



## **WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR OCTOBER 22, 2013**

The regular meeting of the Warrington Township Board of Supervisors was held on October 22, 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 B. Anderson, Chairperson; John R. Paul, Vice Chairperson; Marianne Achenbach, Secretary/Treasurer; Matthew W. Hallowell, Sr., and Shirley A. Yannich, members. Staff present was Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Thomas A. Gockowski, 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. Anderson reported there was no executive session held.

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

- a. **October 8, 2013 – October 22, 2013**      **\$996,853.59**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from October 8, 2013 through October 22, 2013 totaling \$996,853.59. By roll call vote, the motion passed unanimously.

### **APPROVAL OF MINUTES:**

2. **September 24, 2013**

Mr. Hallowell motioned, seconded by Ms. Yannich, to approve the September 24, 2013 Meeting Minutes. The motion passed unanimously.

### **MINUTES FOR POSTING:**

3. **October 8, 2013**

Mr. Hallowell motioned, seconded by Ms. Yannich, to approve the posting of the October 8, 2013 Meeting Minutes. The motion passed unanimously.

**PUBLIC COMMENT:**

The following individuals offered public comment:

- Kevin Reilly (2445 Park Road) regarding site distance issues at the School/Bristol intersection.
- Mike Kelly (135 Muirfield) regarding hunting camp and tree stands in back of his development.
- Gwyn Walton (2830 Bristol Road) requesting the preservation of the house owned by Randolph Scott on Easton Road.

**PUBLIC HEARING:**

4. **Required public hearing for consideration of a proposed Ordinance authorizing the incurrence of non-electoral and electoral debt, as required by the Pennsylvania Local Government Unit Debt Act. (This is for the procurement of emergency radios through a low interest loan subsidized by Bucks County).**

The Board agreed to enter into a contract with the County of Bucks to procure emergency radios through a low interest loan as recommended by the Township's bond counsel. Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the Ordinance authorizing the incurrence of non-electoral and electoral debt, as required by the Pennsylvania Local Government Unit Debt Act. The motioned passed unanimously. *(See Attachment 1).*

**OLD BUSINESS:**

5. **Continue approval of a Resolution adopting the 2014 Operating and Capital Budget.**

Mr. Anderson asked Mr. Tieperman to provide a summary of the 2013 Operating Budget. He stated that the \$27,199,196.00 proposed budget remains unchanged from what was advertised and made available to the public. He stated that the budget's operating portion remains balanced with no tax increase. However, the budget does include a .62 mill increase in debt service to \$4 million in major infrastructure improvement next year; .92 mill increase will be necessary should the Board decide to implement the recommendations from the Emergency Services Committee. The latter is a policy decision that the Board must address before the budget is finalized.

Mr. Anderson underscored the challenge to provide adequate fire protections services to the community. Doing so will likely require the hiring of some paid emergency personnel which will carry some tax impact. He noted Warrington's changing demographics and the continuing struggle to find volunteer services to cover daytime response. He noted that Township employees are running some calls but at a loss to other service areas.

Despite these challenges, Mr. Anderson stated the current Board will pass a balanced budget on time. A further review by the Board will be made and the 2014 budget will be presented at the November 12, 2013 Board of Supervisors meeting for final adoption consideration. Upon approval, the 2014 Budget will be posted on the website. The Board has until year's end to pass a final budget.

6. **Review Ordinance amendment to Chapter 15 (Motor Vehicles and Traffic) restricting truck traffic between Bristol and Folly Roads.**

The Board discussed the proposed ordinance amendment restricting Pickertown Road truck traffic between Bristol and Folly Roads from midnight to 6:00 a.m. Emergency vehicles, school buses, vehicles and combinations of government agencies and utilities or their contractors engaged in emergency maintenance are exempt. Mr. Tieperman stated that a "commercial motor vehicle" is defined as set forth in the Pennsylvania Motor Vehicle Code Title 75, Chapter 16, Subsection 1603.

The following individuals offered public comment on this proposed ordinance:

- Mary Doyle Roth (2532 Pickertown Rd) requested a further explanation over the need of this amendment.
- Kevin Reilly (2445 Park Rd) inquired about adding other roads to the Ordinance.
- Mike Kelly (135 Muirfield Rd) inquired about local deliveries.

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize advertisement of the Ordinance amendment to Chapter 15 (Motor Vehicles and Traffic) restricting truck traffic between Bristol and Folly Roads. The motion passed unanimously. (*See Attachment 2*)

7. **Consider approval for an Ordinance amending Chapter 1 (Administration and Government) to create a Planning Department.**

Mr. Anderson recommended the establishment of a Planning Department to use as a tool to streamline the planning review process. Mr. Paul motioned, seconded by Mr. Hallowell, to approve the Ordinance amending Chapter 1 (Administration and Government) to create a Planning Department. (*See Attachment 3*).

Mr. Anderson motioned, seconded by Mr. Hallowell, to schedule the first meeting on Tuesday, December 3, 2013 and set a schedule to hold meetings the first Tuesday of each month.

The vote was 4-1 with Ms. Yannich opposing the vote.

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

8. **Consider approval for an Ordinance amending Chapter 27 (Zoning) to provide for a Loop Road Overlay District (Part 15-B).**

Mr. Anderson described the concept of the Loop Road Overlay District Ordinance. He explained that the existing Highgrove Manor plan was approved in 2008 and that any development proposal will still be subject to the land development process. He stated that a new traffic signal will be proposed at Route 611 and the new Park Road Loop.

Mr. Robert Gundlach, Esq., offered comments in support of the new Ordinance. He stated the new Park Road Loop will alleviate traffic backups at the current 611/Bristol Road intersection. Accompanying Mr. Gundlach were Mr. Casey Moore (traffic engineer) and Eric Hetzell (land planner) of McMahon Transportation Engineers/Planners; Mr. Gundlach will be submitting a sketch plan without the need of a conditional use.

The following individuals offered public comment:

- Kevin Reilly (2445 Park Rd) questioned the increase in traffic on Park Rd.
- Eric Richards (2262 Lisa Dr) questioned the effect this will on nearby business along the 611/Bristol intersection and the ability to make left hand turns off of Stuckert Road.
- Mary Doyle Roth (2532 Pickertown Rd) is concerned about more commercial development in the area.
- Sharon Kaszan (2347 Dubree Ave) questioned if there were plans to include Dubree Avenue in this proposal. Mr. Anderson responded "no."
- David Thomas (2258 Lisa Dr) questioned if Lisa Drive will have an access. Mr. Anderson stated that PECO would have to grant such permission.

Mr. Hallowell motioned, seconded by Mr. Paul, to approve an Ordinance amending Chapter 27 (Zoning) of the Warrington Township Code of Ordinances to provide for a Loop Road Overlay District as Part 15-B. The vote was 4 to 1 with Ms. Yannich opposing the vote. *(See Attachment 4).*

Mr. Anderson motioned, seconded by Mr. Paul, to amend the zoning map as part of the Township Zoning Ordinance. The vote was 4 to 1 with Ms. Yannich opposing the vote. *(See Attachment 5).*

9. **Consider Resolution approving minor subdivision plan for Kenneth Farabee (543 Oak Avenue).**

Steve Harris, Esquire, representing the applicant, asked for minor subdivision plan approval subject to waivers described in the October 2, 2013 letter from Larry Young, P.E., Gilmore and Associates. Mr. Anderson stated this application will certainly improve the neighborhood but questioned whether the plan qualifies under the definition of a minor subdivision.

Mr. Achenbach, Manager of the Water and Sewer Department, expressed concern about impact of drilling four wells if this subdivision becomes four (4) lots. Mr. Achenbach recommended extending the water service from Oak Avenue to Street Road. A recapture fee will be offered if any resident connects to the proposed water line extension.

Mr. Harris agreed to submit a ninety (90) day extension form to further review this project.

Mr. Paul motioned, seconded by Mrs. Achenbach, to accept the ninety (90) day extension. The motion passed unanimously.

10. **Consider approval of the CVS Stormwater Operations and Management Agreement.**

Mr. Anderson motioned, seconded by Mr. Paul to approve the CVS Stormwater Operations and Management Agreement. The motioned passed unanimously. *(See Attachment 6).*

11. **Review proposed policy authorizing new administrative procedures for the issuance of building permits and minor land development agreements.**

The purpose of this policy is to outline the procedures for receiving and processing building permit applications and the posting of escrow when necessary. The Board of Supervisors agreed that this agreement is required to be presented to the supervisors first for review. Mr. Paul motioned, seconded by Mr. Hallowell, to approve the policy authorizing new administrative procedures for the issuance of building permits and minor land development agreements. The motioned passed unanimously. *(See Attachment 7)*

12. **Consider approval of Developers and Financial Agreements for Valley Gate.**

The Warrington P II, LP Site Development Agreement, Financial Agreement and Plans were presented to the Board. Ms. Yannich commented on the gas pipeline and the requirement for the townhouse residents to pay for the maintenance of roads being used for commercial use. Mr. Paul stated there will be a separate agreement for the townhouses. Mr. Paul motioned, seconded by Mr. Hallowell, to approve the Developers and Financial Agreements for the Valley Gate Development. The vote was 4 to 1. Ms. Yannich abstained.

**13. MANAGER'S REPORT:****a. Warrington Day Wrap-Up**

Mr. Tieperman presented the financial report from the October 12, 2013 Warrington Community Day event noting the total net cost for the day as \$15,057. Mr. Anderson commended Mr. John Paul as being the nucleus of the event.

