



**WARRINGTON BOARD OF SUPERVISORS
MINUTES FOR DECEMBER 9, 2014**

ATTENDANCE

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

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

Mr. Anderson opened the meeting and asked for a moment of silence, followed by the pledge of allegiance. Mr. Anderson asked for everyone to remember the death of a recent Philadelphia firefighter.

SPECIAL RECOGNITION PRESENTATIONS: –

- **Fulton Bank** – Mr. Paul presented a special award to Ms. Karen Moffat, the branch manager of Fulton Bank's Warrington Branch, showing the Board's appreciation for being a Gold Sponsor at this year's Warrington Day.
- **Eagle Scout Duncan Michael Kiley** – Mr. Kiley discussed his Eagle Scout project, which was an octagonal gaga pit. Mrs. Achenbach read the resolution recognizing Mr. Kiley's achievements and presented him with the Board's Resolution.

EXECUTIVE SESSION REPORT:

There was no executive session report.

APPROVAL OF BILL LIST:

1. November 11, 2014 – November 25, 2014: \$ 2,813,437.70

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from November 11, 2014 through November 25, 2014 totaling \$ 2,813,437.70. By roll call vote, the motion passed unanimously 5-0.

2. November 25, 2014 – December 9, 2014: \$ 743,350.63

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from November 25, 2014 through December 9, 2014 totaling \$ 743,350.63. By roll call vote, the motion passed unanimously 5-0.

APPROVAL OF MINUTES:

3. October 28, 2014

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the October 28, 2014 Meeting Minutes. The motion passed unanimously 4-0-1, Mr. Anderson abstaining.

MINUTES FOR POSTING:**4. November 11, 2014**

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the November 11, 2014 Meeting Minutes. The motion passed unanimously 5-0.

PUBLIC COMMENT (*The Board will hear from any interested resident or taxpayer who would like to comment on an item not on this evening's agenda. Respondents are asked to keep their comments to 3 minutes.*)

There was no public comment.

5. Consider the adoption of Ordinance amending Chapter 27 (Zoning) to permit a limited access self-storage facility in the Office Industrial (OI) Zoning District by conditional use. (Board action on this amendment is required before conditional use hearing).

Mr. Anderson yielded the floor to Attorney Robert Gundlach, who petitioned for this rezoning on the behalf of his client. He confirmed that all legal requirements were met. He explained the petition's purpose is to allow limited access storage. Mr. John Tressler, P.E., Boucher and James and Mr. John Manley from Manley Storage, spoke on behalf of the proposed text amendment. Manley explained the type of storage facility to be constructed on the former Malcolm's property, which will be a low intensity use. He said the building's architectural design will conform to the 611 Corridor Overlay requirements. Mr. Gundlach referenced his appearance before the Planning Department, stating this proposed use will be exclusively permitted by a conditional use.

Mr. Anderson asked for any Board comments on this proposed use. Mrs. Yannich responded that she would have liked to have discussed this at a work session first. However, she had no substantive comments about the proposed text amendment.

There being no further comments from the Board or the public, Solicitor Casey read the text amendment in its entirety. Mr. Paul motioned, seconded by Mr. Hollowell, to adopt an Ordinance amending Chapter 27 (Zoning) to permit a limited access self-storage facility in the Office Industrial (OI) Zoning District by conditional use. The motion passed 4-0-1, Mrs. Yannich abstaining.

PUBLIC HEARING:**6. The Board will convene a public hearing on a conditional use (CU) application filed by SMCCI Group, LLC, seeking conditional use approval for the development of a limited access self-storage facility at 988 and 994 Easton Roads (aka Malcolm's).**

After the Board officially adopted the text amendment in #5 above, Mr. Anderson convened the actual conditional use (CU) hearing itself and asked if there was anyone interested in being a party-of-record. There were none. Solicitor Casey confirmed the CU was properly advertised on November 19 and November 26. Following these procedural requirements, Mr. Anderson yielded the floor to Attorney Gundlach. Mr. Tessler and Mr. Manley were officially sworn in as expert witnesses, after which Mr. Gundlach presented Board members with several exhibits in support of the CU.

