

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
JANUARY 16, 2007

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

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

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' January 16, 2007 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:02 p.m., by Chair, Judith Algeo, who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

1. December 18, 2006
2. January 2, 2007

Motion by Mr. Parrish to approve the Board of Supervisors' public meeting minutes for December 18, 2006 and the public reorganization meeting minutes of January 2, 2007, 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 announced that the Board of Supervisors' had met in executive session prior to this evening's meeting to discuss matters of open space and matters of litigation.

■ **ANNOUNCEMENTS:**

Gail Weniger announced that Heritage Conservancy is conducting a survey regarding the Little Neshaminy Creek and they are seeking input from the public. Survey forms are available here at the Township Building.

■ **MANAGER'S REPORT:**

⇒ Rite Aid – Concept Plan (exhibit)

Ms. Weniger reported that Rite Aid is here to present a concept to the Board of Supervisors. Ms. Weniger noted that as part of the history of this project, there was a problem previously with a lot line that the Board was unsatisfied.

Tim Duffy of Begley, Carlin, Mandio, attorney for applicant spoke of an agreement for the property at Almshouse and York Roads with the intention to put in a Rite Aid. Mr. Duffy summarized this project, in the corridor overlay district, noting that the Commerce Bank approval included a condition of no further subdivision. Mr. Duffy stated that Rite Aid has been trying to develop something that would justify the Board of Supervisors to reconsider that condition.

Applicant displayed a drawing, noting placement of the Rite Aid pharmacy, and gave a brief overview of the project concept. Applicant is proposing that the number of parking spaces be reduced from 60 to 52 and will be asking for a variance. Applicant noted creation of the corridor feel at the front of the building, and described proposed landscaping, buffered areas, etc.

Mr. Parrish recalls that the biggest objection was the infringement on the area of Commerce Bank, where we restricted development in the back of the building. Applicant notes there will be a slight infringement because more of a buffer has been provided in the front.

Mr. Thompson asked about material types proposed and also questioned the size of the building. Applicant states the building size proposed is the smallest that will work for Rite Aid at this site. Applicant also said the building is all brick and described colors and noted that the roof is shingled mansard. Mr. Thompson also asked about lighting. Applicant states that project will comply with all ordinances, and noted the front parking area would be lit and the drive through area would be lit. Additionally, light levels will be kept from shining onto adjacent properties.

Mr. Parrish asked if this is a twenty four (24) hour operation. Applicant states it is not, that the hours of operation proposed will be 8:00 a.m. until 10:00 p.m.

Also included in discussion of this project was a knee wall with the Township name along the road frontage, a clock in the green, the amount of impervious coverage. Mary Eberle, Township Solicitor, notes C1 and C2 allow 70% and Rite Aid is proposing 68%. Mr. Thompson asked about a utility easement to be acquired from the Exxon station. Rite Aid noted lot line changes that may result, will be in agreement with Commerce and they will share the basin. Ms. Eberle, Township Solicitor, noted that Commerce Bank will need to sign off. The building signs are externally illuminated. Rite Aid will be requesting two variances: 1) parking setback along Almshouse Road; 2) a reduction from 60 to 52 for the number of parking spaces required. Ms. Algeo referred to removal of gas tanks. Applicant notes that whatever is required, will be done. Mr. Thompson asked about free-standing signs. Ms. Eberle said that Rite Aid has had discussion with staff regarding signs. Applicant spoke of small monument signs. Ms. Algeo asked how someone going through the drive-through gets back to Almshouse Road. Applicant stated that they would have to circulate the site.

Applicant is looking for information as to whether applicant should proceed to the preliminary plan stage, noting the covenant.

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Mr. Thompson feels this project will be an improvement to that corner and Rite Aid will be great for the Township, but notes that neighbors behind the site will have some concerns. Mr. Parrish agrees with Mr. Thompson and believes that Rite Aid is doing a good job fitting in with the community. Ms. Algeo feels this is a major intersection in Warwick and needs to look good and as discussed at the Long Term Planning Committee, this could be a gateway to the Township. Ms. Weniger suggested that applicant should notify neighbors when they are going to be before the Planning Commission.

⇒ Bill Payments – January 2, 2007

Ms. Weniger presented Bill Payments for January 2, 2007.

General Fund		
Check N ^o 13332 – 13375	\$	118,656.30
Parks & Recreation Fund		
Check N ^o 3894 – 3897	\$	895.25
Capital Projects Fund		
Check N ^o 940 – 942	\$	4,294.00
TOTAL		\$ 123,845.55

⇒ Bill Payments – January 16, 2007

Ms. Weniger presented Bill Payments for January 16, 2007.

