

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
AUGUST 7, 2006

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

Others Present: Gail Weniger, 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' August 7, 2006, public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:03 p.m., by Judith Algeo, Chair, who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ July 10, 2006, (exhibit)

**Motion by Mr. Parrish to approve the Board of Supervisors' public meeting minutes for July 10, 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 matters of personnel and open space.

■ **ANNOUNCEMENTS:**

Ms. Weniger announced that the reenactment for the Moland House will take place on August 19. Ms. Weniger also reminded that Warwick Day Weekend is September 9th and 10th and will also feature the public accessing the Moland House to see the historical sights at no charge on September 10.

August 7, 2006
page 2 of eleven pages

■ **CITIZENS' COMMENT:**

➤ Grace Racca, 2086 Sunrise Way, was present and distributed documentation to the Board of Supervisors concerning the flooding of her home on July 21 and July 22. Ms. Racca had previously sent a letter regarding the storm that brought over 15" of water into her home. Ms. Racca believes Warwick Township is liable for the flood damage, noting the development in the years since moving into her home. Ms. Racca said that because of all the development around her, the land which used to absorb the water is now cement, macadam and buildings and the water has no place to go. Ms. Racca is seeking an engineering solution to the flooding; compensation for the cost of replacement of items such as furniture, carpeting, etc., and a copy of the Township's insurance policy. Ms. Racca requested that she be kept abreast of what is going on.

➤ Karen Smith, 1848 Adams Way, said she has been approached by neighbors who are concerned with speeding through the development, putting residents in danger. Ms. Smith is requesting that the Township install speed bumps.

Ms. Algeo asked if the speeders are using the development as a shortcut or if they live there. Ms. Smith said it is people who live in the neighborhood and the Homeowners association has spoken with these individuals, but it is a continuing problem. Ms. Algeo said that this will be brought to the attention of Chief Costello.

➤ John Gamble, Tripp Avenue, spoke of speeders on Tripp avenue. Mr. Gamble said that Chief Costello had said speed limit signs were approved, but the signs are not installed yet.

Mr. Gamble also wanted to publicly thank Officer Loux for his kindness and professionalism during a recent emergency situation in his home. Mr. Gamble also noted that the EMT was great but does not know his name.

➤ Nick Cicchino, 2103 Sunrise Way, said he was here to support Grace Racca and stated that something that needs to be done because it is something that keeps happening.

■ **MANAGER'S REPORT:**

⇒ Declaration of Disaster Emergency (exhibit)

Ms. Weniger explained that this declaration is a result of the storm on July 18th, when we had the PECO outage that lasted several days in our community. This gives the emergency management coordinator the right to run the emergency and may help in case there is any funding available for reimbursement.

Motion by Mr. Thompson to approve the Declaration of Disaster Emergency for July 18, 2006.

Second to motion by Mr. Parrish.

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

Motion passed unanimously.

August 7, 2006
page 3 of eleven pages

⇒ PennDOT Plan 2009 – Review of Early Draft (exhibit)

Ms. Weniger said that PennDOT is planning to re-do Route 263 in 2009. The Board is interested in some of the intersections involved. Commenting on these plans may be our only chance to get PennDOT to hear what we would like to see done with these intersections. Ms. Weniger noted that the plans, showing options for the intersections at York Road and Bristol Road, York Road and Almshouse Road, York Road and Sugarbottom Road, as well as a plan, by CKS, showing York Road and School Road as it exists and with possible improvements.

During this discussion residents asked about left turn traffic lights. Dave Connell, Township Engineer, noted that level of detail is not being discussed by PennDOT at this time. Some residents gave their suggestions as to turn lanes, traffic signals, etc. for some of the intersections. One resident said that leaving Almshouse Road and York Road intersection as it is may mean backed up traffic at rush hour, but feels it would be safer to leave it as it is. A resident asked why Meyer Way intersection is not addressed in these plans and also, how will this impact businesses coming in without knowing what the road will be like. Ms. Weniger notes that the Meyer Way intersection is connected with the WaWa project. Ms. Algeo explained that the new intersections that are coming up are being designed as the properties are going in and turning lanes and shoulders are already taken into account. Ms. Weniger reported that in the Fall, PennDOT will be coming in to talk with us and we can note items that are not addressed.