**b. Act 537 Plan Approval – County Line/Stump Lower Pressure Sewer System**

The Minor Act 537 Sewage Facilities Plan Update Revision provides for public sewage facilities to serve seven (7) parcels along County Line Road, east of Stump Road. Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the Act 537 Plan for the County Line/Stump road Lower Pressure Sewer System. The motion passed unanimously.

**c. 2014 Electric Contract Ratification**

The current contract for electricity with Superior Energy expires January 2014. The lowest bid that the township received was from Washington Gas Energy Services, Inc. for township facilities and from Constellation Energy for street lights.

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize a twenty four month contract with Washington Gas Energy Services, Inc for township facilities and a twenty four month contract with Constellation Energy for street lighting. The motion passed unanimously.

**d. 2014 Consortium Salt Bid Award (BOS Concurrence)**

Mr. Paul motioned, seconded by Ms. Yannich, to award the 2014 salt bid to International Salt Company, LLC at a cost of \$50.44 per ton delivered, being the lowest bidder meeting all bid requirements. The motion passed unanimously.

**e. Participation Authorization in CRIM (Cash Reserve Investment Management) Program**

Fulton Bank, the Township's banking depository, has an investment program called CRIM designed to maximize interest earning of money not needed to support daily operations.

Mr. Paul motioned, seconded by Mr. Hallowell to transfer funds from the water and sewer account to Fulton Bank's CRIM investment program. This motion passed unanimously.

**f. Records Disposition Authorization**

On July 16, 1993, the Pennsylvania Local Government Records Committee approved a Municipal Records Manual that sets forth schedules and procedures for the disposition of municipal records.

Mr. Paul motioned, seconded by Ms. Yannich to approve Resolution 2013-R-44 for the scheduling and destruction of records listing all the items to be shredded. This motion passed unanimously.



g. PECO Permission Letter Authorization

Mr. Anderson motioned, seconded by Mr. Paul to authorize PECO's permission letter to grant access, for repair, an existing sewer main on PECO Energy property located between Street Road and County Line Road. This motion passed unanimously.

14. CHAIRMAN'S REPORT

a. 10 Folly Road Wellhouse

The Board approved the public works department to remove a tree growing in and currently destroying the well house at the Old Schoolhouse located at 10 Folly Road.

b. Lamplighter/Phillips Avenue Dedication Issue(s)

Mr. Anderson reported McKee Builders will join in on the signing of the dedication of Phase IV water and sewer facilities. Mr. Casey reported when the title policy is issued, the dedication of the water and sewer facilities at Phillips Avenue will be guaranteed. This dedication should be ready by the 11/12/2013 BOS meeting.

c. Warrington Ridge Issue(s)

Mr. Anderson reported that Mr. McBride will maintain the roads within this development during the 2014 winter months. In the spring of 2014, the roads will be paved.

d. Barness Park Expansion

Mr. Anderson stated that liens are currently placed on tax map parcel # 50-026-014. These liens will need to be removed before obtaining clear title to the property.

e. 202 Parkway Letter

Mr. Anderson stated a draft letter has been written to PennDOT regarding the serious safety issues regarding Route 202 Parkway and the township's recommendation for action. The letter will be mailed after additional recommended changes are incorporated.

f. Review 10/28/2013 ZHB Agenda

Mr. Anderson stated Victory Gardens is scheduled for the October 28<sup>th</sup> Zoning Hearing Board agenda. Mr. Casey is going to send the ZHB a letter requesting the Board of Supervisors to be part of record. Attendance from the Board will be Mr. Anderson.

g. Robertson Recognition

The Board approved a Resolution recognizing Endom and Freddie Robertson (1907 Appaloosa Road) for serving their community by volunteering and coordinating the Luminary Christmas Eve Celebration at Fox Hollow woods since 1986. Mr. and Mrs. Robertson will be formally recognized at the November 12, 2013 Board of Supervisors meeting. Mr. Paul motioned, seconded by Mr. Hallowell, to recognize the Robertson's by resolution. This motion passed unanimously.

**15. ENGINEER'S REPORT****a. Lower Nike Park Pedestrian Bridge Update**

Mr. Gockowski reported that the bridge is still under construction. This bridge will be incorporating the trails and connecting the Bradford Greene development. Upon final completion, Mr. Anderson suggested a ribbon cutting ceremony to take place on a Saturday.

**b. Detweiler Road**

Mr. Gockowski reported NWWA's contractor is minimizing the trench restoration which is leaving sufficient funds to overlay the entire road from Upper State Road to the bypass and then to Stump Road. The overlay should be completed by late fall. Mr. Paul recommended one storm pipe to be removed and replaced before paving.

**c. SALDO Paving Standards**

Mr. Gockowski reported some of the paving standards listed in the SALDO should be updated to current standards. Mr. Anderson suggested reviewing SALDO for any further revisions.

**16. SOLICITOR'S REPORT****a. Malcolm's**

Mr. Casey reported the court date has not been scheduled by the judge.

**b. Meridian**

Mr. Casey reported the new buyer for Meridian is Woodstone and settlement is scheduled for November 5<sup>th</sup>.

**c. 2672 Bristol Road (aka Snyder Property)**

Mr. Casey reported liens are placed against the property and need to be satisfied before clear title can be issued.

**d. County Line Fence**

Mr. Casey reported that County Line Fence applied for a conditional use on September 24, 2013 for outdoor display. The hearing has to take place within sixty (60) days.

**17. ESCROW AND MAINTENANCE BOND RELEASES:****a. Hickory Ridge \$ 75,000**

Mr. Anderson motioned, seconded by Mr. Paul, to approve the Final Certificate of Completion for the Hickory Ridge project and release all remaining funds plus interest.

**18. EXTENSION REQUESTS: None****19. DEDICATION REQUESTS: None**

**SUPERVISOR COMMENTS:**

Mr. Anderson stated the Board opposes the current twenty five foot (25') sign request from Pete's Car Wash.

Mr. Anderson motioned, seconded by Mr. Hallowell, to rename the Lower Nike Park to: ***John Paul Park @ Lower Nike.***

**ADJOURNMENT**

Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 10:15 p.m. The motion passed unanimously.

Respectfully Submitted By:



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Timothy J. Tieperman, Township Manager



# **ATTACHMENT “1”**

**WARRINGTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**ORDINANCE – 2013-0-12**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF \$418,783.96; PROVIDING FOR THE DATE, INTEREST RATES, MATURITY DATES AND PLACE OF PAYMENT IN RESPECT TO THE NOTES; ACCEPTING THE PROPOSAL OF THE COUNTY OF BUCKS FOR THE PURCHASE OF THE NOTES; AUTHORIZING THE PROPER OFFICERS TO EXECUTE AND DELIVER THE NOTES; AUTHORIZING AND DIRECTING THE PREPARATION, CERTIFICATION AND FILING OF THE PROCEEDINGS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; AND SETTING FORTH FORMS OF NOTES.

WHEREAS, Warrington Township, Bucks County, Pennsylvania (“Township” or “Local Government Unit”) is a township of the second class governed by the Second Class Township Code of the Commonwealth of Pennsylvania, Act of May 1, 1933 (P.L. 103), as amended and reenacted; and

WHEREAS, the Township has determined to undertake a project (the “Project”), consisting of financing the purchase of certain radio equipment; and

WHEREAS, the Township has determined to finance the Project by incurring indebtedness and issuing its Notes (as hereinafter defined) in accordance with the Pennsylvania Local Government Unit Debt Act, as codified by the Act of December 19, 1996 (P.L. 1158, No. 177) (the “Act”); and

WHEREAS, the Township has received an acceptable proposal (the “Proposal”) for the purchase of the Notes from the County of Bucks, Pennsylvania (the “Purchaser”) and desires to authorize the acceptance of such Proposal and authorize the issuance of its Notes for the purposes set forth herein, upon the terms and conditions, within and subject to the parameters and in the form of Proposal as herein provided; and

WHEREAS, the Township now desires to authorize the issuance of the Notes for the purposes set forth herein, upon the terms and conditions and in the form as herein provided, and to accept the Proposal of the Purchaser for the purchase of the Notes;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the Township, that:

SECTION 1. Authorization of Issuance of Notes and Approval of Refunding. The Township hereby approves the Project described in the recitals hereto and authorizes the

incurring of indebtedness pursuant to the Act by the issuance of the Installment Promissory Notes (the "Notes") in the principal amount of \$418,783.96 for the purpose of providing funds for and toward the costs of the Project. The Notes are to be sold and delivered as hereinafter provided.

**SECTION 2. Useful Lives.**

(a) It is hereby determined and declared that the average estimated useful life of the components of the Project is in excess of eight (8) years and that the Township has obtained realistic estimates of the costs of such projects through bid prices or estimates from qualified persons as required by Section 8006 of the Act.

It is hereby determined that the Notes are scheduled to mature in accordance with the limitations set forth in Section 8142 of the Act.

**SECTION 3. Non-Electoral and Electoral Debt.** The debt to incurred to finance the Project, shall be incurred as electoral debt.

