



**WARRINGTON BOARD OF SUPERVISORS
MINUTES FOR DECEMBER 8, 2015**

ATTENDANCE

John R. Paul, Acting Chairman; Marianne Achenbach, Secretary/Treasurer; Shirley A. Yannich, Member; Matthew H. Hallowell, Member and Wayne Bullock, newly appointed and sworn in member. Staff present was James J. Miller, Interim Township Manager; William H.R. Casey, Esq., Township Solicitor, Thomas A. Gockowski, Township Engineer, Barry F. Luber, Chief Financial Officer; and Barbara Livrone, Executive Assistant to the Township Manager.

PLEDGE OF ALLEGIANCE

Acting Chairman Paul opened the meeting and asked for a moment of silence, followed by a pledge to the flag.

EXECUTIVE SESSION REPORT: Mr. Paul stated the Board did not have an executive session.

APPOINTMENT TO REPLACE SUPERVISOR: At the regular scheduled meeting of November 24, 2015, Gerald B. Anderson resigned as Chairman of the Board of Supervisors. Leaving a vacancy, Acting Chairman Paul asked for a nomination. A motion was made by Mr. Hallowell, seconded by Mrs. Achenbach to nominate Wayne S. Bullock as a member of the Board of Supervisors. By roll call vote, the nomination was passed 3-1, with Mrs. Yannich voting no.

Mr. Paul submitted a letter of resignation dated December 1, 2015 from Mr. Bullock. Mr. Bullock resigned from the Zoning Hearing Board effective 5:00 PM December 8, 2015. A motion was made by Mrs. Achenbach, seconded by Mr. Hallowell to accept the resignation of Wayne Bullock from the Zoning Hearing Board.

Mr. Bullock has served twice on the Board of Supervisors and also served on the Planning Commission and Zoning Hearing Board.

Mr. Bullock took his seat on the board at 7:56 PM.

SPECIAL RECOGNITION OF PROMOTION FOR DANIEL FRIEL: Mr. Paul announced the promotion of Daniel Friel as the township's new Chief of Police. Mr. Paul introduced former supervisor, Gerald B. Anderson to introduce Chief Friel. Mr. Anderson stated that Chief Friel started in the Code Enforcement Department in 1996, became the Fire Marshal and then a Police Officer in 2000. Chief Friel moved up the ranks by becoming Patrol Sergeant, Sergeant of the Detectives; Lieutenant and Deputy Chief. Chief Friel was one of the organizers and original founding members of BC SWAT HAXMAT and served 10 years as a tactical operator/team leader on the BC South Central Emergency Response Team. He is a graduate of PA Chief of Police Command Institute and the Northwestern University School of Police Staff and Command. He was selected to attend the FBI National Academy and graduated in 2015. Chief Friel is the fourth Chief of Police in Warrington Township.

SPECIAL RECOGNITION OF GERALD B. ANDERSON, JOHN R. PAUL AND MARIANNE ACHENBACH: Mr. Paul asked Ms. Yannich to read Resolution # 2015-R-49 recognizing Gerald B. Anderson for his many years of service to Warrington Township. Mr. Anderson served as Township Chairman, Vice Chairman and a member of the Board of Supervisors for a period spanning over twenty one years from 1988 through November 24, 2015. Mr. Anderson also served on the Vacancy Board in 2010. Mr. Anderson served many years as a member of the Warrington Fire Company No. 1 and President from 1977-78 and 1982.

Mrs. Achenbach read Resolution # 2015-R-50 recognizing John R. Paul as Township Chairman, Vice Chairman, Assistant Secretary and member of the Board of Supervisors spanning over a period of eighteen years, from 1986 through 2015. Mr. Paul joined the Warrington Township Fire Company No. 1 in 1956 and held a position of Engineer, Chief Engineer, Assistant Chief for twenty three years and Chief from 1976 to 1985.

Ms. Yannich read Resolution #2015-R-51 recognizing Marianne Achenbach for serving as Township Secretary/Treasurer of the Board of Supervisors from 2010 through 2015. Mrs. Achenbach also served on the Pension Committee from 2012 through 2015 and the Permanent Finance Committee from 2008 to 2009.

SPECIAL RECOGNITION OF US REALTY: Mr. Paul presented an award to Gregory Bianchi, Vice President of US Realty Associates, Inc., recognizing US Realty's platinum sponsorship of 2015 Warrington Community Day. Mr. Paul thanked Mr. Bianchi and expressed his appreciation of US Realty Associates, Inc platinum sponsorship.

APPROVAL OF BILL LIST:

1. November 24, 2015 – December 8, 2015: \$1,268,500.54

Mrs. Achenbach motioned, seconded by Mr. Hollowell to approve the bill list from November 24, 2015 through December 8, 2015 totaling \$1,268,500.54. By roll call vote, the motion passed 4-1 with Mr. Bullock abstaining.