Ms. Algeo said that these plans are preliminary and leave us with more questions than answers, but notes that many of the questions discussed tonight will be asked during discussions with PennDOT. Ms. Algeo invited the public to send in written suggestions so that we can compile information available when PennDOT comes in to talk with us.

⇒ Bill Payments – July 24, 2006

General Fund check No. 12699 - 12720	\$	116,211.60
Parks & Recreation Fund check No. 3683 - 3708	\$	13,253.03
Capital Projects Fund check No. 911- 912	\$	<u>1,682.00</u>

**Motion by Mr. Parrish to approve Bill Payments for July 24, 2006, 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.

August 7, 2006
page 4 of eleven pages

⇒ Bill Payments – August 7, 2006

General Fund check No. 12721 - 12787	\$	119,089.48
Parks & Recreation Fund check No. 3709 -3737	\$	11,841.83
Capital Projects Fund check No. 913 - 915	\$	28,529.00
Highway Aid Fund check No. 2526	\$	2,907.97
Firehouse & Equipment Fund check No. 202	\$	<u>21,511.00</u>

**Motion by Mr. Parrish to approve Bill Payments for August 7, 2006, 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 – June 2006

General Fund	\$	3,777,773
Firehouse and Equipment		807,144
Road Machinery Fund		176,383
General Obligation / Sinking Fund		685,929
Open Space Fund		16,450
Capital Projects Fund		1,148,129
Highway Aid Fund		282,128
Park and Recreation		647,432
Capital Reserve		<u>572,832</u>
Total		<u>\$8,114,200</u>

**Motion by Mr. Parrish to accept the Treasurer's Report for June 2006, as prepared by
Rose Christie, 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.

*August 7, 2006
page 5 of eleven pages*

■ **ASSISTANT MANAGER'S REPORT:**

⇒ Boland Preliminary/Final Plan– (exhibit)

Tom Scott presented this plan, reporting that the Planning Commission recommended preliminary/final approval.

Dan Small, the Major Group, displayed the plan and gave a summary of this property, which fronts on Old York Road.

Motion by Mr. Thompson to grant Preliminary/Final approval for the Boland Lot Line Change.

Second to motion by Mr. Parrish.

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

Motion passed unanimously.

At this point, Ms. Algeo turned the meeting over to Mr. Thompson.

⇒ Meyer Mini Warehouse – Preliminary Plan (exhibit)

Tom Scott presented this plan, reporting that the Planning Commission, at their July meeting, recommended approval.

Estelle Eberhardt, Irick, Eberhardt & Mientus, summarized this revised plan. Mr. Thompson asked about the timeline for the detention basin in the Warwick Office Park. Dave Connell, Township Engineer, said Warwick Office Park is under construction now and will probably be completed shortly. Mr. Connell notes this project cannot begin until that detention basin is up and running.

Mr. Thompson asked about the rear easement and whether it is still required. Mr. Connell said he believes the purpose of that easement was to be able to facilitate movement in a rear yard area on several projects fronting York Road, and the initially stated purpose for that easement is no longer there.

Applicant referred to CKS' review letter of July 5, 2006. During discussion, Ms. Eberle explained there was a conditional use approval in 1998, before Commonwydds II was started and before the zoning ordinance was amended, and questions to what extent will conditions apply to this proposal. Actual improvements have changed from the front to the back, and a number of conditions related to buffering along York Road. The rear of the property was to be vegetative screen also. Mr. Meyer notes that the buffering is to be more extensive.

After discussion, Ms. Eberhardt said that applicant is requesting preliminary/final approval this evening.

*August 7, 2006
page 6 of eleven pages*

**Motion by Mr. Parrish to grant preliminary approval for Meyer Mini Warehouse Expansion, subject to CKS' review letter, dated July 5, 2006; extinguishment of easement, completion of detention in neighboring project; materials, lighting, building height, color and slope of roof to match existing project. All trees in front of the property must be actually planted and there is to be a note that if any trees die, they are to be replaced within eighteen months.
Second to motion by Mr. Thompson.**

Mr. Thompson invited further discussion or comment. 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.

