



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR FEBRUARY 26, 2013

The regular meeting of the Warrington Township Board of Supervisors was held on February 26, 2013, 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, Township Engineer; Barbara Livrone, Executive Assistant to the Township Manager; and Barry Lubber, Chief Financial Officer.

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. Anderson reported that there was no executive session held.

APPROVAL OF BILL LIST:

1. **February 12, 2013 – February 26, 2013** **\$402,745.98**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from 02/12/13 to 02/26/13 totaling \$402,745.98 less the \$900 for the Warminster Club, the latter of which would be handled as a separate motion. This motion passed by a roll call vote of 5-0.

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the payment of \$900 to purchase the membership list from the Warminster Swim Club with the caveat that Staff revisit the non-resident fees charged to Warrington Swim Club registrants. The motion passed by a vote of 5-0.

APPROVAL OF MINUTES:

2. **January 22, 2013**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the January 22, 2013 Meeting Minutes. The motion passed by a vote of 5-0.

MINUTES FOR POSTING:**3. February 12, 2013**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the February 12, 2013 Meeting Minutes. The motion passed by a vote of 5-0.

OLD BUSINESS:**4. Consider final action on Communication Advisory Board recommendations for audio/video upgrades and web streaming software.**

Mr. Mike Starnier, Vice Chair of the Communication Advisory Board, reviewed the recommendations for audio/video upgrades and web streaming software. (*See Attachment A*)

Mr. Anderson motioned, seconded by Mrs. Achenbach, to approve the contract with RTS in the amount of \$18,900 for the purchase, installation and training of new audio and video equipment for the large meeting room. The motion passed unanimously.

Mr. Anderson motioned, seconded by Mrs. Achenbach, to approve the agreement with Granicus in the amount of \$2,845 initial cost plus \$745 per month for online webcasts and on-line streaming of Warrington's Boards and Committees meetings. The motion passed unanimously.

5. Consider adoption of Resolution approving Valley Gate final development plan.

Mr. Anderson noted that the applicant has agreed to comply with all of the Township's requirements. He did express a concern over Item #4 in Warrington Township Planning Commission's (WTPC) memo that used the phrase "dangerous condition". He stated this issue should have been addressed during the preliminary planning stage and at this point cannot be retroactively amended. He wanted some confirmation that a dangerous condition does indeed exist and if so how to remedy it.

Mr. Fred Gaines, Chairperson of Warrington Township Planning Commission, reviewed WTPC's recommendations outlined in the February 21, 2013 memorandum. He referenced a conversation that he had with the applicant on the number of access points to Road "A." In speaking with the applicant, the developer agreed to address any safety concerns by adding a stop sign and additional pavement markings, thus eliminating the Commission's safety concerns.

Mr. William Benner, attorney representing Valley Gate, confirmed that the final development plan does address the issues regarding Road "A" access points as well as the aesthetic issues raised over the present orientation of the McDonald's restaurant.

Following discussion the Board proceeded to vote on two (2) separate motions, the first involving an extension to the conditional use approval; the second, approving the final development plan with conditions.

Mr. Anderson motioned, seconded by Mr. Hallowell, to approve a one (1) year conditional use extension for the Valley Gate final development plan. The motion passed unanimously.

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the Resolution for the Valley Gate final land development/subdivision approval subject to additional verbiage as follows: "#7. The applicant will provide acceptable traffic calming devices on Route "A" and #8. The applicant will endeavor to provide additional landscaping to soften the appearance of the McDonalds restaurant."

Mr. Wieland also noted that a change needed to be made under Item #1, which will now read “The Board of Supervisors hereby approves a waiver from the requirements of Section 306.5 of the Warrington Township Subdivision and Land Development Ordinance for the length of vertical curves.” The motion passed by a vote of 4-1. Mrs. Yannich voted no. *(See Attachment B)*

6. **Board and Committee Appointments.**

Interviews were conducted for Board and Committee appointments and official action will be taken at the Board’s March 12, 2013 meeting.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

7. **Consider action repealing Chapter 24, Part 3 (Amusement Tax) and Part 7 (Mechanical/Electronic Device Tax).**

Mr. Paul motioned, seconded by Mr. Hallowell approved the amendment to repeal Chapter 24, Part 3 (Amusement Tax) to the Warrington Township Code of Ordinances. The motion passed unanimously. *(See Attachment C)*

Mr. Paul motioned, seconded by Mrs. Yannich approved the amendment to repeal Chapter 24, Part 7 (Mechanical/Electronic Device Tax) to the Warrington Township Code of Ordinances. The motion passed unanimously. *(See Attachment D)*

8. **Review Staff alternatives and recommendations for 2013 Lawn Maintenance Bid.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the Staff alternatives and recommendations for 2013 Lawn Maintenance Bid. The motion passed unanimously.