**SECTION 4. Execution of Debt Statement and Notes and Filing of Debt Proceedings.** The Chairman and Secretary of the Board of Supervisors or the Vice Chairman or Assistant Secretary, in the absence of the Chairman or Secretary, respectively, or any duly appointed successors, as the case may be, are hereby directed to prepare and certify and to file the debt statements required by Section 8110 of the Act, to execute and deliver the Notes evidencing the debt to be incurred to the purchaser thereof, and to prepare and certify all filings required pursuant to Section 8111 of the Act, pertaining to submission to the Pennsylvania Department of Community and Economic Development (the "Department"), of the transcript of the proceedings, which shall include certified copies of this Ordinance, proofs of proper publication, the accepted proposal for the purchase of the Notes and such other documents as may be necessary in connection with the same and to take all such further action and to execute and deliver such other documents as may be necessary or appropriate to comply with all requirements of the Act or to carry out the intent and purposes of this Ordinance.

**SECTION 5. Terms and Form of Notes.** The Notes when issued shall be general obligation Notes issued in fully registered form and shall be in the aggregate principal amount of \$418,783.96, and shall bear interest and be in the form attached hereto and made a part hereof.

**SECTION 6. Appointment of Paying Agent and Sinking Fund Depositary.** The County of Bucks, Pennsylvania, is hereby appointed to serve as paying agent, bond registrar and sinking fund depositary (the "Paying Agent") for the Notes and the Chairman and Secretary of the Board of Supervisors, or the Vice Chairman or Assistant Secretary (or any Acting Secretary or Assistant Secretary appointed for such purpose), or any duly appointed successor, as the case may be, are directed to contract with the Paying Agent to obtain its services in the aforementioned capacities. The Township shall cause to be kept, and the Paying Agent is hereby directed to keep, at the designated corporate trust offices of the Paying Agent, books for the registration, exchange and transfer of Notes in the manner provided herein and therein so long as Notes shall remain outstanding. The Paying Agent is hereby directed to make such registrations, exchanges and transfers without charge to bondholders, except for actual costs, including

postage, insurance and any taxes or other governmental charges required to be paid with respect to the same.

**SECTION 7. Establishment of Sinking Fund.** The Township covenants to establish, and there are hereby established, sinking funds (collectively, the "Sinking Fund") for the payment of the Notes with the Paying Agent. The Township Treasurer shall pay the amounts required pursuant to the covenants contained herein into the Sinking Fund which shall be maintained until the respective Notes are paid in full. Sums sufficient to meet the requirements of the semi-annual interest payments and scheduled maturities shall be deposited into the Sinking Fund not later than the date when interest and/or principal is to become due on the respective Notes. The funds in the Sinking Fund shall be subject to withdrawal by the Paying Agent only to pay the principal and interest on the respective Notes as the same becomes due and payable in accordance with the terms thereof. The Township hereby covenants that such monies, to the extent required, will be applied to such purpose. The principal of and interest on the Notes shall be payable in lawful money of the United States of America at the designated corporate trust offices of the Paying Agent.

**SECTION 8. Covenant to Pay Notes.** The Township covenants that, to the fullest extent authorized under law:

- a. The amount of the debt service with respect to the Notes payable in each fiscal year shall be included in the Township budget for that year;
- b. The Township shall appropriate such amounts from its general revenues necessary for the payment of such debt service;
- c. It shall duly and punctually pay, or cause to be paid from its sinking fund or any other of its revenues or funds, the principal of and interest due upon the Notes, to the extent of its obligation, on the dates, at the places and in the manner stated in the Notes, according to the true intent and meaning thereof; and
- d. For such payment, budgeting and appropriation the Township herewith irrevocably pledges its full faith, credit and taxing power.

The covenant contained in this Section shall be specifically enforceable.

**SECTION 9. Sale of Notes.** In compliance with Section 8161 of the Act and after due consideration, the Board of Supervisors hereby determines that a private sale by negotiation is in the best financial interest of the Township. The Notes shall be sold at private sale by negotiation upon receipt of an acceptable proposal for the purchase thereof, which proposal shall be in compliance with the provisions of the Act.

**SECTION 10. Acceptance of Proposal for Purchase of Notes.** The Proposal of the Purchaser for the purchase of the Notes presented to the Board of Supervisors at a public meeting on the date of this Ordinance, such proposal being in conformity with the requirements of the Act and of Section 10 of this Ordinance, is hereby accepted. The Notes are hereby awarded to the Purchaser at a price of \$418,783.96.

The Chairman or Vice Chairman and Secretary (or any Acting Secretary or Assistant Secretary appointed for such purpose) of the Board of Supervisors are hereby authorized and directed to notify the Purchaser of such action, to execute the acceptance of the Proposal on a duplicate original thereof and to deliver the same to the Purchaser. A copy of the Proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting and all of such documents are hereby incorporated herein by reference. The officers of the Township are hereby authorized to deliver the Notes to the Purchaser upon receipt of the principal amount thereof and upon compliance with all of the conditions precedent to such delivery required by the Act, the Ordinance and the Proposal.

**SECTION 11. Execution, Authentication and Delivery of Notes.** The Notes, when issued, shall be executed either manually or by facsimile by the Chairman or Vice Chairman of the Board of Supervisors and shall have the corporate seal or facsimile thereof of the Township affixed thereto and be duly attested by the Secretary or Assistant Secretary (or any acting Secretary or Assistant Secretary appointed for such purpose) of the Board of Supervisors. The Notes shall be authenticated by the manual signature of the Paying Agent. Furthermore, the Chairman or Vice Chairman and Secretary (or any acting Secretary or Assistant Secretary appointed for such purpose) are authorized and directed to deliver the Notes, but only after the Department has certified its approval pursuant to Section 8204 of the Act, and to execute and deliver such other documents and to take such other action as may be necessary or appropriate in order to effectuate the issuance, sale and delivery of the Notes, all in accordance with this Ordinance and the Act and/or the Proposal.

**SECTION 12. Redemption Provisions.** Specific redemption provisions, including mandatory redemption provisions, if any, will be as set forth in the Proposal and as further set forth in the Notes.

**SECTION 13. Limitation on Indebtedness.** It is declared that the debt to be incurred hereby, together with any other indebtedness of this Local Government Unit, is not in excess of any limitation imposed by the Act upon the incurring of debt by the Township.

**SECTION 14. Further Actions.** The Chairman and Vice Chairman and Secretary or Assistant Secretary (or any Acting Secretary or Assistant Secretary appointed for such purpose), or any duly appointed successors, as the case may be, in the name of and on behalf of the Township are hereby authorized to execute any agreements, instruments or documents and to do or cause to be done any and all acts and things deemed necessary or appropriate for the carrying out of the purposes of this Ordinance and to comply with the Act.

**SECTION 15. Severability.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

**SECTION 16. Repealer.** All prior Ordinances or parts thereof inconsistent herewith, are hereby repealed.

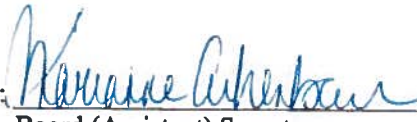

**SECTION 17. Effective Date.** This Ordinance shall take effect on the earliest date permitted by the Act.

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ENACTED AND ORDAINED this 22<sup>th</sup> day of October, 2013.

**WARRINGTON TOWNSHIP**

Attest:  BY:   
Board (Assistant) Secretary Board (Vice) Chairman

**FORM OF NOTES**

## INSTALLMENT PROMISSORY NOTE

**\$372,671.46**

**Date: November 1, 2013**

For value received, the undersigned Warrington Township (the "Borrower"), at 852 Easton Road, Warrington, PA 18976, promises to pay to the order of County of Bucks (the "Lender"), at 55 East Court Street, Doylestown, PA 18901 Attn: Finance Department, the sum of \$372,671.46 with interest from July 1, 2014 (or at such date one month after system acceptance), on the unpaid principal at the rate of 1.5% per annum.

### **I. TERMS OF REPAYMENT**

- A. Payments.** The unpaid principal and accrued interest shall be payable in annual installments of \$56,480.67, beginning on July 1, 2015, and continuing until July 1, 2021 (the "Due Date"), at which time the remaining unpaid principal and interest shall be due in full.
- B. Application of Payments.** All payments on this Note shall be applied first in payment of accrued interest and any remainder in payment of principal.
- C. Acceleration of Debt.** If any payment obligation under this Note is not paid when due, the remaining unpaid principal balance and any accrued interest shall become due immediately at the option of the Lender.

### **II. PREPAYMENT**

The Borrower reserves the right to prepay this Note (in whole or in part) prior to the Due Date without penalty.

### **III. COLLECTION COSTS**

If any payment obligation under this Note is not paid when due, the Borrower promises to pay all costs of collection, including reasonable attorney fees, whether or not a lawsuit is commenced as part of the collection process.

### **IV. DEFAULT**

If any of the following events of default occur, this Note and any other obligations of the Borrower to the Lender, shall become due immediately, without demand or notice:

- A.** Failure of the Borrower to pay the principal and any accrued interest in full on or before the Due Date;
- B.** Dissolution of the Borrower;
- C.** Filing of bankruptcy proceedings involving the Borrower as a debtor;
- D.** Application for the appointment of a receiver for the Borrower;
- E.** Making of a general assignment for the benefit of the Borrower's creditors;
- F.** Insolvency of the Borrower;
- G.** Misrepresentation by the Borrower to the Lender for the purpose of obtaining or extending credit.

**V. SEVERABILITY OF PROVISIONS**

If any one or more of the provisions of this Note are determined to be unenforceable, in whole or in part, for any reason, the remaining provisions shall remain fully operative.

**VI. MISCELLANEOUS**

All payments of principal and any interest on this Note shall be paid in the legal currency of the United States. Presentment, protest, dishonor and notice thereof are waived by the Borrower.

