



## WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR SEPTEMBER 11, 2012

The regular meeting of the Warrington Township Board of Supervisors was held on September 11, 2012, 7:30 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

### ATTENDANCE:

Gerald Anderson, Chairperson; John Paul, Vice Chairperson; Marianne Achenbach, Secretary/Treasurer; Matthew W. Hallowell, Sr. and Shirley A. Yannich, members. Staff present were Timothy J. Tieperman, Township Manager; William H.R. Casey, Esq., Township Solicitor; Richard Wieland, Township Engineer; Barry P. Lubber, Chief Financial Officer; and Barbara Livrone, Executive Assistant to the Township Manager.

### MOMENT OF SILENCE

Mr. Anderson asked for a moment of silence to reflect on the victims of Bucks County that lost their lives on September 11, 2001.

### PLEDGE OF ALLEGIANCE

The meeting opened with a pledge to the flag.

### EXECUTIVE SESSION REPORT

Mr. Anderson reported that Board held an executive session to discuss pending litigation related to the Township's amusement tax.).

### APPROVAL OF BILL LIST:

#### 1. August 14, 2012 to September 11, 2012: \$414,954.59

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from 8/14/12 to 9/11/12 totaling \$414,954.59. This motion passed by a roll call vote of 5-0.

### APPROVAL OF MINUTES:

#### 2. August 14, 2012

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the August 14, 2012 Meeting Minutes. The motion passed by a vote of 5-0.

### MINUTES FOR POSTING:

#### 3. August 28, 2012

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the August 28, 2012 Meeting Minutes. The motion passed by a vote of 5-0.

**PUBLIC COMMENT**

Ms. Gloria Gradwell (564 Bradford Avenue) expressed her disappointment in the lack of a sufficient response to a letter penned by her and jointly signed by several of her Bradford neighbors addressing the adverse conditions imposed by the Penrose Walk development.

Mr. James Matkowski (574 Bradford Avenue) reiterated these same concerns, inquiring why all the construction traffic is confined to Bradford Avenue and not Phillips.

Mr. Richard Hobbs (374 Bradford Avenue) asked that better signage be installed to restrict traffic on Rebecca Road for emergency access only.

Mr. Joe Walsh (454 Folly Road) complained about high field grass located across from Lower Nike Park.

**PUBLIC HEARING:**

**4. Consider the adoption of a Resolution approving the transfer of a liquor license from a Pizza Hut in Richboro (725 2<sup>nd</sup> Street) to Champps at Valley Square Shops (Unit 902).**

Mr. Anderson reported that the transfer of a liquor license from a Pizza Hut in Richboro (725 2<sup>nd</sup> Street) to Champps at Valley Square Shops (Unit 902) has been postponed until the Board's 10/9/12 meeting.

**OLD BUSINESS:**

**5. Consider the adoption of an Ordinance amending Chapter 22 (Subdivision and Land Development Ordinance) establishing new residential lighting standards.**

Mr. Wayne Bullock asked if there was any provision for LED lighting in new residential developments. Mr. Anderson responded that it has been found that LED lighting hasn't proven to be effective in outdoor lighting because it doesn't work. Mr. Paul clarified that the places where LED lights are used when snow blows it fills up on the lenses and the traditional lighting melts the snow and ice off the lenses but the LED lighting does not and the result is that people can't see them. As a result they've had to replace all the LED lighting with the conventional lighting standards.

Mr. Paul motioned, seconded by Mr. Hallowell, to adopt an Ordinance amending Chapter 22 (Subdivision and Land Development Ordinance) establishing new residential lighting standards. The motion passed unanimously.

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

**6. Consider adoption of Ordinance amending Chapter 27 (Zoning) to authorize a map change for the Illg tract to permit Age Qualified and Institutional Senior Residential Community Multifamily Districts.**

Mr. Anderson provided some background information for the public's benefit and established the procedures on how this Ordinance amendment would be handled. First, the applicant will make a general presentation, followed by Board discussion and comments. After the Board's review period, the Chairman would then open the floor for general public comments. He stated that there would be no Board action at this meeting and that this item will be continued to the Board's October 9, 2012 regular meeting.

Attorney Richard McBride, representing the landowners, presented an overview of the current plan for the Illg tract as well as the proposed zoning map change to include age-restricted housing. He also addressed the points from the Bucks County Planning Commission's September 5, 2012 review letter.

