

# WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

## MINUTES FOR APRIL 14, 2009

The regular meeting of the Warrington Township Board of Supervisors was held on April 14, 2009, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

### 1. ATTENDANCE:

Carol M. Butterworth, Chairperson; Michael W. Lamond, Jr., Vice Chairperson; Glenn McKay, Secretary; and Paul Plotnick, Member; Timothy J. Tieperman, Township Manager; Thomas F. Zarko, Township Engineer; Carolyn Hanel, Director of Administrative Services/Parks and Recreation; Michael Mrozinski, Director of Planning and Economic Development; Michael P. Clarke, Esq.; Township Solicitor; James Miller, Chief of Police; and Vivian S. Bell, Township Treasurer.

### 2. PLEDGE OF ALLEGIANCE

The meeting opened with a pledge to the flag.

3. EXECUTIVE SESSION REPORT. Mr. Clarke reported that at the conclusion of our last meeting held on March 24, 2009 the Board held an executive session at which time they discussed one matter of potential litigation, and one matter of litigation involving the Zoning Hearing Board Appeal that has been filed by Doylestown Hospital.

### 4. APPROVAL OF BILL LIST: 3/24/09-4/14/09 - \$550,283.87

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay that the Board of Supervisors voted to approve the bill list from 3/24/09 to 4/14/09 in the amount of \$550,283.87. This motion passed by a roll call vote of 4 yeas.

### 5. APPROVAL OF MINUTES

#### a) March 10, 2009

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to table the minutes of the March 10, 2009 meeting until Mrs. Kiefer has had an opportunity review her recommended changes. This motion passed by a vote of 3-1. Mrs. Butterworth abstained.

### 6. MINUTES FOR POSTING

#### a) March 24, 2009

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick that the Board of Supervisors voted to post the minutes of the March 24, 2009 meeting. This motion passed by a vote of 4-0.

### 7. PUBLIC COMMENT

a) Lower Nike Park Trail. Mr. Andy Velas, who resides at 747 Honora Street, commented about the condition of the Lower Nike Park Trail. For the past three years he's been complaining about the mud puddle at the low spot on the trail. He brought along pictures that show the condition of the trail.

Mr. Zarko said after the last meeting the Board directed him to go out and do an evaluation of these spots on the trail, which we did. He said pictures were taken of the same spots and we evaluated them. What we found was that these are areas that are adjacent to or within the flood plains or wetlands areas. He said when the trail was initially put in we had to go and get certain permits from the DEP in order to put in the trail. Restrictions on those permits would not allow us to do any filling in the areas adjacent to flood plains or wetland areas. We had to put the trail in at grade. We were under some time constraints to get the trail in for that project so it was put in per the plan in accordance with the requirements of the permit.

Mr. Zarko said the Board has directed his office to determine what they would have to do to correct those drainage problems along the trail. One of two things that will have to be done is put some fill in and raise the elevation of the trail to get out of the ponding-type area. If we do that we are going to be subject to more stringent permitting and possibly mitigation requirements from the Corps of Engineers and DEP. The other option that we're looking at is maybe doing some sort of a boardwalk-type installation to raise the trail just by the means of a natural boardwalk to get it out of the ponding area. We have to get input from the DEP and the Corps of Engineers to see what is required permitting in order to do that improvement.

Mr. Zarko said we have already made contact with the Corps of Engineers and the DEP to try and arrange a meeting and as soon as we can have the meeting we'll bring feedback to the Board to tell them what going to be involved permitting and what it's going to cost and then they'll make a decision on what to do.

Mr. Velas showed pictures of the bird blind. He said he hasn't seen any improvement at the bird blind until he spoke to Trevor Dane at the Parks and Recreation Board meeting. He said Mr. Dane asked him what the problem is and he'll see that it gets corrected. When he walked by that bird blind the next morning, he saw the tar and it was super cleaned. He walked along the trail and it was blown clean, the trash at the far end of the trail was all picked up, and the branches were off of the trail.

Mr. Velas said the restrooms were and are filthy. He said he went to the township building and talked to the Park and Recreation Director and she said the place was being cleaned. When he stopped by on his walk, he noticed that the trash was emptied, and the mold was scrapped off of the sinks.

Mrs. Hanel said the firm that had been hired to clean the restrooms twice a week had been dismissed. A new firm has been hired and they will cleaning the restrooms this weekend.

b) **Fairways Golf Course.** Mr. Joseph Lightcap, who resides at 750 Country Club Lane, asked if the township was interested in dialog about the fact that the Fairways Golf Course is paying the township a 4% amusement tax in the amount of \$25,000 a year. He wanted to know if the township was involved in any talks to repealing these taxes.