General Fund		103,735.64
Check N ^o 13376 – 13447	\$	
Parks & Recreation Fund		5,037.54
Check N ^o 3898 – 3906	\$	
Capital Projects Fund		3,120.00
Check N ^o 943 – 944	\$	
TOTAL		\$ 111,893.18

Motion by Mr. Parrish to approve Bill Payments for January 2nd and January 16th, 2007, 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 – November 2006

Ms. Weniger presented the Treasurer's Report for November 2006.

General Fund	\$ 3,232,622
Firehouse and Equipment	793,751
Road Machinery Fund	185,026
General Obligation / Sinking Fund	503,732
Open Space Fund	17,065
Capital Projects Fund	1,353,309
Highway Aid Fund	5,075
Park and Recreation	622,843
Capital Reserve	<u>563,454</u>
Total	<u>\$ 7,276,877</u>

**Motion by Mr. Parrish to accept the Treasurer's Report for November 2006, as 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.

■ **ASSISTANT MANAGER'S/PLANNING/ZONING:**

⇒ Spring Dance Hot Tubs (Dan Sine) – Request Extension (exhibit)

Tom Scott reported that the Board had approved placement of a storage container on this lot in April 2005. The July 2006 approval was conditioned upon the container's removal by January 2007. Applicant is requesting an additional six month extension.

The Board of Supervisors has no objection and Mr. Scott advised applicant to file a permit application for the six month extension.

⇒ Doc's Pub (2160 York Road) (exhibit)

Mr. DePalma, owner of Feasterville Awning Company, showed drawings of the proposed green awning that Doc's would like to install.

Ms. Algeo asked if there will be wording on the awning. Mr. DePalma showed what is proposed. Ms. Algeo believes this is a signage matter.

Although the Board does not have a problem with the awning or the color, they feel this matter should appropriately go through the Permits Department because of the signage.

■ **SOLICITOR'S REPORT:**

Mary Eberle, Township Solicitor, presented Borgeson Amendment to the Development for signature since signing was overlooked at the last meeting where it was approved.

⇒ Billboard Ordinance – Authorization to Draft Ordinance (exhibit)

Mary Eberle, Township Solicitor, reported that she has enclosed a draft of recently adopted billboard ordinances by Bedminster and New Britain. Per these drafts, billboards are limited to locations along arterial streets in New Britain and along Route 611 in Bedminster. New Britain allows a maximum size of 60 square feet and Bedminster allows 160 square feet. Warwick's current ordinance allows 150 square feet.

Mr. Thompson said the Board was advised previously that we should not change this ordinance. Ms. Eberle recommends leaving it alone for now. Mr. Thompson requested a copy of the billboard ordinance as it is now. Ms. Eberle said she would get that to Mr. Thompson.

Mr. Parrish noted that illumination was not addressed previously and wonders if we should look at that now. Ms. Eberle believes no one will spend money to illuminate billboards along Mearns Road.

At this point, Chair Algeo turned the meeting over to Vice Chairman Parrish.

⇒ Heritage Creek Golf Club Easement for Woodford Drive (exhibit)

Mary Eberle, Township Solicitor, reported this is an easement for Woodford Drive, which was on the agenda at the last meeting. This easement contains the correct legal description from the Township and goes directly to PennDOT. It is the area within the PennDOT right-of-way that is the ultimate right-of-way so that improvements can be made along the road frontage.

Mr. Thompson recalls that we chose the name Moland Drive for that entrance road. Ms. Eberle will contact applicant regarding the name of Moland Drive.

Mr. Thompson asked, though not related to this project, if there was a letter sent regarding escrow releases from PennDOT. Ms. Weniger reminded that BCATO was coming up and we should go through them first. Ms. Algeo noted there is a BCATO convention in April. Ms. Weniger will take care of this.

Motion by Mr. Parrish to approve the deed of easement for the right of way along Route 263, currently known as Woodford Drive, for Creek Road Development Group. Second to motion by Mr. Thompson.

Vice Chairman Parrish invited comment or discussion. There being none, the vote was called.

Motion passed.

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

Ms. Algeo resumed her position as chair.

⇒ Tino Settlement Agreement (exhibit)

Mary Eberle, Township Solicitor, reported that this is an old item and was agreed to with a deposit of \$1,500 in an escrow account to be held for one year from tonight to pay anyone along Elm Avenue who thinks they have suffered damage related to this matter.

Motion by Mr. Parrish to approve the Tino Settlement Agreement, 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.

Ms. Algeo would like this to be distributed to the people on Elm Drive.

- ⇒ Country Club Knoll, Phase I – Adams Way and Tripp Avenue Dedication – Resolution N^o 2007-11 (exhibit)

Mary Eberle, Township Solicitor, noted that the Township accepted of Phase II of Country Club Knoll at the last meeting. However, we somehow missed deeds of dedication for Phase I. Ms. Eberle is presenting this resolution to accept dedication of the portions of Adams Way and Tripp Avenue that fall within Phase I of Country Club Knoll.