Ms. Achenbach asked whether any traffic studies have been conducted to determine any traffic volume deviations between single-family and age-restricted communities. Mr. McBride responded that if the property is developed for age restricted or for 95 single family detached homes, the Township must receive a traffic impact statement, which assesses the frontage improvements required, alterations or improvements to intersections off site, including traffic signals.

The following residents had comments and questions regarding the proposal:

- Mr. Vince Evans (706 Barrington Court) regarding stormwater concerns associated with this development.
- Ruth Schemm (390 Folly Road) regarding the purpose of the zoning change, who's requesting the change and who are the owner of record.
- Mr. Joe Walsh (454 Folly Road) regarding general concerns over the impact that this development will have on his neighborhood.
- Mr. Dave Gibson (259 Folly Road) inquired whether the Plan being shown was an approved plan.
- Mr. Eric Thompson (291 Folly Road) regarding his interpretation of the Comprehensive Plan and his expectation to have farmland in the RA District.

There being no further public comments on this specific agenda topic, discussion ended for continuance at the October 9, 2012 regular meeting.

**7. Consider approval of land development agreement for Warrington Glen, Phase I.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the land development agreement for Warrington Glen – Phase I between Warrington Township and Toll Brothers, PA XIV, L.P. The motion passed unanimously.

**8. Review proposed amendments to Chapter 22 (Taxation) of the Township Code regarding Part 3 (Amusement Tax) and authorizing advertisement.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize the Township Solicitor to advertise the proposed amendments to Chapter 22 (Taxation) of the Township Code regarding Part 3 (Amusement Tax). The motion passed unanimously.

**9. Consider proposed projects for 2013 Community Development Block Grant (CDBG) program.**

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize the Township Manager to apply for the 2013 Community Development Block Grant (CDBG) to assist with the Neshaminy Gardens Drainage Improvements. The motion passed unanimously.

**10. Review and disposition of DPW Facility Bids.**

Mr. Anderson indicated that the DPW Facility Bids came in higher than anticipated. The Board does not need to render a decision tonight on the bids. The architect is putting together several recommendations, which Staff has not yet thoroughly reviewed. It was recommended that any formal Board action be tabled until a future meeting date for discussion and formal disposition.

**11. MANAGER'S REPORT:****a. Consent Item: 2012 Audit Agreements.**

Mr. Tieperman said he had received a fixed-fee proposal from our auditors who audited the Township's 2011 financial statements. He recommended that the the auditing firm of Maillie, Falconiero & Company, LLP be appointed to continue to provide these services in 2012 if the Board is in agreement. The consensus of the Board was to delay any formal action until later this year. It was being placed on a future agenda for consideration.

**b. Consent Item: Water/Sewer Easement (Penn Valley Pump)**

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the Water/Sewer Easement for Penn Valley Pump. The motion passed unanimously.

**c. Consent Item: Warrington Days Financial Report.**

Mr. Tieperman reported the festivities generated a net profit of \$7,398. Mr. Anderson thanked Staff for the giving of its time to ensure a successful Warrington Day. Mr. Anderson recommended that a special committee be formed to explore moving Warrington Day back to one of the local township parks/open spaces to give the event more country fair atmosphere. He asked Mr. Paul to chair this committee and invited other Supervisors to participate.

**12. CHAIRMAN'S REPORT:****a. 2012 Goals.**

Mr. Anderson gave a brief progress report on the Board's 2012 goals and asked for any updates from his colleagues on their respective goals. He commented positively that many of the established goals were near completion.

Mrs. Yannich reported that there have been some delays in the Gateway Zone but that she hopes to see some progress toward the end of the year.

Mr. Paul reported that the 2012 Road Improvement Program will be getting underway very shortly. He anticipates resolution to the demolition of the Malcolm buildings soon.

Mrs. Achenbach requested that if Board members have any questions or suggestions from last meeting's presentation on the Pay/Performance Draft Proposal to be sure to touch base with her.

**b. Recommendations for BOS appointments to boards and commissions.**

Mr. Paul said he has observed from attending some of these board and/or commissions meetings that attendance has fallen off and wonders about the commitment of people who had agreed to serve on these boards. Decisions cannot be made when there is not a quorum.

Mrs. Yannich motioned, seconded by Mrs. Achenbach to appoint Dennis M. Gordon and Richard Rycharski to the Planning Commission. Mr. Paul and Mr. Anderson voted no. The motion passed by a vote of 3-2. The Supervisors further deliberated and after some discussion decided to include in the appointment letter a statement about commitment, probation period, attendance and a listing of current/future projects.

c. Appointment of Special Counsel.

