



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR SEPTEMBER 25, 2012**

The regular meeting of the Warrington Township Board of Supervisors was held on September 25, 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 was Timothy J. Tieperman, Township Manager; William R. Casey, Esq., Township Solicitor; Richard Wieland, Township Engineer; and Barry Lubert, Chief Financial Officer.

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 that Board held an executive session to discuss issues pertaining to our Fire Department. We will continue that discussion towards the end of the regular public meeting.

APPROVAL OF BILL LIST:

1. **September 11, 2012 to September 25, 2012: \$721,058.47**

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from 9/11/12 to 9/25/12 totaling \$721,058.47. This motion passed by a roll call vote of 5-0.

APPROVAL OF MINUTES:

2. **August 28, 2012**

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

MINUTES FOR POSTING:

3. **September 11, 2012**

Mr. Paul motioned, seconded by Mrs. Yannich, to approve the posting of the September 11, 2012 Meeting Minutes with the caveat that a correction be made to P.5, 1st paragraph. The vote count was not 2-2 with one undecided but should be 3-2. Mr. Paul and Mr. Anderson voted no. The motion passed by a vote of 3-2.

PUBLIC COMMENT

- Mr. Russell Diamond (739 Country Club Lane) thanked the Board for the completion of the crosswalks at Greensward North in the Fairways. He also inquired about the status of the Malcolm's property. Mr. Casey confirmed that the Township is awaiting a conference with the Court Master to schedule an adjudicative hearing with the judge.
- Ms. Laurina Calabrese (3186 Fox Drive) expressed concerns about unsupervised and mischievous, teenagers roaming the streets at night with only two police officers on assigned duty. She distributed a written summary of her concerns. (Attachment A)

OLD BUSINESS:**4. Receive public comments on the Township's 2013 Community Development Block Grant Application.**

Chairman Anderson opened the floor to see if there were any public comments for possible projects under the 2013 Community Development Block Grant Program. Federal regulations require that public input be solicited through appropriate legal advertisements. There being none, he then reviewed the Staff's recommendations.

Mr. Tieperman provided a brief overview of the Township's proposed 2013 Community Development Block Grant Application. Because of decreased funding, Staff is proposing to carry over the remaining scope for the 2012 program into FY 2013 to make up the shortfall. After some deliberations regarding the project budget and municipal match requirements, Mr. Paul motioned, seconded by Mrs. Yannich, to approve the 2013 CDBG Application. The motion passed unanimously. (See Attachment B)

5. Consider adoption of an Ordinance amending Chapter 24 (Taxation) of the Township's Code regarding Part 3 (Amusement Tax).

Mr. Paul motioned, seconded by Mr. Hallowell, to adopt an Ordinance amending Chapter 24 (Taxation) of the Township's Code regarding Part 3 (Amusement Tax) reducing that tax from 10% to 4%. The motion passed unanimously. (See Attachment C)

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**6. Review the Township's policy position on sidewalk requirements as it relates to the Commonwealth's WD-2 County Line Road Project and its impact on Woodlawn Avenue and surrounding neighborhoods.**

Mr. Tieperman reviewed the highlights from the September 13, 2012 meeting that was held between Warrington residents and PennDOT officials. State Rep. Katharine A. Watson arranged the meeting to allow the residents along County Line Road and Woodlawn Avenue, who would be impacted by the impending WD2 project, to voice their opposition to the proposed sidewalk along this portion of County Line Road. Many of the residents stated that no sidewalks were being installed along the WD1 portion between Stump and Lower State Roads (aka Archdiocese property).

At this residential meeting, PennDOT representatives stated that the Township had voiced support for these WD2 sidewalks and that the agency will give some deference to the Township's desires on these types of State-funded projects. However, the Township's recommendation cannot conflict with any prevailing PennDOT standard. (See Attachment D)

The following residents spoke in favor of the Supervisors passing a motion waiving any Township interest in having these sidewalks installed:

- Mike Starner (3429 County Line Road)
- Steve Eck (11 Woodlawn Avenue)
- Paul Borgeson (8 Woodlawn Avenue)
- Shane Poiron (17 Woodlawn Avenue)
- Joan Brosnan, (3455 County Line Road)
- Mike Kelly (3467 County Line Road)
- Paula Pacilio (42 Woodlawn Avenue)

At the conclusion of these remarks and after some Board deliberation, Mr. Paul motioned, seconded by Mrs. Yannich, to direct the township manager to send a letter to PennDOT notifying them that the Township would waive its requirements for sidewalks along County Line Road. The motion passed unanimously. (See Attachment E)

The Board then discussed a separate issue relating to Woodlawn Avenue residents. Speaking as a spokesperson for his Woodlawn neighbors, Mr. Eck summarized the following issues:

- The road is too narrow and according to a 2004 traffic study, about 850 cars travelled the road daily.
- Commuters often use Woodlawn as a cut thru between County Line Road and Limekiln Pike.

Mr. Eck requested Township assistance to help mitigate these traffic-related concerns and improve conditions along Woodlawn Avenue. One option he suggested was to dead-end the street at one end and allow continued access for emergency vehicles. He believed this might limit the cut-through traffic.

Mr. Anderson asked how many residents on Woodlawn Avenue would favor dead-ending the street. All who were present responded affirmatively but not all were in attendance. Mr. Anderson stated further that for the Board to give this proposal serious consideration, the Township would need to obtain a clear consensus from all the Woodlawn neighbors that they prefer decommissioning and dead-ending the road.

He requested that the township manager contact all the residents on Woodlawn Avenue explaining what is being proposed and conduct a poll. He said if there is enough interest, the Township will give the matter further consideration. One major consideration would be any cost factors associated with this project.

Mr. Paul suggested researching the possibility of installing a tapered right hand turn lane to permit westward travel on County Line Road but preventing left turns onto Woodlawn Avenue. He said this would eliminate the need for a cul-de-sac and help control some of the traffic congestion.

Mr. Anderson asked the Township Engineer what it would cost to put out a counter and obtain some traffic counts. Mr. Wieland estimated \$2,000 but that he would research this and report back.

7. Review of current revenue and expenditure forecasts and projected impacts on 2013 operating and capital budget.

Mr. Barry Lubber gave a power point presentation and summarized the current revenue and expenditure forecasts and projected impacts on the 2013 operating and capital budget. (See Attachment F)

8. MANAGER'S REPORT:**a. Consent Item: 2012-13 Bucks County Consortium Salt Bid.**

Mr. Paul motioned, seconded by Mrs. Yannich, to award the 2012-13 Bucks County Consortium Salt Bid to International Salt Company, LLC at a cost of 51.20 per ton delivered. The motion passed unanimously. (See Attachment G)

b. Consent Item: Orchard Hill Stop Sign Request.

Mr. Tieperman gave an update on a request from a resident who lives in Orchard Hill development requesting a four way stop sign at Orchard Hill Circle and Cooper Lane. Research was done and the evidence doesn't warrant installing a stop sign at Orchard Hill Circle and Cooper Lane. The resident, Mr. Clyde Treiffesen (2311 Orchard Hill Circle), was notified of the Township's decision.

c. Consent Item: Victory Gardens Update.