No renewal or extension of this Note, delay in enforcing any right of the Lender under this Note, or assignment by Lender of this Note shall affect the liability of the obligations of the Borrower. All rights of the Lender under this Note are cumulative and may be exercised concurrently or consecutively at the Lender's option.

The undersigned is authorized to sign this Note on behalf of Borrower.

**VII. GOVERNING LAW**

This Note shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

**IN WITNESS WHEREOF, this Installment Promissory Note has been executed and delivered in the manner prescribed by law as of the date first written above.**

Signed this 1st day of November, 2013

Borrower:  
Warrington Township

By person authorized by Borrower:

Sworn and subscribed before me  
this 1st day of November, 2013

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name and Title

Attachment: Amortization Schedule

# **RADIO EQUIPMENT INSTALLMENT LOAN** **Amortization Schedule**

Borrower: Warrington Township

Total Amount of Equipment Purchased	\$ 372,671.46
Initial Downpayment (Optional)*	-
Balance for Annual Installment Calculation	<u>\$ 372,671.46</u>
No. of Years	7
Annual Installment	\$ 56,480.67
Final Installment	\$ 56,480.56

	<u>Principal</u>	<u>Interest</u>	<u>Balance</u>
Original Balance Due			\$ 372,671.46
Installment #1	\$ 50,890.60	\$ 5,590.07	321,780.86
Installment #2	51,653.96	4,826.71	270,126.90
Installment #3	52,428.77	4,051.90	217,698.13
Installment #4	53,215.20	3,265.47	164,482.93
Installment #5	54,013.43	2,467.24	110,469.50
Installment #6	54,823.63	1,657.04	55,645.87
Installment #7	55,645.87	834.69	-
Totals	<u>\$ 372,671.46</u>	<u>\$ 22,693.12</u>	

\* Initial downpayment due within 30 days of delivery

## INSTALLMENT PROMISSORY NOTE

**\$46,112.50**

**Date: November 1, 2013**

For value received, the undersigned Warrington Township (the "Borrower"), at 852 Easton Road, Warrington, PA 18976, promises to pay to the order of County of Bucks (the "Lender"), at 55 East Court Street, Doylestown, PA 18901 Attn: Finance Department, the sum of \$46,112.50 with interest from July 1, 2014 (or at such date one month after system acceptance), on the unpaid principal at the rate of 1.5% per annum.

### **I. TERMS OF REPAYMENT**

- A. Payments.** The unpaid principal and accrued interest shall be payable in annual installments of \$6,988.64, beginning on July 1, 2015, and continuing until July 1, 2021 (the "Due Date"), at which time the remaining unpaid principal and interest shall be due in full.
- B. Application of Payments.** All payments on this Note shall be applied first in payment of accrued interest and any remainder in payment of principal.
- C. Acceleration of Debt.** If any payment obligation under this Note is not paid when due, the remaining unpaid principal balance and any accrued interest shall become due immediately at the option of the Lender.

### **II. PREPAYMENT**

The Borrower reserves the right to prepay this Note (in whole or in part) prior to the Due Date without penalty.

### **III. COLLECTION COSTS**

If any payment obligation under this Note is not paid when due, the Borrower promises to pay all costs of collection, including reasonable attorney fees, whether or not a lawsuit is commenced as part of the collection process.

### **IV. DEFAULT**

If any of the following events of default occur, this Note and any other obligations of the Borrower to the Lender, shall become due immediately, without demand or notice:

- A.** Failure of the Borrower to pay the principal and any accrued interest in full on or before the Due Date;
- B.** Dissolution of the Borrower;
- C.** Filing of bankruptcy proceedings involving the Borrower as a debtor;
- D.** Application for the appointment of a receiver for the Borrower;
- E.** Making of a general assignment for the benefit of the Borrower's creditors;
- F.** Insolvency of the Borrower;
- G.** Misrepresentation by the Borrower to the Lender for the purpose of obtaining or extending credit.



**V. SEVERABILITY OF PROVISIONS**

If any one or more of the provisions of this Note are determined to be unenforceable, in whole or in part, for any reason, the remaining provisions shall remain fully operative.

**VI. MISCELLANEOUS**

All payments of principal and any interest on this Note shall be paid in the legal currency of the United States. Presentment, protest, dishonor and notice thereof are waived by the Borrower.

No renewal or extension of this Note, delay in enforcing any right of the Lender under this Note, or assignment by Lender of this Note shall affect the liability of the obligations of the Borrower. All rights of the Lender under this Note are cumulative and may be exercised concurrently or consecutively at the Lender's option.

The undersigned is authorized to sign this Note on behalf of Borrower.

**VII. GOVERNING LAW**

This Note shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

**IN WITNESS WHEREOF, this Installment Promissory Note has been executed and delivered in the manner prescribed by law as of the date first written above.**

Signed this 1st day of November, 2013

Borrower:  
Warrington Township

By person authorized by Borrower:

Sworn and subscribed before me  
this 1st day of November, 2013

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name and Title

Attachment: Amortization Schedule

# RADIO EQUIPMENT INSTALLMENT LOAN

## Amortization Schedule

Borrower: Warrington Township

Total Amount of Equipment Purchased	\$ 46,112.50
Initial Downpayment (Optional)*	-
Balance for Annual Installment Calculation	<u>\$ 46,112.50</u>

No. of Years	7
Annual Installment	\$ 6,988.64
Final Installment	\$ 6,988.58

	<u>Principal</u>	<u>Interest</u>	<u>Balance</u>
Original Balance Due			\$ 46,112.50
Installment #1	\$ 6,296.95	\$ 691.69	39,815.55
Installment #2	6,391.41	597.23	33,424.14
Installment #3	6,487.28	501.36	26,936.86
Installment #4	6,584.59	404.05	20,352.27
Installment #5	6,683.36	305.28	13,668.91
Installment #6	6,783.61	205.03	6,885.30
Installment #7	6,885.30	103.28	-
Totals	<u>\$ 46,112.50</u>	<u>\$ 2,807.92</u>	

\* Initial downpayment due within 30 days of delivery

**PURCHASER'S PROPOSAL**

### CERTIFICATE

I, the undersigned, Secretary of the Board of Supervisors of the Warrington Township, Bucks County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of a Ordinance that was duly adopted by affirmative vote of a majority of all members of the Board of Supervisors of the Township at a meeting duly held on the 22<sup>nd</sup> of October, 2013, said Ordinance has been duly recorded in the minute book of the Board of Supervisors of the Township; a notice with respect to the intent to adopt said Ordinance has been published as required by law; said Ordinance was available for inspection by any interested citizen requesting the same in accordance with the requirements of the Local Government Unit Debt Act of the Commonwealth of Pennsylvania and such notice; and said Ordinance has not been amended, altered, modified or repealed as of the date of this Certificate.


I further certify that the Board of Supervisors of the Township met the advance notice requirements of Act No. 175 of the General Assembly of the Commonwealth of Pennsylvania, approved July 19, 1974, as amended, by advertising the time and place of said meeting and by posting prominently a notice of said meeting at the public building in which said meeting was held.

I further certify that: the total number of members of the Board of Supervisors of the Township is five (5); the vote of members of the Board of Supervisors of the Township upon said Ordinance was called and duly was recorded upon the minutes of said meeting; and members of the Board of Supervisors of the Township voted upon said Ordinance in the following manner:

<u>Name</u>	<u>Vote</u>
Gerald B. Anderson	
John R. Paul	
Marianne Achenbach	
Matthew W. Hallowell, Sr.	
Shirley A. Yannich	

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township this 22<sup>th</sup> day of October, 2013.

**WARRINGTON TOWNSHIP**

BY:   
Marianne Achenbach, Secretary  
Board of Supervisors

(SEAL)

**BORROWING BASE FOR THE  
WARRINGTON TOWNSHIP**

1. We, the undersigned, certify that:

(a) We are presently the duly elected Chairman and Secretary of Board of Supervisors of the Warrington Township, Bucks County, Pennsylvania (the "Township"), the Township being a "Local Government Unit", as such phrase is defined in the "Pennsylvania Local Government Unit Debt Act", as codified by the Act of December 19, 1996 (P.L. 1158, No. 177) (the "Act").

(b) We are the officials of the Township legally responsible for auditing the financial affairs of the Township.

(c) We are familiar with applicable provisions of the Act.

