

**WARWICK TOWNSHIP**  
Board of Supervisors' Public Meeting Minutes  
**OCTOBER 5, 2009**

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

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

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' October 5, 2009 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:05 p.m., by Chair, Judith Algeo who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ September 21, 2009 Board of Supervisors' public meeting minutes. (exhibit)

**Motion by Mr. Cox to approve Board of Supervisors' public meeting minutes for September 21, 2009, as submitted.**  
**Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

■ **EXECUTIVE SESSION:**

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

■ **ANNOUNCEMENTS:**

Ms. Algeo announced that the Board of Supervisors' meeting scheduled for October 19 has been cancelled. There will be a joint meeting with the Warwick Water and Sewer Authority on Monday, October 26, at 7:00 p.m.

Ms. Algeo also announced that the Moland House is offering free tours to Warwick Residents on Sunday, October 11 from 1:00 p.m. until 4:00 p.m.

■ **CITIZENS' COMMENTS:**

⇒ Cindy Beck, Hart Lane, said she has already spoken with Gail and with John Cox regarding runoff on Hart Lane. Ms. Beck explained the damage and erosion that has been caused by water runoff and that she and some of her neighbors believe it is because the roadway is paved too high. Ms. Beck distributed papers to the Board of Supervisors and is asking that the Board come and look at the situation. Ms. Beck is hoping that the Board and the residents can work together to re-direct the runoff so it will stop causing damage.

■ **MANAGER'S REPORT:**

⇒ 2975 York Road – Emergency Planning Module (ACT 537) Exemption (exhibit)

Ms. Weniger presented this matter, noting a failing septic system on a project that is to be coordinated with the York Road project currently underway.

**Motion by Mr. Cox to approve the request for 2975 York Road – Emergency Planning Module (ACT 537) Exemption, as presented.  
Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

⇒ Salt Bid - Recommend Award (exhibit)

Lorenzo Cuoci, Public Works Director, recommends that the Board of Supervisors award the 2009-2010 Salt Bid to International Salt Co., L.L.C., at a cost of \$57.85 per ton, delivered. Mr. Cuoci notes that this is the low bidder from the Bucks County Consortium bid.

Mr. Cox asked what the price difference is from last year. Mr. Cuoci noted that the price is \$11.35 less than last year, citing lower fuel costs.

**Motion by Mr. Cox to award the 2009-2010 Consortium Salt Bid to International Salt Co., L.L.C. at a cost of \$57.85 per ton, as recommended by the Public Works Director.  
Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

⇒ Snow Plow Bid – Authorization to Advertise (exhibit)

Lorenzo Cuoci, Public Works Director, is seeking authorization to advertise the Snow Plow Bid for 2009-2010. Mr. Cuoci also reported that we will be using Penn Bid, an online bidding service. Ms. Weniger noted this process will reach more bidders and the cost should be slightly less.

Ms. Algeo asked if we have notified previous bidders. Mr. Cuoci said they have been notified and provided the web address to submit a bid. Mr. Thompson asked if we will still advertise in the local newspaper. Ms. Weniger noted that we will advertise per the legal bidding

requirements and list the web address in the advertisement. Penn Bid will then accept bids until the advertised time, at which time the bids will close and be tallied by Penn Bid.

**Motion by Mr. Cox to authorize advertisement of the 2009-2010 Snow Plowing Bid through Penn Bid, as requested by the Public Works Director.  
Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

⇒ 2100 York Road - Joy of Movement Dance Studio – Sign (exhibit)

Jennifer Koye, owner, was present to request renewal of a temporary sign permit.

The Board of Supervisors granted an extension of the temporary sign permit for Joy of Movement Dance Studio until June. In June, a continuation of the sign would require a review of the permanent sign requirements and a new submission.

