

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
SEPTEMBER 2, 2008

Members Present: Judith A. Algeo, Esq., Chair
Edward P. Thompson, Vice Chairman
John Cox, Member

Others Present: Gail Weniger, Township Manager
Dave Connell, Township Engineer
Mary Eberle, Township Solicitor
Tom Scott, Assistant Manager
Linda Grant, Recording Secretary

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' August 14, 2008 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:05 p.m., Chair, Judith Algeo who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ August 4, 2008 (exhibit)

Motion by Mr. Cox to approve the Board of Supervisors' public meeting minutes for August 4, 2008, as submitted.
Second to motion by Mr. Thompson.

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed.

(J. Cox, J. Algeo – in favor; E. Thompson – abstained)

■ **EXECUTIVE SESSION:**

Chair Algeo reported that the Board of Supervisors' had met in executive session prior to this evening's meeting to discuss matters of open space.

■ **ANNOUNCEMENTS:**

Ms. Algeo announced that the Water and Sewer / Board of Supervisors' public meeting scheduled for Friday, September 5, has been postponed, and a date will be announced later.

September 2, 2008
page 2 of twelve pages

■ **CITIZENS COMMENTS:** There were no citizen comments.

➤ **MANAGER REPORT:**

⇒ Accept Resignation from Zoning Hearing Board and Vacancy Board: Frank Peluso (no exhibit)

Ms. Weniger reported that Frank Peluso, after over 20 years of service to the Township, including chairman of the Board of Supervisors, has moved outside of Warwick Township. Mr. Peluso has submitted his resignation from his position on the Warwick Zoning Hearing Board and as Vacancy Board Chairman.

Ms. Algeo thanked Mr. Peluso for his many years of service to the Township.

**Motion by Mr. Thompson to accept Frank Peluso's resignation from the Zoning Hearing Board.
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion noting that the Township will miss Mr. Peluso. The vote was then called.

Motion passed unanimously.

⇒ Appointment to Zoning Hearing Board – Dave Mullen (no exhibit)

**Motion by Mr. Thompson to appoint Dave Mullen to finish the term of Frank Peluso on the Zoning Hearing Board, term to expire December 31, 2008.
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

⇒ Appointment to position of Vacancy Board Chairman – Joe Volk (no exhibit)

**Motion by Mr. Thompson to appoint Joe Volk to the Vacancy Board Chairman position, term to expire December 31, 2008.
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

Ms. Weniger pointed out that with the appointment of Dave Mullen to the Zoning Hearing Board, there is now a need to replace him as Zoning Hearing Board Alternate.

⇒ Support SB1074 – HB456 (exhibit)

Ms. Weniger reported that SB1074 and HB456 are bills to support legislation to increase the amount required for bid, from \$10,000 to projects that are \$25,000 and to increase the amount required for getting quotes from \$4,000 to \$7,000.

September 2, 2008
page 3 of twelve pages

Mr. Thompson said he is not in favor and does see a benefit to changing the amount. There is still the ability that should there be an emergency, the bids are not needed.

Ms. Weniger noted the amount has been in place for more than 20 years and there are costs to doing bids and the costs are higher then they were previously. Costs involve advertising and sometimes engineering costs.

Mr. Cox asked if the expenses incurred over \$10,000 happens often. Ms. Weniger believes that as time goes by, it will be more often because more things cost \$10,000. Ms. Weniger noted Parks and Recreation capital projects for next year has three things that will require three bids to be written.

Mr. Cox agrees with Mr. Thompson that we should not change things.

⇒ Doylestown Comprehensive Plan – Comments (no exhibit)

Ms. Weniger reminded that this draft plan had previously been sent to the Board and for review and comment. No comments were noted.

⇒ DCED Grant Award – (exhibit)

Ms. Weniger reported the DCED grant amount is \$28,000 for community revitalization to be used for the 275th celebration.. Representative Bernie O'Neill sponsored \$8,000 dollars and Senator Tomlinson sponsored \$20,000.

Ms. Weniger noted that in addition to this \$28,000, we received \$10,000 from Hatboro Federal Savings for the fireworks, \$5,275 from First National Bank and with the other vendors and sponsors, we probably have about a \$50,000 weekend coming up, allowing us to offer things free or almost free.

Chair Algeo reminded all in attendance that the Warwick Day Weekend is coming which includes a movie on Friday, Warwick Day all day Saturday, fireworks and a bus tour of Warwick's Treasures on Sunday.