Mr. Anderson said a letter was received from Randolph Scott, Esq. notifying the Board that he will be retiring and no longer representing the Township in condemnation proceedings for Maple Avenue. Mr. Casey cannot perform that function due to a conflict of interest. His recommendation to the Board is to hire Peter Harrison to handle the condemnation proceedings for Maple Avenue.

Mr. Anderson motioned, seconded by Mr. Paul, to appoint Peter Harrison as special counsel at the same rate as our Township Solicitor to handle the condemnation proceedings for Maple Avenue. The motion passed unanimously.

13. ENGINEER'S REPORT:

a. 2012 Road Program Update.

Mr. Wieland reported that the Township will have a complete schedule from Morrissey on the timing for the 2012 Road Program for handouts to residents on those streets as well as on the website informing them of the work being done.

b. Lamplighter Update.

Mr. Wieland reported that the work has been completed at Lamplighter and that the final bill has been received from Cornell. He said as soon some of the punch list items have been completed he will recommend Cornell's final payment.

c. Report on the pros/cons of speed bumps and other traffic calming measures to control speeding in Warrington Township.

Mr. Wieland provided a reported, outlining his strategies and recommendations for employing traffic calming measures along Greensward in response to residential speeding concerns and school pedestrian crossing. He said his preferred term is speed tables as opposed "speed bumps."

He stated that in 2011 his office conducted a study for Greensward North between Wedge Way and Freedoms for additional stop signs at this location. He did not specifically address speed bumps in that study. However, the acquired information could be used to evaluate the efficacy of speed bumps. He stated the primary focus is to reduce speeding and to discourage cut through traffic. The CEC report determined that the observed speeds were not excessive and that speed tables were not warranted, given the existence of parked cars along the roadway which contribute to some degree of traffic calming.

Mr. David Schilling (2412 Greensward North) commented that speeding has always been a concern in this neighborhood. Still contends that the three point intersection of Wedge Way and Greensward North is still confusing for drivers. He said the most dangerous time is when the children are coming home from school between 3 p.m. and 6 p.m.

The following resident commented on other speeding issues throughout the Township:

- Mr. Marc Russo (2192 Palomino Drive) said he likes the suggestion of painting lines and more signage on Palomino Drive before a traffic study is conducted.
  
- Ms. Millie Laing (767 S. Settlers Circle) said while there is a crosswalk and signage on Folly Road no driver stops when an individual is trying to cross the road.

d. **Traffic Signal at Pickertown and Folly Roads.**

Mr. Wieland reported that the Central Bucks School District is obligated to pay for the traffic signal at Pickertown and Folly Roads. The District's traffic consultant has been going back and forth with PennDOT to get the plans and the proper forms approved. The Township's understanding is that the plans now conform to PennDOT specifications and that the Township must submit them formally as the applicant.

Mr. Anderson motioned, seconded by Mr. Paul, that the Board approves the required PennDOT Resolution as prepared and reviewed by the Solicitor granting the Supervisor Chair permission to sign the application to be sent to PennDOT for the Pickertown and Folly Road traffic signal. The motion passed unanimously.

14. **SOLICITOR'S REPORT:**

a. **Meridian Report on Safety Issues.**

Mr. Casey reported that he had a meeting with the bank contact regarding the ongoing safety issues at the Meridian parking lot. The Township also sent a notice of violation letter outlining these public safety issues.

b. **Malcolm's Update.**

Mr. Casey reported that he's trying to confirm a conference with the Court Master to arrange a hearing on this matter.

c. **Authorization to advertise amendment to TDR Ordinance to match stipulation agreements.**

Mrs. Achenbach motioned, seconded by Mr. Paul, to advertise the amendment to the TDR Ordinance to match the stipulation agreements. The motion passed unanimously. This will be on a future Board agenda.

d. **Park Road Extension Request.**

Mr. Casey reported that the Parkview Tract is a 3 lot subdivision on Park Road. He said the applicant's attorney has asked for an extension of the final approval. Mrs. Achenbach motioned, seconded by Mr. Paul to grant the Park Road extension request. The motion passed unanimously.

**SUPERVISORS COMMENTS**

**New Resident Welcome Packet**

Mrs. Achenbach asked if we were able to reach out to the merchants especially in light after Warrington Day to solicit donations for the New Resident Welcome Packet. Mr. Tieperman said a sample packet was made available at Warrington Day. Mrs. Yannich noted that there is a notice on the website soliciting donations from merchants.

**ADJOURNMENT**

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

Edited and Reviewed By:



---

Timothy J. Tieperman, Township Manager