The majority of Mr. Tessler's and Mr. Manley's testimonies centered on these major issues:

- Parking: Only 10 parking will be needed because of the low intensity use
- Facility Access: All types of moving vehicles will be able to access the facility
- Entrances and Exits: Customers will enter and exit from major arterial roads

- Hours of Operation: 9-6 (M-F); 8-6 (Sat); closed Sundays. Actual gate hours will vary.
- Number of Employees: No more than 2 employees at any one time.
- Security: 24 hour surveillance cameras from covering all vantage points; no employee or customer can access facility with a key fob and access code.
- Business Transactions: Most transactions will occur online
- Size of Storage Units: Units vary between 25 and 300 square feet.

As a final comment, Mr. Gundlach advised the Board they are completing a Phase 2 environmental remediation of the Malcolm's site. Mr. Anderson thanked Manley Storage for their willingness to undertake these cleanup efforts in advance of the zoning and CU approvals.

Under the public comment section of the hearing, businessman Leslie Burrage spoke in support of the conditional use but expressed one possible concern regarding the ability of large trucks to make a left turn.

There being no other comments from either the Board or the public, Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the conditional use (CU) application filed by SMCCI Group, LLC, for the development of a limited access self-storage facility at 988 and 994 Easton Roads (*aka Malcolm's*). The motion passed unanimously 5-0.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

7. Consider deliberations on 2015 Capital Projects

The Board continued its deliberations over the proposed listing of 2015 capital projects. While concern was voiced over the prioritization of certain projects, the Board decided to leave these capital items referenced in the capital budget. CFO Luber explained that all these projects will eventually come back again to the Board anyway for public bidding approval.

8. Consider adoption of Resolution approving the 2015 Final Budget, as required under Article 23 (Taxation and Finance), Section 3202 (Annual Budget) of the Second Class Township Code.

Mr. Tieperman stated that Staff received no public inquiries regarding the proposed 2015 Preliminary Budget, which had been available for public inspection beyond the required 20 day minimum. Mr. Luber reviewed the updated 2015 All Funds Summary, showing a proposed \$35,096,731 operating and spending plan. (*See Attachment*).

He noted the only major change to the preliminary draft were some line item changes to the Water/Sewer budget. The final budget includes an additional \$100,000 appropriation for added NWWA charges due to the temporary shutdown of some wells and a \$485,000 appropriate for water system improvements.

Because of outstanding questions regarding non-union pay adjustments and other minor budgetary issues, Mr. Anderson proposed tabling the final budget's adoption until the next regularly scheduled meeting on Tuesday, December 16, 2014. Therefore, Mr. Paul motioned, seconded by Mrs. Achenbach to table the budget's adoption as recommended until December 16, 2014. The motion passed unanimously 5-0.

The Chairman suggested convening a 7:00 PM pre-meeting to discuss all personnel related matters included in the budget.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**9. Consider adoption of Resolution approving the preliminary plan for Highgrove Manor, as recommended by the Planning Department.**

Mr. Gundlach appeared before the Board representing Highgrove Manor. He explained that the Planning Department recommended preliminary approval at its November 4, 2014 meeting. He stated his client will comply with all the items identified in the Township Engineer's review letter. He stated that once the preliminary approval is complete, they will be able to focus more on the various PennDOT approvals associated with the Route 611 and Bristol Road connectors, including the 611/Park Road signalization. Mr. Gundlach stated that PennDOT has favorably reviewed the proposed loop road.

He explained there were two (2) specific items that the Planning Department had asked to be reviewed before appearing before the Supervisors. The first was to complete the necessary stormwater calculations; the second, to produce a report for the fire marshal showing that the roadways will be capable to handling fire truck access.

Tom Watson (2512 Park Road) voiced concern that the loop road project will result in Park Road becoming a bypass on the southwest corner. He requested that an island be constructed to deter traffic for using Park Road as a bypass. Mr. Anderson responded that the Board does not desire to see Park Road change drastically and that the propose traffic light will help make this intersection safer. He also stated the Board may explore enacting time restrictions on Park Road. These issues will be discussed at a future meeting.

There being no further comment, Mr. Paul motioned, seconded by Mr. Hallowell to adopt a Resolution approving the preliminary plan for Highgrove Manor as recommended by the Planning Department. The motion passed unanimously 5-0.

10. Consider adoption of an Ordinance amending Chapter 10 (Health and Safety), Section 416 (Hearing) to allow any person aggrieved by the decision of the Township Zoning Officer to be granted a hearing before a Hearing Officer appointed by the Board of Supervisors.

