



WARRINGTON BOARD OF SUPERVISORS MINUTES FOR OCTOBER 27, 2015

ATTENDANCE

Gerald B. Anderson, Chairperson; John R. Paul, Vice Chairperson; Marianne Achenbach, Secretary/Treasurer; Shirley A. Yannich, Member; and Matthew H. Hallowell, Member. Staff present was James J. Miller, Interim Township Manager; William H.R. Casey, Esq., Township Solicitor, Thomas A. Gockowski, Township Engineer, Barry F. Lubber, Chief Financial Officer; Roy Rieder, Director of Planning and Barbara Livrone, Executive Assistant to the Township Manager.

PLEDGE OF ALLEGIANCE

Chairperson Anderson opened the meeting and asked for a moment of silence, followed by a pledge to the flag.

EXECUTIVE SESSION REPORT: Mr. Anderson stated Item #6 on the agenda was discussed during the executive session.

APPROVAL OF BILL LIST:

1. October 13, 2015 – October 27, 2015: \$ 626,358.39

Mrs. Achenbach motioned, seconded by Mr. Paul, to approve the bill list from October 13, 2015 through October 27, 2015 totaling \$ 626,358.39. By roll call vote, the motion passed unanimously 5-0.

APPROVAL OF MINUTES:

2. September 22, 2015

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the September 22, 2015 Meeting Minutes. The motion passed unanimously 5-0.

MINUTES FOR POSTING:

3. October 13, 2015

Mr. Paul motioned, seconded by Mrs. Achenbach, to approve the posting of the October 13, 2015 Meeting Minutes. The motion passed unanimously 5-0.

4. October 20, 2015

Mr. Paul motioned, seconded by Mr. Hallowell, to approve the posting of the October 20, 2015 Budget Work Session 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.*)

The following individuals spoke under public comment:

- Jeff Bigelow (2470 Park Road) noted there have been a lot of public comments about the Park Road closure at previous Board meetings. He wanted to provide a summary about the project to the public. Mr. Bigelow stated Park Road is a narrow road. Cars use Park Road as a cut-through and speed on this road. Mailboxes, signs and even a child have been hit. For safety, it is advantageous to close Park Road even if it is an inconvenience. He continued by stating this is a temporary measure.

Mr. Bigelow ask why the signs were up and then taken right down. Mr. Anderson responded by stating the details were not worked out and the signs will be installed soon. Mr. Anderson also noted the person who said they did not receive a notification letter actually did. The letter was mailed to his home address.

Mr. Bigelow also asked when the traffic light was being installed. Mr. Anderson said a date has not been determined.

- Al Pastore (2434 Park Rd) stated the street light at the corner was not illuminated. Mr. Gockowski responded by saying he spoke to the township's lighting consultant who reached out to PECO. The consortium will reinstall the light.
- Angela Marshall (2201 Lisa Drive) was following up with a meeting date that she had requested at the last Board meeting. Mr. Anderson said himself and the solicitor, Mr. Casey will schedule a meeting Thursday, October 29, 2015 with Ms. Marshall.
- Dorothy Serban (926 Elbow Lane) opposes the Geerling's proposed subdivision. During the hearings, she questioned why the residents bring up questions that aren't asked by the Board.

Mr. Anderson said these hearings are public and are similar to a court hearing. The Board sits on judgment and asks for Parties of Record. At the conclusion of the hearings, the Board will form their own questions and bring back Parties of Record.

Ms. Serban commented that the traffic concerns on Park Road will be shifted to other roads, i.e., Elbow Lane and should be closed.

Ms. Serban is an owner of a unit in Willow Knoll and is in favor of a homeowners association. Mr. Anderson stated that Willow Knoll development was approved without a homeowners association which was a mistake. Mr. Anderson said twenty eight years ago, the township relied on building permit fees to fund their budget. This is not the case today. The township did try fifteen years ago to have a homeowners association but was unsuccessful because all of the owners would not agree. There are a lot of absentee landowners in this development. Mr. Anderson said Warrington Township will be willing to help form a homeowners association in the Willow Knoll development.

- Valerie Ries (1275 Lisa Drive) commented there is a lot of trash piled by the basketball court and a disabled vehicle is taking up two parking spaces.

Mr. Anderson said there is a process to follow relating to disabled/abandoned vehicles. Regarding trash, Mr. Anderson has been sending the public works department out to clean up the Willow Knoll development.

PUBLIC HEARING: None.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):**5. Consider Plan Amendment for Bhakta Stipulation.**

Mr. Anderson motioned, seconded by Mr. Paul to table this item because the plan was not ready. The motion was passed unanimously 5-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**6. Consider Cooperative Agreement between the United States of America National Guard Bureau and Warrington Township Water and Sewer Department.**

Mr. Anderson stated the federal government will be spending over \$5 million dollars to upgrade our water system by bringing three Township wells on line and to provide water to homes at no cost to the residents. The township wells affected are Wells 1, 2 and 6. Mr. Anderson introduced Timothy J. Bergere, counsel for the Water and Sewer Department who negotiated an agreement between the Township and the United States U.S. Air Force. Mr. Bergere presented a summary of the cooperative agreement. The United States is reimbursing the township to install a granular activated carbon treatment system on the township's three wells removing PFCs in the groundwater. Additionally, they will be funding to connect certain residents who have their own PFC-impacted private water supply wells to the Township's public water system, close/abandon the private water supply wells of residents whose wells are replaced with public water; and cover the cost of purchased water obtained while its own supply wells are out of service. The United States, over the course of the next five years will be reimbursing the township for \$5.9 million for this scope of work.