Motion by Mr. Parrish to accept dedication of the portions of Adams Way and Tripp Avenue that fall within Phase I of Country Club Knoll, Resolution N^o 2007-11.

Mr. Thompson asked what Exhibit A is in the resolution. Ms. Eberle said there is a deed of dedication with a legal description and she does not normally pass it on to the Supervisors because they already have so much paperwork.

Second to motion by Mr. Thompson.

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

Motion passed unanimously.

- ⇒ VC 2 Ordinance Repeal - (exhibit)

Mary Eberle, Township Solicitor, is asking that the Board of Supervisors remove this item from the agenda.

The Board noted this item removed from the agenda.

■ **ENGINEER'S REPORT:**

Dave Connell, Township Engineer, reported there are five escrow releases for the Board's consideration this evening.

- ⇒ Borgeson Tract, Escrow Release N^o 3
⇒ Nestlewood Estates/Morrison Tract, Escrow Release N^o 11
⇒ Pizzo Tract, Escrow Release N^o 1
⇒ Warwick Office Park, Escrow Release N^o 6

Motion by Mr. Parrish to approve the following:

- **Borgeson Tract, Escrow Release N^o 3, in the amount of \$3,500.00 (leaving a balance of (\$156,772.80);**
- **Nestlewood Estates/Morrison Tract, Escrow Release N^o 11, in the amount of \$23,870.00 (leaving a balance of \$150,564.66;**
- **Pizzo Tract, Escrow Release N^o 1, in the amount of 49,260.00 (leaving a balance of \$46,528.00);**
- **Warwick Office Park, Escrow Release N^o 6, in the amount \$74,205.00 (leaving a balance of \$1,232,119.49).**

Second to motion by Mr. Thompson.

Mr. Thompson asked about the Pizzo tract, and remedial work that was to be done on the swale. Mr. Connell said the Almshouse swale needed cleaning (item A22 under site work), and we have not released any of that money.

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

Motion passed unanimously.

At this point, Chair Algeo turned the meeting over to Vice Chairman Parrish.

⇒ Heritage Creek Golf Course Community, Phase 1 – Escrow Release N^o 35

Motion by Mr. Parrish to approve Heritage Creek Golf Course Community, Phase 1 – Escrow Release N^o 5, in the amount of \$297,300.95 (leaving a balance of \$1,780,982.89).

Second to motion by Mr. Thompson

Vice Chairman Parrish invited comment or discussion. There being none, the vote was called.

Motion passed.

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

Ms. Algeo resumed her position as chair

■ **OLD BUSINESS:**

➤ Ms. Weniger presented resolution 2006-20 which was adopted previously, noting that there was a typographical error and is now asking the Board of Supervisors to sign the corrected resolution.

➤ Ms. Weniger presented the PBA amendment, which the Board had previously passed, but the document needed a correction to change Mr. Parrish's name from Bert to Cuthbert on the signature page.

➤ Ms. Weniger presented a document that needs administrative signature for liquid fuels reimbursement.

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➤ Mr. Thompson asked about looking into meeting with the Historical Society about what to do with the trail at the Moland House. Mr. Thompson offered to go to a meeting of the Historical Society.

■ **NEW BUSINESS:** There was no new business to discuss.

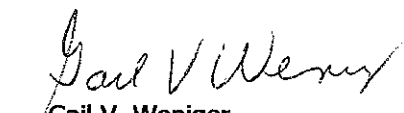
■ **PUBLIC COMMENT:**

There was a resident present who lives behind the church near the car wash and wants to make sure that nothing is going on there. Mr. Thompson spoke of a preliminary sketch plan for the retirement community expanding. The resident is concerned about water runoff. Ms. Algeo notes that he can come into the administrative building and look at the sketch plans.

■ **DJOURNMENT:**

The January 16, 2007, Warwick Township Board of Supervisors' public meeting was adjourned at 8:08 p.m.

Respectfully submitted,


Gail V. Weniger,
Township Manager/Secretary

These minutes were approved at the
Board of Supervisors' meeting held: **February 5, 2007**

Warwick Township
DISCLOSURE STATEMENT

I, Judith A. Algeo, hereby disclose that I will not
(please print name clearly)

be participating in any discussion / hearing or decision on the matter(s) of:

1) Heritage Creek Golf Course - Easement for Woodford Drive

2) Heritage Creek Golf Course Community - phase 1, escrow
Release No # 5

The nature of my conflict is applicant represented by Eastburn + Jay

Judith A. Algeo
Signature

Date: 1/16/07

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