

WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

MINUTES FOR JUNE 9, 2009

The regular meeting of the Warrington Township Board of Supervisors was held on June 9, 2009, 7:40 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; Rebecca A. Kiefer, Assistant 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; Barbara Kirk, Esq.; Richard Lesniak, Director of Fire, Inspection and Emergency Services; Michael J. Bean, Fire Chief; Barbara Livrone, Executive Assistant to the Township Manager; Gay Currie, Communications Officer; and Vivian S. Bell, Township Treasurer.

2. PLEDGE OF ALLEGIANCE

The meeting opened with a pledge to the flag.

3. EXECUTIVE SESSION REPORT. Mr. Tieperman reported that there was some discussion on real estate strategies relating to PennDOT right of way issues on eminent domain and legal issues at the Board's executive session held after our meeting on May 12, 2009.

4. APPROVAL OF BILL LIST: 5/12/09-5/26/09 - \$204,701.47

Motion – On motion by Mr. Lamond, seconded by Mr. McKay; the Board of Supervisors voted to approve the bill list from 5/12/09 to 5/26/09 in the amount of \$204,701.47. This motion passed by a roll call vote of 5 yeas.

5. APPROVAL OF BILL LIST: 5/26/09-6/9/09 - \$754,187.14

Motion – On motion by Mr. Lamond, seconded by Mr. McKay; the Board of Supervisors voted to approve the bill list from 5/26/09 to 6/9/09 in the amount of \$754,187.14. This motion passed by a roll call vote of 5 yeas.

6. APPROVAL OF MINUTES:

a) April 28, 2009.

Motion – On motion by Mr. Lamond, seconded by Mr. McKay; the Board of Supervisors voted to approve the minutes of the April 28, 2009 meeting. This motion passed by a vote of 4-1. Mrs. Kiefer abstained.

b) May 12, 2009.

Motion – On motion by Mr. Lamond, seconded by Mr. McKay; the Board of Supervisors voted to approve the minutes of the May 12, 2009 meeting. This motion passed by a vote of 5-0.

7. MINUTES FOR POSTING**a) May 26, 2009**

Motion – On motion by Mr. McKay, seconded by Mrs. Kiefer; the Board of Supervisors voted to post the minutes of the May 26, 2009 meeting. This motion passed by a vote of 5-0.

8. FIRE AT FLEXIBLE CIRCUITS PROPERTY LOCATED ON VALLEY ROAD. Mr. Lesniak reported on the major fire that occurred on June 7, 2009 at Flexible Circuits on Valley Road. He said he is working with other agencies to identify what chemicals were involved with the area of the building that was damaged by the fire. The insurance representative will be doing additional work for parts of the building that may need to be stabilized. He said we don't anticipate any runoff from the site. Mr. Lesniak said our whole goal in this incident has been nothing but safety.

The Supervisors commended Mr. Lesniak and Chief Bean for their leadership and all of the women and men on the scene for the excellent job that they did to contain this fire.

9. PUBLIC COMMENT

a) Dredging of Palomino Basin at John Barclay Elementary School. John Wright, who resides at 1072 Connemara Circle, wanted to know the status of the dredging of the Palomino Basin. His other concern is the geese problem in this area. Mr. Zarko reported the Board of Supervisors have borrowed funds under the Township's 2008 Bond Issue in order to do a major improvement project on the Palomino Basin. He said the project involves dredging sediment from the basin and also improving the banks of the basin to make it more environmentally friendly. He said the project has been funded and the design and preparation of plans and specifications for bid is underway. We recently had meetings with representatives of the Army Corps of Engineers and the Department of Environmental Protection because there is certain permitting that needs to be done in order to move forward with the project. We hope to have the project out for bid and under construction this year.

b) Rumor of Hotel to be built on Georges Lane. Barbara Schultz, who resides on Georges Lane wanted to address the rumor she heard about the possibility of a hotel being built on Georges Lane. She heard that Georges Lane was going to be rezoned. Mr. Mrozinski reported that the township has received a sketch plan consideration and there is a potential buyer to put in a hotel on the two Knights parcels located on Georges Lane. He said the first public hearing would be held in either July or August. Her other issue was asking for help on getting into Georges Lane from Route 611 going south. There is no turning lane and it can be very difficult at times.