⇒ Bill Payments – August 18, 2008 (exhibit)

General Fund		
Check N ^o . 15583 - 15629	\$	103,008.12
Park & Recreation		
Check N ^o . 4634 through 4652	\$	15,921.10
Capital Projects Fund		
Check N ^o . 1067 - 1070	\$	1,095.12
Firehouse & Equipment Fund		
Check N ^o . 222	\$	2,931.00
Highway Aid Fund		
Check N ^o . 25333 through 2534	\$	<u>106,478.94</u>

September 2, 2008
page 4 of twelve pages

Total - **\$ 229,434.28**

Motion by Mr. Thompson to approve Bill Payments for August 18, 2008, subject to audit.

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

⇒ Bill Payments – September 2, 2008 (exhibit)

General Fund	
Check N ^o : 15630 - 15670	\$ 75,860.62
Park & Recreation	
Check N ^o : 4653 through 4671	\$ 20,520.60
Capital Projects Fund	
Check N ^o : 1071 - 1078	\$ 5,666.33
Open Space Fund	
Check N ^o : 363	\$ <u>588.00</u>

Total - **\$ 102,635.55**

Motion by Mr. Thompson to approve Bill Payments for September 2, 2008, subject to audit.

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

⇒ Financial / Treasurer's Report – July 2008 (exhibit)

General Fund	\$ 4,280.592
Firehouse and Equipment	1,094,096
Road Machinery Fund	223,890
General Obligation / Sinking Fund	956,873
Open Space Fund	125,687
Capital Projects Fund	1,359,530
Highway Aid Fund	296,147
Parks and Recreation	631,226
Capital Reserve	<u>637,662</u>

Total **\$ 9,605,703**

September 2, 2008
page 5 of twelve pages

**Motion by Mr. Thompson to accept the Treasurer's Report for July 2008, as prepared by Rose Christie, Finance Director and subject to audit.
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

■ **ASSISTANT MANAGER:**

⇒ Eckert – Request Preliminary Plan Approval (exhibit)

Nick Rose, engineer for applicant, is requesting preliminary plan approval. Mr. Rose spoke of individual driveway widths. Dave Connell, Township Engineer, reported that applicant did further surveying to find a way for the least amount of disturbance. Mr. Rose said that there were site changes for some houses because of the amount of land disturbance.

CKS review letter, dated August 14, 2008:

- #3 – will provide copy of a letter from DeVal Soils indicating they have done testing.
- #6 – applicant states proposal of improvements equivalent to what was done on the Pizzo tract. Applicant will comply with details of item #6.
- #8 – requesting fee in lieu of open space
- #10 – waiver requests regarding Long Lane and release rate of stormwater management.

Mr. Thompson asked for an explanation of the testing being talked about in item #11. Mr. Connell spoke of DPDES regulations and stated that an annual report requires that the Township look at ¼ of the Township every four years. Currently the Township Engineer is doing that, but the concentration is on basins.

Regarding waiver request in item #10, Mr. Connell does not believe the first waiver, as to the roadway widening criteria, is applicable. Item #11 waiver as to the release rate is acceptable.

- #11 – applicant will comply with all items in #11.
- #14 – Mr. Rose stated applicant feels less impervious coverage is good, and notes that 12 foot width complies with the ordinance.

Mr. Thompson has no problem with 12 foot width. Mr. Cox and Ms. Algeo would rather see a width of 16 feet.

#18 – will comply

Mr. Thompson would like to explore the possibility of Water and Sewer for these three lots. Mr. Thompson also would like to see alternate/backup septic sites. Mr. Rose believes testing has only been done for the primary system. Mr. Thompson also believes Long Lane should be the same width as the Pizzo Tract.

Mr. Cox agrees that water and sewer should be explored. Mr. Cox asked if the stormwater runoff responsibility would transfer to the homeowners. Mr. Connell said the maintenance of the system is identified on the plan as being the responsibility of the homeowner.

September 2, 2008
page 6 of twelve pages

Mary Eberle, Township Solicitor, noted that we now require stormwater agreements with every development.

Ms. Algeo also believes we must explore the water and sewer issue. Ms. Algeo wants sidewalks and said she believes it was a mistake not putting sidewalks in before. Mr. Cox agrees. Ms. Algeo also has concerns about the shared driveway. Mr. Rose notes there will be an agreement between property owners regarding the driveway so that the Township will not have to deal with problems or disputes.