9. **Consider Staff recommendation to participate in a BCATO and consortium legal initiative to review and amend wireless and right-of-way ordinances of participating municipalities.**

Mr. Paul motioned, seconded by Mrs. Achenbach to approve the Staff recommendation to participate in a BCATO and consortium legal initiative to review and amend wireless and right-of-way ordinances of participating municipalities in an amount not to exceed \$6,000. The motion passed unanimously.

10. **MANAGER’S REPORT:**

a. **Consent Item: Advertisement Authorization – Alternative Energy Ordinance**

Mr. Paul motioned, seconded by Mrs. Achenbach to authorize advertisement of the proposed Alternative Energy Ordinance for adoption at a future meeting of the Board of Supervisors. The motion passed unanimously.

b. **Consent Item: Advertisement Authorization – Parks and Open Space (Chapter 16)**

Mr. Paul motioned, seconded by Mr. Hallowell, to authorize advertisement of the proposed amendment to repeal Chapter 16, Part I – Open Space, Parks and Recreation to the Warrington Township Code of Ordinances. The motion passed unanimously.

c. **Consent Item: Advertisement Authorization – DPW Building**

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize advertisement of the DPW/Salt Brine Building. The motion passed unanimously.

d. **Consent Item: Bid Award – 2013 Pipe and Precast Bid**

Mr. Tieperman reported that no bids were received for the 2013 Bucks County Consortium Pipe/Pre-Cast Bid. Therefore, as specified in Purdon's Statutes, 73 PS 1641, Non-receipt of Bids, a municipality may purchase unbid pipe or pre-cast materials from any vendor within 45 days of the first advertisement regardless of price. The first advertisement occurred on February 4, 2013. After 45 days, any purchase of the unbid pipe or pre-cast materials in excess of \$18,900 must be bid.

e. **Consent Item: Bid Award – Sorrel Road Sanitary Sewer Rehabilitation Project**

Mr. Paul motioned, seconded by Mrs. Achenbach, to award the Sorrel Road Sanitary Sewer Rehabilitation project to SJM Construction Company, Inc. of Spring House, PA with a total bid in the amount of \$359,914.50. The motion passed unanimously.

f. **Consent Item: Bid Award – Deeds of Easement (Burrage and Warrington Fire Company)**

Mr. Paul motioned, seconded by Mrs. Achenbach, to award the Deed of Easement between Leslie J. and Rosemary A. Burrage and the Warrington Fire Company. The motion passed unanimously.

g. **Consent Item: Authorize FEMA Signatory (Hurricane Sandy)**

Mr. Paul motioned, seconded by Mr. Hallowell to approve the Resolution authorizing Barry P. Luber, Chief Financial Officer, to act as an agent for Warrington Township for the submission of required documents to PEMA for Hurricane Sandy. The motion passed unanimously.

h. **Consent Item: Review Staff's preliminary recommendation (s) on free tree (s)**

Mr. Tieperman reviewed the preliminary staff recommendations for possible candidate location for tree donations from John Pileggi.

Mr. Paul motioned, seconded by Mrs. Achenbach, to accept the tree donations from John Pileggi with the caveat that the Township has the responsibility of moving these trees and finding the appropriate location for these trees within the Township. The motion passed unanimously.

Mr. Tieperman will be contacting Mr. Pileggi to notify him of the Board's interest in accepting the tree donations.

11. **CHAIRMAN'S REPORT:**

a. **Egenolf vs. Warrington Township**

Mr. Anderson reviewed the lawsuit between Egenolf vs. Warrington Township. The Egenolf's property is located on Mill Creek Road. Mr. and Mrs. Egenolf are requesting permission to subdivide their 3 acres into two lots. Mr. Casey indicated that the Egenolfs' have offered to make certain stormwater improvements on the property.

Mr. Paul recommended that it would be in Township's best interest to settle the lawsuit by permitting the property's subdivision while also mitigating a recurring drainage problem in the neighborhood. Mr. Casey was directed to contact Mr. Egenolf about the stormwater improvements.

