

**WARWICK TOWNSHIP**  
Board of Supervisors' Public Meeting Minutes  
**December 17, 2007**

Members Present: Judith A. Algeo, Esq., Chair  
Edward P. Thompson, Vice Chairman (*arrived at 7:35 pm*)  
John Cox, Member

Others Present: 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' December 3, 2007 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:00 p.m., by Chair, Judith Algeo, who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ December 3, 2007 public meeting minutes (exhibit)

**Motion by Mr. Cox to approve the Board of Supervisors' public meeting minutes of, December 3, 2007, as submitted.  
Second to motion by Ms. Algeo.**

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

**Motion passed.**

(J. Cox, J. Algeo – in favor; E. Thompson – absent)

■ **EXECUTIVE SESSION:**

Chair Algeo reported that the Board of Supervisors' did not meet in executive session this evening.

■ **ANNOUNCEMENTS**

Chair Algeo announced that the Township Administrative Offices will be closed on Monday, December 24 and Tuesday, December 25, 2007.

Ms. Algeo also announced that the Board of Supervisors' Reorganization Meeting will be held on Monday, January 7, 2008 and the Elected Auditors will reorganize on Tuesday, January 8, 2008.

■ **CITIZENS' COMMENTS:** There were no citizens' comments.

■ **MANAGER'S REPORT:** The manager is absent this evening.

■ **ASSISTANT MANAGER'S REPORT:**

⇒ Parks and Recreation Board Recommendations (exhibit)

Dan Sharapan, Director of Parks and Rec. reported that the Park Board has recommended that the Board allow WTBA to install outfield fencing, green chain link, 4' high, with protective green cap, on fields 5 & 6 at Guinea Lane Park with no signs allowed on the fencing at this time. There is also to be a gate on the fence on Field 6 to be used for entry by cars and maintenance equipment; to allow the WTBA to make improvements to the backstop and player safety fences on field 6 at Guinea Lane Park; to allow WTBA to add JOB boxes to fields 1, 2 & 4 at Guinea Lane Park that are consistent in color; and to allow WTBA to move their existing storage shed to an area near the batting cages.

Mr. Thompson asked who is maintaining the grass in the batting cages. Mr. Sharapan explained it was originally going to be some sort of pea gravel surface, but that didn't happen and we have maintained it as much as we could throughout the year, with the help of the association. The infield mix being stored at Guinea lane will be put down inside the batting cages instead of the grass.

Mr. Cox asked where the storage shed is. Mr. Sharapan explained the location and noted a lot of problems with vandalism and will be more visual if moved near the batting cages.

**Motion by Mr. Thompson to approve the recommendation of the Park Board for the Guinea Lane improvements to baseball field.  
Second to motion by Mr. Cox.**

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

**Motion passed unanimously**

Mr. Sharapan also reported that the Park & Rec. Board is requesting the addition of a port-a-pot to the front field at Hampton Chase Park at Dark Hollow. The port-a-pot should be contained within a protective/decorative structure as they are in the other parks.

Mr. Thompson said he wonders, since these people are young athletes, why they cannot run 300' to a port-a-pot. Dan said it was requested by the softball association but there was also a call from a concerned resident and asked to put another port-a-pot there.

During brief discussion, the Supervisors commented that the softball association should pay for the port-a-pot.

**Motion by Mr. Thompson to approve the request to add another port-a-pot in the same location as the existing one, with screened cover and paid for by the softball association.  
Second to motion by Mr. Cox.**

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

**Motion passed unanimously.**

⇒ Fee for Sewer Planning Module – discussion (exhibit)

Tom Scott summarized last discussion of fees and offered an alternate for sewage planning module review. Mr. Scott noted the fee for submission to the Board of Supervisors, it would be \$150 and if someone is connecting to the public system to replace a failing system, the Township would not charge fees but the applicant would pay Water and Sewer Authority fees required. The Township would notify DEP, as the applicant, of the action.

Mr. Thompson said we were talking about the private system, which is like a small septic system, that would require yearly maintenance and inspection for a one time \$500 fee. Mary Eberle, Township Solicitor, explained the fees and that the agreement has a provision for a maintenance agreement. \$500 is for the actual paper work and \$2500 would be posted and kept as the maintenance security. Mr. Thompson would like to look at the whole thing in order to understand what is being talked about and why the Township is responsible to the DEP. Ms. Eberle explained that about eight or nine years ago, DEP issued a proclamation that municipalities would now be ultimately responsible for the maintenance. Mr. Thompson asked what if someone does not maintain, the system fails and someone else moves in, they have a piece of paper saying that the Township okayed it every year. What protects the Township. Ms. Eberle answered that the language in the agreement would protect the Township, the agreement puts the onus on the property owner and every subsequent property owner to maintain the system. If they fail to maintain it, or costs are incurred, we have the \$2500 dollar escrow and there is also an indemnification that the person that signs it, and any subsequent owner of the property has to reimburse the Township for any expenses the Township incurs as a result of the property owner's failure to maintain it, and additionally we have governmental immunity so we are protected. Ms. Eberle will send Mr. Thompson a copy of what an agreement looks like.