2. We, the undersigned, further certify, in accordance with the provisions of Section 8002(c) of the Act, as follows:

(a) All money received by the Township, from whatever sources derived, for each of the three (3) full fiscal years ended next preceding the date of this Borrowing Base Certificate, were as follows:

<u>Fiscal Year</u> <u>Ended 12/31/10</u>	<u>Fiscal Year</u> <u>Ended 12/31/11</u>	<u>Fiscal Year</u> <u>Ended 12/31/12</u>
\$17,650,068	\$18,649,245	\$17,488,287

(b) The deductions or exceptions of the Township from the amounts set forth in Paragraph 2(a), for each of three (3) full fiscal years ended next preceding the date of this Borrowing Base Certificate, were as follows:

<u>Deductions or Exception</u>	<u>Fiscal Year Ended 12/31/10</u>	<u>Fiscal Year Ended 12/31/11</u>	<u>Fiscal Year Ended 12/31/12</u>
(1) Required by Section 8002(c) subpart (1) under "Total Revenues" of the Act	\$ 0	\$ 0	\$ 0
(2) Required by Section 8002(c) subpart (2) under "Total Revenues" of the Act	\$ 0	\$ 0	\$ 0
(3) Required by Section 8002(c) subpart (3) under "Total Revenues" of the Act	\$ 1,557	\$ 471	\$ 748
(4) Required by Section 8002(c) subpart (4) under "Total Revenues" of the Act	\$ 34,281	\$ 848,071	\$ 173,049
(5) Required by Section 8002(c) subpart (5) under "Total Revenues" of the Act	\$ <u>261,200</u>	\$ _____	\$ _____
Total	\$ 297,038	\$ 848,542	\$ 173,797

(c) The "Total Revenues", as such phrase is defined in the Act, of the Township, for each of the three full fiscal years ended next preceding the date of this Borrowing Base Certificate [being, for each such fiscal year, the total amount set forth in Paragraph (2)(b) deducted from the amount set forth in Paragraph 2(a)], were as follows:



Fiscal Year  
Ended 12/31/10

\$17,353,030

Fiscal Year  
Ended 12/31/11

\$17,800,703

Fiscal Year  
Ended 12/31/12

\$17,314,490

the total of which is \$62,468,223 and

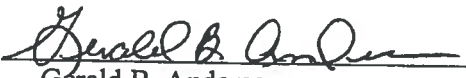
(d) The annual arithmetic average of such Total Revenues for the full three (3) years ended next preceding the date of this Borrowing Base Certificate, as such Total Revenues are set forth in Paragraph 2(c), is \$17,489,407.

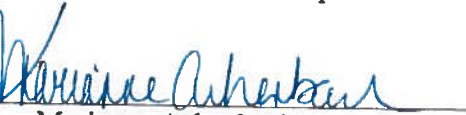
3. We, the undersigned, further certify that we have made due and proper investigation of and with respect to matters and things involved in this Borrowing Base Certificate.

(signature page on following page)

IN WITNESS WHEREOF, we affix our hands, this 22nd day of October, 2013.

**WARRINGTON TOWNSHIP**

By:   
Gerald B. Anderson  
Chairman, Board of Supervisors

By:   
Marianne Achenbach  
Secretary, Board of Supervisors

(SEAL)

**WARRINGTON TOWNSHIP  
BUCKS COUNTY  
COMMONWEALTH OF PENNSYLVANIA**

October , 2013

Timothy Anstine, Esquire  
Department of Community and  
Economic Development  
Commonwealth Keystone Building - 4th Floor  
400 North Street  
Harrisburg, PA 17120-0225

RE: **Warrington Township**  
Application for Approval of the Issuance of  
Installment Promissory Notes in the Aggregate Principal Amount of \$418,783.96

Dear Ms. Anstine:

Application is hereby made pursuant to Sections 8111(a) and 8201 of the Pennsylvania Local Government Unit Debt Act, as codified by the Act of December 19, 1996, (P.L. 1158, No. 177)(the "Act") for approval of the proceedings taken by Warrington Township (hereinafter referred to as the "Local Government Unit") to incur non-electoral debt in the combined aggregate principal amount of \$418,783.96 and to evidence the same by the issuance of bonds in the same principal amount (the "Bonds"). It is hereby certified to the Department of Community and Economic Development that each of the two (2) counterparts of the following Transcript of Proceedings enclosed herewith are true and correct copies of the Proceedings of the Local Government Unit for incurring the said non-electoral debt:

1. Certified copy of the Ordinance enacted by the Board of Supervisors of the Local Government Unit on October 22, 2013, authorizing the incurrence of debt and the issuance of the Notes, determining to sell and selling the Notes at a private sale by negotiation:

Schedule: "A" Form of Installment Promissory Notes  
"B" Purchase Contracts

2. Certificate of Secretary;
3. Proof of publication of the summary of the Ordinance authorizing the Notes prior to its enactment;
4. Proof of publication of the final enactment of the Ordinance;
5. Debt Statement of the Local Government Unit, prepared pursuant to Section 8110 of the Act, and a Borrowing Base Certificate complying with the requirements of Section 8002(c)(3) of the Act.

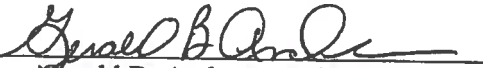
I have enclosed a check payable to the Commonwealth of Pennsylvania in the sum of \$63.09 to cover the filing fee in this matter.

Settlement on the loan is scheduled for on or about November \_\_\_\_, 2013.

Kindly return one (1) copy of the certification of approval to Megan Duryea Santana, Esquire, c/o Fox Rothschild LLP, 10 Sentry Parkway, Suite 200, Blue Bell, PA 19422.

**WARRINGTON TOWNSHIP**

(SEAL)

By:   
Gerald B. Anderson, Chairman  
Board of Supervisors

Enclosures

# WARRINGTON TOWNSHIP

BUCKS COUNTY, PENNSYLVANIA

## DEBT STATEMENT PURSUANT TO SECTION 8110 LOCAL GOVERNMENT UNIT DEBT ACT

TO: THE DEPARTMENT OF COMMUNITY AND ECONOMIC  
DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA

We, the undersigned, Chairman and Secretary, respectively, of Warrington Township, Bucks County, Pennsylvania (the "Local Government Unit"), being duly authorized to prepare and to verify, under oath or affirmation, this Debt Statement of the Local Government Unit, pursuant to and in accordance with Section 8110 of the Pennsylvania Local Government Unit Debt Act (the "Act") of the Commonwealth of Pennsylvania, do set forth and certify, as follows:

1. This Debt Statement is made as of October 22, 2013, such date being less than 60 days before the filing hereof.

I. GROSS INCURRED DEBT			
	<u>Electoral</u>	<u>Nonelectoral</u>	<u>Lease</u>
A. <u>Bonds Outstanding</u>			
General Obligation Bonds, Series of 2013 (approval #13041801)	\$2,190,000	\$7,335,000	\$
General Obligation Bonds, Series A of 2012 (approval #18257)	\$ 2,085,000	\$ 4,010,000	\$
General Obligation Bonds, Series B of 2012 (approval #18258)	\$	\$ 2,945,000	\$
General Obligation Bonds, Series of 2008 (approval #16842)	\$	\$ 165,000	\$
General Obligation Bonds, Series of 2004 (approval #15725)	\$ _____	\$10,765,000*	\$ _____
	\$ 4,275,000	\$25,220,000	-0-
B. <u>Notes Outstanding</u>			
General Obligation Note, Series of 1997 (approval 9857)	\$ _____	\$ 389,362	\$ _____
TOTAL	\$ -0-	\$ 389,362	\$ -0-
COMBINED TOTAL	\$ 4,275,000	\$25,609,362	-0-



## II. CREDITS & EXCLUSIONS PRESENTLY CLAIMED

Less: (where applicable)

1.	Sinking Funds, reserve accounts, bond proceeds	\$	\$	\$
2.	Current appropriations	\$	\$	\$
3.	Uncollected special assessments	\$	\$	\$
4.	Delinquent taxes and liens	\$	\$	\$
5.	Surplus cash	\$	\$	\$
6.	Solvent debts due	\$	\$	\$
7.	Indemnifying insurance	\$	\$	\$
8.	Self-liquidating and self-sustaining debt (Excluded under Sections 8024, 8025, 8026)	\$ _____	<u>\$10,765,000*</u>	\$
		\$	\$10,765,000	

(\* \$10,765,000 self-liquidating debt pursuant to DCED approval E-3638 dated 10/22/2004)

TOTAL NET INDEBTEDNESS	\$4,275,000	\$14,844,362	\$ -0-
------------------------	-------------	--------------	--------

III. The aggregate principal amount of bonds or notes being issued or evidencing lease rental debt (Installment Promissory Notes in the aggregating principal amount of \$418,783.96).

\$ N/A	\$418,784	\$ N/A
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IV. The principal amount of bonds or notes which will no longer be deemed to be outstanding pursuant to Section 8250 after settlement of the new issue (refunding issues only)

\$ N/A	\$ N/A	\$ N/A
--------	--------	--------

V. The principal amount of bonds and notes outstanding after settlement of the new issue


\$ 4,275,000	\$15,263,146	\$ -0-
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VI.	The borrowing base as shown by appended borrowing base certificate	\$17,489,407
VII.	Applicable debt limitations	
(a)	nonelectoral (250% of the borrowing base; 300% for counties)	\$43,723,518
(a)(1)	nonelectoral plus lease rental debt limit for school district borrowings (350% of the borrowing base)	\$
(b)	nonelectoral plus lease rental (350% of the borrowing base; 400% for counties)	\$61,212,925


(signatures on following page)

IN WITNESS WHEREOF, we, the undersigned, the Chairman and Secretary, respectively, of the Local Government Unit, affix our signatures to this Debt Statement of the Local Government Unit, this 22<sup>nd</sup> day of October 2013.