9. MANAGER'S REPORT. Mr. Tieperman reviewed the manager's report which included a) Redstone Open Space Maintenance; b) 2010 Budget Preparations; c) PADEP Stormwater Requirements; d) County Wide Sales Tax Option; e) Lamplighter Village Clubhouse; f) Barclay (Palomino) Basin; g) Recreational Program Updates; h) Rote 202 Task Force Update; i) Staff Meeting Notations; and j) Correspondence;

a) Township Engineer's Monthly Report. Mr. Zarko, Township Engineer, reviewed his monthly report for June 2009 as follows: a) Mary Barness Roof Replacement; b) West End Fire Station; c) County Line Public Sewer; d) Folly Road Schoolhouse; and Maple Avenue Extension.

b) Planning and Development Monthly Report. Mr. Mrozinski, Director of Planning and Development reviewed his monthly report for June 2009.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

10. **Review Final Township Transportation Study Report by Traffic Planning and Design, Inc.** Mr. Zarko reported that the Board had authorized a township-wide transportation impact study back in late 2007. He said the purpose of the study was to evaluate current and projected capacity conditions at thirty-nine intersections throughout the township, to provide recommendations to correct a deficiencies with associated cost estimates, and also to evaluate the feasibility of establishing a traffic impact fee for the township.

Mr. Zarko said the township engaged Traffic Planning and Design, Inc. (TPD) to perform the study. Mr. Chad Dixon from TPD is here to present the final study and answer any questions that the Board may have. Mr. Dixon said the preliminary draft of the traffic study was presented to the Board in November 2008 and the primary comments provided by the Board was that they wanted to see the improvements that were recommended listed in a prioritized-type form. He said that has been accomplished in the final study.

Mr. Dixon summarized his findings. He said TPD looked at these thirty-nine selected intersections in terms of what capacity improvements would be needed to improve their operation whether they be turning lanes, new traffic signals, adjustments to existing traffic signals, and additional thru lanes for an entire corridor. He reviewed Table 1 which contains a list of improvements that we've identified at each of the intersections and the cost associated with them both in terms of construction, engineering, potential right-of-way acquisition, and utility work. To summarize the costs in total combined all of the improvements in Table 1 comes to a grand total of \$48 million. Approximately \$24.5 million is associated with the County Line Road Corridor Improvements for widening between Route 152 and Route 611 of the remaining work that would be in addition to what PennDOT has proposed.

11. **Consider adoption of an Ordinance designating a public water and sanitary sewer district, authorizing construction of a public water distribution and sanitary sewer collection system and establishment of a benefit assessment upon subject properties.** Mr. Zarko reported that the Board had discussed this project on a couple of different occasions. He said the last time we discussed it we were talking advertising an ordinance to take the action that was discussed by Mrs. Butterworth. Due to the nature of this project, the construction was done by an outside entity, it wasn't done by Warrington Township, the Solicitor's office has determined that the original intent to accomplish all of these things by one ordinance isn't the best way to do it. He said the Solicitor is recommending that we do this in a two-step process; one being a resolution and the other one being an ordinance. Mr. Zarko said we are recommending that the Board table this agenda item this evening and let the engineer bring back the resolution and ordinance for the Board at the next meeting.

Motion – On motion by Mr. McKay, seconded by Mr. Lamond, the Board of Supervisors tabled the adoption of an Ordinance designating a public water and sanitary sewer district, authorizing construction of a public water distribution and sanitary sewer collection system and establishment of a benefit assessment upon subject properties until the Board's next meeting. This motion passed by a vote of 5-0.

12. **Consider approval of a site lease agreement between Clearwire and Warrington Township at 2210 Shetland Drive.**

Motion – On motion by Mr. Lamond, seconded by Mrs. Kiefer, the Board of Supervisors tabled the approval of a site lease agreement between Clearwire and Warrington Township at 2210 Shetland Drive until a future meeting. This motion passed by a vote of 5-0.

13. **Consider approval of a site lease agreement between Clearwire and Warrington Township at 1485 Stuckert Road.**

Motion – On motion by Mr. Lamond, seconded by Mrs. Kiefer, the Board of Supervisors tabled the approval of a site lease agreement between Clearwire and Warrington Township at 1485 Stuckert Road until a future meeting. This motion passed by a vote of 5-0.