Mr. Thompson sees no point in putting in 200' of sidewalk to nowhere. Mr. Cox believes it is always a mistake to give up sidewalks and states that he would be willing to agree to more of a trail/macadam walkway there. Mr. Connell notes that we build blacktop trails to a width of 6 feet.

Mary Eberle, Township Solicitor, asked if applicant is to explore public water and sewer or just public sewer. Ms. Algeo said applicant needs to explore water and sewer, but sewer definitely. Ms. Eberle asked who will make the decision as to whether water and sewer is feasible. Mr. Thompson believes it would be the decision of the water and sewer authority.

Mr. Thompson made a motion to grant preliminary approval for the Eckert subdivision, subject to:

- CKS letter, dated August 14, 2008;
- between the time of preliminary and final approval, applicant shall explore the possibility of public water and sewer;
- alternate septic system sites, if septic system is to be used;
- road widening;
- six (6) foot wide bituminous trail in front of the property

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

⇒ Zaks Sketch Plan (exhibit)

Rob Gundlach, attorney for applicant, noted that Sharon Fidele, Main Street Group and Henry Zaks are present this evening.

Mr. Gundlach gave a summary of the project, noting there will be two (2) types of homes. Mr. Gundlach asks if the Board would be receptive to inclusion of a portion of the zoned office property to be included in the ACT537 plan.

Mr. Thompson asked about the two types of houses. Mr. Gundlach noted B3 gives multiple choices, single family, townhouses and apartments. There are two types of single family homes – a village home and an off-center home. VH and OC notes the location of these homes on the plan.

Mr. Thompson believes we should only accept full improvement on School and Mill Roads. Mr. Thompson has no problem with this parcel being included in ACT537.

There was discussion of road improvements, with applicant proposing road improvement up to the bridge with a 24 foot wide, blacktop roadway with swales. Applicant would complete certain repairs to the bridge. Included in discussion was a suggestion to make Mill Road one

September 2, 2008
page 7 of twelve pages

way, to try to guide traffic to the traffic light. Mr. Thompson noted problems trying to get PennDOT to put in lights and to make intersections safer. Mr. Gundlach said if the bridge remains one lane each way, it would serve as traffic calming. Mr. Thompson said he may consider that option. Mr. Cox also said he would consider that option if the bridge could be certified to last. Mr. Connell believes the bridge is structurally adequate and reminds that the bridges in the Commonwealth are inspected every two years.

Ms. Algeo asked of applicant is planning to get rid of the farm house? Applicant said it will be used as a residential home. Mr. Gundlach suggests that applicant should look at the bridge and road improvements in more detail before going further with this project. Applicant will then submit a modified sketch to focus on issues discussed this evening.

Mr. Thompson noted the large area for a detention basin and asked if there is a way to avoid some of the disturbance required for a basin this size. Mr. Connell said the basin is probably the engineer's guess on what size the basin needs to be and on-lot seepage pits could be considered.

⇒ Studley – Request Preliminary/Final Approval (exhibit)

During extensive discussion regarding the septic systems, Mr. Thompson asked applicant if they would hook up to water and sewer if the Township considers amending ACT 537. Peter Stratton, representing applicant, reported that the DEP denies ACT537. Applicant does not want to hold up what they are doing while waiting for the amendment. Dave Connell, Township Engineer, believes if all the proper people, such as the Water and Sewer Authority, the Board of Supervisors, etc., support inclusion in ACT537, this could be accomplished. Mr. Stratton notes the neighbors would like this to be included in ACT537.

Mary Eberle, Township Solicitor, commented that applicant is undertaking the expense of installing a sand mound, and then if ACT537 is amended, applicant would be within 150 feet and may be required to hook up to public water and sewer.

Dan Spearing, 1459 Stony Road, distributed photos to the Board of Supervisors, depicting failing septic systems in the existing development. Mr. Spearing's six year old system is failing. Mr. Spearing is also asking that the wetlands study be addressed, and reiterates there should not be another septic system on this property. Mr. Rose stated there was a study and there are no regulated wetlands on the property. Mr. Rose will forward the report to the Township.

After discussion, Mr. Thompson said he believes we really should evaluate the water and sewer aspects of the plan. Mr. Cox agrees with Mr. Thompson. Mr. Cox asked for clarification of item #4 in the CKS letter. Dave Connell, Township Engineer, explained what a seepage pit is and also explained pipe storage.

