

**WARWICK TOWNSHIP**  
Board of Supervisors' Public Meeting Minutes  
**December 3, 2007**

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

Others Present: Gail Weniger, Township Manager  
Dave Connel, 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:**

⇒ November 19, 2007 public meeting minutes (exhibit)

**Motion by Mr. Thompson to approve the Board of Supervisors' public meeting minutes of, November 19, 2007, 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 reported that the Board of Supervisors' had met in executive session prior to this evening's meeting to discuss matters of open space.

■ **ANNOUNCEMENTS**

Ms. Weniger commented that the Holiday Celebration, coordinated by Dan Sharapan and the Park Board, was a success and there were more in attendance than ever before.

Ms. Algeo reported that the 275<sup>th</sup> celebration planning is taking place and the first event is the birthday party on February 13, 2008.

■ **CITIZENS' COMMENTS:**

➤ Eric Wilhelm, 2106 Wynn Way (Nestlewood), spoke on behalf of five homeowners, of concerns with neighbor who has horses, pigs, chickens, cats, and dogs. Mr. Wilhelm said the odor and flies from this property is creating an unacceptable. The homeowners are asking the Township to do whatever they can to help alleviate the problem. Mr. Wilhelm notes the homeowners are concerned that this situation could affect property values.

Marcia Yates, 2104 Wynn Way, said she has the zoning book for Warwick and after reading it, feels this person has gone from residential to agricultural.

Assistant Manager Tom Scott noted that inspections have been done by Bucks County Department of health it is reported that they will be serving the home owner with notification that they are in violation of health department standards.

Mary Eberle, Township Solicitor, does not believe there are zoning violations and farming is a permitted use in every district. Ms. Eberle believes this situation is considered private nuisance where one property owner adversely affects the neighbors immediately around him, not the whole community or a large segment of the community. The homeowners were advised that they should hire a private attorney for a private nuisance action.

Ms. Algeo requested that the Board be kept posted on this matter.

■ **MANAGER'S REPORT:**

⇒ Budget 2008 – Consider Adoption (exhibit)

Ms. Weniger reported that the budget, as presented on November 3, 2007 has been properly advertised and been available for comments and questions. Ms. Weniger has not received any additional comments or questions on the draft budget.

**Motion by Mr. Thompson to adopt the 2008 Budget as presented, along with Resolution No. 2007-31, Establishing Real Estate Tax Rate for 2008:**

- A. Tax rate for general fund purposes shall be the sum of 4.25 mills on each dollar of assessed real estate valuation.**
- B. Tax rate to support fire protection services shall be the sum of 1.25 mills on each dollar of assessed real estate valuation. .75 mills to be used for operating expenses and .50 mils for fire capital reserve.**
- C. Tax rate for parks, playgrounds and recreation purposes shall be the sum of 1.5 mills on each dollar of assessed real estate valuation. .75 mils to be used for operating expenses and .75 mils for parks and recreation capital reserve.**
- D. Tax rate for payment of indebtedness on general obligations of the Township shall be the sum of 4.0 mills on each dollar of assessed real estate valuation**

**E. Tax rate for road machinery shall be sum of .25 mills of on each dollar of assessed real estate valuation;  
and, to adopt the 2008 Budget, as presented.  
Second to motion by Mr. Cox.**

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

**Motion passed unanimously.**

⇒ FAC Recommendation re: Investment Manager (exhibit)

Ms. Weniger reported that the Financial Advisory Committee is recommending termination of Davis advisors, due to underperformance, and replace them with Thornburg Asset Management. She reports that the advisors are fund managers working with Janney, Montgomery, Scott, which is responsible to manage the Township pension funds.

**Motion by Mr. Thompson to approve the recommendation from the Financial Advisory Committee to terminate Davis advisors and replace them with Thornburg Asset Management.  
Second to motion by Mr. Cox.**

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

**Motion passed unanimously.**

⇒ Bill Payments December 3, 2007 (exhibit)

General Fund Check N <sup>o</sup> : 14603 -14659	\$ 100,407.62
Park & Recreation Check N <sup>o</sup> : 4336 through 4339	\$ 634.87
Open Space Fund Check N <sup>o</sup> : 348	\$ 266.50
Capital Project Fund Check N <sup>o</sup> : 998 trough 1003	\$ 7,969.94
Total -	<u>\$ 109,278.93</u>

**Motion by Mr. Thompson to approve Bill Payments for December 3, 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.**

⇒ Treasurer's Report for October 2007 (exhibit)

General Fund	\$	3,669,151
Firehouse and Equipment		890,028
Road Machinery Fund		179,036
General Obligation / Sinking Fund		746,392
Open Space Fund		312,795
Capital Projects Fund		1,290,903
Highway Aid Fund		2,363
Park and Recreation		641,866
Capital Reserve		<u>614,499</u>
Total	\$	<u>8,347,033</u>

**Motion by Mr. Thompson to approve the Treasurer's Report for October 2007, 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.**

■ **ASSISTANT MANAGER'S REPORT:**

⇒ Warwick Square Shopping Center, Unit 15 – COD Sign (exhibit)

William and Teresa Sabol, Parcels Plus, were present for this sign application. Brief discussion included the allowed size of the sign and the colors that will be used.

