

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
FEBRUARY 1, 2010

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

Others Present: Gail Weniger, Township Manager
Bryan M^cAdam, P.E., Township Engineer
Mary Eberle, Esq. Township Solicitor
Linda Grant, Recording Secretary

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' February 1, 2010 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:00 p.m., by Judith Algeo, Chair, who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ January 19, 2010 (exhibit)

Motion by Mr. Thompson to approve the January 19, 2010 Board of Supervisors' Public Meeting Minutes, as submitted.
Second to motion by Mr. Cox.

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 litigation.

■ **ANNOUNCEMENTS:**

Ms. Algeo announced that Warwick Administrative offices will be closed on Monday, February 15th for the Presidents Day holiday.

■ **CITIZEN COMMENT:**

There were no Citizen Comments this evening.

■ **MANAGER'S REPORT:**

⇒ Warwick Fire Company Report

Phil Ramos, gave an annual report for the Warwick Fire Company. Mr. Ramos said that seven new recruits started this year. Mr. Ramos said they received an anonymous donation of \$10,000 in October and in January a \$200,000 donation came from past member, Charlie (and Dorothy) Lindberg. The fire company, upon recommendation by Bee Bergvall has implemented two new programs: the Whistle Blower Program and the Document Retention Program. The fire company will repeat the door to door smoke detector program that was done last year. A new chief's vehicle was purchased. Mr. Ramos said 2009 was the first year for the incentive program for \$5.00 per call for fire fighters and the cost was \$29,000. The Valentine's day rose sale will take place.

Mr. Ramos spoke about the new firehouse design and explained there are 4 bays across and a 5th bay in the back. It is estimated that with the changes made to the design, the cost has dropped from 3.1 million to approximately 2.5 million. Mr. Ramos reported that the WFC adopted three families for the holidays. There was a recent Board election and this year's annual fund drive only realized about \$39,000, which is the lowest in years.

Ms. Algeo thanked Mr. Ramos for the report and complimented the fire company on a job well done.

⇒ LD 09-07 Loria Minor Subdivision - request Preliminary/Final

Ed Murphy, attorney for applicant, summarized what the process for this plan has been to date and noted the Planning Commission, at their meeting held on January 11, 2010, had recommend approval. Mr. Murphy noted there had been discussion of the carriage home and that it is to be used as a caretaker home. Mr. Murphy notes the Planning Commission also recommended a five foot (5') meandering, macadam walking path installed across the entire frontage.

There was discussion of the path, Mr. Thompson said he believes that the Township had done something similar previously and that if there is something that needs to be moved, it would be at the owners expense. Ms. Eberle also believes the road improvements would be required at the time of any further subdivision. Mr. Thompson clarified whether the path is to be four (4) or five (5) feet. Mr. McAdam said his notes are four (4) feet. Ms. Weniger believes that four (4) feet is too small and the path should be five (5) feet. Chief Costello said the Planning Commission had recommended four (4) feet, but also noted the decision would be left to the Board of Supervisors. The Board prefers the path to be five (5) feet. Mr. Thompson asked who maintains the walking trail. It was clarified that the owner would maintain.

Mr. Thompson asked about extending the sidewalk at Bentley. Applicant is to contact the property owners adjacent to the west to see if they would agree to extend the five (5) foot walking trail at the applicant's expense.

Mr. Murphy requested that the roadway improvements be waived for this project, without the fees imposed required by resolution, noting the hardship it would create for the applicant.

Mr. Thompson said that the Board of Supervisors has had previous experience with applicants saying they would not further develop and the Board grants the requested waivers and then the project is further developed.

Mr. Murphy said the waiver is not forever, it is only for this subdivision. Ms. Eberle explained that this could be addressed by applicant entering into a covenant. Any future development would require the applicant to do the road improvements.

Motion by Mr. Thompson to approve Loria subdivision (LD 09-07) Preliminary/Final Plan, subject to:

- **CKS review letter dated Oct. 2, 2009;**
- **PZ memo dated Jan 29, 2010;**

and, applicant's request for a waiver from road widening improvements is disposed of as follows:

- **applicant shall install street trees,**
- **if the neighboring property owner to the west does not grant permission to install the 5 ft wide meandering, macadam trail either in the r-o-w or along the frontage, at applicant's expense, then applicant will offer a fee in lieu of installation of sidewalks, but not road widening, along 550 feet of frontage of the property.**
- **applicant shall execute a deed restriction to comply with the requirements set forth in the zoning ordinance with regard to the caretaker house and;**
- **applicant will enter into a declaration covenant indicating that in the event of a future subdivision of lot #1, full road widening and frontage improvement shall be installed along both parcels.**

Second to motion by Mr. Cox.

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

Motion passed unanimously.

⇒ Bill Payments - February 1, 2010 (exhibit)

General Fund – First National Bank Account Check N ^o 17384 through 17433	\$	158,748.41
Parks and Recreation Fund Check N ^o 5357 through 5365	\$	4,655.26
Firehouse & Equipment Fund Check N ^o 231	\$	283.00
General Obligation Fund Check N ^o 1014	\$	<u>500.00</u>
Total -	\$	164,186.67

Motion by Mr. Thompson to approve the February 1, 2010 Bill Payments, 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.

⇒ Treasurers Report – November 2009

General Fund	\$	3,682,859
Firehouse and Equipment		1,223,569
Road Machinery Fund		202,192
General Obligation / Sinking Fund		208,627
Open Space Fund		122,681
Capital Projects Fund		109,275
Highway Aid Fund		102,684
Parks and Recreation		259,956
Parks and Recreation Capital Fund		1,457,865
Capital Reserve		<u>490,208</u>
Total	\$	<u>7,859,916</u>

Motion by Mr. Thompson to accept the November 2009 Treasurer's Report, as prepared by Rose Christie, Finance Director, 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.

■ **SOLICITOR'S REPORT:**

⇒ Ordinance N^o. 2010-01 H Uses (Limited Industrial) – Public Hearing – Consider Adoption

Mary Eberle, Township Solicitor, presented Ordinance N^o. 2010-01 for discussion this evening. Ms. Eberle noted that the Ordinance has been reviewed, has been available for public inspection and legally advertised for this Public Hearing for the Board of Supervisors to consider adoption.

Ms. Algeo invited public comment.

➤ John Meyer spoke about section G23 – vehicular sales – and the requirement of the lot area to be five (5) acres. Mr. Meyer points out that a repair shop may have one or two cars to sell and this would make them in violation since they are only on a three acre lot.

Ms. Weniger reminds that there cannot be two uses on one lot. Mr. Cox asked if a car repair business sometimes has a car to sell, could it be considered an accessory use. Ms. Eberle said that one or two cars would be accessory use, and further explained that cars cannot be waiting for repair or sale for more than ten days.

Mr. Meyer is asking that the requirement be reduced from five acres to three acres.

➤ Helene Senior, Mark V Realty, commented that 20% office space requirement for flex space is a problem because most tenants are looking for manufacturing space, not office space. Ms. Senior feels the 20% restriction may encourage small businesses to look elsewhere. Ms. Senior also said that flex space was not something known when the buildings were built, they were in the Light Industrial District.

Ms. Weniger noted the 20% requirement was in the previous ordinance and the revised ordinance did not change the requirement. It was noted that as the other sections of the Ordinance are revised, it becomes necessary to make minor, sometimes administrative changes, which require re-advertising and re-adoption. Ms. Weniger suggests that if the Board is interested in lowering the office requirement to 5%, it would make sense to do it at that time. Ms. Weniger also calls to attention the request that parking be based solely on square footage, eliminating the per employee requirements, which are hard to enforce. The Board agreed that the requirement should be reviewed.

**Motion by Mr. Thompson to amend, restate and readopt Section 195-16G and Section 195-16H in Ordinance 2010-01, 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.

■ **ENGINEER'S REPORT:**

⇒ Bryan McAdam, Township Engineer, updated the Board of Supervisors on House Bill 1390 (exhibit)

Mr. McAdam reported that this bill would enable municipalities and counties to implement integrated water resources management plans within the watershed. Mr. McAdam specifically noted two items to be included:

1. existing stormwater problems would have to be identified and corrective measures proposed and prioritized.
2. it will be watershed based as opposed to township based and would allow the county to enforce requirements, or municipalities could create multi groups to enforce requirements.

Mr. McAdam said that if this bill does pass, it will probably take at least eighteen (18) months.

■ **OLD BUSINESS:**

Mr. Thompson asked about the dog ordinance. Mary Eberle, Township Solicitor, noted that the initial fines can be as low as \$50.00 and warnings will be allowed, so the ordinance will be more resident-friendly.

■ **NEW BUSINESS:**

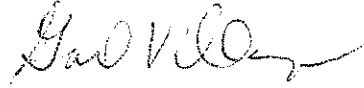
■ **PUBLIC COMMENT:**

■ **ADJOURNMENT:**

The February 1, 2010, Warwick Township Board of Supervisors' public meeting was adjourned at 8:00 p.m.

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Respectfully submitted,



Gail V. Weniger,
Township Manager/Secretary

These minutes were approved at the
Board of Supervisors' meeting held: **February 16, 2010**