**WARRINGTON TOWNSHIP  
BUCKS COUNTY, PA**

By:   
Gerald B. Anderson  
Chairman, Board of Supervisors

(SEAL)

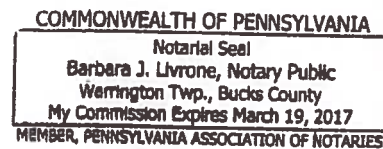
Attest:   
Marianne Achenbach  
Secretary, Board of Supervisors

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF BUCKS :

On this, the 22<sup>nd</sup> day of October 2013, before me, BARBARA LIVRONE, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared Gerald B. Anderson, Chairman of the Board of Supervisors of Warrington Township, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, executed the same, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

  
Notary Public

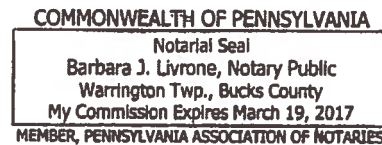


COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF BUCKS :

On this, the 22<sup>nd</sup> day of October 2013, before me, BARBARA LIVRONE, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared Marianne Achenbach, Secretary of the Board of Supervisors of Warrington Township, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, executed the same, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

  
Notary Public



**CERTIFICATE**

Under 53 P.S. §8110(b)


We, the undersigned, first being duly sworn individually according to law, and authorized to do so, do hereby verify, depose and say that: We are the Chairman and Secretary, respectively, of the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania (the "Local Government Unit"); and we hereby certify that, pursuant to §8110(b) of the Local Government Unit Debt Act, as amended, as follows:

There has been no decrease (other than from payments made) to the previously excluded subsidized debt that was the subject of Approval #E-3638 dated October 22, 2004 with respect to the Local Government Unit's General Obligation Bonds, Series of 2004.


(signature page follows)

We hereby certify that the foregoing Certificate is true and correct to the best of our knowledge, information and belief.

**WARRINGTON TOWNSHIP**

BY:   
Gerald B. Anderson  
Chairman, Board of Supervisors

(SEAL)

Attest:   
Marianne Achenbach  
Secretary, Board of Supervisors

Dated: October 22, 2013



COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF BUCKS :

On this, the 22<sup>nd</sup> day of October 2013, before me, BARBARA LIVRONE, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared Gerald B. Anderson, Chairman of the Board of Supervisors of Warrington Township, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, executed the same, and acknowledged that he executed the same for the purposes therein contained.

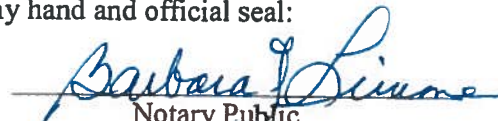
IN WITNESS WHEREOF, I hereunto set my hand and official seal:

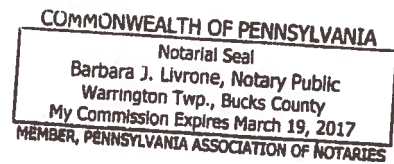
  
Notary Public

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF BUCKS :

On this, the 22<sup>nd</sup> day of October 2013, before me, BARBARA LIVRONE, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared Marianne Achenbach, Secretary of the Board of Supervisors of Warrington Township, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, executed the same, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

  
Notary Public



# **ATTACHMENT “2”**

**§ 305. Traffic Restricted on Certain Streets during Specified Hours.**

1. It shall be unlawful for any person to drive a **commercial motor** vehicle ~~other than a passenger vehicle or pickup truck on any of the following streets or parts of streets during the following hours, provided that nothing in this section shall prohibit any person from driving an emergency or other municipally authorized vehicle on any of those streets or parts of streets~~ on the following roads between the stated hours:

<b>Street</b>	<b>Between</b>	<b>Prohibited Hours</b>
Pickertown Road	Folly Road and Bristol Road	12:00 midnight to 6:00 am

**Provided that nothing in this section shall prohibit any person from driving and emergency vehicle, school buses, vehicles and combinations of governmental agencies and utilities or their contractors engaged in emergency maintenance on a posted highway or in a location which can be reached only via a posted highway**

2. **Commercial Motor Vehicle is defined as set forth in the Pennsylvania Motor Vehicle Code Title 75, Chapter 16, subsection 1603.**

# **ATTACHMENT “3”**



**ORDINANCE NO. 2013-0-13**

**AN ORDINANCE AMENDING**

**THE WARRINGTON TOWNSHIP CODE OF ORDINANCES**

**CHAPTER I – ADMINISTRATION AND GOVERNMENT**

**PART 2 PLANNING COMMISSION**

**WHEREAS**, the Board of Supervisors of Warrington has deemed it advisable to approve the following amendments to the Warrington 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 the Warrington Township Code of Ordinances as follows:

1. Delete Section 204. Governing Act.
2. Add new Section 204 to read as follows:

A Township Planning Department is hereby established in the Township of Warrington, Bucks County, Pennsylvania, in accordance with Act 247 of 1968, known as the Pennsylvania Municipalities Planning Code, 53 P.S. Section 10101, as amended.
3. Add new Section 205 to read as follows:

The Planning Commission shall have the following powers and duties:

  - (a) (1) Prepare the comprehensive plan for the development of the municipality as set forth in this act, and present it for the consideration of the governing body.
  - (2) Maintain and keep on file records of its actions. All records and files of the planning agency shall be in the possession of the governing body.
  - (b) (1) Prepare and, recommend subdivision and land development and planned residential development regulations, as set forth in this act.

- (2) Prepare and present to the governing body of the municipality a building code and a housing code and make recommendations concerning proposed amendments thereto.
- (3) Prepare and present to the governing body of the municipality an environmental study.
- (4) Submit to the governing body of a municipality a recommended capital improvements program.
- (5) Require from other departments and agencies of the municipality such available information as relates to the work of the planning commission.
- (6) In the performance of its functions, enter upon any land to make examinations land surveys with the consent of the owner.
- (7) Prepare and present to the governing body of the municipality a study regarding the feasibility and practicability of using renewable energy sources in specific area within the municipality.
- (8) When directed by the Board of Supervisors, review and administer the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential development, and such other ordinances and regulations governing the development of land.

4. Add new Section 206 to read as follows:

The Planning Department shall have the following powers and duties:

- (a)
  - (1) Make recommendations to the governing body concerning the adoption or amendment of an official map.
  - (2) Prepare and present to the governing body of the municipality a zoning ordinance, and make recommendations to the governing body on proposed amendments to it as set forth in this act.
  - (3) Do such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed by this act.
  - (4) Present testimony before any board.
  - (5) Review and administer the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential

development, and such other ordinances and regulations governing the development of land.

(6) Maintain and keep on file records of its actions. All records and files of the planning agency shall be in the possession of the governing body.

5. Add new Section 207 to read as follows:

The Planning Department director shall be the chairman of the Board of Supervisors or his/her alternate appointed by the Board of Supervisors. The other Department members shall include a second supervisor appointed by the Board of Supervisors or his/her alternate appointed by the Board of Supervisors, the Township zoning officer, the Township manager and the chairman of the Planning Commission, or his/her designee. The Township Engineer and Solicitor shall be non-voting members. The Department shall hold monthly meetings and additional meetings as necessary to fulfill its obligations under this Ordinance.

6. Add new Section 208 to read as follows:

208 Governing Act.

The functions and operations of the Planning Commission and Planning Department as herein described shall be governed by the appropriate provisions of Act 247 of 1968, known as the "Pennsylvania Municipalities Planning Code".

ORDAINED and ENACTED this 22nd day of October, 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

  
NO  
Shirley A. Yannich, Member



# **ATTACHMENT “4”**

**WARRINGTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2013-0-14**

**AN ORDINANCE AMENDING CHAPTER 27 (ZONING) OF THE  
WARRINGTON TOWNSHIP CODE OF ORDINANCES TO PROVIDE  
FOR A LOOP ROAD OVERLAY DISTRICT AS PART 15-B**

---

**BE IT ENACTED AND ORDAINED**, by the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania, that the Warrington Township Zoning Ordinance is hereby amended as follows:

**SECTION 1.** Chapter 27 (Zoning) is hereby amended to create a new Part 15-B titled "Loop Road Overlay District", as follows:

**PART 15-B  
LOOP ROAD OVERLAY DISTRICT**

**§ 1531-B. Purpose and Application.**

1. Purpose. The purpose of establishing the Loop Road Overlay District shall be to allow the development of a well-planned, designed, built and maintained development, consisting of a mix of non-residential with residential uses on a large parcel of ground designed around a new loop road in order to alleviate traffic backups at a major intersection in the Township (each a "Loop Road"). Mixed-use developments in the Loop Road Overlay District may provide for a variety of uses. Such developments shall have all necessary services and facilities comprehensively provided in accordance with an approved development plan. Provisions of this district are formulated to achieve harmoniously designed structures upon a well-designed site with a Loop Road.

2. Application.

(a) The Loop Road Overlay District shall be deemed an overlay on the specific parcels identified on the Zoning Map, as designated by the Township from time to time. It shall not change the underlying zoning district of said parcels; but, rather, provide additional permitted uses and regulations applicable to such uses.

(b) The Loop Road Overlay District may be applied to those parcels of land that include in their development plan the completion of a Loop Road. A Loop Road shall be defined as a road that connects an arterial road with either a collector road or another arterial road (as those roads are defined in the Warrington Township Subdivision and Land Development regulations [Chapter 22]).

(c) The regulations, requirements and restrictions set forth in this Part 15-B shall apply to development in the Loop Road Overlay District and shall supersede the regulations, requirements and restrictions applicable to the underlying zoning district to the extent of a conflict between them.

