

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
MARCH 3, 2008

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

Members Absent: John Cox, Member

Others Present: Gail Weniger, Township Manager
Dave Connell, Township Engineer
Mary Eberle, Township Solicitor
Tom Scott, Assistant Manager
Linda Grant, Recording Secretary

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' March 3, 2008 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:07 p.m., by Chair, Judith Algeo who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ February 19, 2008 Board of Supervisors' public meeting minutes. (exhibit)

Motion by Mr. Thompson to approve the February 19, 2008 public meeting minutes, as submitted.

Second to motion by Ms. Algeo.

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

Motion passed unanimously. (J. Cox – absent)

■ **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 and personnel.

■ **ANNOUNCEMENTS:** There were no announcements this evening.

■ **CITIZENS COMMENTS:**

➤ Nick Buerger, 1481 Greenleaf Drive (Hidden Pond), said that he has plans to come the next six weeks, presenting one part of this involved matter each time. Mr. Buerger believes the Board should look at the information he will be presenting.

*March 3, 2008
page 2 of five pages*

Ms. Algeo asked if this has to do with litigation. Mr. Buerger said no, he is just here to tell a story. Mary Eberle, Township Solicitor, said that anything that is involved with the litigation will not be discussed at a public meeting by the Board of Supervisors. Mr. Buerger insists that he can speak about whatever he wants to speak about and he is about public safety and public issues. Mr. Buerger said his issues are certainly separate, and he is here about public issues only.

Mr. Buerger is concerned that public information, specifically minutes from the Planning Commission for 1995, are not available. Mr. Buerger distributed a copy of document, regarding the Warminster Township meeting of February 28, 2008, to the Board of Supervisors, stating he would like to enter it into the public record.

Warminster Township meeting 2/28/08

Hi my name is Nicholas Buerger. I am here to ask the board of supervisors to investigate safety issues at the intersection of Valley and Bristol road. I believe that it is impossible for a disabled person to cross Bristol road safely into Warminster Township. Do you believe that the conditions at this intersection meet the American Disabilities Act? Residents of Warwick Township travel from Warwick down to Kemper Park and to John Barclay Elementary School. There are no sidewalks or handicap cross walks available for pedestrians to use. If this is an unsafe area for pedestrians to cross The crosswalk should be closed or warning signs should be posted before a life is taken by the apparent dangers with this intersection. In addition, the lack of a designated turning lanes and proper signage is also a problem. These issues affect drivers, as well as pedestrians. I believe that the developer of this intersection should be held accountable for the repairs, and not the Warminster tax payers. I believe that the public should be able to review the plans and approvals of this intersection. I find it very troubling that the public records are missing in Warrington, Warwick, Warminster Townships and Pen-dot. This makes me wonder how unsafe this intersection may be. I know that Warminster Township is not responsible for the building or the so called management of this intersection but Warminster Township sure is responsible for the safety of the public who travels through the township even if another Township has caused the unsafe conditions.

Mr. Buerger notes there is no sidewalk on the Warminster Township side. Ms. Algeo states we have no jurisdiction in Warminster.

Mr. Buerger believes we need to look at the plans and minutes to see what happened there and come up with a remedy. Ms. Algeo said there may not be anything to discuss since the development was approved in 1995. Ms. Eberle said the plan for Hidden Pond would certainly be a public record. Ms. Eberle reminds there was a move from the old township building and unfortunately some documents were lost. Ms. Eberle also states that the final plan, which overrides everything, is recorded at the Courthouse and whatever is recorded is the final statement on what is supposed to be there. Mr. Buerger acknowledged that he had reviewed the final plan in the courthouse.

March 3, 2008
page 3 of five pages

Ms. Algeo asked if there are other people who are concerned with this issue. Mr. Buerger said yes, there are probably about 75 to 100 people who share his concerns. Ms. Algeo again reminded that anything that has anything to do with the litigation goes through the Township Solicitor, the Board of Supervisors will not discuss it here, it must go through Mary Eberle. Mr. Buerger said 1481 Greenleaf Drive is not part of these concerns.

■ **MANAGER'S REPORT:**

⇒ Bill Payments for March 3, 2008 (exhibit)

General Fund Check N ^o : 14997 – 15049	\$	53,479.99
Park & Recreation Check N ^o : 4397 through 4409	\$	6,371.42
Capital Project Fund Check N ^o : 1033 - 1034	\$	746.20
Firehouse and Equipment Fund Check N ^o : 216	\$	<u>4,729.00</u>
Total -	\$	<u>65,326.61</u>

Motion by Mr. Thompson to approve March 3, 2008 Bill Payments, subject to audit. Second to motion by Ms. Algeo.

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

Motion passed unanimously. (J. Cox – absent)

■ **ASSISTANT MANAGER:**

⇒ T-Mobile (exhibit)

Tom Scott reported the zoning hearing board application for placement of a cell phone facility on or near existing PECO structure near Turkey Trot and Guinea Lane, has not been filed yet. After discussion, it was thought to have informal discussion with the Board of Supervisors.

