



WARRINGTON BOARD OF SUPERVISORS MINUTES FOR JANUARY 27, 2015

ATTENDANCE

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

PLEDGE OF ALLEGIANCE

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

SPECIAL RECOGNITION PRESENTATION – PECO

Mr. Paul presented PECO Government Affairs Officer, Theodore Dorand, with a special award acknowledging his company's sponsorship of Warrington Community Day. Mr. Anderson also commended Mr. Dorand for his assistance during the recent storm event. Mr. Dorand also took the opportunity to express his appreciation to all the emergency services personnel who helped during the storm.

SPECIAL RECOGNITION PRESENTATION – THREE CB SOUTH STUDENTS

Mr. Anderson introduced School Resources Officer Robert Bell, Jr. and asked that he give the background account of the heroic efforts of three (3) Central Bucks South High School students, who rescued a seriously injured elderly female who was pulled out of a burning car. Commendation Citations were presented to students Matthew J. O'Neill, Sean W. Parsons and Alexander R. Woodruff.

SWEARING IN OF FIREFIGHTERS

Judge Jean Seaman swore in the following volunteer firefighters for the Warrington Township Fire Company #1: Michael Bean, Chief 29; Joe Fuchs, Deputy 29; Eric Woodring, Captain 29; Paul Martin, Captain 29-1; Dave Porco, Lieutenant 29; Steve Hughes, Lieutenant 78; and Scott Martin, Safety 29. Not in attendance were the following: Tim Campbell, Battalion 78; Dave Hedrick, Captain 78 and Gary Butterworth, Chief Engineer.

NATURAL LANDS TRUST PRESENTATION

Mr. Peter Williamson and Ryan Walker, consultants representing the Natural Lands Trust (NLT), presented its preliminary open space and trail recommendations for the Boards review and consent. Mr. Williamson gave a synopsis of the NLT's approach at identifying and narrowing down certain parcels for further consideration. He stated that one item complicating the selection process was how much land was required for playing fields. The answer to that question would dictate the mix of parcels for further consideration.

Mr. Williamson then proceeded to review the NLT's nine (9) parcel areas for further consideration:

1. Hynes Property – Valley Road (14.34 acres)
2. Archdiocese of Philadelphia Property – 202 Parkway & Stump Road (108.37 acres)
3. Valley Square – 611/Street Road (Trail Easements)
4. Eureka Stone Quarry – Pickertown and Lower State Roads

5. Skidmore Property – Pickertown Road & Fawn Lane (Trail Easements)
6. Schemm Property – Folly Road (17.96 acres)
7. Cozzarrelli Property – Mill Creek Road (15.7 acres)
8. Geerling Property – Street Road (46.25 acres)
9. Bailey Property – 202 Parkway & Pickertown Road (8.23 acres)

Following the presentation, the Board members provided their feedback. Mr. Anderson asked what recommendations the NLT could provide in helping the Township leverage its \$3 million in bond proceeds with other available matching grants, noting that the nine (9) parcels cited would exceed our bond proceeds many times over. Mr. Williamson responded that they are several grant possibilities that could be pursued to advance any number of these open space priorities. He said the Township has already received a DCNR feasibility study grant for the 202 Parkway – Bradford Dam Connector Trail. He said this planning grant will make good cases for future grants. The NLT can work with Township officials to bundle certain projects for the next upcoming grant cycles.

Mr. Anderson also queried about how the Township can successfully reverse the negative perception that many residents often have regarding trail connections near their properties. Mr. Williamson responded that one effective approach is to recruit *trail ambassadors* to promote the positive benefits of community trails. He also recommended promoting examples of successful trail initiatives such as the Radnor Township Trolley Line.

Mrs. Yannich stated that the Board should not dismiss out-of-hand areas that might benefit from a buffer or conservation easement. Mr. Anderson expressed his fear over easements that the Township does not own outright and the risk that someday someone could employ a legal mechanism to eliminate the easement. Mr. Williamson gave some examples such as the Brandywine Valley where easements were used successfully to preserve the valley's scenic landscapes.

Mr. Paul commented that any properties under consideration should not be isolated or landlocked.

Following Board comments, the Chairman opened the floor for public comments. Mrs. Kathy Newcomb, OSTF member, shared comments that she heard at Warrington Community Day. Mr. Charles Rueger (1279 School Lane) asked whether the Township had ever considered selling some open space to gain better park land elsewhere.

Mr. Anderson emphatically said the Board would not sell open space land.

In conclusion the Board members were unanimous that the Township Staff, OSTF Member and the NLT should proceed with the next phase and open dialogues with landowners and begin assembling a competitive grant application for the next ground rounds, with a particular focus on using the remainder of the County's Open Space Grant allocation for Warrington.

EXECUTIVE SESSION REPORT

There was no executive session report.