**§ 1532-B. Permitted Uses.**

1. Two-Family Semi-Detached Dwellings.
2. Four-Family Semi-Detached Dwellings.
3. Townhouse Dwellings.
4. The following uses shall be permitted when fronting on an arterial road or Loop Road:
  - (a) Retail business or service establishment, including, but not limited to, the following: food store, drug and pharmaceutical store, convenience store stationery and newspaper store, personal service shop, restaurant, coffee shop, bakery, café or other similar place serving food or beverage. Such uses may include outdoor seating. Such uses may include drive-through service, subject to providing a stacking lane to serve a minimum of ten (10) cars and providing trash receptacles outside for patron use.
  - (b) Bank, savings and loan association, credit union and other financial establishment. Such uses with drive-up service windows shall have a vehicle waiting line area for at least six (6) vehicles. The waiting line area shall be separated from other circulation areas.
  - (c) Motor Vehicle Service Station, subject to the conditions set forth in §1003.B. Such use shall be permitted to include retail food sales.
5. Accessory uses customarily incidental to the uses listed above.

**§ 1533-B. Area Requirements.**

1. Minimum gross tract area: 10 acres.
2. Residential Uses (with residential structures either on individual lots or on a common lot as part of a Planned Community Association).
  - (a) Minimum gross lot area dedicated to residential use: 5 acres.
    - (i) Where residential lots are separated by the Loop Road, the gross lot area shall include the sum of all residential lots within the residential tract and on both sides of the Loop Road.

- (b) Minimum lot size per residential structure (if each residential structure is on an individual lot and not on a common lot as part of a Planned Community association): 3,000 square feet.
- (c) Minimum building setback – Loop Road: 15 feet.
- (d) Minimum building setback – arterial road: 50 feet.
- (e) Minimum building setback – other roads: 15 feet.
- (f) Minimum building setback – property line: 10 feet.
- (g) Minimum building setback to access drive or common parking area: 10 feet.
- (h) Minimum separation between buildings: 15 feet.
- (i) Minimum access drive width: 22 feet.
- (j) Maximum impervious coverage: 60%.
- (k) Maximum building coverage: 35%.
- (l) Minimum building height: 40 feet.
- (m) Maximum density: 12 dwelling units / acre within the residential tract.

3. Non-Residential Uses.

- (a) Minimum gross lot area: 1 acre.
- (b) Minimum building setback – Loop Road: 25 feet.
- (c) Minimum building setback – arterial road: 50 feet.
- (d) Minimum building setback – other roads: 25 feet.
- (e) Minimum building setback – property line: 25 feet.
- (f) Minimum separation between buildings: 15 feet.
- (g) Minimum separation between access drive or parking area and property line or Loop Road right-of-way: 10 feet.
- (h) Minimum separation between parking areas and buildings: 5 feet.

- (i) Maximum impervious coverage: 80%.
- (j) Maximum building coverage: 45%.
- (k) Maximum building height: 50 feet.

**§ 1534-B. Standards.**

1. Screening and Buffering. The screening and buffering needs associated with any property in the Loop Road Overlay District may vary substantially depending upon the site design, topography and other factors; thus requiring design on a case-by-case basis. Sections 2307.1.A (regarding buffers between residential and non-residential uses) and 2307.3.A (regarding planting strips between residential and non-residential uses) shall not be applicable to this Loop Road Overlay District. Applicant shall submit a detailed screening and buffering plan during land development approval process.
2. Special development regulations.
  - (a) Unified plan. Any development plan hereunder shall consist of a unified, harmonious grouping of buildings, service and parking areas and landscaped spaces, planned and designed as an integrated unit.
  - (b) Ownership. The tract of land to be developed shall be in single ownership or shall be the subject of an application filed jointly by the owners of the entire tract, and in which it shall be agreed that the tract will be developed under single direction in accordance with an approved master development plan.
3. Traffic. A Traffic Impact Study shall be required and submitted as part of the land development approval process. The Applicant shall provide credible evidence that the development in the Loop Road Overlay District will include sufficient road improvements to mitigate the traffic impacts of the development on public streets and will avoid significant increased traffic safety hazards, consistent with the provisions of the Pennsylvania Municipalities Planning Code.
4. Supplemental regulations. Development within this district shall comply with the requirements of Part 23; provided, however, that the following sections shall not apply: §§ 2307.1.A (regarding buffers between residential and non-residential uses) and 2307.3.A (regarding planting strips between residential and non-residential uses).

**§ 1535-B. Parking.**

Parking within this district shall comply with the requirements of Part 21; provided, however, that the following sections shall not apply: § 2101.16 (regarding buffering of access drives) and §2105.A (regarding planting strips within nonresidential parking and loading areas).

**§ 1536-B. Signs.**

See Part 22.

**SECTION 2.** Severability. If any sentence, clause, section or part of the ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, or invalidity shall not affect or impair any of the remaining provisions, sentences, or parts of this ordinance. It is hereby declared to be the express intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or parts thereof had not been included herein.

**SECTION 3.** Repealer. All Resolutions, Ordinances or parts of Ordinances conflicting or inconsistent herewith are hereby repealed.

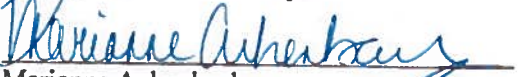
**SECTION 4.** Effective Date. This Zoning Ordinance Amendment shall become effective five (5) days after adoption by the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania.

ENACTED and ORDAINED by the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania this 22nd day of October, 2013.

WARRINGTON TOWNSHIP BOARD  
OF SUPERVISORS

  
Gerald B. Anderson, Chairperson

  
John R. Paul, Vice Chairperson

  
Marianne Achenbach

  
Matt W. Hallowell, Sr.

  
Shirley Yannich

ATTEST:

  
Township Manager/Secretary

**ATTACHMENT “5”**  
**Amended Zoning Map**  
**To follow when completed**



# **ATTACHMENT “6”**

# Warrington



# Township

852 EASTON ROAD, WARRINGTON, PA 18976  
215-343-9350 ■ FAX 215-343-5944  
[www.warringtontownship.org](http://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

November 6, 2013

CVS Pharmacy, LLC  
One CVS Drive  
Woonsocket, RI 02895

**RE: Stormwater Controls and Best Management Practices  
Operations and Maintenance Agreement**

Dear Mr. Katz:

Enclosed herewith are two (2) original executed copies of the Stormwater Controls and Best Management Practices Operations and Maintenance Agreement. This was approved by the Board of Supervisors at their October 22, 2013 meeting for the CVS Pharmacy located at 3265 County Line Road, Warrington, Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Tieperman", is written over a horizontal line.

Timothy J. Tieperman

Enclosures: Two (2) Agreements

Cc: Thomas Gockowski, P.E., CEC  
William H.R. Casey, Attorney-at-Law

**STORMWATER CONTROLS AND BEST MANAGEMENT PRACTICES  
OPERATIONS AND MAINTENANCE AGREEMENT**

**THIS AGREEMENT**, made and entered into this 22<sup>nd</sup> day of October, 2013, by and between **PENNSYLVANIA CVS PHARMACY, LLC**, with offices at One CVS Drive, Woonsocket, RI 02895, (hereinafter the "Landowner"), and **TOWNSHIP OF WARRINGTON**, with offices at 852 Easton Road, Warrington, PA 18976 (hereinafter "Municipality");

**WITNESSETH**

**WHEREAS**, the Landowner is the owner of a certain parcel of real property containing 2.11 acres, more or less, situate on the eastern corner of the intersection of County Line Road and Lower State Road in Warrington Township, Bucks County, Pennsylvania, being Bucks County tap parcel number 50-004-113 (hereinafter "Property").

**WHEREAS**, the Landowner is proceeding to build and develop the Property; and

**WHEREAS**, a Post Construction Stormwater Management Plan prepared by Bohler Engineering dated 1/6/2012, last revised 2/5/2013 ("the Plan"), a copy of which is attached hereto as Exhibit A (hereinafter referred to as the "Plan"), was prepared for the Property and approved by the Municipality, provides for management of stormwater within the confines of the Property through the use of Best Management Practices (BMPs); and

**WHEREAS**, the Municipality and the Landowner, its successors and assigns, agree that the health, safety, and welfare of the residents of the Municipality and the protection and maintenance of water quality require that on-site stormwater Best Management Practices be constructed and maintained on the Property; and

**WHEREAS**, for the purposes of this agreement, the following definitions shall apply:

**BMP** – "Best Management Practice;" activities, facilities, designs, measures or procedures used to manage stormwater impacts from land development, to protect and maintain water quality and groundwater recharge and

to otherwise meet the purposes of the Municipal Stormwater Management Ordinance, including but not limited to infiltration trenches, seepage pits, filter strips, bio retention, wet ponds, permeable paving, rain gardens, grassed swales, forested buffers, sand filters and detention basins.

and;

**WHEREAS**, the Municipality requires, through the implementation of the Plan, that the BMPs shown on the Plan be constructed and adequately operated and maintained by the Landowner, its successors and assigns.

**NOW, THEREFORE**, in consideration of the foregoing, Landowner and Municipality agree as follows:

1. The BMPs shall be constructed by the Landowner in accordance with the plans and specifications identified in the Plan.
2. The Landowner shall operate and maintain the BMPs as shown on the Plan in good working order acceptable to the Municipality and in accordance with the specific maintenance requirements noted on the Plan.
3. The Landowner hereby grants permission to the Municipality, its authorized agents and employees, to enter upon the Property, at reasonable times and upon presentation of proper identification, to inspect the BMPs whenever it deems necessary. Whenever possible, the Municipality shall notify the Landowner prior to entering the Property.
4. In the event the Landowner fails to operate and maintain the BMPs as shown on the Plan in good working order acceptable to the Municipality, the Municipality shall provide written notice to Landowner detailing the operational or maintenance deficiencies. Except in case of emergency, Landowner shall have a period of five (5) working days to remedy the defects to the satisfaction of the Municipality. In the event Landowner fails to correct the deficiencies, the Municipality or its representatives may enter upon the Property and take such reasonable actions as the Municipality's engineer deems necessary to maintain said BMPs. This provision shall not be construed to allow the Municipality to erect any permanent structure on the land of the Landowner. It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.
5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within thirty (30) days of receipt of invoice from the Municipality.