Mr. Tieperman said the company had issued a deadline of September 10, 2012 for the Folly Road improvements. He said this deadline has come and gone. His office has issued a notice of violation with intent to follow through with a citation if the work is not completed by October 3, 2012. He said he has maintained regular contact with the Arbor Ridge residents. (See Attachment H)

9. CHAIRMAN'S REPORT:**a. Discussion of the Pay/Performance Plan and discuss implementation timeline (s).**

Mr. Anderson said the Township needs to put a timeline together and move forward on the Pay/Performance Plan for the Township. Mr. Tieperman said he would like to tie this Pay/Performance Plan into the 2013 Budget process. He said in the very least you need to begin developing a good base matrix to launch the program and evaluate the outcomes at the end of 2013. The Board's unanimous consensus was to move forward with the Pay/Performance Plan for 2013.

b. Knox Box Ordinance.

Mr. Anderson said the Township needs to move forward to improve the Township's Knox Box Ordinance to provide stricter enforcement policy and penalties for the program's internal administration.

Mr. Paul motioned, seconded by Mrs. Achenbach, to direct the Fire Marshall's Office, the Township Manager and Solicitor to develop an ordinance amendment to address these required enhancements and to advertise ordinance for consideration at a future Board meeting. The motion passed unanimously.

10. ENGINEER'S REPORT:**a. 2012 Road Program Update.**

Mr. Wieland reported that the milling and paving work associated with the 2012 Road Program is underway. He briefed the Board on the pavement work completed to date and timelines for future work. Mr. Anderson emphasized the importance that signage be posted two weeks in advance so that residents are notified before the work begins on their roads.

11. SOLICITOR'S REPORT:a. **Meridian.**

Mr. Casey reported that the Township had issued a notice of violation to Meridian for various and continuing code infractions, especially ones involving parking lot improvements. He has since received a response from the bank's agent indicating that they have developed some estimates for these improvements, which have been forward to Wells Fargo for approval. (See Attachment I)

12. SUPERVISOR COMMENTS:**Fire Department**

The Board continued its deliberation from an executive session matter involving the Warrington Fire Department. After some deliberation, Mr. Anderson recommended that a letter be drafted to the President of the Warrington Fire Company stating that because of a recent incident, the Board has lost confidence in the current Fire Chief and has serious doubts over the Company's internal operations. Moreover, the Company's Board of Directors needs to take a serious look at this situation.

Mr. Anderson directed the township manager to call the Fire Company President and advise him that a letter will be forthcoming from the Board of Supervisors, signed by each Board member.

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the drafting of this letter. The motion passed unanimously.

ADJOURNMENT

Mr. Paul motioned, seconded by Mrs. Achenbach, to adjourn the meeting at 9:05 p.m. The motion passed unanimously.

Edited and Reviewed By:



Timothy J. Tieperman, Township Manager

ATTACHMENT "A"

Response Needed from Warrington Township

Summary:

It has come to our neighbor's attention that on a nightly basis there are only two police officers on duty for the entire township. I was not aware of this when I submitted a request via the Township website about teenagers roaming the streets at night, loitering at our street corner (Fox and Victoria Way), and causing a commotion. I did speak with Officer Bell after I submitted my first request. He advised my neighbors and me not to engage the teenagers in discussion but to call the Dispatch Service to have an officer sent. I did this two evenings after my conversation with Officer Bell and waited for 30 minutes for an officer to come but none had arrived and the group left.

What has been occurring?:

- Teenagers travel in large groups in the middle of the street refusing to get out of an oncoming car.
- Teenagers loiter at street corners where they do not live. In addition, teenage girls have been dropped off and picked up at our street corner.
- Teenagers knock over residents' trash cans, take rocks from their flower beds to hit at the street lights, go through people's lawns and drop their trash, and hit people's houses with other objects and nothing is ever done.

Next Steps:

- Continue police drive thru of The Ridings of Warrington Hunt during evenings especially weekends.
- Add additional police officers to current staff so that if a dispatch call is placed an officer on duty can respond to the call within a timely manner.
- Review current curfews for teenagers- 11pm weeknight and 12pm weekends???. Is this really age appropriate? Could we make it 10pm for weeknights and 11pm for weekends?

John and Laurina Calabrese – Ridings of Warrington Hunt

3186 Fox Drive

Chalfont, PA 18914

215-343-3847 – home

215-837-3367 – Laurina's cell

Jcalabrese3186@gmail.com – email

EMAIL from Warrington Soccer Club

Over the past weeks there have been many acts of vandalism on sports fields in the area. The biggest problem is the turfing of soccer fields at IPW and Lower Nike. In addition, goals have been broken and believe it or not, somebody thought it would be fun to go goal tipping at IPW Saturday night. This weekend, we lost 3 of 4 fields at the new U5 and U6 facility at Lower Nike. The damage caused made the fields unsafe and unplayable and will cost thousands of dollars to repair. The ones that suffer are your and my children. We can help put a stop to this.

What I am asking for is some help from the community in catching these criminals. Somebody out there knows something, as kids talk. If you should have any information, please pass it on to the local PD's. You can also pass me a note if you wish, and I will see that it is acted on.

I thank you in advance for any help you may provide.

Rick Weiss

Director of Fields Warrington Soccer Club

Chairman Warrington Parks and Recreation Board

ATTACHMENT "B"

Warrington Township

852 EASTON ROAD, WARRINGTON, PA 18976
 215-343-9350 ■ FAX 215-343-5944
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

MEMO TO: Board of Supervisors
 ATTN: Tim Tieperman
 FROM: Roy Rieder *RR*
 DATE: September 20, 2012
 RE: FY 2013 CDBG APPLICATION

Background

Due to a decrease in funding levels from the Department of Housing and Urban Development, the township needs to reduce the scope and budget for the FY 2012 CDBG program. The recommendation is to carry over the remaining scope for the FY 2013 program which is due to the county no later than 3:00 PM on Friday, September 28. The township engineer has prepared two conceptual plans showing work for both the 2012 and 2013 programs separately. The conceptual plans, scopes of work, and construction estimates are attached. Additional costs will be incurred to define and acquire necessary easements, and provide construction inspection and project management. One easement will be needed for 2012 to construct 24-inch drain from Evergreen to and existing channel above Tohickon Lane. Four easements will be needed for 2013. These include the two shaded easements shown on the plan plus easements on Center Street and the stub of Evergreen Avenue west of Grady. These are both unopened paper streets. Revised project budgets are shown in the table below

Description	Cost	CDBG Funds	Township Funds
2012 Construction	\$75,798	\$60,638	\$15,160
Easement acquisition	\$5,000	\$4,000	\$1,000
Bid documents	\$5,000	\$4,000	\$1,000
Inspection/Proj Mgmt	\$8,600	\$6,880	\$1,720
2012 Totals	\$94,389	\$75,518	\$18,880
2013 Construction	\$90,534	\$72,427	\$18,107
Easement acquisition	\$15,000	\$12,000	\$3,000
Bid documents	\$5,000	\$4,000	\$1,000
Inspection/Proj Mgmt	\$11,100	\$8,880	\$2,220
2013 Totals	\$121,634	\$97,307	\$24,327

Recommendation

The staff recommendation is to approve the revised scope and budget for 2012 and the proposed scope and budget for 2013.