APPROVAL OF MINUTES:

2. November 10, 2015

Mrs. Achenbach motioned, seconded by Mr. Hollowell, to approve the November 10, 2015 Meeting Minutes. The motion passed 4-1 with Mr. Bullock abstaining.

MINUTES FOR POSTING:

3. November 24, 2015

Mrs. Achenbach motioned, seconded by Mr. Hollowell, to approve the posting of the November 24, 2015 Meeting Minutes. The motion passed 4-1 with Mr. Bullock 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.*)

The following individuals spoke under public comment:

- Ruth Schemm (390 Folly Road), Chairperson of the Open Space and Land Preservation Task Force handed out to the Board a memo from the Open Space Task Force, Park & Recreation Board, Bike and Hike Trails Committee and Environmental Advisory Council expressing their disappointment of open space funds being borrowed for the Barnes Park parking project. Mrs. Schemm said none of the Boards were consulted and asked the supervisors to reconsider the encumbrance of these funds.

Mr. Paul emphasized the bond stated the funds are to be used for open space and park and recreation improvements. There is two million dollars in the fund and has been in an account for five years. Currently, there are no grants available until March 2016. The Barnes Park improvement project has been in the background for twenty five years to develop plans for this park. Three hundred thousand dollars allocated for the park improvements will not affect open space funds and will be paid back after the first of the year.

Ms. Yannich apologized for not passing along the information and moving forward will provide better communication.

- Barbara Brown (2113 Black Horse Drive) said the Environmental Advisory Council was not aware of the open space funds being used the park improvements. She also stated this information eroded the trust of the committee members.
- Scott Crayder, President of Warrington Baseball (345 Cedar WaxWing Drive) introduced John Bitterman. Mr. Bitterman, representing six hundred families using Barness Park, praised Mr. Paul with all of his help to improve Barness Park. Mr. Bitterman thanked Mr. Paul for the paving of the parking lot, installation of lights and most importantly, providing safety to the residents who use the park.
- Mike Starner (3429 County Line Road) addressed the Board about his concerns with the widening of County Line Road. He said PennDOT had cut down approximately fifty to sixty of his trees in the front of his house. He passed out a map showing a sound barrier on the Montgomery County side of County Line Road.

Mr. Paul stated that the reason a sound barrier was not placed on the township's side of County Line Road is because driveways come out onto County Line Road and there is no line of sight. Mr. Paul said he would give Mr. Starner a copy of the PennDOT meeting minutes.

- Mike Kelly (135 Muirfield Lane) concurred with Mr. Starner's comments. Mr. Kelly also requested further explanation of the open space funds.

Mr. Paul asked Assistant Manager/CFO Barry Luber to present a slide explaining the status of this funding. Mr. Luber said proposed for 2016 is the Route 202 to Bradford Dam Trail Feasibility Study in the amount of \$74,000. The Barness Park paving with a new entrance and exit is \$800,000. These funds will be repaid to the Open Space Fund over the next three years. The total capital improvement fund expenditures proposed for 2016 is approximately 1.3 million. Approximately 2.6 million is available for the use of grants and acquisitions from the Open Space Funds.

- Paul Borgeson (8 Woodlawn Avenue) requests a jersey barrier so his land is level with the curb line. He said PennDOT did not put up any work signs when they were working on the County Line Road WD2 project. Mr. Borgeson's inquiry will be communicated with Roy Rieder, Director of Planning/Development and Special Projects.
- Lee Fein (2060 Dapple Drive) spoke to the Board about a problem he is having with a sub-contractor at Warrington Glen. Mr. Fein asked who has the use of an ultimate right-of-way. Mr. Gockowski explained the ultimate right-of-way contains roadway width curb-to-curb and typically extends ten feet beyond the curb. The ultimate right-of-way depends on the classification of the road. Mr. Gockowski said the homeowner is responsible for maintaining the grassy strip and curb within the ultimate right-of-way. Mr. Fein requested a copy of the Ordinance defining an ultimate right-of-way. Mr. Gockowski said he would supply Mr. Fein a copy of the requested Ordinance.
- Angela Marshall (2201 Lisa Drive) stated she is working with Roy Rieder to present to the Board parking conditions with the Willow Knoll development. A Resolution will be prepared for the Boards consideration and approval.
- Jeff Bigelow (2470 Park Road) expressed his gratitude to the Board, on behalf of the residents' for the closure of park Road. He asked how long the temporary closure will last.

Mr. Paul said for the residents to contact the new Board to establish a time line. Mr. Paul is also researching a type of barrier for cars to drive across.