Mr. McKay suggested Mr. Lightcap set up a meeting with the township manager and finance director to talk with in private to get any dialog going.

#### 8. **PUBLIC HEARING:**

a) **Conditional Use Hearing for Cricket Communications, Inc. to allow the installation of a wireless communications antenna and related equipment on an existing structure located on 1500 Stuckert Road.** Mrs. Butterworth reported that Cricket Communications, Inc. requested to be pulled off the agenda and rescheduled at another time for a hearing. Mr. Clarke stated that they have requested to be back on the agenda in two weeks but they have granted us a 45 day extension. The reason the extension was granted and they did not want to go forward this evening is both Mr. Mrozinski and Mr. Zarko had raised some questions regarding the application and the plans. He said he communicated with their

attorney, Mr. Lemanowicz and indicated that it was probably a good idea if they got back in touch with Mr. Zarko over some of the questions regarding the plans.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to table the conditional use Hearing for Cricket Communications, Inc. to allow the installation of a wireless communications antenna and related equipment on an existing structure located on 1500 Stuckert Road and grant then a 45-day extension scheduling to be at the discretion of the township manager. This motion passed by a vote of 4-0.

Motion – It as moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to amend the above motion to a date certain tabling to April 28, 2009 for the conditional use hearing for Cricket Communications, Inc. to allow the installation of a wireless communications antenna and related equipment on an existing structure located on 1500 Stuckert Road. This motion passed by a vote of 4-0.

9. **MANAGER'S REPORT.** Mr. Tieperman reviewed the manager's report which included a) Corridor Zoning Update; b) Strategic Goals and Objective; c) PECO Green Region Grant; d) JAG Grant; e) Kansas Road Mitigation Site Trail; f) Warrington Ridge Buffer Plantings; g) 1169, 1201, and 1221 Easton Road; h) Other Business; i) Legislative Update; and j) Correspondence.

**JAG Grant.** Chief Miller reported that Warrington Township is one of 14 Bucks County municipalities awarded a grant through the Edward Byrne Memorial Justice Grant Program. The proposed plan for the \$26,792 grant is to equip all remaining patrol vehicles with nine (9) mobile laptop computers

Motion – It was moved by Mr. Lamond, seconded by Mrs. Butterworth, that the Board of Supervisors to accept the JAG Grant through the Edward Byrne Memorial Justice Grant Program in the amount of \$26,792 with the purchases recommended by the Chief of Police. This motion passed by a vote of 4-0.

**Kansas Road Mitigation Site Trail.** Mr. Zarko reported that he had distributed a plan on the Kansas Road Mitigation Site Trail to give the Board an update where we are with this project. He said we have been working on obtaining approval to get this trail in the mitigation site for the past two years. He said we have gone to great lengths in dealing with the Corps of Engineers and DEP on this project. He said the plan in front of the Board shows the mitigation site and shows the proposed routing of the trail. He said the trail is going to extend from the Bradford Dam in an easterly direction towards Kansas Road.

Mr. Zarko said the exact path for the trail was determined by several walking excursions that were conducted by the Corps of Engineers, DEP, and also PennDOT. He said they chose a path that they felt was the least intrusive on the mitigation area. He said the trail can be constructed now once funding is available. He said if the Board would like him to explore extending legs off of this trail into different areas that certainly can be done but it was very difficult to get where we are today with what we have.

**Open Space Planning.** Mrs. Hanel reviewed the proposal from the Office Environments of Bristol, PA. for doing a feasibility study to provide space design services to consolidate much of our work force at 852 Easton Road.

Board asked that other firms be contacted to see what they have to offer.

a) **Township Engineer's Report.** Mr. Thomas Zarko reviewed his monthly report for March 2009 as follows: a) 2009 Roadway Improvement Program; b) West End Fire Station; c) Maple Avenue Extension; and d) 202 Parkway Project. Mr. Zarko said we did do an update of the water and sewer specifications. One of the things that we did incorporate was the alternate for the PVC lateral.

b) **Special Presentation on Corridor Zoning Update.** Mr. Mrozinski presented an update on the proposed zoning modifications for the Route 611 Corridor that he and the planning commission had worked on. He said this is the first step in a process that we hope we can move forward with so that we can look at a bigger vision.

Motion – It was moved by Mr. Plotnick, seconded by Mr. McKay, that the Board of Supervisors approved the work done by Staff and the township planning commission on the Route 611 Corridor Zoning Update and recommending that this document be forwarded to the Bucks County Planning Commission for their recommendations. This motion passed by a vote of 4-0.