Warrington . . . gateway to Bucks County

ATTACHMENT "C"



ORDINANCE 2012 - 0-12

AMENDING THE WARRINGTON TOWNSHIP CODE OF ORDINANCES

Part 3 AMUSEMENT TAX

§ 301. Title.

This Part 3 shall be known as the "Warrington Township Amusement Tax Ordinance."

§ 302. Definitions.

[Ord. 94-1, 4/12/1994, § 2]

1. The following words and phrases, when used in this Part 3, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

ADMISSION

Monetary charge of any character, including contributions, donations, dues or membership fees (periodic or otherwise) charged for the privilege of attending or engaging in amusements as hereinafter defined; provided that "admission" shall not include tax added or charged expressly subject to the Tax Reform Code of 1971, P.L. 6, No. 2, March 4, 1971, 72 P.S. § 7161 et seq., as hereinafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

PERSON

Any individual, partnership, limited partnership, association, firm or corporation. Whenever used in any clause prescribing or imposing a penalty, "person," as applied to associations, shall mean the partners thereof; and as applied to corporations, the officers thereof.

PLACE OF AMUSEMENT

Any place, indoors or outdoors, within the Township of Warrington where the general public, or a limited or selected number thereof, may, upon payment of an admission price, attend or engage in any manner of amusement as herein defined.

PRODUCER

Any person, as herein defined, conducting any place of amusement, as herein defined, where the general public, or a limited or selected number thereof, may, upon the payment of an admission price, attend or engage in any amusement.

2. The singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine.

§ 303. Permit Required.

[Ord. 94-1, 4/12/1994, § 3]

1. On or after the effective date of this Part 3, it shall be unlawful for any producer to continue to conduct, or thereafter to begin to conduct, any form of amusement at any permanent or temporary place of amusement within the Township of Warrington unless an amusement permit or permits shall have been issued to him, the fee, as prescribed herein, paid therefor, and the tax herein imposed paid in accordance with the provisions herein made.
2. Application for permit.
 - A. Every producer desiring to continue to conduct or hereafter to begin to conduct any amusement within the Township of Warrington shall file an application for a permanent or temporary amusement permit or permits, as the case may be, with the Township Manager. A temporary permit shall be issued to a producer whose amusement is to continue for 30 days or less; a permanent permit shall be issued to a producer whose amusement is to continue for more than 30 days. Every application for such permit or permits shall be made upon a form prescribed, prepared and furnished by the Township and shall set forth the name under which the applicant conducts or intends to conduct a permanent or temporary place of amusement, the location of the permanent or temporary place of amusement, whether or not the applicant is the holder of a mercantile license in effect when the application is made and, if so, the number of such license, and such other information as the Township may require. If the applicant has or intends to have more than one place of amusement within the Township of Warrington, the application shall state the location of each place of amusement, and the producer shall be required to obtain a separate permit for each separate place of amusement. In the case of an application for a temporary place of amusement, the application shall state the name and address of the owner, lessee or custodian of the premises upon which such amusement is to be conducted. If the applicant is an association or corporation, the names and addresses of the principal officers thereof, and any other information prescribed by the Township for purposes of identification shall be stated. The application shall be signed and verified by oath or affirmation by the producer, if a natural person, and in the case of an association, by a member or partner thereof, and in the case of a corporation, by an executive officer thereof, or some person specifically authority by the corporation to sign the application to which shall be attached the written evidence of his authority.

- B. At the time of making such application, the applicant shall pay to the Township a permit fee which shall be established by resolution of the Board of Supervisors of the Warrington Township, and which may be amended from time to time as the Board of Supervisors desires.
- C. Upon approval of the application and payment of any permit fee or fees required by this Part 3, the Township Manager shall grant and issue to each applicant an amusement permit for each place of amusement within the Township of Warrington set forth in his application. Amusement permits shall not be assignable and shall be valid only for the persons in whose name issued and for the conduct of amusements at the places designated therein and shall at all times be conspicuously displayed at the places for which issued. All permits for permanent places of amusement shall expire on the 31st day of December next succeeding the date upon which they are issued unless sooner suspended, surrendered or revoked for cause by the proper authorities of the Township of Warrington. Permits for temporary places of amusement shall expire at the time provided therein.

3. Issuance of permits.

- A. Permits issued for permanent places of amusement, under the provisions of this Part 3, may be renewed annually before the first day of January, upon application made to the Township Manager and the payment of the then-applicable fee as established by the Board of Supervisors of Warrington Township.
- B. Whenever any permit issued under the provisions of this Part 3 is defaced, destroyed or lost, the Township Manager may issue a duplicate permit to the holder of the defaced, destroyed or lost permit upon the payment of a fee to be established by resolution of the Board of Supervisors of Warrington Township, which may be amended from time to time as the Board of Supervisors desires.

4. Suspension of permits.

- A. The Township Manager may suspend an amusement permit whenever he finds that the holder thereof has failed to comply with the provisions of this Part 3. Suspension shall be initiated by a written notice from the Township Manager to the producer stating that the amusement permit is being suspended and stating the reasons for the suspension. The producer may, within 10 days of the receipt of the written notice from the Township Manager, file a written request with the Township Manager for a hearing before the Board of Supervisors. If such a request is timely made by the producer, the suspension shall be stayed pending the outcome of the hearing. If no such request is made by the producer within 10 days of receipt of the written notice of suspension, the suspension is final and nonappealable. Upon suspending any amusement permit, the Township Manager shall request the holder thereof to surrender to him immediately all permits or duplicates thereof issued to him, and the holder shall surrender promptly all such permits to the Township Manager, as requested.

- B. If a hearing is requested, the Board of Supervisors shall either rescind the notice of suspension or, good cause appearing therefor, shall continue the suspension and revoke the permit.

§ 304. Imposition of Tax.

[Ord. 94-1, 4/12/1994, § 4]

1. A tax is hereby imposed, for general revenue purposes, upon the admission fee or privilege of attending or engaging in any amusement at the rate of four percent (4%) of the admission charged to the general public, or a limited or selected group thereof, by any producer for such privilege, which shall be paid by the person acquiring such privilege. (For special rules for golf courses and bowling alleys, see Subsections 2 and 3 immediately below.)
2. On admissions to golf courses, the tax imposed shall be four percent (4%). The tax base upon which the tax shall be levied shall not exceed 40% of the greens fee. The greens fee shall include all costs of admissions to the golf course.
3. If the maximum rate of tax on any other specific amusement is hereafter limited by the Local Tax Enabling Act, 53 P.S. § 6901 et seq., the tax imposed on such amusement shall be limited to the maximum rate as established by the Local Tax Enabling Act for such amusement.
4. No tax shall be imposed on admissions to amusements, athletic contests or entertainment conducted or participated in by the Central Bucks School District, or by any religious, philanthropic, civic or any nonprofit organization whose status is evidenced by proof of Internal Revenue Service tax exemption, but permits therefor shall be obtained as hereinabove provided, without charge.
6. In case of persons admitted free or at reduced rates to any place of amusement, at a time when and under circumstances under which an admission price is charged to other persons, the tax imposed by this Part 3 shall be computed on the admission price charged to such other persons of the same class for the same or similar accommodations, to be paid by the person so admitted.