PUBLIC HEARING: Nicholas A. Cuce, Jr., Attorney-at-Law presented a letter dated December 7th to the Board to grant a continuance of a conditional use application hearing for Cellco Partnership, d/b/a Verizon Wireless. Verizon Wireless is requesting that this hearing be carried to the January 12, 2016 meeting. This letter also confirmed the waiver of all applicable time requirements applying to this application through and including January 13, 2016. A motion was made by Ms. Yannich and seconded by Mrs. Achenbach to table this hearing until January 12, 2016. The motion was passed 4-1 with Mr. Bullock abstaining.

OLD BUSINESS (ACTION/DISCUSSION ITEMS): None

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

4. Consider approval of adoption of 2016 Budget.

Mr. Paul asked for the consideration to adopt the 2016 budget. He asked the Board and public for any questions. Since there were none, Mrs. Achenbach motioned, seconded by Mr. Hallowell to approve the 2016 Budget. The motion was passed 4-1 with Mr. Bullock abstaining.

5. Discussion of live streaming for Board of Supervisors meeting.

Mike Starner, representing members of the Communications Advisory Board presented options for the township's Board room technology. He summarized by stating presently the Board's meeting videos can be viewed after the meeting video is posted to the website by township employees. This process usually occurs 3-5 business days after the respective meeting. Three options were presented to the Board for consideration. Mrs. Achenbach motioned, seconded by Ms. Yannich to implement Option # 1 which will modify the existing meeting capture platform to enable live streaming of meetings, allowing unlimited users to watch the board room meetings in real-time. This live streaming functionality can be implemented at no additional cost to the township. The motion passed unanimously 5-0.

6. Consider Resolutions authorizing condemnation of Bristol Road Right-of-Way.

Kim Freimuth, Attorney-at-Law representing High Grove Manor ("KTMT") and Greg Bogia, traffic consultant were present to speak to the Board about the Bristol Road Right-of-Way condemnation. As part of the High Grove project, KTMT agreed to construct a loop road that will connect Bristol Road at its intersection with Cooper Lane, to 611, at its intersection with Park Road. Ms. Freimuth submitted a detailed summary as to the efforts KTMT has gone through in an attempt to obtain the right-of-way from Peterson/Stella who reside at 2216 Bristol Road. Ms. Freimuth has obtained right-of-way easements from six property owners and is seeking the last easement from Peterson/Stella. Ms. Freimuth is requesting the Board to move forward with condemnation for the required right-of-way at 2216 Bristol Rd.

Ms. Yannich requested an opinion of the township solicitor and engineer. Ms. Yannich also stated she wanted to visually see the property before making a decision.

Mr. Bullock motioned, seconded by Ms. Yannich to discuss and/or vote on the condemnation of Bristol Road Right-of-Way at the December 15, 2015 Board of Supervisors meeting. The motioned passed unanimously 5-0.

7. Consider Resolution approving submission of grant application to the Bucks County Open Space Program.

Warrington Township is applying to Bucks County for funding from the Municipal Open Space Program to acquire land to protect natural areas, preserve agriculture or provide park areas. Roy Rieder met with the Bucks County Planning Commission and was told that our proposed application is an excellent project. The township will purchase the DiPrato (6.8 acres) property with township funds and Bucks County, through this

grant will pay seventy five percent. Mr. Casey read the resolution to the Board. Mrs. Achenbach motioned, seconded by Mr. Hollowell to adopt a Resolution approving the application for submission to the Bucks County Open Space Program. The motion was passed unanimously 5-0.

8. Consider authorization of Carriage Way Area Sanitary Sewer Rehabilitation Change Order # 2.

Change Order # 2 which is the final change order for Carriage Way Area Sanitary Sewer Rehabilitation project was commented on by Tom Gockowski. Mr. Gockowski stated this change order addresses the repair of driveways due to unknown existing alignment of laterals; lower five curb boxes at Township's request (tripping hazard); repair existing water service leak 863 Stirrup Lane at Township's request and final quantity adjustments – including additional curbing for storm work and sidewalk.

Mr. Hollowell motioned, seconded by Ms. Yannich to approve Change Order # 2 for the Carriage Way Area Sanitary Sewer Rehabilitation Project. The motion was passed unanimously 4-1 with Mr. Bullock abstaining.

9. Consider Lot Line change for 1754 Costner Drive (Edward Knell)

Mr. Paul stated the lot line change for 1754 Costner Drive was approved by the Hampton Greens Condominium Association and agreed for the plan to be recorded. The preliminary final plan pertaining to this lot line change consists of two parcels. The two parcels are located on Costner Drive within the PRD and is proposed to subdivide Lot # 1, TMP# 50-035-187 to transfer 0.2551 acres to Lot # 2, TMP # 50-035-180. A motion was made by Mr. Bullock, seconded by Mr. Hollowell to approve the lot line change for 1754 Costner Drive. The motion passed unanimously 5-0.