Public Comment:

David Gibson (259 Folly Road) asked how far from the Willow Grove Naval Air Base in Horsham did the contamination travel.

Present in the audience was former Water and Sewer Manager, K. Fred Achenbach, Jr. Mr. Achenbach said the Navy and Air Force identified the wells within a one mile radius from the base were contaminated. The township did not find any well contamination outside of this radius. He noted that properties east of Folly Road were affected but most residents were already on public water.

Mr. Bergere said the EPA will test wells.

Mr. Achenbach thanked the following people who were instrumental in working on this project: Mr. Bergere who provided the cooperative agreement; Solicitor Bill Casey, Marty Kepner, P.E., Carroll Engineering, Tom Gockowski, P.E., Carroll Engineering, and Sean Zhang, Ph.D., P.E., Carroll Engineering; Congressman Michael Fitzpatrick; Tim Hagey, Manager, Warminster Township Municipal Authority and Tina O'Rourke, Business Manager, Horsham Township Water and Sewer Authority.

Nancy Beresovoy (2505 Cindy Lane) questioned the meaning of PFCs. Mr. Bergere said according to the EPA and Department of Health's website, there is not enough science to establish a health standard for PFCs.

Mr. Anderson stated for more information, to contact the Township's Water and Sewer Department.

Mike Kelly (135 Muirfield Lane) asked if the contamination was a result of jet fuel. Mr. Bergere said it was not, but caused by air station personnel burning trash, old parts and solvents in fire pits and putting out fires with foam which left PFCs behind to seep into the groundwater.

Mr. Paul motioned, seconded by Mrs. Achenbach to authorize the Chairman to execute the Cooperative Agreement between the United States of America National Guard Bureau and the Warrington Township Water and Sewer Department. By roll call vote, the motion passed unanimously 5-0.

7. Consider authorization approving Resolution for supervisors to be trustees for both pension plans.

This resolution rescinded Resolution # 2015-R-41 which gave James Miller and Barry Luber signature authority for routine expenses of the Pension Plans. This new resolution authorizes the Board of Supervisors signature authority for all expenses of the Police and Non-Uniform Pension Plans. Mr. Paul motioned, seconded by Mr. Hallowell to authorize the supervisors to be trustees for both pension plans. The motion was passed unanimously 5-0.

8. Consider authorization approving Ordinance creating Oak Avenue Water District.

Mr. Anderson noted this Ordinance was properly advertised on October 20, 2015. A new water district consisting of twenty parcels using R2 zoning was created for the Oak Avenue extension project. Mr. Paul motioned, seconded by Mr. Hallowell to approve an Ordinance creating the Oak Avenue Water District. The motion passed unanimously 5-0.

9. Consider Change Order # 1 for the PECO Powerline Trail.

The proposed walking trail is proposed to cross an intermittent swale having an existing 18" diameter corrugated metal pipe. This pipe was found to be corroded and needs to be replaced at a net increase of \$1,972.00. Mr. Paul motioned, seconded by Mrs. Achenbach to approved Change Order # 1 for the PECO Powerline Trail. The motion passed unanimously 5-0.

10. Consider approval for the Comprehensive Plan Questionnaire.

Planning Commission Chairman Fred Gaines presented a proposed questionnaire to be distributed to the residents of Warrington Township. The Planning Commission asked for feedback from the other boards and commission and then wrote the questionnaire. The information obtained will serve as the basis for implementable plans for the future development and redevelopment of Warrington Township. Based upon the results, the elected officials will be able to modify the governing documents for the Township over the next ten to twenty years. Mr. Gaines stated the Comprehensive Plan serves as a guide. The Board asked for the following revisions to the questionnaire:

- Item # 2 – separate out passive and active recreation for parks. (Marianne Achenbach)
- Add enough space at the end of the questionnaire for residents to add their comments. (Marianne Achenbach).
- Item # 3 – The Township does not have the ability to tell a homeowner not to tear down their historic site. (John Paul).
- Item # 20 – add 20-A: Willing to approve a tax increase to provide fire services. (Jerry Anderson)

Ms. Yannich applauded the planning commission for their efforts. She also noted this is an important step for planning the next ten to twenty years.

Mr. Anderson requested the questionnaire to be placed in the next Township's newsletter with a self-addressed stamped envelope.

Public Comments:

Terry Marks (2320 Stagner Avenue). Mrs. Marks suggested adding the questionnaire as a link to the Township's website to file electronically.