Applicant states all items in CKS' review letter, dated August 4, 2008, are will comply. Ms. Algeo stated that she believes applicant should look at the ACT537 plan before this plan can be approved and notes she is reluctant to have another house there without resolution of the issue. Ms. Algeo also said the plan in December with four houses looks very similar to this plan, and we could still end up with another two houses.

Mary Eberle, Township Solicitor, reminds that the Board has some backup for not making a decision tonight since a list of waivers has not been submitted.

September 2, 2008
page 8 of twelve pages

Nick Rose clarified that besides the sewer issue, the waiver items are relatively minor. Ms. Algeo notes applicant needs to go to Water and Sewer regarding an amendment for ACT537, then applicant will need to come back to the Board of Supervisors.

⇒ 2140 York Road, Mom's Flower Shoppe – Corridor Overlay - Sign (exhibit)

Applicant notes this is a new operation and there is no relationship with the prior owners.

**Motion by Mr. Thompson to approve the Mom's Flower Shoppe, 2140 York Road, Corridor Overlay Sign, as presented.
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

⇒ 2155 York Road, Commerce Bank – Corridor Overlay - Sign (exhibit)

Tom Scott believes applicant is proposing to change the look of the sign, but not the size.

Mary Eberle, Township Solicitor, reminded that there is an issue on the second lot. Rite Aid was supposed to file the documents when they came in for their approval that Commerce was supposed to put a note on the plan that the second lot could not be developed. Commerce never put the note on the plan, there is reference to it in the development agreement. Ms. Eberle said we need to get in touch with these people and make sure they are aware of the restriction.

**Motion by Mr. Thompson to approve the 2155 York Road, TD Banking (formerly Commerce Bank), Corridor Overlay Sign, as presented.
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

Ms. Weniger announced that Katrina Harding and Tom Scott are now certified planners.

■ **SOLICITOR REPORT:**

⇒ Ordinance N^o: 2008-02 – Temporary Storage Ordinance – Consider Adoption (exhibit)

Chair Algeo invited public comment. There being none, Ms. Algeo called for a motion.

**Motion by Mr. Thompson to approve Ordinance N^o: 2008-02 – Temporary Storage Ordinance, as presented by the Township Solicitor.
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

September 2, 2008
page 9 of twelve pages

Ms. Weniger noted that this ordinance will be in the next newsletter since it applies to everyone.

⇒ Ordinance N^o. 2008-03 – Speed Limit Amendments for Mill Road and Meetinghouse Road Ordinance – Consider Adoption (exhibit)

Mary Eberle, Township Solicitor, reported that this ordinance would establish a 25 mph speed limit for Meetinghouse Road, north of Almshouse, and from Mill Road to the Township boundary. Ms. Eberle noted the ordinance should read 25 mph and she will add this to the ordinance.

Chair Algeo invited public comment. There being none, Ms. Algeo called for a motion.

Motion by Mr. Thompson to approve Ordinance N^o. 2008-03—speed limit amendments to Meetinghouse Road and Mill Road, as presented by the Township Solicitor. Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

⇒ Hahn Tract Phase II – Project Dedication (exhibit)

Mary Eberle, Township Solicitor, reported Hahn Tract, Phase II is also known as Windrush/Woodfield, Phase V. Ms. Eberle notes the open space has all been dedicated, the detention basins have all been dedicated and what is left are portions of Fairmount Drive, Lafayette Drive and Dorset Way and Arbor Court. Applicant has posted maintenance security and has submitted the fee for the detention basins and the matter is ready for dedication.

Motion by Mr. Thompson to accept deed of dedication to resolutions, as follows:

- Resolution N^o. 2008-20, Fairmount Drive
- Resolution N^o. 2008-21, Arbor Court
- Resolution N^o. 2008-22, Lafayette
- Resolution N^o. 2008-23, Dorset Way

**as submitted by the Township Solicitor.
Second to motion by Mr. Cox.**

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

■ **ENGINEER REPORT:**

⇒ Borgeson Tract, Escrow Release N^o. 8 (exhibit)

Dave Connell, Township Engineer, presented the above Escrow Release for approval.

Motion by Mr. Thompson to approve Borgeson Tract, Escrow Release N^o. 8, in the amount of \$14,951.50, (leaving a balance of \$43,519.52), as presented by the Township Engineer.