§ 305. Collection of Tax.

[Ord. 94-1, 4/12/1994, § 5]

1. Producers shall collect the tax imposed by this Part 3 and shall be liable to the Township of Warrington as agents thereof for the payment of the same to the Township of Warrington as hereinafter provided in this Part 3.
2. Where permits are obtained for conducting temporary amusements by persons who are not owners, lessees or custodians of the places where the amusements are to be conducted, or where the temporary amusement is permitted by the owner, lessee or custodian of any place to be conducted without the procurement of a permit or permits required by this Part 3, the tax

imposed by this Part 3 shall be paid by the owner, lessee or custodian of such place where such temporary amusement is held or conducted unless paid by the producer conducting the amusement.

§ 306. Duties of Producers.

[Ord. 94-1, 4/12/1994, § 6]

1. For the purpose of ascertaining the amount of tax payable by producers to the Township of Warrington, it shall be the duty of:
 - A. Every producer, except as hereinafter provided, conducting a place of amusement, on or before the 10th day of each month after the effective date of this Part 3, to transmit to the Township Manager, on a form prescribed and prepared by the Township Manager, a report, under oath or affirmation, of the amount of tax collected by him during the preceding month.
 - B. Every producer conducting a temporary place of amusement shall file a report with the Township Manager or any duly authorized agent of the Township Manager promptly after each performance.
2. All reports required under this section shall show such information as the Township Manager may prescribe.
3. Every producer, at the time of making every report required by this section, shall compute and pay to the Township Manager the taxes collected by him and due to the Township of Warrington during the period for which the report is made. The amount of all taxes imposed under the provisions of this Part 3 shall, in the case of places of permanent amusement, be due and payable on the 10th day of the next-succeeding month, and in the case of temporary amusements, it shall be due and payable on the day the reports in such cases are required to be made under this section; and all taxes shall bear interest at the rate of 1/2 of 1% per month or fraction thereof from the date they are due and payable until paid.
4. If any producer shall neglect or refuse to make any report and payment as herein required, an additional 10% of the amount of the tax shall be added by the Township Manager and collected as a penalty.

§ 307. Recovery of Taxes.

[Ord. 94-1, 4/12/1994, § 7]

All such taxes shall be recoverable as other debts of like amount are now by law recoverable or by such other actions as may be necessary for the recovery of the same.

§ 308. Taxes to be Paid Into Treasury.

[Ord. 94-1, 4/12/1994, § 8]

All taxes, interest and penalties received, collected or recovered under the provisions of this Part 3 shall be paid into the treasury of the Township of Warrington for the use and benefit of said Township.

§ 309. Authority of the Township Manager.

[Ord. 94-1, 4/12/1994, § 9]

1. The Township Manager is hereby charged with the administration and enforcement of the provisions of this Part 3 and is hereby empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this Part, subject to the approval of the Board of Supervisors, including provisions for the re-examination and correction of returns, and payments alleged or found to be incorrect, or as to which an overpayment is claimed, or found to have occurred. Any person aggrieved by any decision of the Township Manager shall have the right to appeal to the Court of Common Pleas as in other cases provided.
2. If the Township Manager is not satisfied with the report and payment of tax made by any producer under the provisions of this Part 3, he is hereby authorized and empowered to make a determination of the tax due by each producer based upon the facts contained in the report, or upon any information within his possession, or that shall come into his possession, and for this purpose the Township Manager is authorized to examine the books, papers, tickets, ticket stubs and records of any producer subject to this Part 3 to verify the accuracy of any report or payment made under the provisions thereof or to ascertain whether the taxes imposed by this Part 3 have been paid.
3. If any producer shall neglect or refuse to make any report and payment of tax required by this Part 3, or if, as a result of an investigation by the Township Manager, a report is found to be incorrect, the Township Manager shall estimate the tax due by such producer, and determine the amount due by him for taxes, penalties and interest thereon.

§ 310. Authority.

[Ord. 94-1, 4/12/1994, § 11]

This Part 3 has been passed under the authority fixed in the Board of Supervisors of the Township of Warrington by the Act of December 31, 1965, P.L. 1257, as amended by the Acts of October 11, 1984, and July 9, 1987, of the General Assembly of Pennsylvania, commonly known as the "Local Tax Enabling Act," the terms and provisions of which are hereby accepted and adopted; and in accordance with the provisions thereof, the Township Manager is hereby duly constituted and appointed by the Board of Supervisors of Warrington Township as the agent of said Board of Supervisors for the administration and collection of the taxes imposed under said act and the provisions of this Part 3.

§ 311. Enforcement and Remedies.

[Ord. 94-1, 4/12/1994, § 12; as amended by Ord. 95-3, 2/21/1995; and by Ord. 98-2, 2/10/1998]

1. Enforcement notice.

- A. If it appears to the Township that a violation of this Part 3 has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this section.
- B. The enforcement notice shall be sent to the violator and, if applicable, the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.
- C. An enforcement notice shall state at least the following:
 - (1) The name of the violator and, if applicable, the owner of record and any other person against whom the Township intends to take action.
 - (2) The location of the violation and, if applicable, the property in violation.
 - (3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Part 3.
 - (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
 - (5) That the recipient of the notice has the right to appeal to the Board of Supervisors within a period of 10 days.
 - (6) That failure to comply with the notice within the time specified, unless extended by appeal to the Board of Supervisors, constitutes a violation, with possible sanctions clearly described.

2. Enforcement remedies.

- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Part 3 shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$600 plus all court costs, including reasonable attorneys' fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues or each section of this Part 3 which shall be found to have been violated shall constitute a separate violation.

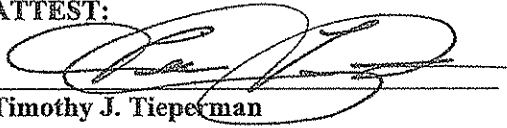
B. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.


C. District Justices shall have initial jurisdiction over proceedings brought under this section.

ORDAINED and ENACTED this 25th day of September, 2012.