⇒ Moeeda Sign Change (exhibit)

Tom Scott presented this request for a sign change, and explained that there is an existing zoning hearing board decision that individual tenant's would be able to get a longer sign than is normally permitted with a shopping center layout.

Applicant reported that the building owners have approved the sign. Applicant distributed revised drawings of the sign to the Board of Supervisors stating that there is a slight change from the previous drawing. Applicant notes the whole sign is lighted.

**Motion by Mr. Thompson to approve the Moeeda sign, for the Japanese restaurant, as presented.
Second to motion by Mr. Parrish.**

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

Motion passed unanimously.

Ms. Algeo notes applicant is also requesting permission to hang a banner for their opening. Mr. Scott explained that per the ordinance, a banner is permitted for two weeks for the opening of a business. The Board of Supervisors have no problem with the banner.

⇒ The Manor at Yorktown Sign Change (exhibit)

Greg Allen, Grid Sign Systems, presented this request to replace existing letters on the stone monument to make them a little brighter and easier to read.

**Motion by Mr. Thompson to approve the revised Manor at Yorktown, A Premier Independent Living Community sign, as presented.
Second to motion by Mr. Parrish.**

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

Motion passed unanimously.

*August 7, 2006
page 7 of eleven pages*

⇒ Zimmer/Luginbuhl – Final Plan Pump Station Location (exhibit)

Tom Scott presented this project, reporting that the plan received final approval previously, for four new dwelling units at the corner of Valley and Almshouse. The plan was approved with grinder pumps for the houses and now the revision is to install a pump station on the site to replace the grinder pumps.

Jim from Heritage Building Group was present for discussion, and explained spoke of the size of the pump station and displayed drawing noting location of the pump station. Mr. Thompson asked if there was any landscaping proposed with this. Applicant said yes and noted it will be fenced, with arborvitae outside the fence.

**Motion by Mr. Parrish to accept sewage plan for Zimmer/Luginbuhl Final Plan.
Second to motion by Mr. Thompson.**

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

Motion passed unanimously.

⇒ UCC Ordinance Request Authorization to Advertise (no exhibit)

Tom Scott reported that this matter has been discussed several times, to reduce the requirements for the installation of a second, separate egress from a basement area that is used as living space. We are asking for authorization to advertise the change to include the single, detached houses that have a sprinkler system, constructed prior to June 7, 2004.

**Motion by Mr. Parrish to authorize advertisement of the UCC Ordinance Amendment,
as presented.
Second to motion by Mr. Thompson.**

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

Motion passed unanimously.

⇒ Walgreen's – Final Plan Approval (exhibit)

Tom Scott reported that the Planning Commission has recommended conditional for Walgreen's.

Herb Sudfeld, attorney for applicant, referred to CKS' letter, dated July 31, 2006, stating that there was confusion as to two waivers requested by applicant. Mr. Sudfeld is asking for approval of those waivers. Mr. Sudfeld also spoke of other issues such as highway occupancy plans and status of permit, traffic signals and signs.

Richard Lake, architect, presented renderings of the proposed Walgreen's, as well as materials to be used. The Supervisors voiced their preference for colored renderings of all sides of the project.

There was extensive discussion that included various issues, such as, the PennDOT permit, easements, traffic configurations and a crosswalk. Applicant noted signage will be needed and showed the Board two signs that Walgreen's is requesting.

*August 7, 2006
page 8 of eleven pages*

Motion by Mr. Thompson to grant approval to Walgreen's Land Development, subject to: CKS letter, dated July 31, 2006; Staff letter to Planning Commission, dated July 5, 2006, construction of countdown timers at Route 263 and Kendarbren; per drawings dated August 3, 2006.

Second to motion by Mr. Parrish.

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

Motion passed unanimously.

The Board of Supervisors called for a recess at 9:35 p.m. and re-convened at 9:40 p.m.