10. MANAGER'S REPORT:

- a. Consider Hometown Press Contract (*The Link*) for 2016.

Mr. Miller asked for the Board's approval to grant the exclusive right to Hometown Press to publish four quarterly issues for 2016. There is no charge to the township for these custom newsletters and Hometown Press is responsible for obtaining business sponsorship. Mrs. Achenbach motioned, seconded by Ms. Yannich to grant Hometown Press the exclusive right to publish the township's newsletter for 2016. The motion passed unanimously 5-0.

11. CHAIRMAN'S REPORT:

- a. **Considering authorizing Interim Township Manager or Chief Financial Officer to sign a contract for the lowest responsible bidder for electricity for a term not to exceed three years starting January 1, 2016 and upon further approval by the Township Solicitor.**

Mr. Paul stated the Township can save \$112,000 over the next three years in electric bills. Mrs. Achenbach motioned, seconded by Mr. Hollowell to authorize the CFO to execute the paperwork based on favorable pricing not to exceed three years, effective April 2016. The motion passed unanimously 5-0.

- b. **December 22, 2015**

Mr. Paul announced a special Board of Supervisors meeting to be scheduled Tuesday, December 22, 2015. One purpose of the meeting is to discuss the stipulation amendment to the Stone Manor Corporate Center. Ms. Yannich motioned, seconded by Mr. Hollowell to have the Solicitor advertise the Stone Manor amendment to the Stipulation Agreement. The motion passed unanimously 5-0.

c. **Appointment of Interim Township Manager**

Mr. Paul announced that James J. Miller will continue as Interim Township Manager through December 31, 2015. However, Mr. Miller will continue his responsibilities until January 15, 2016. Mr. Miller's last official day is February 27, 2016, after serving the residents of Warrington Township for thirty-nine (39) years. The Board thanked Mr. Miller for his dedication to the Township and its residents.

Mrs. Achenbach motioned, seconded by Ms. Yannich to appoint Assistant Manager/CFO Barry Luber as Interim Township Manager effective January 1, 2016. The motioned passed unanimously 5-0.

12. ENGINEER'S REPORT: None

13. SOLICITOR'S REPORT:

a. **Discuss amendments to Chapter 27 of the Zoning Ordinance for Communications Antennas Conditional Uses.**

Mr. Casey reported that a proposed amendment to the zoning ordinance regarding wireless communications facilities is necessary to give the township greater control over the location of "mini cell towers" and to conform to changes in federal law. This Ordinance cannot be passed at this meeting until the Bucks County Planning Commission reviews the proposed amendment. Since the BCPC doesn't meet until after the first of the year, the Ordinance will be presented at the first regularly scheduled supervisors meeting in 2016. Mrs. Achenbach motioned, seconded by Mr. Hollowell to table the amendments to Chapter 27 of the Zoning Ordinance for Communications Antennas Conditional Uses until January 12, 2016. The motion was passed unanimously 5-0.

14. ESCROW AND MAINTENANCE BOND RELEASES:

a. **Warrington Springs Phase III Escrow Release # 1: \$64,190.00.**

Mr. Paul explained the definition of an escrow release to one of the residents. Mr. Gockowski stated escrow release number 1 for Warrington Springs Phase III is for the installation of concrete curbing, topsoil, grading, survey work and paving of the access road plus other construction and installation of certain improvements. Mr. Paul motioned, seconded by Mr. Hollowell to approve Warrington Springs Phase III Escrow Release # 1 in the amount of \$64,190.00. The motion passed 4-1 with Mr. Bullock abstaining.

15. EXTENSION REQUESTS:

a. **Consider one year extension for Holbert Minor Subdivision, TMP # 50-026-107-001**

Larry Holbert submitted a letter to extend his minor subdivision plan for another year. Ms. Yannich questioned the Permit Extension Act for subdivisions. She said the extensions use to be a maximum of five years but now the State grants the time period to be endless. Ms. Yannich motioned, seconded by Mrs. Achenbach to grant a one year extension for the Holbert Minor Subdivision plan, tax map parcel number 50-026-107-001. The motion passed unanimously 5-0.

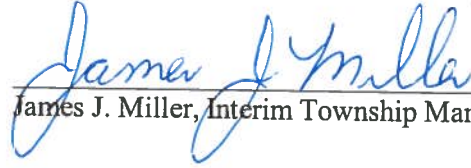
DEDICATION REQUESTS: None

SUPERVISOR COMMENTS: None

ADJOURNMENT

There being no further business Mr. Bullock motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:50 p.m. The motion passed unanimously 5-0.

Respectfully Submitted By:



James J. Miller, Interim Township Manager