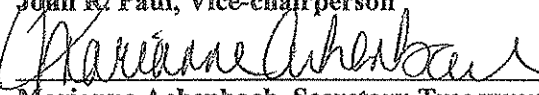
WARRINGTON TOWNSHIP BOARD OF SUPERVISORS


ATTEST:


Timothy J. Tieperman
Township Manager


Gerald B. Anderson, Chairperson


John R. Paul, Vice-chairperson


Marianne Achenbach, Secretary-Treasurer


Matthew W. Hallowell, Sr., Member


Shirley A. Yannich, Member

ATTACHMENT “D”

Warrington



Township

852 EASTON ROAD, WARRINGTON, PA 18976
215-343-9350 ■ FAX 215-343-5944
www.warringtontownship.org

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JOHN R. PAUL, Vice Chairperson
MARIANNE ACHENBACH, Secretary-Treasurer
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SHIRLEY A. YANNICH, Member

TOWNSHIP MANAGER
TIMOTHY J. TIEPERMAN

September 20, 2012

MEMO TO: BOARD OF SUPERVISORS

FROM:  TIMOTHY J. TIEPERMAN

RE: HIGHLIGHTS FROM THE PENNDOT WD2 MEETING

The following are some highlights from the September 13, 2012 meeting between Warrington residents and PennDOT officials. The meeting was coordinated by Kathy Watson to address the impacts on homeowners living near the WD-2 project area. Various topics were discussed but the overriding issue for most residents was the introduction of sidewalks on both sides of County Line Road and the possibility of adding a cul-de-sac at one end of Woodlawn Avenue to prevent cut-through traffic.

PennDOT officials claim that both Montgomery and Warrington Townships requested the addition of sidewalks, for which the abutting residents would be expected to maintain them during adverse weather conditions. Most of the residents there are opposed to these sidewalks, especially since they are not being installed along WD-1 between Stump and Lower State Roads (aka Archdiocese property).

It has always been a longstanding Township policy to request and require sidewalks during major road projects, but this may be one area where the Supervisors may want to revisit its current sidewalk policy.

PennDOT will make all final decision regarding these design recommendations. But they will give some weight to the Township's opinions as long as they do not conflict with any prevailing PennDOT standard.

Enclosure

09.13.2012 MEETING NOTES

1. The meeting started at 6:30, there were about 10 residents in attendance. The attendance list and handwritten notes are attached. The meeting is summarized as follows:
2. The project includes the widening of CL Rd to 5 lanes with sidewalks on both sides. The project narrows down to 3 lanes as the project approaches Kulp Road East.
3. Grading work at Woodlawn is minimal. Road will be lowered about 2.5 feet at Starner property.
4. The sidewalks were added at the requests of both Montgomery Township and Warrington Township.
5. There are no sidewalks in WD-1 between Stump and Lower State because the Archdiocese refused to maintain sidewalks along CL Rd (possibly due to graves?), the township refused to maintain them, and one resident who would have been affected did not want a sidewalk in front of his house.
6. The project is in the final design phase. Construction may start in 2014 and be finished in 2016.
7. Stormwater management has been approved by all three townships involved and by DEP.
8. 80/20 federal/state funding.
9. When were sound walls voted on? Sound walls must meet all 3 criteria before they are presented to residents for a vote
 - a. The noise levels must meet minimum levels (levels need were not specified)
 - b. The methods to be used for sound mitigation must be effective (a decrease of at least 5 decibels)
 - c. The methods to be used must be cost effective
10. In the case of the Warrington Township, neither sound walls nor berms were found to be cost effective. This is due to the numerous driveways on the Warrington Township side of CL Rd. There are not many driveways on the Montgomery Township side which is why walls were proposed there. Since criteria #2 was not able to be met on the Warrington side, the residents did not and will not have any opportunity to vote for a wall
11. PennDOT offered to keep some trees in the County Line Road West if they don't need to be removed. Normal PennDOT policy is to remove all trees from R/W line to R/W line.
12. Eck (11 Woodlawn) proposed making Woodlawn Avenue a dead end by constructing a cul-de-sac at one end of the road. There are 16 houses on Woodlawn
13. Average Daily Traffic (ADT) on Woodlawn was over 800 vehicles per day in 2004. Much of this was cut-through traffic – presumably traffic from Limekiln Pike to Kenas Road. Under the current proposed agreement, left turns from Woodlawn onto EB CL Rd would not be permitted. PennDOT thinks this may cut the ADT by about a third. Traffic would not be able to travel from Limekiln to Kenas. Traffic could still travel from Kenas to Limekiln.
14. PennDOT may be willing to create a cul-de-sac on Woodlawn if requested by Warrington Township.
15. Speed limit on County Line Road to remain 45 mph.
16. No sidewalk exists between Stump and Upper State. PennDOT said that the residents could request Warrington Township to delete their requirement for sidewalks along the northern side of CL Rd. This

does NOT mean that the sidewalks would be eliminated. PennDOT would CONSIDER elimination, but if pedestrian studies indicate the need, the sidewalks remain.

17. PennDOT will own and maintain the basins.

18. Will PennDOT reimburse property owners for damage done to sidewalks by salt spray from CL Rd? No.

19. Deeds for properties are not revised or modified. Recorded R/W plans filed with the County are the records of takings.

20. Based on some of the conversations, I had the impression that some of the residents were going to organize to come before the BOS to ask that WT request PennDOT to delete the sidewalks.

The meeting ended at 8:10. Numerous side discussions were held until about 8:45.

ATTACHMENT "E"

Warrington



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TOWNSHIP MANAGER
TIMOTHY J. TIEPERMAN

October 3, 2012

Mr. Lester Toaso
District Executive 6-0
Pennsylvania Department of Transportation
7000 Geddes Boulevard
King of Prussia, PA 19406-1525

Via PDF and Regular Mail

RE: PLANNED SIDEWALKS FOR WD-2 PROJECT IN WARRINGTON TOWNSHIP

Dear Mr.Toaso:

At its September 25, 2012 regular meeting, the Warrington Township Board of Supervisors received several public comments from residents along County Line Road whose properties will be impacted by the impending WD-2 County Line Road Extension Project.

In particular they are concerned over the planned construction of sidewalks, which was the primary subject of a meeting brokered by State Representative Katharine A. Watson on September 13, 2012 at the Township Building. At this meeting PennDOT officials made the representation that the Township had specifically requested the inclusion of sidewalks as part of the overall WD-2 design scope.


While the Township has adopted a general philosophy for including sidewalks on all its new residential and commercial developments in Warrington, we have no record indicating that the Township specifically voiced its support for sidewalks at this particular location.

Having heard the residents' testimony in addition to feedback received from Representative Watson, the Board unanimously agreed that the inclusion of sidewalks is not necessary, nor does it promote safety. If anything it further erodes the frontage which these residents will lose anyway as part of the State's eminent domain process.

Therefore, the Board has asked that I communicate to you and the appropriate PennDOT officials that it hereby waives any requirement for sidewalks at this location.

If you have any questions or require clarification, please contact me at the above address.
I appreciate your prompt attention to this issue.