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

10. **Review and consider adoption of Warrington Township's preliminary strategic goals and objectives.** Mrs. Butterworth reported that the Supervisors held a workshop back in February 2009 where they gave their input as to what they wanted to see for the future goals of Warrington Township. She said the township manager prioritized strategic goals and objectives.

Mr. Tieperman reported that he is looking for feedback and comments on the Tasks and Objectives and Timelines. He said he tried to consolidate a lot of the Board comments on our Mission and Vision Statement. From there he came up with the Board's twelve (12) goal statements. Beside each goal statement we've put the number of objectives that came out of that goal statement and tried to classify these between short and long term objectives. He said at some point it would be appropriate to pass this document onto some of our advisory boards (finance committee, zoning and hearing board, and planning commission). There may be some recommendations that they may have.

Mrs. Butterworth felt it would be appropriate to put this document on the website to let the residents see what the Board has planned and get any feedback. Mr. Plotnick felt it would be overwhelming and doesn't think that many people are going to have enough input. All the advisory committees mentioned should take a look at it as they are going to have certain areas where they will have expertise.

Mr. Lamond suggested if we were just put the cover page with the goal statements on the website and if anybody has any comments or suggestions on that page we can respond accordingly.

Mr. McKay doesn't agree with putting this preliminary draft document on the website. He agrees that the other Boards should definitely be solicited for their feedback. He commented that public corporations formed do strategic planning all the time and they don't go out to all their stockholders and ask their input. He said Staff is hired and the Board of Directors is elected to establish strategic planning for their corporation. In his mind this is a corporation. We're being open with the taxpayers. He said we're hired and people are elected to do the strategic planning for the township and that's what the residents elected us for and that's why Staff is hired. Once it's adopted yes publish it.

Motion – It was moved by Mr. McKay, seconded by Mr. Plotnick, that the Board of Supervisors voted to adopt the Warrington Township's preliminary strategic goals and objectives statements. This motion failed by a vote of 2-2. Mr. Lamond and Mrs. Butterworth voted no.

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors to move the document to the administration and to the boards for their review and after their review bring it up for adoption. This motion passed by a vote of 4-0.

11. **Review a proposed charge for the creation of a special ad hoc task force to evaluate and recommend proposals to the Board of Supervisors for solid waste, recycling, and leaf disposal services.** Mr. McKay said there were a couple of reasons for creating this special ad hoc task force and it's been something that's been discussed in the township for awhile regarding trash pickup and haulers. If we considered a contract with a single hauler, it would minimize the amount of traffic and trucks on the roads and also look at if there is any value in looking at a single hauler.

Mr. McKay said one of the concepts for an ad hoc task force was to look at the various benefits and problems with adopting this and bring their recommendations back to the township manager and the Board. Another concept is creating a larger leaf collection and mulching operation on the site. The question is how is our present site operating at Valley Road. He said we do have the Garges farm, which operates a business over there. Another idea for the ad hoc task force would be to analyze a larger leaf collection and mulching operation in Warrington. This task force could look at the Garges operation and see if there is any way we could piggyback on their operation and doing a private/public venture.

Mr. McKay said the third analysis is to put out the word to all of our residents and to identify the options in between this hazardous waste cleanup yearly, where people can call and go to dump off these items.

Mr. McKay suggested that this ad hoc task force should be a 5-member committee and each person would given a different task to check out and get back to the Committee with their findings.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to approve a resolution for the creation of a special ad hoc task force committee to evaluate single hauler service, leaf and yard waste diversion, investigate cost effective measures for recycling programs such as metal, hazardous waste, and electronic waste (to name a few), and explore cost benefits of a pay-go-trash collection system and recommend proposals to the Board of Supervisors. This motion passed by a vote of 4-0.

12. **Motion to approve the Mill Creek Area Low Pressure sewer system Module.** Mr. Zarko reported that his office has prepared a Planning Module Application for the proposed lower pressure sewer system that is to provide public sewer service to the West End Fire Station, the township's co-building, and future sewer service to four (4) residential properties located along Mill Creek Road, including 708, 728, 738 and 758 Mill Creek Road.

Mr. Zarko said this application is required to obtain sewage facilities planning approval for the project. He said this module has been submitted to all required outside reviewing agencies.

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors approved the Mill Creek Area Low Pressure Sewer System Module as presented by the township engineer. This motion passed by a vote of 4-0.