Mr. Paul motioned, seconded by Mr. Hallowell, to direct the Township Solicitor to draw up the appropriate paperwork that includes the necessary stormwater improvements and report back to the Board at a future date. The motion passed by a vote of 4-1. Mr. Anderson recused.

b. Bristol Riverside Theater Gala Celebration Request

Mr. Anderson reported that the Bristol Riverside Theatre is holding a Gala Celebration and honoring Bucks County Commissioner Robert Loughery for his enduring recognition of arts initiatives as “critical investments to Pennsylvania” on April 20, 2013. They have requested that municipalities consider placing an ad in the commemorative journal to congratulate him.

Mr. Paul motioned, seconded by Mrs. Yannich, to approve a \$1,000 full color, full page ad for the journal book promoting Warrington Township as part of the Theater’s Gala Celebration and honoring Bucks County Commissioner Robert Loughery.

Mr. Tieperman will design an ad for the Board’s approval.

c. Set date for meeting with Warrington Fire Company

The Board set the meeting date of Tuesday, March 5, 7 p.m. to hold an informal work session with the Warrington Fire Company. The township manager will be sending a letter to the Warrington Fire Company inviting them to attend this meeting.

d. Open Space Bond

Mr. Anderson reported that we are moving forward on the Open Space Bond and reminded the Board that he is looking for their update on 2013 goals that deal with open space for this bond issue and ask them to forward them onto him.

e. Temporary Closure of Bristol Road to Lower State Road

Mr. Anderson reported that Bristol Road to Lower State Road will be closed for three months.

ADJOURNMENT

Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:30 p.m. The motion passed unanimously.

Edited and Reviewed By:



Timothy J. Tieperman, Township Manager

ATTACHMENT “A”

Warrington



Township

852 EASTON ROAD, WARRINGTON, PA 18976

215-343-9350 ■ FAX 215-343-5944

www.warringtontownship.org

BOARD OF SUPERVISORS

GERALD B. ANDERSON, Chairperson

JOHN R. PAUL, Vice Chairperson

MARIANNE ACHENBACH, Secretary-Treasurer

MATTHEW W. HALLOWELL, SR., Member

SHIRLEY A. YANNICH, Member

TOWNSHIP MANAGER

TIMOTHY J. TIEPERMAN

February 20, 2013

MEMO TO: BOARD OF SUPERVISORS
ATTN: TIMOTHY J. TIEPERMAN, TOWNSHIP MANAGER

FROM: BARRY P. LUBER, CHIEF FINANCIAL OFFICER

RE: ONLINE STREAMING OF BOARDS AND COMMITTEE MEETINGS PROJECT

Background

The Communications Advisory Board (CAB) has been working diligently with staff on a project to make Warrington's meetings available to the public through online streaming. There are two phases of this project that need to be implemented to make this possible. The first phase would provide updated microphones and new video equipment throughout the Board Room, including High-Definition video equipment. The existing equipment is not adequate for on-line streaming of the meetings. Through a series of meetings and demonstrations, the CAB along with staff interviewed and received quotes from three vendors to upgrade the meeting room with audio and video equipment:

Vendor	Quote
RTS	\$18,900
OPT4 Group ¹	\$8,675
Prime Audio Visual	\$55,372

The second phase of the project involved finding a professional firm that specializes in online streaming. Their hardware and software will capture all meetings, tag them for agenda items, and make them available on-line and on our website. The CAB has interviewed four firms (Granicus, Telvue, CDS Solutions and IQM2). After interviewing and analyzing the four proposals, it was determined that Granicus would provide the best fit for Warrington's needs

¹ OPT 4 Group did not furnish a quote on all the equipment

Recommendation

Staff recommends and confirms the CAB's recommendation that two contracts be awarded:

1. Contract to RTS in the amount of \$18,900 for the purchase, installation and training on new audio and video equipment for the large meeting room; and
2. Contract to Granicus in the amount of \$2,845 initial cost plus \$745 per month for online webcasts and on-line streaming of Warrington's Boards and Committees meetings.

Both contracts have been reviewed and approved by the solicitor after suggested changes made by the solicitor were incorporated into the agreement by Granicus. Funds are available through the PEG grant as part of the Franchise Fee agreements with both Comcast and Verizon. Future costs will be funded through future franchise fees.