14. **Receive update on special consortium meeting regarding the procurement of special legal services for storm water regulatory support and Warrington Township's participation in an inter-municipal agreement.** Mr. Zarko reported that there is a memo from Michele A. Fountain, P.E., dated 5/19/09 in the manager's report on PADEP stormwater requirements. He said Warrington Township received a stormwater permit from the PADEP in 2003. He said that permit allowed the discharge of stormwater to surface waters and also required the township to enforce a program to improve water quality. The initial permit was for five years, which the PADEP extended for an additional two years. He said currently the township submits a report to the PADEP on an annual basis documenting how they meet the requirements of the permit. He said the PADEP has recently drafted new requirements for the next permit cycle. They are accepting public comment on the draft permit requirements until July 6, 2009. After the permit requirements are finalized, each municipality must then submit a Notice of Intent for coverage under the permit. The new permit must be in effect on March 9, 2010.

Mr. Zarko said there are some provisions in the new permit requirements that will have a substantial impact on the township financially.

Mr. Zarko said the Montgomery County municipalities are getting together and forming a consortium to hire an attorney to review these new proposed regulations and provide a response to the PADEP. He said the Bucks County consortium is doing the same thing. He said Mr. Tieperman is looking to get the Board's authorization for participation in that consortium to review these standards and provide a combined unified front going back to the PADEP.

Motion – On motion by Mrs. Kiefer, seconded by Mr. Plotnick, the Board of Supervisors authorized the Bucks County consortium to represent Warrington Township in this matter. This motion passed by a vote of 5-0.

15. **Consider adoption of Resolution authorizing Warrington Township's participation in an inter-municipal grant application with Newtown Township for the installation and conversion of LED street lights through the PA Conservation Works Recovery Grant Program.** Mr. Tieperman reported that this is another stimulus program through the State via the Federal Government. He said like most of the stimulus grant programs the applications come with very constrained deadlines. He has been in discussions with officials from Warwick, Northampton, and Newtown Townships about partnering to obtain grant funds for the conversion of some of our street lights to LED fixtures in order to reduce overall energy consumption. Warrington's estimated match would be around \$18,750. He is recommending that we partner with Newtown Township for the maximum grant amount of \$375,000 to be split proportionally. Both our communities have similar street light inventories, thus the grant matchup is appropriate.

Mr. Zarko reported that the Palomino Farms neighborhood would probably be a good candidate for the lights. There is about 136 lights there, which would match up pretty well with the amount of the available grant funds.

Motion – On motion by Mr. Lamond, seconded by Mr. Plotnick, the Board of Supervisors approved adopting the Resolution authorizing Warrington Township's participation in an inter-municipal grant

application with Newtown Township for the installation and conversion of LED street lights through the PA Conservation Works Recovery Grant Program. This motion passed by a vote of 5-0.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

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

Development Name	Release #	Amount
St. John Newmann	5	\$ 55,466.41
Titus Road Outparcel #1	1	\$523,531.00

Motion - On motion by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors approved the escrow release for St. John Newmann, Release #5 in the amount of \$55,466.41. This motion passed by a vote of 5-0.

Motion - On motion by Mr. Lamond, seconded by Mr. McKay, that the Board of Supervisors approved the escrow release for Titus Road Outparcel #1, Release #1 in the amount of \$523,531.00. This motion passed by a vote of 5-0.

17. **CONSENT AGENDA:**

a) **Municipal Police Officers' Education and Training Act (MPOETC) Grant.**

Motion – On motion by Mr. Plotnick, seconded by Mr. Lamond, the Board of Supervisors approved the MPOETC (Municipal Police Officers' Education and Training) Grant for Firearms Retention, Recovery and Disarming in the amount of \$610.00. This motion passed by a vote of 5-0.

b) **Act 32 Resolution appoint TCC voting delegates and alternates.** Mr. Tieperman said Act 32 is this is the new County-wide collection of earned income tax.

Motion – On motion by Mr. Lamond, seconded by Mr. Plotnick, the Board of Supervisors approved the Act 32 Resolution to appoint TCC voting delegates and alternates: The primary voting delegate to be the Warrington Township Manager; The first alternate voting delegate to be the Warrington Township Finance Director; and the Second alternate voting delegate to be the Chairperson of the Board of Supervisors. This motion passed by a vote of 5-0.

18. **ADJOURNMENT**

Motion - On motion by Mr. Lamond, seconded by Mr. McKay, the Board of Supervisors voted to adjourn the meeting at 9:40 p.m. This motion passed by a vote of 5-0.