13. **Motion to approve the West End Fire Station Sprinkler Contract.** Mr. Zarko reported that his office solicited proposals for a fire protection contract as part of the West End Fire Station project. He said the township did receive bids for this firehouse contract in the Fall of 2008 but no proposals were submitted for fire protection. He said based upon advice given by the solicitor we went out and requested proposals from local companies that do this type of work and received three proposals.

Motion – It was moved by Mr. Plotnick, seconded by Mr. Lamond, that the Board of Supervisors approved the West End Fire Station Sprinkler Contract be awarded to A-1 Fire Protection, Inc. for the base contract amount of \$53,360 with a second floor finished option in the amount of \$3,800. This motion passed by a vote of 4-0.

14. **Disposition of bids for the Swim Club Roof Replacement.** Mr. Zarko reported that this project involves the replacement of the existing roof at the Mary Barness Swim Club Building. Bids for the project were received by the township on April 6, 2009 and a total of nine (9) bid proposals were received.

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors approved awarding Contract No. 4100-108 for the Mary Barness Swim Club Roof Replacement Project to GEN II Contracting Co., Inc., of Clarksburg, New Jersey at the base bid price of \$34,075.

15. **Consider approval of a Resolution for a Stipulation and Agreement regarding the Appeal of Doylestown Hospital.** Mr. Clarke reported that this was an issue that the Board brought up a couple of meetings ago and some questions were raised about something specific in the stipulation regarding the wattage issue for the sign. He said the new agreement was run by his office for legal sufficiency and run by Mr. Mrozinski and others for wattage sufficiency. He said it now includes language, which specifically states what type of wattage can be used on the site and it’s also specific with respect to no streaming, flipping, scrolling or flashing text. He said the copy on the sign shall not be changed more frequently than once every ten (10) minutes. He said the illumination and/or intensity of the display shall be controlled so as to not create glare, hazards or nuisances. The sign shall have a maximum nits level of 7,000 nits; provided the brightness of the digital sign does not exceed 0.3 foot-candles of light above the normal ambient light levels.

Mr. Clarke said this is consistent with what was discussed in front of the Zoning Hearing Board.

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors approved a resolution for a Stipulation and Agreement regarding the Appeal of Doylestown Hospital for the changeable copy sign. This motion passed by a vote of 4-0.

16. **Consider approval of a Resolution for the Reese Lot Line Change.** Mr. Zarko reported that the proposed minor subdivision of Reese/Garges properties involves a lot line change between two existing parcels located on the northeasterly side of Pickertown Road immediately east of the Pickertown Road & Arbor Drive intersection. He said the applicant has proposed a transfer of approximately 0.26 acres of area from the Garges parcel, which is TMP #50-10-67 to the Reese parcel, which is TMP #50-10-68-1. Resulting lot sizes would be the Garges parcel 2.17 acres and the Reese parcel 2.0 acres.

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors approved the Resolution for the Reese/Garges Lot Line Change subject to compliance with the items noted within the CKS’ review letter dated February 26, 2009. This motion passed by a vote of 4-0.

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

17. **To consider the following escrow releases:**

Development Name	Release #	Amount
Stone Manor Phase I	13	\$ 0.00
Warrington Shopping Center	9	\$ 14,524.49

Motion - It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors denied the escrow release for Stone Manor Phase I, Release #13. This motion passed by a vote of 4-0.

Motion It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors approved the escrow release for the Warrington Shopping Center, Release #9, in the amount of \$14,524.49. This motion passed by a vote of 4-0.

18. **To consider the following extension requests:**

a) **Gavin/Lingo Subdivision**

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors approved the extension request for Gavin/Lingo Subdivision until 4/3/10. This motion passed by a vote of 4-0.

19. **To consider the following dedication requests:**

a) **Bluestone Creek**

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors approved the resolution for denial of dedication of public improvements for Bluestone Creek. This motion passed by a vote of 4-0.

20. **CONSENT AGENDA:**

a) **Consider approval of a Resolution for the MPOETC Grant (Municipal Police Officer Education and Training Commission) in the amount of \$775.00.**

Motion – It was moved by Mr. Lamond, seconded by Mr. McKay, that the Board of supervisors approved a resolution for the MPOETC Grant (Municipal Police Officer Education and Training Commission) in the amount of \$775.00. This motion passed by a vote of 4-0.

21. **ADJOURNMENT**

Motion - It was moved by Mr. Plotnick, seconded by Mr. McKay, the Board of Supervisors voted to adjourn the meeting at 10:15 p.m. This motion passed by a vote of 4-0.

  
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Timothy J. Kieperman  
Township Manager

5/14/2009  
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Date