

WARRINGTON TOWNSHIP BOARD OF SUPERVISORS

MINUTES FOR FEBRUARY 24, 2009

The regular meeting of the Warrington Township Board of Supervisors was held on February 24, 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; Rebecca A. Kiefer, Assistant Secretary; and Paul Plotnick, Member; Timothy J. Tieperman, Township Manager; Michael Mrozinski, Director of Planning and Economic Development; Michael P. Clarke, Esq.; Township Solicitor; Thomas F. Zarko, Township Engineer; Carolyn Hanel, Director of Administrative Services/Parks and Recreation; Fire Chief Michael J. Bean; Gay Currie, Communications Officer; Richard Lesniak, Director of Fire, Inspection and Emergency Services; 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 February 10, 2009 the Board held an executive session to discuss a matter of litigation involving the appeal that has been filed by the Zoning Hearing Board involving the Stone Manor Corporate Center property, potential litigation matters, and personnel.

4. APPROVAL OF BILL LIST: 2/10/09-2/24/09 - \$629,234.41

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors voted to approve the bill list as amended to reflect the timeframe to run from 2/10/09 to 2/24/09 instead of 2/11/09 to 2/24/09 in the amount of \$629,234.41. This motion passed by a roll call vote of 4 yeas and 1 nay. Mrs. Kiefer voted nay.

5. APPROVAL OF MINUTES

a) January 27, 2009

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors voted to approve the minutes of the January 27, 2009 meeting. This motion passed by a vote of 5-0.

6. MINUTES FOR POSTING

a) February 7, 2009

Motion – It was moved by Mr. McKay, seconded by Mr. Plotnick, that the Board of Supervisors voted to post the minutes of the February 7, 2009 meeting. This motion passed by a vote of 4-1. Mr. Lamond abstained.

b) February 10, 2009

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors voted to post the minutes of the February 10, 2009 meeting. This motion passed by a vote of 5-0.

7. PUBLIC COMMENT

a) **History Book on Warrington.** Mr. McKay announced that the Warrington Historical Society has finished the completion of a new book on the History of Warrington. This book has 127 pages and is available from the Warrington Historical Society at a cost of \$21.99. By buying the book directly from the Warrington Historical Society approximately 40% of the \$21.99 selling price is applied directly to the Society's General Fund in order to do work within the Historical Society. The Society only receives 8% for books that are sold through retail stores. Copies of this book are also available for purchase in the township office.

8. **MANAGER'S REPORT.** Mr. Tieperman reviewed the manager's report which included a) Temporary Signal at Upper State and Pickertown Roads; b) Easton/Bristol Road Loop Detector Repair; c) Route 202 Parkway Project Update; d) Willow Grove Air Base Update; e) Other Business; and f) Correspondence.

a) **Mercantile and Business Privilege Tax.** Mr. Plotnick reported that the Board is talking about implementing a real Mercantile Tax based on a 1.5 mills rate, mostly on retail businesses. He said even though the Board's resolution has been accepted by Pennsylvania State Association of Township Supervisors and Pennsylvania League of Cities and Municipalities it was voted down at the Bucks County Association of Township Officials meeting. He said he did talk to four representatives at that meeting who were primarily on our side on that issue. He further stated to get revenues from the business sector where we have expenses and we do not receive enough in property taxes to cover those expenses we're trying to implement a flat Business Privilege Tax.

b) **Warrington Fire Company Monthly Report.** Fire Chief Michael J. Bean reviewed his final report for 2008 as well as his monthly report for January 2009 for the Warrington Fire Company.

c) **Fire, Inspections, and Emergency Services Monthly Report.** Rick Lesniak reviewed his month end report for January 2009 for Fire, Inspections, and Emergency Services.

d) **Parks and Recreation Monthly Report.** Carolyn Hanel reviewed her January/February monthly report for Parks and Recreation.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

9. **Presentation of the Kelly Road Traffic Study results by Traffic Planning and Design.** Mr. Zarko reported that in response to some concerns that were presented by area residents the Board of Supervisors had advertised a traffic engineering study of the newly opened section of Kelly Road extending between Easton Road and Bristol Road. He said the purpose of this traffic engineering study was to determine if supplemental stop sign installations and also traffic calming measures were warranted along the roadway. He said the traffic consultant, Traffic Planning and Design has recently completed the study for Kelly Road.

Mr. Chad Dixon, Principal Consultant with Traffic Planning and Design, presented a summary of their findings. He said there is really two parts to this study: 1) To determine if multiway stop warrants were met on Kelly Road at three intersections (Cadawallader Road, Cornell Drive, and the Park Entrance; and

2) To do a preliminary evaluation of current traffic conditions along that section of Kelly Road to determine if they may warrant the installation of traffic calming devices, such as speed humps. He said to first review the multiway stop warrant analysis that we completed it's important to note up front in terms of the methodology in the study that we must complete it's done in accordance with PennDOT Publication 212. This is their publication on traffic control devices, which also falls under the State Vehicle Code.

