property owners. Currently, the Township only has one.

**d. Route 611 Adaptive Traffic Signal Update**

Mr. Gockowski reported that a critical component to making all these signals operational is an uninterrupted fiber optic connection. PennDOT's discovered there are two (2) areas where there was an apparent break in the fiber, thus contributing to some of the timing problems. He said also that timing has improved at the Lower Barness intersection and that the other trouble spots should be resolved soon. He will report on this again at the next meeting.

**13. SOLICITOR'S REPORT:****a. Site Development Agreement – Wal-Mart Real Estate Business Trust**

Mr. Casey reported that Wal-Mart has purchased the land from Mike Grasso and has paid all the required water/sewer fees. He said the site development agreement is now ready for approval. Therefore, Mr. Paul motioned, seconded by Mr. Hallowell, to approve the Wal-Mart Real Estate Business Trust Site Development Agreement. The motion passed unanimously 5-0.

**b. Sanitary Sewer Deed of Easement Across TMP # 50-004-085 (Eureka Stone Quarry)**

Mr. Casey reported that the sanitary sewer deed of easement from the Eureka Stone Quarry is related to the County Line Road project. He explained that Eureka Stone Quarry is giving the Township a larger easement, which replaces the older one. He stated that a separate maintenance agreement is not necessary. Therefore, Mr. Paul motioned, seconded by Mr. Hallowell, to approve the new easement as recommended by the Solicitor. The motion passed unanimously 5-0.

**14. ESCROW AND MAINTENANCE BOND RELEASES: None****15. EXTENSION REQUESTS: None**

**DEDICATION REQUESTS:** None

**SUPERVISOR COMMENTS:** None

**ADJOURNMENT**

There being no further business Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:52. p.m. The motion passed unanimously 5-0.

Respectfully Submitted By:



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Timothy J. Tieperman, Township Manager