APPROVAL OF BILL LIST:

1. **January 13, 2015 – January 27, 2015: (2014 Invoices): \$ 387,607.29**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from January 13, 2015 through January 27, 2015 totaling \$ 387,607.29, representing 2014 invoices. By roll call vote, the motion passed unanimously 5-0.

2. January 13, 2015 – January 27, 2015: (2015 Invoices): \$ 639,804.80

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from January 13, 2015 through January 27, 2015 totaling \$639,804.80, representing 2015 Invoices. By roll call vote, the motion passed unanimously 5-0.

APPROVAL OF MINUTES:**3. December 16, 2014**

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the December 16, 2014 Meeting Minutes. The motion passed unanimously 5-0.

4. January 5, 2015

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the January 5, 2015 Reorganization Meeting Minutes. The motion passed unanimously 5-0.

MINUTES FOR POSTING:**5. January 13, 2015**

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the January 13, 2015 Meeting Minutes. The motion passed 3-0-2, with Mrs. Achenbach and Mr. Hallowell abstained since they were not present at that meeting.

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.*)

Mrs. Mary Rueger (1279 School Lane) complained about the inadequate size of the zoning notices that were posted in the neighborhood as part of tonight's zoning hearing. She also expressed concerns about more traffic entering Park Road once the Loop Road is complete.

6. Consider adoption of Ordinance amending Chapter 27 (Zoning) to permit multi-family dwellings in the C-2 Commercial Zoning District by conditional use. (Board action on this amendment is required before conditional use hearing).

Mr. Anderson confirmed that the above zoning ordinance amendment was properly advertised in *The Intelligencer* on January 9 and January 16, 2015. Mr. Anderson then deferred to Mr. Gundlach, who commented on the 1/7/2015 BCPC (Bucks County Planning Commission) review letter.

Mr. Gundlach presented exhibits to address the height concerns outlined in the BCPC letter. He also invited the architect to describe the design of the 44' structure. He said the higher roof structure represents a peaked roof design which is desirable for these types of units and more aesthetically pleasing. Adopting a lower ceiling structure does not conform to good architectural practices.

Mr. Mark Roth, P.E. from McMahon Associates discussed the parking standards for this type of unit. He explained that this type of use is a low traffic generator, equaling approximately nine (9) spaces per bedroom. He referred to the ITE Parking Generation (4th Edition), which Mr. Gundlach included as one of his exhibits. Mrs. Yannich said one of her parking concerns was visitors parking.

Mrs. Yannich commented that she has the responsibility for providing more affordable housing in the Township but that she has concerns that the proposed zoning ordinance would apply to any C-2 zone.

She also would like to see the 55' maximum height remain in the text amendment. Mr. Gundlach stated that he respected her concerns and that his client would agree to certain textual changes clarifying that this proposed use would only be allowed by conditional use and only limited to multi-family dwellings within the C-2 Zone.

Mr. Anderson opened the floor to the audience, and the following individuals offered comment:

- Fred Gaines (200 Beech Boulevard) regarding traffic concerns at peak times and the impact on an already "F" rated 611/Bristol intersection; he commented that he preferred three stories as opposed to four.
- Francis McKee (503 Plymouth Court) commented about the need for sidewalks along Bristol Road.
- Ann Shade (Stagner) discusses concerns over puddling/ponding concerns on the old C&M parking lot.

There being no further public comment, Mr. Anderson motioned, seconded by Mr. Paul, to approve the adoption of an Ordinance with modifications amending Chapter 27 (Zoning) to permit multi-family dwellings in the C-2 Commercial Zoning District by conditional use. The motion passed unanimously 5-0.

PUBLIC HEARING:

7. **The Board will convene a public hearing on a conditional use (CU) application filed by Richard and Katheryn Held, d/b/a RHH Properties, seeking conditional use approval for the development of a multi-family dwelling on the property identified as TP#'s 50-027-023-001; 50-027-023-002; 50-027-025; and 50-027-031, located off Bristol Road & Stagner Avenue.**

Upon the adoption of the C-2 zoning amendment in #6 above, Chairman Anderson then adjourned the regular meeting and called to order a public hearing on a conditional use (CU) application filed Richard and Katheryn Held, seeking conditional use approval for the development of a multi-family dwelling on four (4) tax parcels located off of Bristol Road and Stagner Avenue. After confirming that all legal advertisements and postings were completed, he then asked if anyone wanted to be party-of-record in these proceedings. There were none. He then deferred to Attorney Gundlach to present testimony and witnesses in support of this conditional use application.