Eric Goldberg, applicant attorney, said that there are currently two sites in Warwick, a pole in the shopping center on York Road and one on the Fetzer smokestack. Currently the service is unreliable and in order to correct this, T-Mobile is looking at space located in Warwick Township off of York Road, between Guinea Lane and Stoney Road. Mr. Goldberg Bassem Iskander for radio frequency issues and Phil Burtner, applicant engineer are also present this evening.

Mr. Iskander showed a drawing of Warwick and spoke of the different levels of service within Warwick, specifically noting areas with unreliable service.

Mr. Thompson referred to site plan, drawing S1 and asked about the size of the cabinets and why future cabinets are needed to serve that area.

*March 3, 2008
page 4 of five pages*

Mr. Iskander said the cabinets are about the size of a refrigerator and they contain physical radio equipment and the antennae transmits the receiving and sending the signal. Mr. Iskander notes the future cabinets are for increase in service that may be needed in the future.

During discussion of landscaping, Mr. Thompson stated he does not want chain link with barbed wire fencing and suggested that applicant install white privacy fencing. Mr. Goldberg said applicant would work with the Township. Ms. Eberle suggested that the Board of Supervisors write a letter to the Zoning Hearing Board, noting their preferences, such as installation of an 8 foot, white pvc privacy fence and appropriate landscaping, should the zoning hearing board decide to grant relief.

■ **SOLICITOR REPORT:**

⇒ Comcast Ordinance and Agreement – Request Authorization to Advertise (exhibit)

Mary Eberle, Township Solicitor, is requesting authorization to advertise the ordinance by which the Board will execute the new agreement with Comcast.

Mr. Thompson asked about our one municipality hookup. Ms. Weniger noted it is a residential hookup and is almost useless. Ms. Weniger notes we have a hookup at public works that we pay for, the police department is the one that will be the free one and the administrative office has business level hookup, which is not free. Mr. Thompson wonders why we can't request free business hookup and hookup for the Moland House property.

Ms. Eberle explained that Ms. Weniger had requested this, as well as Plumstead Township also requested the same. Ms. Eberle, further explained that everyone signed the Verizon agreement which did not require any internet connection. Everyone tried very hard to get internet connection and Comcast allowed only one connection and it is residential.

Mr. Thompson spoke of the funding for projects. Ms. Weniger said we will receive the money because we are now in repair/replacement mode. We simply need to write a letter requesting funding.

Motion by Mr. Thompson to authorize advertisement of the Comcast Ordinance and Agreement.

Second to motion by Ms. Algeo,

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

Motion passed unanimously. (J. Cox – absent)

■ **ENGINEER REPORT:**

⇒ Borgeson Tract, Escrow Release N^o 5 (exhibit)

Motion by Mr. Thompson to approve Borgeson Tract, Escrow Release N^o 5, in the amount of \$22,183.50 (leaving a balance of \$124,826.52), as presented by the Township Engineer.

Second to motion by Ms. Algeo.

*March 3, 2008
page 5 of five pages*

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

Motion passed unanimously. (J. Cox – absent)

■ **OLD BUSINESS:**

Mr. Thompson asked about the traffic light at Walgreens and the change of the location of the construction entrance. Mr. Thompson is concerned that they will be coming in for occupancy permits and the intersection will not be built. Dave Connell, Township Engineer, notes that the Bucks County Conservation District trumps the Township, but when Mr. Connell has the opportunity to offer an opinion, he will say no occupancy until the intersection is built.

Mr. Thompson asked about the Moland Trail. Mr. Connell said the Township Solicitor is working with the attorney for PennDOT for something similar to a highway occupancy. Ms. Eberle said the issue remaining is a part of the agreement that says "trail sponsor", and the definition of trail sponsor is not defined in the contract. Also, the definition of what a drainage facility is cannot be found in the contract, and the PennDOT attorney is trying to see if he can take that language out.

■ **NEW BUSINESS:**

Gail Weniger reported that she received a letter from the Middle Bucks Institute of Technology today, written to Chief Costello.

"On behalf of the student body and the staff of the Middle Bucks Institute of Technology, thank you for the support and security provided for our school this week. We truly value the exceptional service we receive from you and your department on a regular basis, and are particularly grateful for the time you personally invested in helping us on February 29.

Again, thank you for your help and support. We are fortunate to have a quality police department such as yours in our community. Please do not hesitate to contact us if there is ever anything we can do for you, your department or the Township of Warwick." Signed Michael Irwin.

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

■ **ADJOURNMENT:**

The March 3, 2008, Warwick Township Board of Supervisors' public meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Gail V. Weniger,
Township Manager/Secretary

These minutes were approved at the
Board of Supervisors' meeting held: **March 17, 2008**