⇒ Early Budget Discussion (exhibit)

Ms. Weniger presented information for early budget discussion and noted that the Township has a \$625,000 deficit. Ms. Weniger reported that the Township has not replaced staff with two positions in Administration and two positions in Public Works. She notes that will have to replace a key position where the employee is retiring. Ms. Weniger also notes that we have cut spending in many areas but face increases the Township has no control over. She cites pension funding, which is mandated by the State's newly adopted Act 44 as putting an additional burden on the Township in excess of \$300,000.

After some discussion the Board of Supervisors notes a need to explore options to cut costs and discuss what to do with the reserve account.

⇒ Resolution N<sup>o</sup>. 2009-26 - Granting an Easement for Construction of Public Sewer Services (exhibit)

Ms. Weniger presented a resolution allowing Northampton WTWSA to condemn a portion of TMP51-13-50, owned by Heritage Conservancy, for the construction of Public Sanitary Sewer for Northampton Township parcels.

Mr. Cox asked if Warwick Township will incur any costs associated with this matter. Ms. Weniger said no, the costs are Northampton Township WSA costs.

**Motion by Mr. Cox to approve Resolution N<sup>o</sup>. 2009-26, granting construction easement upon tax map parcel number 51-13-50, owned by Heritage Conservancy, in accordance with Northampton Authority Resolution nos. 2009-1052 and 2009-1053.  
Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

⇒ Bill Payments October 5, 2009 (exhibit)

General Fund Check N <sup>o</sup> : 16973 through 17017 (voiding Check N <sup>o</sup> : 16973 – 16975 and 1001)	\$ 753,357.12
Park & Recreation Check N <sup>o</sup> : 5256 through 5268	\$ 12,068.50
Park & Recreation Capital Projects Fund Check N <sup>o</sup> : 1016	\$ 293.25
Highway Aid Fund Check N <sup>o</sup> : 2545	\$ 114,781.24
Capital Projects Fund Check N <sup>o</sup> : 1132	\$ 460.00
General Obligation Fund Check N <sup>o</sup> : 1010 - 1011	<u>\$ 195,748.66</u>
Total -	<u>\$ 1,076,708.77</u>

**Motion by Mr. Cox to approve the October 5, 2009 Bill Payments, subject to audit.  
 Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

⇒ Treasurer's Report - August 2009 (exhibit)

General Fund	\$ 4,787,028
Firehouse and Equipment	1,247,260
Road Machinery Fund	207,247
General Obligation / Sinking Fund	895,185
Open Space Fund	122,452
Capital Projects Fund	91,287
Highway Aid Fund	376,038
Parks and Recreation	709,613
Parks and Recreation Capital Fund	1,464,141
Capital Reserve	<u>514,689</u>
Total	<u>\$ 10,414,940</u>

**Motion by Mr. Cox to accept the Treasurer's Report for August 2009, prepared by  
 Rose Christie and subject to audit.  
 Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

■ **SOLICITOR REPORT:**

⇒ Agreement with L&W partners, L.P. (Bucks County Country Club) (exhibit)

Mary Eberle, Township Solicitor, presented a settlement agreement for the Bucks County Country Club regarding over payment of amusement tax. Ms. Eberle notes that BCCC was unable to produce financial statements required by Township Resolution No. 2009-20, and therefore a refund has been negotiated. Ms. Eberle listed resolution of outstanding issues as follows:

- Refund in the amount of \$100,000;
- Within thirty (30) days BCCC will be credited with a contribution of \$17,110 to set aside toward the installation of a traffic signal at Deer Run Road and York Road;
- BCCC shall not be required to pay amusement tax on admissions to the pool facility at the BCCC facility for the years 2009, 2010, 2011, 2012 and 2013. In 2014, BCCC shall resume payment of amusement tax on the pool admissions collected during all four quarters in 2014;
- BCCC will be allowed a half page advertisement in the next Township newsletter, free of charge, provided BCCC forwards the graphic design for the advertisement, print ready, in time to be included in the next publication;
- This agreement fully resolves all issues regarding amusement taxes paid for all years prior to 2009.