Sincerely,



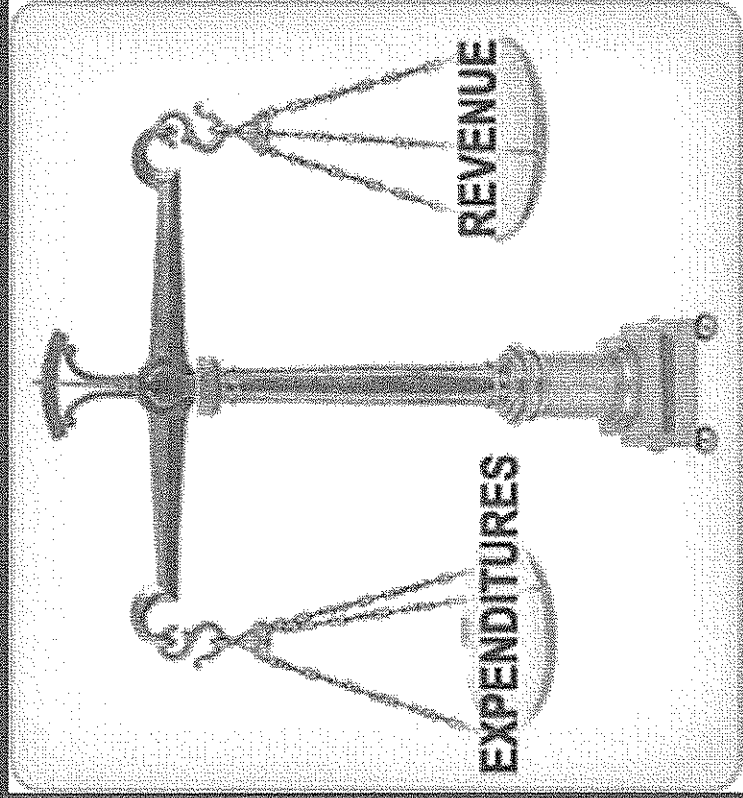
Timothy J. Tieperman
Township Manager

Enclosure(s)

Xc: Board of Supervisors
Rep. Katharine A. Watson, 144th District
William H.R. Casey, Esq., Township Solicitor
Michael F. Faherty, Esq., (counsel for residents)

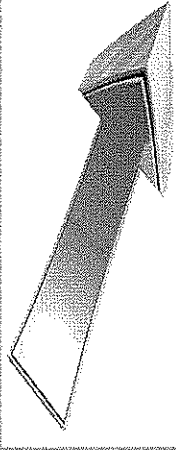
ATTACHMENT "F"