■ **SOLICITOR'S REPORT:**

⇒ Deed of Easement – WTWSA (Ridings at Warwick) (exhibit)

Mary Eberle, Township Solicitor, presented this matter for consideration by the Board. Ms. Algeo would like a paragraph added for tree replacement within 18 months, should the trees die.

Motion by Mr. Thompson to authorize the execution of Water and Sewer easement relating to tmp 51-3-141.1, as presented by the Township Solicitor, adding language that states "any trees that die within 18 months, are to be replaced".

Second to motion by Mr. Parrish.

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

Motion passed unanimously.

At this point, Ms. Algeo turned the meeting over to Mr. Thompson.

⇒ Heritage Creek Golf Course – 4th Amendment to Stipulation (exhibit)

Mary Eberle, Township Solicitor, presented this matter, explaining that at the time this stipulation was created, the dollar value of specific items was much different than it would be now. The stipulation has been updated and is ready for signature.

Steve McKenna, Mignatti, displayed a drawing and pointed out locations of walking trails.

Motion by Mr. Parrish to approve the Heritage Creek Golf Course, 4th amendment to the stipulation, as presented by the Township Solicitor.

Second to motion by Mr. Thompson.

Mr. Thompson invited further 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.

August 7, 2006
page 9 of eleven pages

⇒ Borgeson Development and Financial Agreement (exhibit)

Mary Eberle, Township Solicitor, presented the above matter for approval. Ms. Eberle notes \$5,000 per lot for active open space and common open space will be waived if applicant constructs sidewalks.

**Motion by Mr. Thompson to approve the Borgeson Development and Financial Agreements, as presented by the Township Solicitor.
Second to motion by Mr. Parrish.**

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

Motion passed unanimously.

⇒ Resolution N^o. 2006-18 (exhibit)

Ms. Algeo explained that this resolution is to ask the citizens of Warwick, on a ballot, for permission to incur debt up to \$7,000,000 for conservation of open space.

**Motion by Mr. Thompson to approve Resolution N^o. 2006-18, as prepared by the Township Solicitor.
Second to motion by Mr. Parrish.**

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

Motion passed unanimously.

⇒ Dedication of Improvements – Hahn Tract, Phase I (no exhibit)

Ms. Eberle reported that she had received a request from Katz for dedication of improvements on the Hahn Tract, Phase I.

**Motion by Mr. Thompson to authorize Dave Connell, Township Engineer, to inspect Phase I of the Hahn Tract.
Second to motion by Mr. Parrish.**

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

Motion passed unanimously.

■ **ENGINEER'S REPORT:**

Dave Connell, Township Engineer, said he had no report this evening.

■ **OLD BUSINESS:**

There was no old business to discuss this evening.

*August 7, 2006
page 10 of eleven pages*

■ **NEW BUSINESS:**

⇒ Warwick Fire Company (no exhibit)

Herb Gery, CKS Engineers, Inc., presented revised plans for the Warwick Fire Company, explaining that there are less parking spaces and that there was a revision to the driveway alignment as had been requested.

Mr. Thompson is pleased that the impervious surface is approximately 1/3 of what it was. Mr. Parrish is happy with the plan.

Mr. Thompson initiated discussion of the Warwick Fire Company lease agreement. Ms. Algeo believes we should look at agreements of other townships. Ms. Eberle explained that an end date is need for a lease, and there should also be reverters included in the lease. If the Warwick Fire Company ceases to exist, these reverters would direct what happens to the building. Ms. Eberle also notes the Board should consider the possibility of Warwick Fire Company merging with another fire company and what would happen to the building.

■ **PUBLIC COMMENT:**

There was no public comment this evening.

■ **ADJOURNMENT:**

The August 7, 2006, Warwick Township Board of Supervisors' meeting was adjourned at 10:06 p.m.

Respectfully submitted,

Gail V. Weniger,
Township Manager/Secretary

These minutes were approved at the
Board of Supervisors' meeting held: **September 5, 2006**

August 7, 2006
page 11 of eleven pages