**Motion by Mr. Thompson to approve the sign for Parcels Plus, Warwick Square Shopping Center, with the sign not to exceed 80% of the individual commercial establishment's store frontage, letters not to be over 2 feet and the background to be tan in color to match the façade of the existing building.  
Second to motion by John Cox.**

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

**Motion passed unanimously.**

⇒ Fee Schedule – Recommendations for 2008 (exhibit)

Tom Scott, Assistant Manager and Planning/Zoning Director proposed a general 5% increase in building permit fees for the 2008 Fee Schedule. Additionally, changes are proposed for the straight zoning fee for the zoning portion of the permit from \$35 to \$100 per, and a change to fees we charge for a contractor's license from \$100 to \$150.

Mr. Cox asked when the fee schedule was last adjusted. Mr. Scott cited that the Township increased the plan review fees from 10% to 15% in January of this year. Within the past few years we raised fees on new commercial and new residential homes.

Mr. Scott is recommending increasing contractor registration from \$100 to \$150. Mr. Cox believes if our costs are not being covered with the \$100, we should increase it to \$150. Mr. Thompson believes we should leave it at \$100. Ms. Algeo is okay with \$150. Mr. Scott noted

that the costs associated with mailing, maintaining a data base, and providing the information to residents has gone up yearly and the fee has been the same for at least five years.

Mr. Scott noted the current zoning fee is a flat fee of \$35 or \$55. He is recommending an increase for residential and commercial noting that the current fees do not cover the costs of zoning reviews. Mr. Thompson believes there should be a difference in scale, new construction should be higher. Mr. Thompson said that raising the permits for decks and sheds, etc., is just constantly hammering the taxpayer. Mr. Cox and Ms. Algeo are okay with raising this fee to \$100. Mr. Scott explained his recommendations for increasing fees for zoning permits, noting the costs of inspectors and the administrative costs of the permitting process. The Board of Supervisors were okay with this recommendation.

Next, Mr. Scott recommended increasing fees for non-illuminated, recommending a \$100 fee for both illuminated and non-illuminated signs, noting the review process is almost identical.

Mr. Scott then moved on to Use and Occupancy Permits, opining that the Township has taken a loss on these for quite some time. The proposal is to enact increases from \$60 to \$100 for residential and from \$100 \$200 for non-residential.

The Zoning Hearing Board fees were tabled to later date.

There was discussion regarding fees for Sewer Planning Module applications, noting that there is currently no charge for a process which, when occurring outside of the land development process, can take a significant amount of administrative and professional staff time.

Mr. Cox is not comfortable with a \$500 fee recommended, noting a difference from private residence and commercial properties, would like to table this item. Mr. Scott will revise his recommendations and submit the revised fee schedule recommendations to the Board of Supervisors for their review.

Ms. Algeo invited public comment.

Pat McCarty, resident, notes that since Water and Sewer charges for review the Township should not charge again. Mr. McCarty believes the recommended \$500 fee is not fair, and that it seems the taxpayers, who are already paying for services through their taxes, are being hit again with all the fees.

■ **SOLICITOR'S REPORT:**

⇒ Reiff (Cornell lot #9) Development Agreement and Memorandum of Development Agreement (exhibit)

Mary Eberle, Township Solicitor, presented Reiff (Cornell lot #9) Development Agreement and Memorandum of Development Agreement for the Board's approval.

Mr. Thompson asked about the PennDOT issue and the number of lots approved. Ms. Eberle said the ones you are approving now are the limit and before any more land development, Scott Cornell needs to get his HOP permits.

**Motion by Mr. Thompson to approve Reiff Land Development Agreement and Memorandum of Development Agreement for lot #9.  
Second to motion by Mr. Cox.**

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

**Motion passed unanimously.**

⇒ Deerfield (Kiriakidi) Development Agreement (exhibit)

Mary Eberle, Township Solicitor, reported that about 3 or 4 years ago, George Kiriakidi came in and suggested that he would like to connect to public sewer, to add a building lot and he had an excess of open space and wanted to put a lot in the open space, in exchange for which he would do certain things as spelled out in the stipulation. The concept was approved 3 or 4 years ago and in the Spring, the stipulation was presented to the Board and was approved. Ms. Eberle notes this matter is being presented for signature, which would authorize execution of the declaration of covenants and authorize Judith to sign the stipulation which would end the zoning hearing board case.

**Motion by Mr. Thompson to approve Deerfield (Kiriakidi) 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:**

⇒ Warwick Office Park, Escrow Release N<sup>o</sup>. 12 (exhibit)

Dave Connell, Township Engineer, presented Warwick Office Park, Escrow Release N<sup>o</sup>. 12, in the amount of \$38,415 for approval.

**Motion by Mr. Thompson to approve Warwick Office Park, Escrow Release N<sup>o</sup>. 12, in the amount of \$38,415, leaving a remaining balance of \$506,969.24, as presented by the Township Engineer.  
Second to motion by Mr. Cox.**

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

**Motion passed unanimously.**

■ **OLD BUSINESS:** There was no old business to discuss this evening.

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

■ **PUBLIC COMMENT:** There was no public comment this evening.

■ **ADJOURNMENT:**

The December 3, 2007, Warwick Township Board of Supervisors' public meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Gail V. Weniger,  
Township Manager/Secretary

These minutes were approved at the  
Board of Supervisors' meeting held: **December 17, 2007**

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