WARRINGTON TOWNSHIP

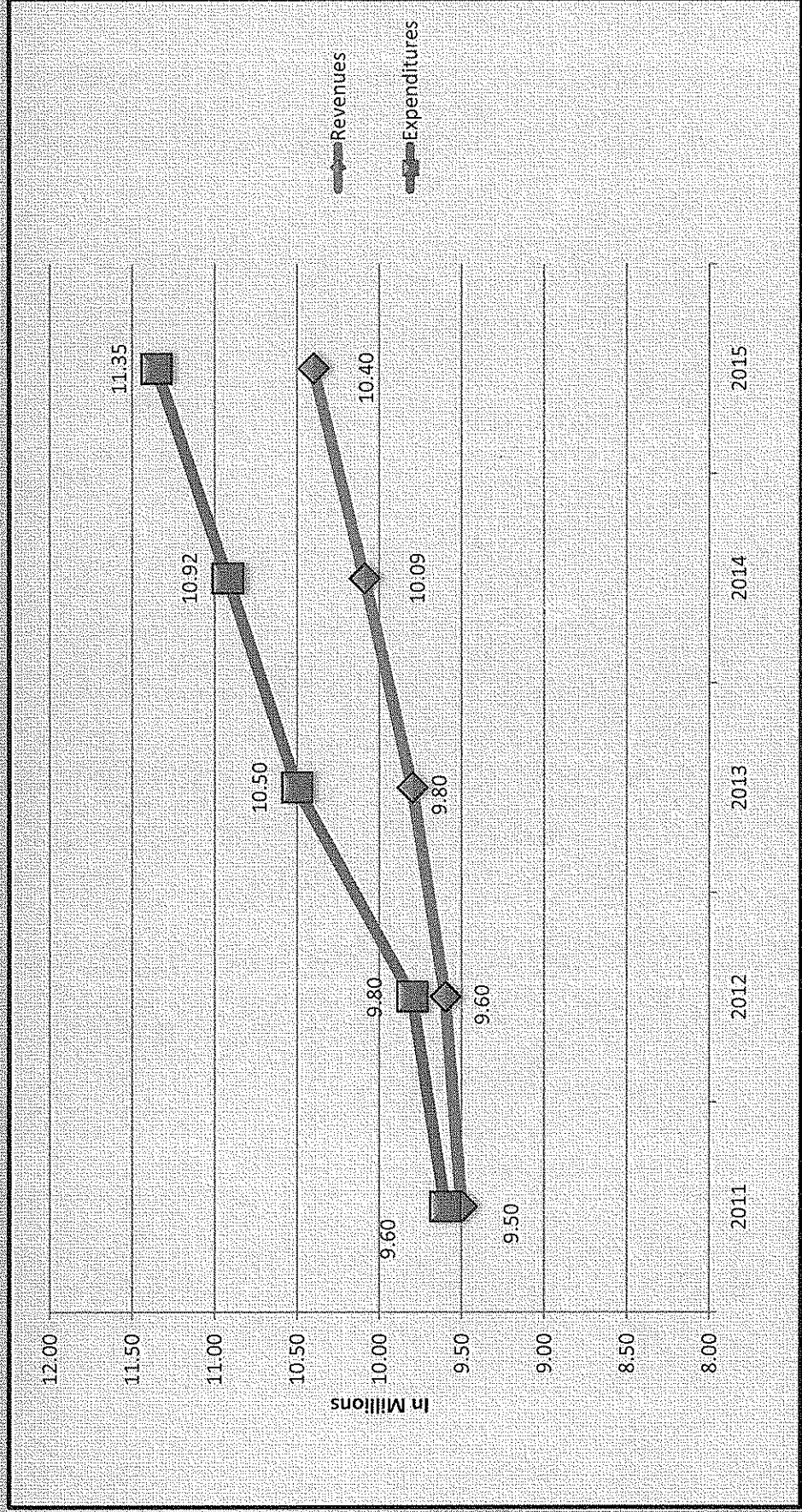


2013 Budget Issues

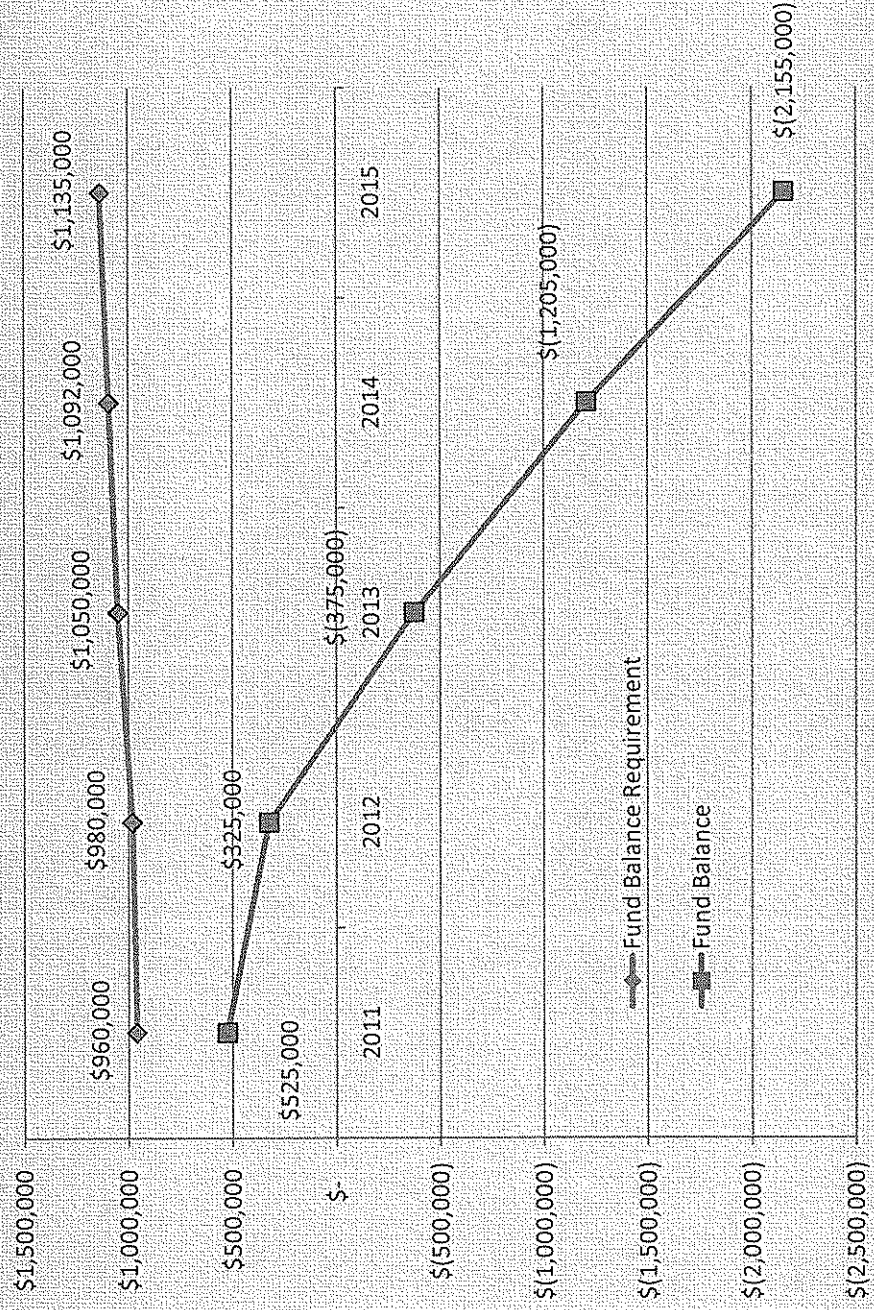
BUDGETARY ISSUES

- **Increasing Fixed Costs - Police CBA, Health Care, Pension MMO, Transfer to Debt Service (General Fund)**
 - **Flat or Declining Revenues - EIT, LST, Transfer Tax, Real Estate Tax (General Fund)**
- 
- **Funding needed for Capital Projects (Capital Reserve Fund)**
 - **Funding needed for Long Term Debt (Debt Service Fund)**

GENERAL FUND REVENUES/EXPENDITURES



FUND BALANCE GAP



GENERAL FUND - EXPENDITURES

- **2011 Actual Expenditures = \$9.6 Million**
- **2012 Estimated Expenditures = \$9.8 Million**
- **2013 Estimated Expenditures = \$10.5 Million**

Fixed Costs	Police MMO	\$50K
	Police CBA	\$75K
	Health Care Increase	\$50K
	Transfer to Debt Service	\$100K
Variable Costs	Open Space Acquisition	\$240K
	Other	\$185,K

GENERAL FUND - REVENUES

- **2011 Actual Revenue = \$ 9.6 Million**
- **2012 Estimated Revenue = \$9.6 Million**
(includes \$90,000 one-time revenue from grants)
- **2013 Estimated Revenue = \$9.8 Million**
(includes \$350,000 one-time revenue from grants)

Flat Revenues!

GENERAL FUND - BUDGET GAP

Draw on Fund Balance	Fund Balance
■ 2011 = \$100,000	2011 = \$525,000
■ 2012 = \$400,000	2012 = \$125,000
■ 2013 = \$700,000	2013 = \$(475,000)

**Board Adopted Fund Balance Policy -10% of Current year
budgeted Expenditures (2012 = \$987,000)**

GENERAL FUND

Options to Close Budget Gap

- **Service Reductions**
- **Raise Revenues**
- **Identify New Revenue Sources**
- **Privatize Operations**
- **Sell Capital Assets**

CAPITAL RESERVE FUND

Current Funding Sources

- Remaining proceeds from 2008 Bond Issue \$2.1 million
- Park and Recreation Assessment (\$2,000 per unit of New Residential Construction) \$650,000

Available Resources (2013 - 2016)

\$2.75 million

CAPITAL RESERVE FUND - PROJECTS

Capital Projects - 2013 through 2016

- Road Repaving/Repairs - \$4 million
- New DPW Building and Salt Storage - \$3.4 million
- Palomino Basin - \$120,000
- Township Facility & Park Improvements \$400,000
- Police Radio Replacements - \$400,000

Projects = \$8.3 million - \$2.7 million available = \$5.6 million Gap

CAPITAL RESERVE FUND - BUDGET GAP

Options

- **New Bond Issue**
- **Grant Opportunities**
- **Dedicated Source of Revenue**

DEBT SERVICE FUND - EXPENSES

Annual Expense of Existing Debt

1998 Loan	\$100,000
2008 Bonds	\$516,000
2012 Bonds (Refinancing & Roads)	\$950,000
2010 Truck Loan	\$ 16,000
Fees & Miscellaneous	\$ <u>18,000</u>
Total Cost of Debt	\$1,600,000

DEBT SERVICE FUND - REVENUES

Sources of Revenue

Real Estate Tax \$1,084,000

Transfer From Liquid Fuels Fund \$252,000

Transfer From Fire Protection Fund \$117,000

Total Available Revenues \$1,453,000

Funding Gap \$147,000

BUDGET ISSUES - SUMMARY

General Fund

\$500,000 Annual Deficit

Build-up of Fund Balance

Capital Reserve Fund

\$5.5 million needed for Projects (2013 - 2016)