ATTACHMENT “B”



RESOLUTION 2013-R- 15

FINAL LAND DEVELOPMENT/SUBDIVISION APPROVAL

VALLEY GATE

WHEREAS, Warrington P II Associates, L.P. (hereinafter the "Applicant") has submitted final land development and subdivision plans to develop and to subdivide a 67 acre parcel into four lots. The site is located on the Penrose Tract containing approximately 67 acres on tax parcels 50-31-30 and 50-31-33-11. The site is located on the eastern side of Easton Road (S.R. 0611) south of the intersection with Titus Road and Paul Valley Road. The site which was previously used for farming is currently vacant with an existing stone driveway. All previously existing structures have been demolished. An existing gas pipeline easement traverses the southern portion of the site. The applicant has proposed a mixed-use development containing retail/service stores, a hotel and townhouses with associated drives and parking areas (the "Project"). The Project is to be served by public water and sewer. The site will have two (2) access drives from Easton Road (S.R. 0611) and a single access drive from Paul Valley Road. Several stormwater management facilities are proposed to address stormwater runoff concerns. Warrington Township issued a resolution of preliminary approval to the preliminary land development/subdivision plan on February 14, 2012. The Warrington Township Planning Commission conducted a review of the Applicant's Final Land Development/Subdivision Plan on February 21, 2013 and issued a written recommendation recommending approval of the Project subject to several conditions.

WHEREAS, the submission includes:

- A. Final Subdivision & Land Development Plans, as prepared by Gilmore & Associates, consisting of fifty-nine (59) sheets, dated August 5, 2011, last revised January 11, 2013.
- B. Post-Construction Stormwater Management Report, as prepared by Gilmore & Associates, dated December, 2011, last revised January 2013.

- C. Erosion and Sediment Control Narrative, as prepared by Gilmore & Associates, dated December, 2011, last revised January 2013.


NOW, THEREFORE, be it, and it is hereby RESOLVED by the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania, that the Applicant's Plans and materials above described are hereby approved as Final Plans, subject to the following conditions with which the Applicant agrees:

1. The Board of Supervisors hereby approves a waiver from the requirements of Section 306.5 of the Warrington Township Subdivision and Land Development Ordinance for the length of vertical curves.
2. Prior to the signing of the final plans and their being recorded, Applicant shall comply with the requirements of the review letter from Carroll Engineering Corp., dated February 12, 2013 with the exception of comments F.10 and F.11. Concerning F.10, if Warrington Township succeeds in obtaining permission from the adjacent landowner to permit Applicant to alter the drive arrows as recommended, Applicant shall undertake that obligation; otherwise, Applicant is under no obligation to comply with comment F.10. Concerning Comment H.7, Applicant shall be obliged to provide a bus shelter only if SEPTA approves a bus stop along the site's Route 611 frontage.
3. Prior to the signing of the record plans and their being recorded, Applicant shall document all receipt of all applicable approvals, permits, certificates and the like necessary to complete the Project, and to make all required submittals to any State and Federal agencies that must issue such approvals, permits, certificates and the like related to the Project.
4. Prior to the recordation of the final plans, all necessary documents shall have been prepared and executed by the appropriate parties as are referenced in the engineer's letter and Applicant agrees to execute a development agreement with escrow as determined by the Township engineer.
5. The Applicant shall comply with the recommended conditions of approval as outlined within the Warrington Township Planning Commission review letter dated February 21, 2013.
6. The Township is in receipt of a review letter from the Bucks County Planning Commission dated February 4, 2013.
7. Applicant will provide acceptable traffic calming devices on Road "A".
8. Applicant will provide additional landscaping to soften the appearance of the McDonald's Restaurant from Route 611.

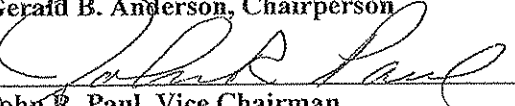
RESOLVED, this 26th day of February, 2013.