**Motion by Mr. Cox to execute the settlement agreement for L&W partners, L.P., t/a Bucks County Country Club, 2600 York Road, Jamison, PA, 18929, as presented by the Township Solicitor.**

**Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

⇒ Heritage Creek Golf Course, (LD 03-08) – Substitution of Financial Security (exhibit)

Mary Eberle, Township Solicitor, presented a substitution financial security agreement from Creek Road Development Group, L.P., for Heritage Creek II Golf Course Community. Ms. Eberle explained that previously this was through Franklin Bank in Texas and will now be through Abington Bank, a local banking institution. Ms. Eberle reported that the amount of the Letter of Credit is now in the amount of \$1,068,500.64 while reminding that the original amount was \$3,000,000 (three million dollars) and now reflects adjustments for work done.

**Motion by Mr. Cox to approve the Irrevocable Letter of Credit for Heritage Creek II Golf Course Community, as presented by the Township Solicitor.**

**Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

⇒ Warwick Zoning Ordinance (no exhibit)

Mary Eberle, Township Solicitor, notes this item was not listed on this evening's agenda, but reports that we are trying to finalize the zoning ordinance. Ms. Eberle is asking for authorization to distribute the commercial zoning portions of document for review by the Bucks County Planning Commission and to advertise it for adoption by the Board of Supervisors.

**Motion by Mr. Cox to authorize distribution and advertisement of the zoning ordinance, as requested by the Township Solicitor.  
Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

■ **ENGINEER REPORT:**

⇒ Bid Award Consideration for York Road and Deer Run Road – (*tabled September 21, 2009*) (exhibit)

Dave Connell, Township Engineer, reports that the bid came in at much higher costs than had been estimated.

During discussion Mr. Thompson asked if Warwick Township could tie-in the work with PennDOT work that is to be done. Ms. Weniger notes that may not happen for a few years but could mean a substantial savings to the Township. Ms. Weniger also noted that we still need \$69,000 more to pay for the traffic light. So far, all we have are commitments from the Vo-Tech and from Diamond Ridge. Mr. Cox asked if we can coordinate with PennDOT to put the light in now and make improvements later. Dave Connell, said we would have to ask for a revision to the permit.

After discussion, the Board of Supervisors believes we need to piggy-back with PennDOT for the traffic signal project.

**Motion by Mr. Cox to reject any and all bids received for the York/Deer Traffic Signal Installation.  
Second to motion by Mr. Thompson.**

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

**Motion passed unanimously.**

■ **OLD BUSINESS:**

There was no Old Business to discuss..

■ **NEW BUSINESS:**

There was no new business to discuss.

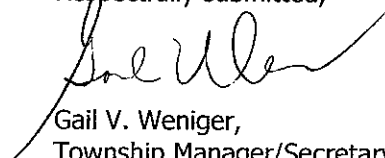
■ **PUBLIC COMMENT:**

➤ John Albert, Valley Road, spoke of damage to Township open space and the detention basin behind Warwick Lea. Mr. Albert said the damage is being done by individuals driving recreational vehicles around the property. They are cutting trees in the woods and generally making ruts causing erosion that will eventually lead to more trees dying. Mr. Albert is posting his property but believes the Township should address the problem of the recreational vehicles on the Township open space. Mr. Albert also suggested that if the Township gives that open space a name, because it may help to put ownership to the area, rather than having it thought of as vacant land.

■ **ADJOURNMENT:**

The October 5, 2009, Warwick Township Board of Supervisors' public meeting was adjourned at 8:00 p.m.

Respectfully submitted,



Gail V. Weniger,  
Township Manager/Secretary

These minutes were approved at the  
Board of Supervisors' meeting held: **November 2, 2009**

2009-07-27 10:00:00 AM  
Warwick Township

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Warwick Township

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Warwick Township