September 2, 2008
page 10 of twelve pages

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

⇒ Kendarbren Partners, L. P. (Meyer Mini Warehouse) Escrow Release N^o 6 (exhibit)

Dave Connell, Township Engineer, presented the above Escrow Release for approval.

Motion by Mr. Thompson to approve Meyer Mini Warehouse, Escrow Release N^o 6, in the amount of \$1,800.00, (leaving a balance of \$44,559.57), as presented by the Township Engineer.

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion.

Motion passed unanimously.

⇒ Nestle Wood Estates / Morrison Tract, Escrow Release N^o 17 (exhibit)

Dave Connell, Township Engineer, presented the above Escrow Release for approval.

Motion by Mr. Thompson to approve Nestle Wood Estates / Morrison Tract, Escrow Release N^o 17, in the amount of \$7,100.00, (leaving a balance of \$62,653.63), as presented by the Township Engineer.

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion.

Motion passed unanimously.

⇒ Warwick Meadows III, Escrow Release N^o 2 (exhibit)

Dave Connell, Township Engineer, presented the above Escrow Release for approval.

Motion by Mr. Thompson to approve Warwick Meadows III, Escrow Release N^o 2, in the amount of \$69,856.20, (leaving a balance of \$555,453.85), as presented by the Township Engineer.

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion.

Motion passed unanimously.

⇒ Warwick Meadows III, Escrow Release N^o 3 (exhibit)

Dave Connell, Township Engineer, presented the above Escrow Release for approval.

September 2, 2008
page 11 of twelve pages

Motion by Mr. Thompson to approve Warwick Meadows III, Escrow Release N^o 3, in the amount of \$17,750.00, (leaving a balance of \$537,703.85), as presented by the Township Engineer.

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion.

Motion passed unanimously.

⇒ York Road Mini Storage Expansion, Escrow Release N^o 2 (exhibit)

Dave Connell, Township Engineer, presented the above Escrow Release for approval.

Motion by Mr. Thompson to approve York Road Mini Expansion, Escrow Release N^o 2, in the amount of \$7,045.00, (leaving a balance of \$18,365.50), as presented by the Township Engineer.

Second to motion by Mr. Cox.

Chair Algeo invited comment or discussion.

Motion passed unanimously.

⇒ Walgreen's Escrow Release N^o 4 (exhibit)

Dave Connell, Township Engineer, presented the above escrow release for approval, while noting that this escrow release was tabled at the last meeting. Mr. Connell believes the reasons it was tabled previously have not changed.

Herb Sudfeld, attorney for applicant, was present to explain the process for the improvements. Also present were Mr. Henry and Mr. Messick. Mr. Sudfeld notes Mr. Henry cannot pay his contractors without approval of this escrow release.

There was brief discussion regarding the roadwork that needs to be done. Mr. Messick said the work will be done in the next two weeks. Mr. Sudfeld said that Mr. Henry is asking for a release for work that has been done, and approved by CKS. Mr. Sudfeld reminds there is still money in escrow.

Motion by Mr. Thompson to approve Walgreen's, Escrow Release N^o 4, in the amount of \$78,481.50, (leaving a balance of \$87,277.50), as presented by the Township Engineer.

Second to motion by Ms. Algeo.

Chair Algeo invited comment or discussion.

Motion passed.

(E. Thompson, J. Algeo – in favor; J. Cox – opposed)

■ **OLD BUSINESS:**

➤ Mr. Thompson asked when the ordinance review will come to the Board of Supervisors. Ms. Weniger notes we have 100 pages done with staff for the SALDO, we have met with the Engineer and Solicitor and were able to do 17 pages.

September 2, 2008
page 12 of twelve pages

➤ Mr. Thompson noted the detention basin at the end of his street is flowering, and said that it looks good.

■ **NEW BUSINESS:** There was no new business this evening.

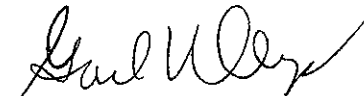
■ **PUBLIC COMMENT:**

John Gamble, reminded that for the village style look, the fences were supposed to be half way up the front lawn and the Board granted waivers to get them by the curb. Mr. Gamble hopes this look will be the same in the next stage.

■ **ADJOURNMENT:**

The September 2, 2008, Warwick Township Board of Supervisors' Reorganization meeting was adjourned at 9:30 p.m.

Respectfully submitted,



Gail V. Weniger,
Township Manager/Secretary

These minutes were approved at the
Board of Supervisors' meeting held: **September 15, 2008**