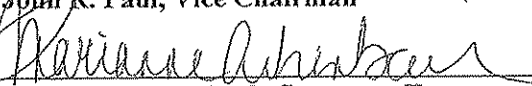
BOARD OF SUPERVISORS OF WARRINGTON TOWNSHIP

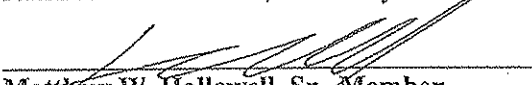
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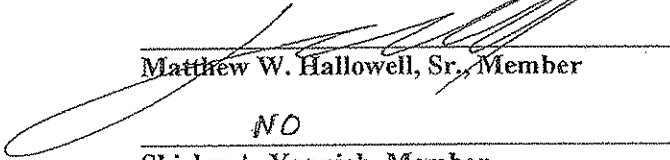

Timothy J. Tieperman
Township Manager


Gerald B. Anderson, Chairperson


John R. Paul, Vice Chairman


Marianne Achenbach, Secretary-Treasurer


Matthew W. Hallowell, Sr., Member


NO
Shirley A. Yannich, Member

ATTACHMENT “C”



ORDINANCE 2013 - 0-02

AMENDMENT TO THE WARRINGTON TOWNSHIP CODE OF ORDINANCES

**To Repeal
Chapter 24 Part 3 - Amusement Tax**

WHEREAS, the Board of Supervisors of Warrington has deemed it advisable to approve the following amendment to Chapter 24 Part 3 of the Warrington Township Code of Ordinances; and

NOW THEREFORE, be it ENACTED and ORDAINED and IT IS HEREBY ENACTED and ORDAINED, that the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania, hereby amends Chapter 24 Part 3, Amusement Tax of the Warrington Township Code of Ordinances as follows:

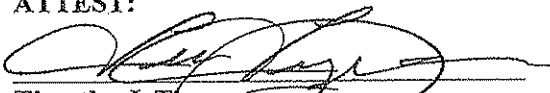
Chapter 24 Part 3: Amusement Tax:

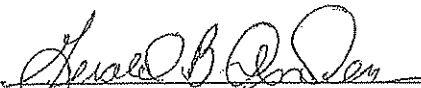
Ordinance 94-1 adopted April 12, 1994, Section 301, as amended by Ordinance 2012-0-12, establishing a tax upon the admission fee or privilege of attending or engaging in any public amusement activity in Warrington Township, subject to exceptions, is hereby repealed in its entirety.

ORDAINED and ENACTED this 26th day of February, 2013.


WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

ATTEST:


Timothy J. Tieperman
Township Manager


Gerald B. Anderson, Chairperson


John R. Paul, Vice-chairperson


Marianne Achenbach, Secretary-Treasurer


Matthew W. Hallowell, Sr., Member


Shirley A. Yannich, Member

ATTACHMENT “D”



ORDINANCE 2013 – 0-03

AMENDMENT TO THE WARRINGTON TOWNSHIP CODE OF ORDINANCES

To Repeal

Chapter 24 Part 7 - Mechanical / Electronic Amusement Devices Tax

WHEREAS, the Board of Supervisors of Warrington has deemed it advisable to approve the following amendment to Chapter 24 Part 7 of the Warrington Township Code of Ordinances; and

NOW THEREFORE, be it ENACTED and ORDAINED and IT IS HEREBY ENACTED and ORDAINED, that the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania, hereby amends Chapter 24 Part 7, Mechanical / Electronic Amusement Devices Tax of the Warrington Township Code of Ordinances as follows:

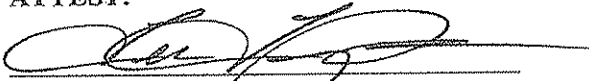
Chapter 24 Part 7: Mechanical / Electronic Amusement Devices Tax:

Ordinance 2011-0-09, adopted December 13, 2011, Section 701, establishing a tax on the use or rental of mechanical/electronic amusement devices is hereby repealed, in its entirety.

ORDAINED and ENACTED this 26th day of February, 2013.

WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

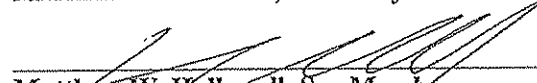
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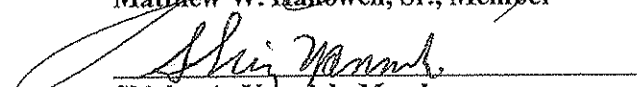

Timothy J. Tieperman
Township Manager


Gerald B. Anderson, Chairperson


John R. Paul, Vice-chairperson


Marianne Achenbach, Secretary-Treasurer


Matthew W. Hallowell, Sr., Member


Shirley A. Yannich, Member