6. The intent and purpose of this Agreement is to ensure the proper maintenance of the BMPs by the Landowner; provided, however, that this Agreement shall not be deemed to create or affect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.

7. The Municipality intends to inspect the BMPs at least one time every three (3) years to ensure their continued functioning.

8. This Agreement shall be recorded at the Office of the Recorder of Deeds of Bucks County, Pennsylvania.

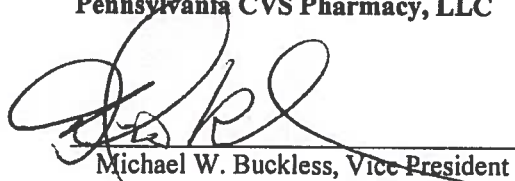
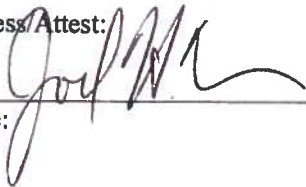
9. The provisions of this Agreement and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs and any other successors in interests, in perpetuity.

**IN WITNESS WHEREOF**, the parties have set their hands and seals to this Agreement the day and year first above written with intent to be legally bound.

**LANDOWNER:**  
**Pennsylvania CVS Pharmacy, LLC**

Witness/Attest:

Name:



(SEAL)  
Michael W. Buckless, Vice President

**MUNICIPALITY:**  
**Township of Warrington**

Witness/Attest:

Name:



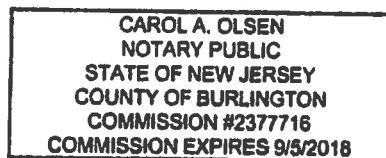
(SEAL)  
Gerald B. Anderson, Chairperson

STATE OF New Jersey  
COUNTY OF Burlington

:  
: SS  
:

On the 21<sup>st</sup> day of October, 2013, before me, the undersigned officer, personally appeared Michael W. Buckless, who acknowledged himself to be Vice President of Pennsylvania CVS Pharmacy, LLC, who acknowledged that he, being duly authorized to do so, executed the foregoing instrument for the purposes therein contained, and desired the same might be recorded as such.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Carol A. Olsen

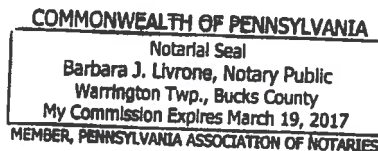
COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF BUCKS :

: SS

On the 22<sup>nd</sup> day of October, 2013, before me, the undersigned officer, personally appeared Gerald B. Anderson, who acknowledged himself to be the Chairperson of the Warrington Township Board of Supervisors who acknowledged that he, being duly authorized to do so, executed the foregoing instrument for the purposes therein contained, and desired the same might be recorded as such.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Barbara J. Livrone



# **ATTACHMENT “7”**



## **WARRINGTON TOWNSHIP**

### **MINOR DEVELOPMENT AND CONSTRUCTION AGREEMENT**

**THIS AGREEMENT** dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the TOWNSHIP OF WARRINGTON, Bucks County, Pennsylvania, a Township of the Second Class (the "TOWNSHIP"), with offices at 852 Easton Road, Warrington, PA 18976 and \_\_\_\_\_, the APPLICANT, located at \_\_\_\_\_.

**WHEREAS**, TOWNSHIP and APPLICANT desire to execute this Agreement in order to obtain a building permit from WARRINGTON TOWNSHIP for the property located at \_\_\_\_\_ and further identified as Tax Map Parcel No. \_\_\_\_\_.

**NOW THEREFORE**, in consideration of the mutual promises herein contained, and intending to be legally bound, in accordance with the Uniform Written Obligations Acts of Pennsylvania and in consideration of other good and valuable consideration, APPLICANT and TOWNSHIP hereby promise, covenant and agree as follows:

1. APPLICANT simultaneously herewith has deposited a minimum escrow of \$1000.00, or a greater amount if deemed necessary by the Township Manager. The APPLICANT agrees to pay the amounts invoiced by the township consultants plus an administrative fee of ten percent (10%). The APPLICANT agrees to post sufficient funds with each monthly invoice to reimburse the TOWNSHIP and maintain the minimum escrow balance specified above.

2. If APPLICANT shall fail to deposit funds as and when specified in this AGREEMENT, the TOWNSHIP may instruct its consultants to cease providing services, and the TOWNSHIP may take any necessary action to recover its costs. Any amounts received by the TOWNSHIP in excess of the costs actually incurred plus ten percent (10%) administrative fee, including the costs of inspections, all engineer's and attorney's fees and all other costs actually incurred in the completion of the project will be returned by the TOWNSHIP to APPLICANT upon completion of all work. However, if the costs actually incurred by the TOWNSHIP exceed the amount of money received from the TOWNSHIP by



APPLICANT, then APPLICANT shall be liable to TOWNSHIP for said excess costs and pay the same forthwith to TOWNSHIP upon demand.

3. The hereby AGREES to abide by the Policy on Building Permits and Minor Development Agreements as approved by the Warrington Township Board of Supervisors at a public meeting on October 22, 2013. A copy of this policy is attached hereto as Exhibit A and incorporated into this AGREEMENT by reference.

4. This AGREEMENT shall be binding on TOWNSHIP and APPLICANT and their respective successors and assigns and shall be construed under the laws of the Commonwealth of Pennsylvania.

5. This AGREEMENT and EXHIBIT A contains the entire agreement of the parties and may not be amended except by an agreement reduced to writing and signed by the TOWNSHIP and APPLICANT, oral amendments being of no force and effect.

**IN WITNESS WHEREFORE**, TOWNSHIP and APPLICANT have hereunto set its hands and seals the day and year first above written.

***ATTEST:***

\_\_\_\_\_  
\_\_\_\_\_  
**Applicants (print)**

\_\_\_\_\_  
\_\_\_\_\_  
**Applicants Signature**

***AND***

\_\_\_\_\_  
\_\_\_\_\_  
**Witness**

\_\_\_\_\_  
\_\_\_\_\_  
**Timothy J. Tieperman, Township Manager**

**EXHIBIT A**  
**POLICY ON BUILDING PERMITS AND MINOR DEVELOPMENT AGREEMENTS**



## **WARRINGTON TOWNSHIP POLICY ON BUILDING PERMITS AND MINOR DEVELOPMENT AGREEMENTS**

### ***Purpose***

The purpose of this policy is to outline the procedures for receiving and processing building permit applications and the posting of escrow when necessary. This policy supersedes all previously written documents or unwritten Township policies regarding the issuance of building permits.

### ***General Guidelines***

The policy's intent is to provide direction to Township officials to ensure that all builders in the Township, large or small, follow basic best management practices during the building process. The goal is not to impose more onerous regulations on local business and entrepreneurs but to ensure that all workplace regulations are applied fairly and uniformly regardless of a project's size or scope.

This policy shall not apply to large projects that are already governed by major land development agreements under the Township's SALDO regulations and the Municipalities Planning Code (MPC).

### ***Best Practices Agreement***

All builders in the Township must sign a best management practices agreement before receiving a valid building permit. This agreement shall include the following list of standards:

1. Permittee(s) must obtain all necessary permits before commencing work;
2. Inspections shall be scheduled at least 24 hours in advance;
3. Unless expressly excepted in writing by the Township, work hours shall be 7 a.m. to 7 p.m. Monday through Saturday. (No Sunday hours);
4. Permittee(s) are responsible for backfilling or covering all open trenches to make them safe prior to the work day's end;
5. When opening a street, permittee(s) must cover any open trenches with steel plates and place appropriate warning devices to indicate the presence of a hazard.
6. To prevent unauthorized public access after work hours, permittee(s) must employ all appropriate safety measures to secure the site such as fencing or other barriers;
7. Permittee(s) may not store construction materials on the street. These include but are not limited to dumpsters, lumber, drywall and other related debris.

8. The project must not impede normal parking and must allow for easy passing of all traffic including emergency apparatus;
9. The permittee(s) must maintain the project site in accordance with the approved Erosion and Sediment Control Plan and with the approved General Permit for Discharges of Stormwater Associated with Construction Activity (NPDES)(if applicable).
10. The permittee(s) must employ all efforts to keep the site clean and sightly for adjacent neighbors;
11. Permittee(s) must post a minimum \$1000 escrow with the Township – and replenish it accordingly – if any one (1) of the following circumstances apply:
  - a. The project involves the breaching of a street or any other publically-owned infrastructure;
  - b. The project requires special inspection by the Township engineer or other specialized inspections services such as stormwater facilities, curb, sidewalk or pavement restoration.
  - c. The project requires a special legal review by the Township Solicitor

The Township Manager or his designee shall have the authority to set the escrow amount but the initial amount shall not be less than \$1000. Upon the project's completion, the Township shall reimburse the permittee(s) any escrow retainage.

12. Permittee(s) shall be in good financial standing with the Township and shall not be in arrears with the Township for any current or past permit fee or other special service request.

\* \* \* \* \*

*Approved at October 22, 2013 Board of Supervisors Meeting*