Mr. Dixon said there are several elements that you must evaluate whether warrants are met. One is vehicle crashes and the warrant there is 5 or more within a 12 consecutive month period. Another one is traffic volumes and there are certain levels you must have on the major street, which would be Kelly Road in this instance and the three minor roads previously mentioned during a consecutive eight hour period during a typical weekday. You also need to evaluate sight distances, pedestrian volumes if there are land uses that generate excessive pedestrian volumes, and also a brief capacity analysis to determine if there is an excessive amount of left turns that is creating a lot of delay or vehicle conflicts at a particular intersection.

Mr. Dixon said that the results that were summarized in his report indicate that in terms of volume warrants either vehicular or pedestrian none of the three intersections meet those warrants. He said in light the issues associated with that curvature on Kelly Road and the sight lines we feel that intersection would meet the sight distance warrant for installing a multiway stop at that intersection.

Mr. Dixon said in summary in terms of the multiway stop evaluation we're recommending that a multiway stop control be installed at Cornell Drive. However, Cadawallader Drive and the Park Entrance do not meet warrants for the installation of multiway stop control.

Mr. Dixon said the second part was the preliminary traffic calming evaluation to determine if vehicular speeds may be at a level above the posted speed limit where traffic calming measures may be needed to help control speeds and have them within the vicinity of the posted speed limit. At this time we are recommending that traffic calming measures are not warranted on those segments of Kelly Road.

Mr. Clarke said the issue regarding the stop signs is clear and Mr. Dixon's understanding is exactly his understanding. He said if the PennDOT warrants don't call for stop signs and we put them in the township could be liable and if PennDOT warrants call for them and we don't put them in we could be liable.

Deborah Dee, who resides at 5014 Kelly Road, feels that it is a good idea if you get the stop signs installed in the area where it is warranted and hopefully that will slow down the traffic as well.

Michael Bennett, who resides at 5000 Kelly Road, said it's up to us to be proactive and take measures now take care of the children in the community and provide a public service and by installing stop signs would help to slow down the traffic.

Mr. Clarke said that Mr. Zarko has pointed out that even though the township doesn't have an ordinance placing the stop signs in front of you this evening it's a pretty standard ordinance so if you wanted to authorize advertisement this evening we would be able to address it at our next meeting.

Eric Charran, who resides at 1516 Kelly Road, said he is in favor of putting in a multiway stop sign. He lives at Cornell Drive and Kelly Road.

Motion – It was moved by Mr. Lamond, seconded by Mrs. Kiefer, that the Board of Supervisors approved advertising for an ordinance for the three stop signs at the intersection of Kelly Road and Cornell Drive. This motion passed by a vote of 5-0.

a) **Closed Loop System on Route 611.** Mr. Dixon gave an update on the closed loop system on Rout 611. He said we sent a preliminary list of recommendations to PennDOT this week. Once we get comments back from them hopefully we'll have something to report to the Board.

Mr. Zarko said we talked about it a couple of weeks ago and there were some concerns about the basis of the programming that was used to set up the system. He said Mr. Dixon has done a reevaluation of current counts and apparently there are some adjustments that are warranted to make a system that will hopefully help the situation.

10. Presentations of the website and cable channel redesign layouts by the Communications Department. Katie Braun said tonight a presentation was being given on the redesigned website layout and the cable TV channel. Jackie Miller, Media Technician with Codes Enforcement presented the proposed redesign layouts for the township's website. Gay Currie, Communications Officer, presented the proposed cable channel redesign layouts via Telvue for the township's cable channel. Katie Braun stated that if there were any additional input from the Board to please send her an email with your comments.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors approved the proposed redesign layouts for the township's website for broadcast as soon as possible. This motion passed by a vote of 5-0.

11. Consideration of approval of North Wales Water Authority Agreement Amendments (Tentative). Mr. Zarko reported that the exhibit that is being presented this evening should be attached to the Fourth Addendum Agreement. He said it's a map of the overall township and it shows the various areas in the township that are served by North Wales, which we refer to as West End, as well as the properties that are served by township wells along the East End. We had previously reported to the Board that we had been working with the North Wales Water Authority staff over the past year on updates to a couple of agreements dealing with water supply to the township.

Mr. Zarko said there are two updated agreements that are here for the Board's consideration. The first agreement is entitled "Fourth Addendum to Water Supply Agreement." He said the basic purpose of this agreement is to moralize prior individual property service agreements that had been drawn up between North Wales and Warrington to service properties via North Wales facilities.

Mr. Zarko said this agreement also moralize willing agreements that the township has with Warminster Township as well as the Neshaminy Manor Complex. It also moralizes direct service agreements that Warrington has with Doylestown and Warwick Townships. Finally, it moralizes the township's ability to provide water service to properties located along County Line Road that would be serviced by Horsham Township.