Mr. Scott noted there is currently an application being looked over by the sewer authority. Mr. Cox asked if inspection is annual or quarterly. Ms. Eberle said it is a bit more complicated, when they first put the system in, there are things done every quarter for the first year. Once it gets running and has a track record of maintenance, it then goes to an annual maintenance system. All requirements for the steps in maintenance are required by DEP. Mr. Cox asks if we need to include some on-going collection from these people. Ms. Eberle said no, the Township has the \$2500 security and if the Township has to use any of that, the agreement requires that the Township be reimbursed and always keep it at \$2500. If the owner does not reimburse, the Township can put a lean against the property.

Mr. Cox asked about new construction of single homes that want to connect to the public system. Mr. Scott said that does not normally require a resolution by the Board of Supervisors, they deal with the health department requirements. We have building permits for the new homes.

**Motion by Mr. Thompson to approve the sewage planning module fees as discussed by the assistant manager.  
Second to motion by Mr. Cox.**

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

**Motion passed unanimously.**

Dan Spearing, 1459 Stony Road, said that he had been upstairs at the Water and Sewer Authority meeting tonight, and was sent down to this meeting. Mr. Spearing spoke of concerns that his on-lot systems that have never worked, noting that some of his neighbors have failing systems. Mr. Spearing notes that Eric from the Board of Health has been trying to help with the situation. Mr. Spearing wonders what plans are for Benton Hill Road, where the systems are 75

years old and also notes he has no where else on his property for a system. The DEP has no solutions for me. Mr. Spearing also spoke of a possible amendment to Act 537 plan and some guidance and is concerned he has no water and there is no fire hydrant within ¼ mile of his home. Mr. Spearing has an underground infiltration system that is failing.

Ms. Algeo reported that the Board had met with the Water and Sewer Authority and that Hartsville area has been discussed. Ms. Eberle suggested that the Board find out how the rest of the property owners feel. Ms. Algeo noted that we have been having discussion and are very concerned about how to get public water in there. Mr. Thompson said the authority will have to start looking at this. Mr. Spearing is concerned there is no plan in place and also noted that the Township should be aware that if Studley comes in for a subdivision, there is litigation pending and there is a sewer problem.

⇒ Bill Payments December 17, 2007 (exhibit)

General Fund		
Check N <sup>o</sup> : 14660 - 14720	\$	80,150.26
Park & Recreation		
Check N <sup>o</sup> : 4340 through 4347	\$	260,749.38
Capital Project Fund		
Check N <sup>o</sup> : 1004 - 1007	\$	40,914.86
Open Space Fund		
Check N <sup>o</sup> : 349	\$	432.00
Firehouses & Equipment Fund		
Check N <sup>o</sup> : 215	\$	7,168.14
Road Machinery Fund		
Check N <sup>o</sup> : 141	\$	<u>1,427.73</u>
Total -	\$	<u>390,842.37</u>

**Motion by Mr. Thompson to approve Bill Payments for December 17, 2007, 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:**

⇒ CDN – Land Development Agreement (exhibit)

⇒ Locort – Land Development Agreement (exhibit)

Mary Eberle, Township Solicitor, presented CDN (lot 30, Warwick Business Campus) Development Agreement and Locort (lot 31, Warwick Business Campus) Development Agreement, noting that the agreements are very similar to the Reiff agreement that was

approved last meeting. The applicants both asked if we could remove the paragraph saying they are not guaranteed to get an occupancy permit unless Scott Cornell got his Highway Occupancy Permit and completed his issues with the Township. Ms. Eberle declined their requests and is leaving the option to the Board of Supervisors.

Mr. Thompson confirmed the paragraph was left in the agreement. Ms. Eberle confirmed that it was.

**Motion by Mr. Thompson to approve the CDN Land Development Agreement, 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.**

**Motion by Mr. Thompson to approve Locort Land Development Agreement, 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:** There was no Engineer's Report this evening.
- **OLD BUSINESS:** There was no old business to discuss this evening.
- **NEW BUSINESS:** There was no new business to discuss this evening.


■ **PUBLIC COMMENT:**

Ms. Algeo commented that the public works building looks fabulous and they are doing great work over there.

■ **ADJOURNMENT:**

The December 3, 2007, Warwick Township Board of Supervisors' public meeting was adjourned at 7:40 p.m.

Respectfully submitted,

  
Gail V. Weniger,  
Township Manager/Secretary

These minutes were approved at the  
Board of Supervisors' meeting held: **January 22, 2008**