Mr. Anderson stated he would prefer sending the questionnaire in the Link because not everyone has a computer.

Jeff Bigelow (2470 Park Road). Mr. Bigelow suggested that the questionnaire explain a Comprehensive Plan.

Mike Kelly (135 Muirfield Lane) questioned the Comprehensive Plan and future building in the Township.

Mark Bartow (2488 Park Road) also questioned the Comprehensive Plan.

Mr. Anderson responded by saying the Township will hold meetings and hearings before the Comprehensive Plan is approved. Mr. Anderson also noted the plan is a guideline.

Mr. Anderson motioned, seconded by Mr. Paul to approve the mailing of the questionnaire for the Comprehensive Plan with the noted revisions. The motioned passed unanimously 5-0.

11. Review and Comment proposed RA to R-1 re-zoning as submitted by the Planning Commission.

The Planning Commission recommends revising the Township Map to convert much of the RA Zoning District to R-1. Mr. Anderson asked the Board for their comments. Mr. Paul stated there is no interest to look at smaller lots until the questionnaire comes back and the analysis has been submitted to the Board.

Public Comment:

Mike Kelly (135 Muirfield Lane) does not want the zoning changed. He feels this would be encouraging more building.

12. Consider approval of Declaration of Restrictions and Covenants for termination of NPDES Permit for the Public Works Building.

Mr. Anderson asked Mr. Gockowski if all was in order for the Declaration to be signed. Mr. Gockowski stated the Declaration assigns maintenance responsibility subject to the Best Management Practices. This Declaration runs with the land, containing approximately 5.2 acres in land, Tax Parcel #50-004-107-001 in perpetuity. Mr. Anderson added that if someone disturbs more than 1,000 square feet they would be fined by violating the Stormwater Management Act. The Bucks County Conservation District is the agency to be contacted before construction takes place. Mr. Paul noted a fine is approximately \$10,000. Mr. Anderson requested an article about the Stormwater Management Act placed in the next township newsletter. Mr. Paul motioned, seconded by Mr. Hallowell to approve the Declaration of Restrictions and Covenants for termination of the NPDES permit for the Public Works Building. The motion passed unanimously 5 to 0.

13. MANAGER'S REPORT: None

14. CHAIRMAN'S REPORT:

- a. Discuss possible acquisition of DiPrato parcel, TMP # 50-048-006.

Mr. Anderson asked Mr. Rieder to present a possible land acquisition of the DiPrato parcel, TMP# 50-048-006. Mr. Rieder indicated this parcel is 6.8 acres and is located on the east side of Stump Road opposite the intersection of Greenwood Terrace. This parcel is divided in two by a stream and is surrounded on three sides by township property. The township is interested in acquiring this parcel for open space. One appraisal has been acquired and a second appraisal is necessary to utilize County Open Space Funds. A motion was made by Mr. Anderson, seconded by Ms. Yannich to move forward and obtain open space funds from Bucks County. The motioned passed unanimously 5 to 0.

b. Discuss possible dates for Geerling hearings.

Mr. Anderson asked for feedback from the Board for possible dates to hold the next Geerling hearings. The Board approved Monday, November 23, 2015 and Monday, December 14, 2015. If needed, Thursday, December 17, 2015 will be scheduled as a tentative date. Mr. Anderson directed Mr. Casey to send a notification letter to the Parties of Record asking them to be prepared to bring witnesses and make a presentation.

Public Comment:

Mike Kelly (135 Muirfield Lane) questioned the procedure to present a witness.

Dorothy Serban (926 Elbow Lane) stated Metropolitan is advertising the construction of 102 homes on the Geerling tract and asked the Board to notify the developer to remove this ad from their website.

Mr. Anderson said the Board does not have the authority to tell anyone what to put or not put on their website.

15. ENGINEER'S REPORT:

a. M&M Storage Update (Malcolm's)

Mr. Gockowski reported the demolition permit has been signed, however additional asbestos was found and has to be removed before demolition can be scheduled.

16. SOLICITOR'S REPORT:

Mr. Casey received a letter from Cellco Partnership d/b/a Verizon Wireless requesting a continuance of a hearing scheduled for November 10, 2015 to be presented at the December 8, 2015 Board of Supervisors meeting. Mr. Anderson motioned, seconded by Mr. Paul to accept the request to continue the hearing until December 8, 2015. The motion passed unanimously 5-0.

17. ESCROW AND MAINTENANCE BOND RELEASES: None

18. EXTENSION REQUESTS: None

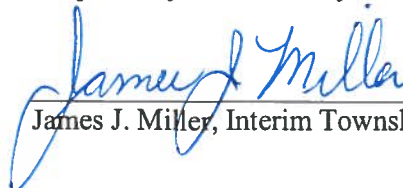
DEDICATION REQUESTS: None

SUPERVISOR COMMENTS: None

ADJOURNMENT

There being no further business Mr. Paul motioned, seconded by Mr. Hallowell, to adjourn the meeting at 9:30 p.m. The motion passed unanimously 5-0.

Respectfully Submitted By:


James J. Miller, Interim Township Manager