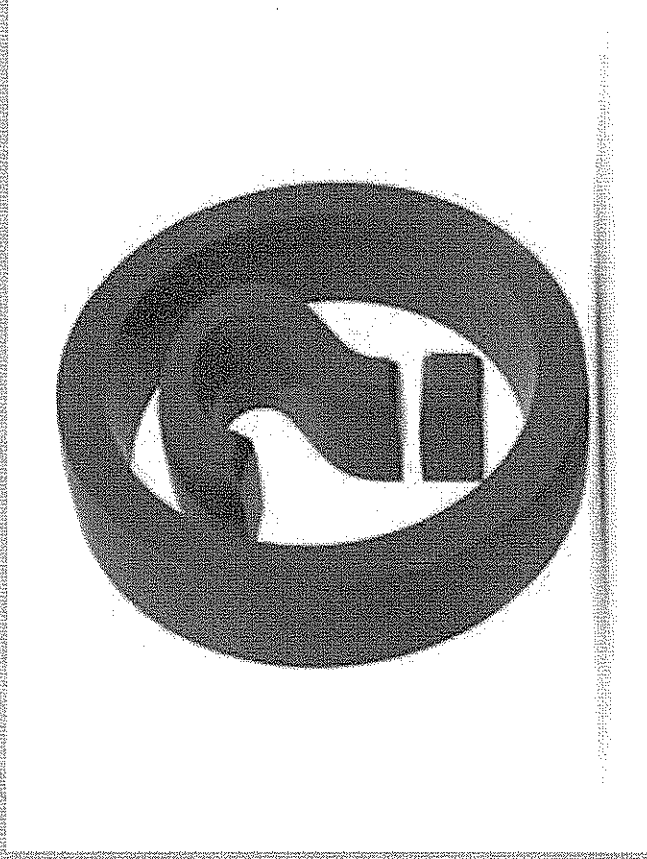
Dedicated Source of Revenue needed

Debt Service Fund

\$150,000 Annual Funding Gap

2013 BUDGET ISSUES

■ Questions



ATTACHMENT "G"

Warrington



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TOWNSHIP MANAGER
TIMOTHY J. TIEPERMAN

September 21, 2012

MEMO TO: BOARD OF SUPERVISORS

FROM:  TIMOTHY J. TIEPERMAN

RE: 2012-13 BUCKS COUNTY CONSORTIUM SALT BID

The Public Works Department has received and reviewed the tabulation bids for the 2012-13 season for the purchase of salt, as summarized in the attached memorandum from Doylestown Borough. The Borough prepares the consortium bid on behalf of participating Bucks County Consortium members.

Based on the bid results, Staff recommends Board concurrence with the consortium bid results and the awarding of the 2012-13 salt bid to International Salt Company, LLC at a cost of 51.20 per ton delivered, being the lowest qualified bidder meeting all bid requirements.

Enclosure(s)

Xc: Barry Lubber, CFO
John D. Bonargo, Sr., Public Works Director

ATTACHMENT "H"

Timothy Tieperman

From: Timothy Tieperman
Sent: Tuesday, September 25, 2012 12:24 PM
To: Gerald B. Anderson (ganderson@warringtontownship.org); John Paul; Marianne Achenbach (achenbac@mail.med.upenn.edu); Matt Hallowell; shirley yannich; Shirley Yannich (syannich@verizon.net)
Cc: Bill Casey; William Casey; Dick Wieland
Subject: MANAGER UPDATES

All –

Just a brief update on a couple of items on tonight's Manager's Report:

1. Orchard Hill Stop Sign Request – I've received numerous calls and visits from Mr. Clyde Treffeisen (2311 Orchard Hill Circle) requesting a multi-way stop sign request at the intersection of Cooper Lane and Orchard Hill Circle. Dick Wieland has reviewed the crash history and have determined it does not meet warrants. This has been relayed to Mr. Treffeisen to which he's asked that we reconsider. We have revisited the matter and our recommendation remains unchanged. He might be at the meeting tonight...just a heads up.
2. Victory Gardens Improvements – I issued another notice of violation for the lack of progress on the improvements at the Folly Road driveway. The company had issued a September 10, 2012 completion date. I plan to issue a citation if this is not completed on or before October 3, 2012. Again, we may have some residents from Arbor Ridge tonight. I've been trying to keep them updated.

Let me know if you have any questions on these or other agenda issues. Thanks.

Tim



Timothy J. Tieperman
Township Manager
Warrington Township
852 Easton Road
Warrington, PA 18976
(215) 343-9639 (direct)
(215) 343-5635 (fax)
ttieperman@warringtontownship.org



NOTICE: Warrington Township welcomes the opportunity to engage in discussions on matters involving public Township business. However, the Code for Townships of the Second Class requires an affirmative vote of a majority of the Board of Supervisors at a public meeting in order to approve a resolution or ordinance. Accordingly, while Supervisors, staff, and consultants may engage in discussions with those seeking comment, guidance, advice, or direction, no such discussion shall constitute action by the Township on that issue unless there is an affirmative vote of the majority of the Board of Supervisors at a public meeting.

ATTACHMENT "I"

Warrington



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TOWNSHIP MANAGER
TIMOTHY J. TIEPERMAN

NOTICE OF PROPERTY MAINTENANCE CODE VIOLATIONS AND CORRECTION ORDER

September 4, 2012

Rouse / Chamberlin
500 Exton Commons
Exton, PA. 19341

Attn: Stephen Gallo, Project Manager

Re: Meridian of Valley Square Development

Parcel No. 50-031-034-005

Dear Mr. Gallo,

Due to resident complaints, the township performed a site inspection on August 30, 2012 and found violations of the property Maintenance code.

These violations, along with references to the corresponding subsections of the 2003 International Property Maintenance Code (hereinafter "PM") that were/are being violated, consist of the following:

1. **P.M. 107 Notices and Orders, subsection 107.1 Notice to person responsible.**

Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the person responsible for the violation as specified in this code.

- Notice is hereby given.

2. **P.M. 302 EXTERIOR PROPERTY AREAS, subsection 302.3 Sidewalks and driveways.**

All sidewalks, walkways, stairs, driveways, parking areas and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

- Violations:

- Drain grates around the buildings and in the driveways are missing the grates or are loose. Injury and tripping hazard.
- Accessible ramps from parking spaces in front of the buildings in disrepair. Paver bricks settling. Unsafe for wheelchair and walker use.
- All curb ramps at street level over the maximum ¼" elevation change. Tripping hazard and inaccessible for wheelchair and walker use.
- Accessible parking access aisles not smooth and level as required, pavement loose or missing. Injury hazard for vehicle to wheelchair or walker transfer.
- Curb ramp not installed at North West corner of building 4000 and loose stone creating tripping hazard. Recommend installing ramp.
- Stone parking areas behind buildings 3000 and 4000 unlevel and loose stone creating tripping hazard. Recommend paving these areas.

3. **P.M. 304 EXTERIOR STRUCTURE, subsection 304.2 Protective Treatment, states in part,**
All exterior surfaces, including but not limited to, doors and windows shall be maintained in good condition.

- Violations
- Club House, multiple windows and door glazing (glass) broken and have exposed sharp edges. Injury hazard. Recommend boarding up from outside of building.
- Club house not secured due to broken door.

4. **P. M. 604 ELECTRICAL FACILITIES, sub section 604.3 Electrical system hazards,**
States in part, improper wiring or installation, deterioration or damage or similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

- Violations
- The electrical service cable to the club house is in contact with the ground at numerous locations and is an electrical and tripping hazard. Repair or remove the hazard.

CORRECTION ORDER


You will be permitted thirty (30) days from the date of this Notice and Order to restore the property to a safe and acceptable condition. Apply for and secure all required permits and approvals as required.

RIGHT TO APPEAL

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

RIGHT TO FILE A LIEN

Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.



Joseph N. Pfizenmayer
Fire Marshal



Gary L. Toth, KMS
Building Inspector

Cc: Timothy J. Tieperman, Township Manager
William H.R. Casey, Solicitor
Roy Rieder, Director