Mr. Anderson moved, seconded by Mr. Paul, to adopt an Ordinance amending Chapter 10 (Health and Safety), Section 416 (Hearing) to allow any person aggrieved by the decision of the Township Zoning Officer to be granted a hearing before a Hearing Officer appointed by the Board of Supervisors. The motion passed unanimously 5-0.

11. Consider adoption of an Ordinance amending Chapter 15 (Motor Vehicles and Traffic), Section 402 by changing parking limits on Kelly Road.

Mr. Anderson moved to table this Ordinance to obtain more information from the Police Department to explain the ordinance's purposed. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

12. Consider authorizing an agreement with special counsel Daniel Cohen (Cohen Law Group) to conduct an audit of cable television franchise fees.

Mr. Paul moved to authorize an agreement with special counsel Daniel Cohen (Cohen Law Group) to audit both Comcast and Verizon franchise fees for the past few years, as outlined in his December 3, 2014 proposal. Mrs. Achenbach seconded the motion. The motion passed unanimously 5-0.

13. Consider renewing and authorizing the memorandum of understanding with the Central Bucks School District regarding the continuation of the School Resource Officer (SRO) Program.

Mr. Paul moved to renew the memorandum of understanding with the Central Bucks School District regarding the continuation of the School Resources Officer (SRO) Program, as reviewed and edited by the Township Solicitor. Mr. Hallowell seconded the motion. The motion passed unanimously 5-0.

14. MANAGER'S REPORT:

a. Consider approval of investment policy for police pension plan

Mr. Tieperman explained that the Township's new pension advisor, Peirce Park, has reviewed both the police and non-union pension plans and has prepared some recommended updates to both documents. Mrs. Achenbach stated she would like more time to review the plans. The Board unanimously agreed to table both documents until after the New Year.

b. Consider approval of investment policy for non-uniform pension plan

See comments above.

c. Consider approval of additional snow plowing contracts for 2014-2015

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the additional bids from BP Paving and Excavating, LLC and Bucks County Landscaping for 2014-2015 snow plowing contracts. The motion passed unanimously 5-0.

d. Consider authorizing legal ad for a zoning amendment to allow retail personal services in CBD District

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize a legal ad for a zoning amendment to allow retail personal services in the CBD District. Due to a longstanding record of permitting retail in the CBD and since permitting retail in the CBD is not associated with business campuses or mixed use development, Staff is recommending amending the Zoning Ordinance to allow arcades and special retail services.

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the legal ad's publication. The motion passed 4-0-1, Mr. Anderson abstaining.

e. Consider authorizing legal ad for a zoning amendment to allow multi-family apartments in C2 District.

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the legal ad for a zoning amendment to allow multi-family apartments in the C2 District.

f. Consider authorizing bid advertisement for the fire alarm installed at new DPW Facility.

Mr. Paul motioned, seconded by Mrs. Achenbach, to authorize the bid advertisement for the fire alarm installation at the new DPW Facility. The motion passed unanimously 5-0.

g. Consider authorization for records disposition

Mr. Anderson moved, seconded by John Paul, to approve the disposition of records as outlined in the attached Resolution.

h. Ratification of decision to participate in SEC self-reporting program

Mr. Anderson moved, approved by Mr. Paul, to ratify a decision to participate in a new voluntary self-reporting program through the Security and Exchange Commission (SEC). The motion passed unanimously 5-0.

15. CHAIRMAN'S REPORT:

a. Stagner Avenue

Mr. Anderson reported that plans for an acute care facility, which was approved by a prior Board and has long been dormant, is now active again. PennDOT has expressed a desire to see Stagner Avenue connect to Bristol Road. He said that when this was proposed before, several Stagner Avenue residents voiced their disapproval for this connection. He believes the new Bristol Road connector makes more sense and that the Township will be pushing for this alternative instead. Board members were in unanimous agreement with this approach.

b. Firearms

Mr. Anderson asked the Solicitor to begin researching the Township's firearms ordinance in light of the NRA's recent legal challenge to Doylestown Borough's firearms ordinances.

c. Historic Commission Appointment

Mr. Paul motioned, seconded by Mrs. Achenbach, to appoint Mr. Shu-I Tu (1025 Adams Court) to the Historic Commission effective January 1, 2014.