The stenographer swore in the following individuals:

1. Cliff Stoudt, P.E. – Mr. Stoudt, a licensed civil engineer, described the subject properties and the four parcels that will be united and extended along Stagner Avenue
2. Mark Roth, P.E. – Mr. Roth, a licensed traffic engineer, discussed the results of a traffic impact study and asserted that the development is a low traffic generator. He indicated that they are exploring potential off-site improvements and a bypass lane to improve the Route 611/Bristol Road intersection.
3. James Clough, AIA – Mr. Clough, a licensed architect, discussed the proposed architectural design and reiterated the same points as covered in #6 above.
4. Leigh Narducci, Attorney for the applicant.

Mr. Anderson asked Board members if they had any questions for the sworn panel. Mrs. Achenbach commented on the Municipal Services Impact Statement and noted that the Township went a step further in the hiring of career firefighters.

Mrs. Yannich reiterated some earlier recommendations from the Historical Commission for the naming of the two (2) new roads as part of the proposed development.

There being no further comments from the Board or the public, Mr. Anderson closed the hearing and asked for a motion.

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the conditional use application for the development of a multi-family dwelling on the property identified as Tax Parcel Numbers 50-027-023-001; 50-027-023-002; 50-027-025; and 50-027-031, located off Bristol Road & Stagner Avenue. By roll call vote, the motion passed unanimously 5-0.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

8. Consider approval of the Police Pension Plan Investment Policy

Mr. Anderson moved, seconded by Mr. Paul, to table approval of the Police Pension Plan Investment Policy until the next regular meeting.

9. Consider approval of the Non-Uniform Pension Plan Investment Policy

Mr. Anderson moved, seconded by Mr. Paul, to table approval of the Non-Uniform Pension Plan Investment Policy until the next regular meeting.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

10. Disposition of bids for the fire alarm installation at the new DPW Facility

Mr. Paul moved, seconded by Mr. Hallowell, to award the fire alarm installation bid for the new DPW Facility to Chester Township-based AJM Electric, Inc. for the lump sum amount of \$31,700, being the lowest responsible bidder. The motion passed unanimously 5-0. Mr. Paul commented that this bid is \$7,000 less than the original bid.

11. Consider adoption of an Ordinance amending Ordinance #2011-O-01 providing for the connection of certain residences on Upper State Road to the Chalfont/New Britain Township Joint Sewage Authority.

Mr. Anderson motioned, seconded by Mr. Paul, to adopt an Ordinance amending Ordinance #2011-0-01 to add four (4) new parcels to the sewer collection area and the establishment of a \$23,388.00 special purpose tapping fee assessments for each parcel. The motion passed unanimously 5-0.

12. Appointment of Elected Auditor (to replace Russell Diamond)

Mr. Paul motioned, seconded by Mr. Hallowell, to appoint Mr. Theodore "Ted" Cicci to replace the vacated position of elected auditor. The motion passed unanimously 5-0.

13. MANAGER'S REPORT:**a. Consider approval to contract with American Pool Company to manage Mary Barness Swim Club**

Mr. Paul motioned, seconded by Mrs. Yannich, to renew the contract with American Pool Management, Inc. to manage the Mary Barness Tennis and Swim Club for the 2015 season at a fee of \$133,350. The motion passed 4-0-1, Mr. Anderson abstaining.

b. Cell Tower Lease Amendment (2210 Shetland)

Mr. Paul motioned, seconded by Mrs. Yannich, to approve a lease amendment with T-Mobile Northeast LLC in the amount of \$435.56 per month for the addition of three (3) antennas to the water tank located at 2210 Shetland Drive. The motion passed unanimously 5-0.

14. CHAIRMAN'S REPORT:**a. 2015 Board Goals**

Mr. Anderson tabled discussion on 2015 Board Goals until the next meeting, when there's a full contingency of Board members.

b. Volunteer Board /Committee Appointments

Mr. Anderson tabled discussion on the Volunteer Board appointments.

15. ENGINEER'S REPORT: There was no report.

16. SOLICITOR'S REPORT: There was no report.

17. ESCROW AND MAINTENANCE BOND RELEASES:**a. Penrose Walk Escrow Release #4 (Final – Including Retainage): \$261,495.84.**

Mr. Anderson moved, seconded by Mr. Paul, to approve Penrose Walk Escrow Release #4 (Final – Including Retainage) in the amount of 261,495.84. The motion passed unanimously 5-0.

18. EXTENSION REQUESTS:

There were no extension requests.

19. DEDICATION REQUESTS:

There were no extension requests.

SUPERVISOR COMMENTS:

Mr. Paul asked the Solicitor to research the consortium salt contract. He said that recent salt deliveries have been several days late, which has happened on more than one occasion and is unacceptable. Mr. Casey agreed to investigate the matter.

Mr. Anderson stated that he will be away on vacation from February 7 through February 24.

ADJOURNMENT

There being no further business Mr. Paul, seconded by Mrs. Achenbach, to adjourn the meeting at 10:30 p.m. The motion passed unanimously 5-0.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager