

**WARWICK TOWNSHIP**  
Board of Supervisors' Public Meeting Minutes  
**MAY 1, 2006**

Members Present: Judith A. Algeo, Esq., Chair  
Edward P. Thompson, Vice Chairman  
Bert Parrish, 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' May 1, 2006, 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:**

— April 17, 2006 (exhibit)

**Motion by Mr. Parrish to approve the Board of Supervisors' public meeting minutes for April 17, 2006, 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:**

Ms. Algeo reported that the Board of Supervisors had met in Executive Session, prior to this evening's meeting to discuss some matters of litigation.

■ **ANNOUNCEMENTS:**

There were no announcements this evening

■ **CITIZENS' COMMENT:**

□ Greg Mester, Fairway Drive, asked about the road at Warwick Office Park and expressed concern that it may be too close to the wetlands. Dave Connell, Township Engineer, described the layout of the road and noted that the wetland area will not be disturbed.

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Mr. Mester also spoke of junk and cars that are now visible at the Cornell lot now that trees have been removed. Mr. Thompson suggested that Mr. Mester speak with the Fire Chief regarding this matter.

■ **MANAGER'S REPORT:**

— Recognition of John Sklencar, Jr., Eagle Scout (exhibit)

The Board of Supervisors recognized and congratulated John Sklencar, Jr., for his hard work in having met all requirements to achieve the rank of Eagle Scout.

— Public Works New Hires (no exhibit)

Ms. Weniger reported that the Public Works department has welcomed three new employees, Vic Guerrero and Chris Mather, maintenance employees and Marlon McPhatter, part time, administrative assistant.

— Public Works Request Authorization to Bid Shop Floor and Garage Doors (exhibit)

Ralph Carp, public works director, presented a request to authorize going out for bid for renovation work at the public works building. Mr. Thompson requested a copy of the bid packages and also asked why the doors need to be replaced. Mr. Carp said the fiberglass doors have some holes in them and are not energy efficient, causing heating costs to rise.

Mr. Thompson also asked about storage of materials in the back and whether we have talked with Water and Sewer about using some of their property by the industrial park. Ralph said the light posts have been moved there. Very brief discussion of using this storage area and the possible need for fencing took place.

**Motion by Mr. Thompson to approve public works' request to authorize the bid for the shop floor and garage doors at the Guinea Lane public works building.  
Second to motion by Mr. Parrish.**

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

**Motion passed unanimously.**

— Police - Emergency Radio Antennae Request (exhibit)

Lt. Goldberg gave a detailed presentation to request a local Emergency Radio Repeater System. Lt. Goldberg noted the project would cost just over \$6,000, and will enable better and quicker direct communications during a disaster when the County system would possible be overtaxed. He cited some details regarding situations where the four county bands would not be adequate noting that the system he is proposing tonight is redundant, but necessary. This cost includes all equipment and installation, and Mr. Shuhart of CDC has agreed to supply, install and maintain equipment if he is able to install a second antennae for his use.

Lt. Goldberg noted he has requested that Water and Sewer allow the location of whip antennas, approximately 23' high, on water towers. Lt. Goldberg noted that the Authority has additional questions and has not taken dedication of the Stony Road tower that would be needed.

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Lt. Goldberg presented several options the Board could consider including: the option to do nothing, the option to have the Board of Supervisors, Police and Fire company work together to push for cooperation from the authority or the option to consider other sites that would serve the Township's needs, or the option to install the system on a Township property at cost. Lt. Goldberg is strongly in favor of this project and is looking for direction from the Board to proceed or not.

Mr. Thompson asked if we have we ever written a letter to the County telling them of the likelihood of system failure. an operation that is overwhelmed, and a system that is cumbersome and difficult to handle. Lt. Goldberg supports the County system and thinks it is one of the best, but there is always room for further improvement. Mr. Thompson is also concerned with the possible hidden cost of a new generator at the Township Building, since the Township Building is to be the headquarters for a disaster. Mr. Thompson feels that hands-on control of the antennae is important. Mr. Thompson is asking for a technical spec sheet on exactly what is needed, such as how it would be attached to the tower, service of the equipment and insurance waivers that would have to be signed. Mr. Thompson asked if this is an open system. Lt. Goldberg said yes.

Mr. Parrish applauds Lt. Goldberg on his initiative and research for this presentation. Mr. Parrish also feels the generator factor needs to be considered. Mr. Parrish asked if the antenna would affect neighbors' internet, television or anything else. Mr. Shuhart stated that it will not interfere.

Ms. Algeo said Lt. Goldberg did an excellent, thorough, job with this presentation and believes that the Board is simply asking for more information.

Mary Eberle, Township Solicitor, is concerned about bid requirements, and will look into whether the arrangement Lt. Goldberg has with Mr. Shuhart, (CDC) will violate any of the requirements or whether three quotes will be required.

— Moland House Marker (no exhibit)

Ms. Weniger notes that the Historical Society would like to replace the headquarters sign with a sign that reads " The Moland House" and provides the same detail. Mr. Williams has indicated that the Moland House is more representative of the location. Warren Williams also shared with Ms. Weniger in their conversation that he Polish would like to recognize Pulaski on the marker and the group is willing to chip in the money. Mr. Williams would like the support of the Board of Supervisors on this matter.

After some discussion, the Board of Supervisors was in consensus that the sign should be left as it is. The Board noted that they could support a sign that reads Washington's Headquarters at the Moland House.

Ms. Algeo asked about a spray painted sign on Creek Road, in front of Frank Peluso's house and white spray paint on the grass there. Ms. Weniger will look into this.

— Bill Payments for May 1, 2006 (exhibit)

General Fund	
check No. 12424 - 12482	\$ 125,914.54

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Parks & Recreation Fund check No. 3552 - 3570	\$	2,853.36
Capital Projects Fund check No. 893- 895	\$	2,742.00
<b>TOTAL</b>		<b><u>\$ 131,509.90</u></b>

**Motion by Mr. Thompson to approve Bill Payments for May 1, 2006, subject to audit.  
Second to motion by Mr. Parrish.**

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

**Motion passed unanimously.**

■ **ASSISTANT MANAGER/ZONING REPORT:**

— Rite Aid Sketch Plan (exhibit)

Tom Scott presented this sketch plan, filed by Site Development, Inc. (SDI), for a proposed pharmacy at the corner of York and Almshouse Road where the Exxon station currently is located, in conjunction with lot line realignment with the Commerce Bank site.

Tom Hecker, attorney for applicant, spoke of the condition of Commerce Bank approval, preventing further subdivision. Mr. Hecker notes that applicant is asking the Board of Supervisors to waive that condition.

Ms. Algeo said that the applicant knew that there was a condition, and yet they bring a sketch plan that clearly violates their agreement. Ms. Algeo stated that we had to "catch" this violation of the condition, and feels a letter of apology would have been appropriate, instead of this sketch plan.

Mr. Thompson recalled that during the plan process approval for Commerce Bank, they had submitted three different plans, and also noted that the deed restriction was volunteered by Commerce Bank to get approval, with a flat roof on the building which is in opposition to the overlay district, and believes there is no reason to go back on the deal. Mr. Thompson sees no reason to go any further with this sketch plan.

Mr. Parrish said he was in the audience at that time and also recalls different representations of the buildings that Commerce presented and agrees with Ms. Algeo that there should be an apology.

Ms. Algeo stated that we do not want an empty gas station there, but we also want to keep that bit of open space back there, and asked what Rite Aid can do that will still give us that open space. The cement should be moved back so there is more green on that corner and something should be done to decorate that area.

Applicant displayed a sketch plan for the proposed Rite Aid, noting the area subject to the deed restriction, approximately 28,000 sq. feet. Ms. Algeo asked if Rite Aid could propose a smaller building so that we do not lose that open space. Dan Wallace, SDI, stated the building has already been cut from 14,000 sq. feet to approximately 11,000 sq. feet.

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Mr. Hecker asked for the opportunity to proceed and let applicant prove that this is a good plan. Mr. Hecker said all codes are met and there is only variance required.

Mr. Thompson states this plan immediately exceeds impervious surface in the corridor overlay district. Ms. Algeo agrees and remembers that Commerce Bank has specifically said they would never further subdivide. Ms. Algeo suggests that if Rite Aid cannot come back with something smaller, the plan is not going to work because of the prior commitment.

— Uniform Construction Code – Amendment to Ordinance – Authorization to Advertise (exhibit)

Tom Scott presented a request for authorization to advertise this proposed ordinance amendment to the Township's Uniform Construction Code. Mr. Scott outlined the amendments suggested for a basement that is to be converted into a living space.

**Motion by Mr. Thompson to authorize advertisement of the proposed ordinance amendments to allow the renovation of certain basements without basement egresses.**

**Second to motion by Mr. Parrish.**

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

**Motion passed unanimously.**

Mr. Thompson asked about the status of specs for what type of sprinklers should be installed. Mr. Scott said he, Mike Sullivan and Ed Pfeiffer had met to discuss sprinklers, and the problem with one community was based on the use of anti freeze which will not be used in Warwick Township again.

— Borgeson – Preliminary Plan (exhibit)

Mr. Scott noted applicant is proposing five additional units and noted that this matter was previously tabled.

Rob Gundlach, attorney for applicant, reported that applicant had received a recommendation from the Warwick Planning Commission last summer. Applicant referred to CKS' review letter, dated November 9, 2005, noting that applicant offers fee in lieu of sidewalk on Guinea Lane. Ms. Eberle said Nestle Wood and Morrison interdependency is being tied up in the development agreement. Mr. Gundlach offered \$3500 per lot for active and common open space.

Mr. Thompson thinks it would be a mistake not to connect Ashton Reserve and the Borgeson development for the full length of Guinea Lane with sidewalks and a crosswalk to access the park side of Guinea Lane.

Mr. Thompson also asked about the ordinance requirement for reforestation and stated that he cannot determine which trees are coming down and which trees are being saved and also questioned what stops a homeowner from coming in for a pool permit and taking the trees down. Mr. Connell said there is nothing that he is aware of. Ms. Eberle said that in other Townships, there are three possibilities; 1) they just put trees on the plan and whatever happens, just happens; 2) trees are put on the plan and include not removing trees restrictions and covenants,

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but there is no promise that property owners will ever see that; 3) trees are donated to the Township for placement on Park and Recreation land in other areas where the Township has control over whether they will be removed. Mr. Thompson asked applicant which trees are staying. David Fair, engineer, explained which trees are to be removed and which are to remain.

Mr. Parrish voiced concerns about the retention basin directing water to Ashton Reserve and Nestle Wood and asked if there are agreements in case there are water problems. Mr. Gundlach stated agreements are being worked out with residents of Ashton Reserve to allow use of that basin for this project, and residents are to share costs. Mr. Connell, said this project is highly interdependent on other projects and has noted in his letter that this was to be resolved, and this issue has become satisfied.

Ms. Algeo asked if there was reason for concern since this has been around for so long. Ms. Eberle said the documents are fairly recent and she is satisfied. Ms. Algeo asked if we need to revisit this since other developments have moved along and it may have changed something. Mr. Connell said we have done that and regarding the grading question from earlier, one concern initially was the uncertainty of things not yet being developed, but now they have been. Mr. Connell notes his last letter was November which was not all that long ago.

The matter of driveways for lots 1 and 2 being too close together was mentioned, with Mr. Connell pointing out that some think that with the driveways close together, there is only one area encumbered with paving.

Mr. Connell asked for clarification regarding the Guinea Lane sidewalk. Ms. Eberle said that applicant has to talk about fees in lieu of open space and she thought the sidewalk extension would come as part of that. Some discussion took place, with Mr. Gundlach comparing with a contribution by another applicant. Mr. Thompson pointed out differences with the other development, stating they had purchased property somewhere else in the Township for common active open space, which this applicant is not doing. They paid toward construction of sidewalk on the other side of the street, this applicant is not doing that. After further discussion, Mr. Gundlach said applicant has no problem using fee in lieu money to construct sidewalk. Ms. Eberle does not know if the sidewalk would be in the right of way, but the way it is normally phrased, is if it is outside the ultimate right of way, the developer would pay the cost of the Township securing the easement. Mr. Thompson feels people that just moved in should be notified of the sidewalk right away.

Mr. Connell stated that he understands the sidewalk will be constructed in front of this project and extend along the Ashton Reserve project to the street that goes into Ashton reserve and stop there, it won't be constructed along the other half of the Ashton Reserve. Mr. Thompson said that is correct.

Mr. Gundlach notes applicant is asking for Preliminary/Final approval.

**Motion by Mr. Thompson To grant Preliminary/Final approval for Borgeson Tract, subject to:**

- **CKS review letters, dated April 25, 2005, April 15, 2005, September 6, 2005 and November 9, 2005;**
- **Fee in lieu of amounts, per Fox Rothschild letter, dated March 1, 2006; with the amendment being continuous sidewalk on the frontage of the property;**
- **Sidewalk to extend to Ashton Drive with signage and painted striping crossing Guinea Lane.**

**Second to motion by Mr. Parrish.**

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

**Motion passed unanimously.**

■ **SOLICITOR'S REPORT:**

— The Solicitor's has no report this evening.

■ **ENGINEER'S REPORT:**

— The Engineer has no report this evening.

■ **OLD BUSINESS:**

— There was no old business to discuss.

■ **NEW BUSINESS:**

— There was no new business to discuss.

■ **PUBLIC COMMENT:**

□ Greg Mester, Fairway Drive, said he felt Lt. Goldberg made a good presentation and agrees with Lt. Goldberg. Mr. Mester suggested that the Board of Supervisors should make a presentation to the County Commissioners. Ms. Algeo said since she is attending a BCATO luncheon this week, she will take Lt. Goldberg's presentation with her and bring it to the attention of the association.

□ Ms. Algeo reported that she has just returned from Waveland/Bay St. Louis, Mississippi where she spoke with individuals about how they are cleaning up after hurricane Katrina. Ms. Algeo spoke of the possibility of raising some money through our summer concert series to help fund them down there. Ms. Algeo will be presenting this to the BCATO Board on Wednesday.

■ **ADJOURNMENT:**

The May 1, 2006, Warwick Township Board of Supervisors' meeting was adjourned at 9:42 p.m.

Respectfully submitted,

Gail V. Weniger,  
Township Manager/Secretary

These minutes were approved at the  
Board of Supervisors' meeting held: **May 15, 2006**