16. ENGINEER'S REPORT:

a. 2014 Road Program Update

Mr. Gockowski provided a 2014 Road Program Update. All roads in the contracts have been milled and paved.

b. Fee-In Lieu of Recommendation (Lankford Minor Subdivision)

Mr. Gockowski explained his methodology in recommending a \$16,800 fee-in-lieu-of open space contribution for the Lankford Minor Subdivision: .12 acres X \$140,000. The Board concurred with this calculation.

There was significant discussion over whether the Form 307 calculation formula is excessive for smaller developments. The consensus was that there should be a differentiation between major and minor subdivisions and that for minor lot subdivisions, there should be a fixed, per unit fee. Mr. Gockowski agreed to use this methodology in preparing a modification to the Township's Fee Schedule for next year.

17. SOLICITOR'S REPORT:

a. Consider amendment to Warrington Ridge land development agreement (Phases 1-2)

Mr. Casey explained the amendment's purpose is to authorize the Township crews to plow the undedicated, interior streets of Warrington Ridge for a set period of time until the developer has a chance to complete the final paving work and punch list items next Spring. Mr. Casey explained further that DCG has posted a dedicated escrow account to cover these cost and has indemnified the Township from any liability. Mr. Gockowski confirmed that the wearing courses have been winterized to prevent any damage to the plow trucks.

Mr. Anderson moved to approve this amendment to the land development agreement. Mr. Paul seconded the motion. The motion passed unanimously 5-0.

18. ESCROW AND MAINTENANCE BOND RELEASES:

a. Bound Commercial Building Escrow Release #1: \$370,807.00

Mr. Anderson moved, seconded by Mr. Paul, to approve the Bound Commercial Building Escrow Release #1 in the amount of \$370,807.00. The motion passed unanimously 5-0.

19. EXTENSION REQUESTS:

a. Consider approval of extension request until January 18, 2016 for Holbert minor subdivision plan

Mr. Anderson moved, seconded by Mr. Paul, to approve the extension for the Holbert minor subdivision until January 18, 2016. The motion passed unanimously 5-0.

20. DEDICATION REQUESTS: None

SUPERVISOR COMMENTS:

Mr. Hallowell inquired about a missing Adopt-A-Road sign near Folly and County Line Roads. Mr. Gockowski will check into this.

ADJOURNMENT

There being no further business Mr. Paul motioned, seconded by Mr. Hallowell, to adjourn the meeting at 10:15 p.m. The motion passed unanimously 5-0.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager

2015 FINAL BUDGET ALL FUNDS SUMMARY

Operating And Capital Funds	2014 Beginning Fund Balances	2014 Estimated Revenues	2014 Estimated Expenditures	2014 Ending Fund Balance	Proposed 2015 Revenues	Proposed 2015 Expenditures	2015 Ending Balances
General	2,220,251	12,736,809	12,726,969	2,230,091	12,815,400	12,810,025	2,235,466
Water/Sewer Capital Fund	1,204,158	1,193,000	1,719,000	678,158	2,053,000	1,254,000	1,477,158
Water/Sewer Operating Fund	2,939,713	6,407,300	5,527,825	3,819,188	6,402,500	6,383,900	3,837,788
Water/Sewer -2014 Bond Fund	0	10,004,000	0	10,004,000	15,000	4,747,000	5,272,000
Open Space	2,005,510	929,800	57,000	2,878,310	75,500	2,704,000	249,810
Capital Bonds - Roads Fund	355,564	700	356,264	0	0	0	0
Capital Projects (2014 Bonds)	0	4,001,500	550,000	3,451,500	4,000	3,455,000	500
Capital Reserve (2008 Bonds)	665,491	300	665,791	0	0	0	0
Capital Improvement Fund	0	500,350	537,000	(36,650)	1,020,600	975,000	8,950
Debt Service	(256,014)	1,762,800	1,505,617	1,169	1,641,500	1,639,064	3,605
Highway Aid Fund	527,662	510,866	888,563	149,965	544,600	480,209	214,356
Internal Service Fund	278,073	355,350	272,952	360,471	335,500	648,533	47,438
TOTALS	\$ 9,940,408	\$ 38,402,775	\$ 24,806,981	\$ 23,536,202	\$ 24,907,600	\$ 35,096,731	\$ 13,347,071