Mr. Zarko reviewed the second agreement entitled "Capacity/Distribution Agreement". He said the primary purpose of that agreement is to increase the township's allocation in the North Wales supply from 250,000 gallons per day to 800,000 gallons per day. He said that increase in capacity would be provided at no additional charge to the township. This agreement also provides criteria for future flow monitoring and provide triggers for any supplemental capacity purchase that the township may have to make. The agreement provides the ability of the township to pay the additional fee for capacity purchase 25% of that upfront and the remaining 75% to be funded via a deferment payment plan that is based upon a payment schedule that would be selected by the township at a rate that would be consistent with the North Wales Water Authority bond rate.

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors voted to adopt the Water Supply Agreement, Fourth Addendum with the North Wales Water Authority. This motion passed by a vote of 5-0.

Motion – It was moved by Mr. Lamond, seconded by Mr. Kiefer, that the Board of Supervisors voted to adopt the Capacity/Distribution Agreement with the North Wales Water Authority. This motion passed by a vote of 5-0.

12. Consideration of final plan approval of Ellis/Shustack Minor Subdivision/Lot Line Change.

Mr. Zarko reported that this proposed minor subdivision involves a lot line change between two existing parcels located on the southerly side of Stuckert Road within the R-2 Medium Density Residential District. He said the applicants are proposing to transfer approximately 4,258 square feet area from Lot 1, which is owned by the Shustacks to Lot 2, which is owned by the Ellis'. The resulting lot sizes would be Lot 1 (37,427 square feet) and Lot 2 (45,905 square feet).

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to approve the Final Plan of Ellis/Shustack Minor Subdivision/Lot Line Change. This motion passed by a vote of 5-0.

13. Request to advertise Woodlawn Avenue Ordinance. Mr. Clarke reported that on January 27, 2009 the Board authorized advertisement of this Ordinance. He said subsequent to the authorization to advertise Mr. Zarko, Mr. Tieperman, and I had some discussions regarding this Ordinance and we felt that there needed to be a change in the Ordinance to clarify a point. In the interest of not wanting to be accused of substantially amending the Ordinance we're asking the Board to authorize the advertisement of this essentially replacement ordinance.

Mr. Clarke said on Page 2 of the Ordinance we have made it clear that the properties that are affected will be required to connect to the system and that was not included in the original ordinance.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors voted to advertise the Woodlawn Avenue Ordinance. This motion passed by a vote of 5-0.

14. Request to advertise bids for the swim club roof replacement. Mrs. Hanel reported that Staff is requesting authorization to advertise for bids on the replacement of the roof at the Mary Barness Tennis and Swim Club. Initial estimates obtained for this project ranged from \$18,000-\$25,000, necessitating the need for a competitive bid.

Mr. McKay said since the roof needs to be replaced at the swim club he would like to see a frosted skylight installed in the locker rooms, which would lighten up these rooms. Perhaps this skylight could be included as an alternate to the bid. Mr. Zarko asked if Mr. McKay would like him to prepare the bids package to include an add/on alternate for skylights in the two locker rooms. Mr. McKay said he recommend that an add/on alternate for two frosted skylights above the two locker rooms to be included in the bid package.

Motion – It was moved by Mr. Lamond, seconded by Mrs. Kiefer, that the Board of Supervisors voted to advertise for bids on the replacement of the roof at the Mary Barness Tennis and Swim Club. This motion passed by a vote of 5-0.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):**15. To consider the following extension requests:****a) Valley Square, Phase I**

Motion – It was moved by Mr. Lamond, seconded by Mr. Plotnick, that the Board of Supervisors approved the extension request for Valley Square, Phase I until 5/12/09. This motion passed by a vote of 5-0.

16. CONSENT AGENDA:

a) **PennDOT Trail/Lighting Agreements for 2002 Parkway Project.** Mr. Zarko reported that we don't have the agreements yet but Staff along with Mrs. Kiefer met with representatives of PennDOT to discuss both the trail and light agreements. He said that the Board had some real issues with the prior draft of the trail agreement and the obligations that were imposed on the township for maintenance. It was not only the trail had parking areas but along the main trail itself were significant.

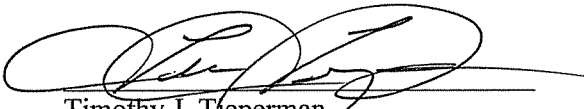
He said that Montgomery County had negotiated their agreement with PennDOT and they pared down a significant amount of the maintenance responsibilities for the main trail as well as for the trail head parking area. He said Warrington Staff along with Mrs. Kiefer used that as a kind of template to renegotiate the agreement with PennDOT. PennDOT seemed to accept all of the recommended changes that we had. He said we're very confident that the next time you'll see the agreements they will be a form that is going to be acceptable to the Board.

b) Appointment of Paul Plotnick as PSATS Voting Delegate.

Motion – It was moved by Mr. McKay, seconded by Mr. Lamond, that the Board of Supervisors appointed Paul Plotnick as PSATS Voting Delegate. This motion passed by a vote of 5-0.

17. ADJOURNMENT

It was moved by Mr. Lamond, seconded by Mrs. Kiefer, the Board of Supervisors voted to adjourn the meeting at 10:05 p.m. This motion passed by a vote of 5-0.


Timothy J. Teperman
Township Manager

2/14/2009
Date