

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, FEBRUARY 28, 2008**

MEMBERS PRESENT: Frank Feinberg, Chairman
Ellen S. Jarvis, Vice Chairman
Gail E. Johnson, Secretary/Treasurer
Fred L. Gold

STAFF PRESENT: Robert Tate, Township Manager
Barbara Sultzbach, Assistant Township Manager
Elliot Drexler, Esq., Township Solicitor
Craig Kennard, PE, Township Engineer (Gilmore)
Thomas Thern, Zoning Officer
Jim Krueger, Fire Marshal / L & I Director

CALL TO ORDER: The Public Meeting of the Warminster Township Board of Supervisors, held at the Township Building, 401 Gibson Avenue, Warminster, PA, was called to order at 7:07 PM, by Chairman Frank Feinberg.

The PLEDGE OF ALLEGIANCE was led by Gail Johnson, followed by a moment of silence for our men and women in uniform around the world.

ANNOUNCEMENTS, COMMUNICATIONS & MINUTES

- Frank Feinberg asked for a motion to approve the Minutes of February 14, 2008. Ellen Jarvis made the motion that the minutes be approved as submitted. Gail Johnson 2nd the motion. The vote carried 4-0-1 (Quinn not present).
- Gail Johnson mentioned to Bob Tate that the minutes for 2008 are not posted on the web site, Mr. Tate said he would check this out.
- Ellen Jarvis stated that Mr. Quinn is not here tonight because he is traveling on business.
- Bobbie Loftus, Warminster Tax Collector, announced that the 2008 County & Township tax bills were mailed. This bill includes refuse. If the township collects the trash, senior citizens that are homeowner's are entitled to a discount of \$55.00. To receive this discount, the senior citizen must show their driver's license (proof of age and residency) to the tax collector. If it is the intention of the senior citizen to mail the tax bill, the tax collector suggests calling her office to verify their qualification to deduct the \$55.00 discount. The tax collector will have extended hours in April. As a reminder to the taxpayers, Ms. Loftus stated that the Homestead Farmstead Exclusion Notice is due at the courthouse by Saturday, March 1, 2008.
- Regarding Park & Recreation, Karen Whitney announces the following:
 - Today, Warminster Parks & Recreation received a donation of \$126.00 from the Petco Foundation Tree of Hope, toward our dog park construction. This donation was a result of the Warminster/Petco pictures with Santa Tree of Hope Fund Raiser that was held in December. Petco has already given us a grant of \$500.00 towards this project. There are still monies available if we apply for additional grants.
 - The Annual Easter Egg Scramble is Thursday, March 20th at 4:30 PM at the WREC. Children ages 3 to 10 should register. Please call P & R Department to be placed in the appropriate age group. Fulton Bank is our sponsor for this event.
 - The Rubber Ducky Regatta tickets are on sale at the WREC office, the library and the tax office. The tickets are \$5.00 per duck or five ducks for \$20.00. The event will be held on Sunday, May 18th at Kemper Park starting at 1:00 PM. At noon, there will be a pre-event picnic where people can bring their lunches and desert will be provided. Immediately following the event there will be a half-hour of children's games with prizes. Commerce Bank is the sponsor for this event.

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ANNOUNCEMENTS, COMMUNICATIONS & MINUTES (Cont'd)

- Parks & Recreation is currently taking applications for summer employment. We are looking for camp and playground instructors, tennis instructors, life guards, swim instructors and park maintenance people. Interviews will begin in the next two weeks.
- Frank Feinberg announced that an executive session was held prior to this meeting. The subjects that we covered were:
 - Park encroachment – issue of residents encroaching on township parks. There are legal and liability issues that require that we work toward bringing about a solution.
 - Interview with Elizabeth Carter with respect to Volpe Tile issue (fence). There was new information presented. This requires further review before we can make a final decision.
 - We had discussions with the Chief of Police regarding;
 1. Criteria that has been developed to evaluate the position of Deputy Chief.
 2. Towing Ordinance.

PRESENTATIONS

First Presentation: Craven Hall Proclamation

Members of the Board of Craven Hall Historical Society are here this evening. Mr. Erik Fleisher, President, introduced the members Gary Hanley, Otto Blavier and wife, Nancy Carver, Joanne Thern, their treasurer Linda, photographer Kent Sloan and Emilie Sloan. They brought with them a video which shows Craven Hall's interpretive demonstrations (fireplace cooking, etc.) and talks about its' activities. Their president, Erik Fleisher, is the narrator of the film on Craven Hall. The video also has the official recognition ceremony at Craven Hall on February 7, 2008 for Craven Hall's placement in the National Register of Historic Places (listed 10-11-07). Present, representing the Senate was Stewart J. Greenleaf, representing the House was Bernard T. O'Neill and representing the Bucks County Commissioners were James Cawley, Esq. and Charles H. Martin. Each presented their congratulatory remarks and the Craven Hall Proclamation by the Board of Bucks County Commissioners declared February 7th as Craven Hall Day throughout the County of Bucks.

Frank Feinberg on behalf of the Board of Supervisors of Warminster Township and in honor of Craven Hall's listing in the National Register of Historic Places reads the following:

PROCLAMATION

Whereas, We the Board of Supervisors of Warminster Township, Bucks County, PA recognized the need for residents to be aware of the historical resources Craven Hall has to offer;

Whereas, National Register Properties are distinguished by having been documented and evaluated according to uniform standards. National Register Properties are recognized because of their accomplishments of all the peoples who have contributed to the history and heritage of our nation;

Whereas, On October 11, 2007 the National Register of Historic Places listed Craven Hall, circa 1720, as a property worthy of preservation due to the historical, architectural and cultural merits;

Whereas, The courses and projects made available for education programs in schools, the major restoration of the buildings and the establishment of the John Fitch Steamboat Museum by the Craven Hall Historical Society has shown our residents and visitors the importance of coordinating and supporting public and private efforts to identify and protect our historic resources;

Now, Therefore be it resolved: We the Warminster Township Board of Supervisors on behalf of all Warminster residents offer our thanks, congratulations and best wishes to the Craven Hall Historical Society of Warminster Township. In their honor we proclaim the week of March 3, 2008 as:

"CRAVEN HALL WEEK"

And we ask all Warminster residents to discover the beauty of our history.

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PRESENTATIONS (Cont'd)

First Presentation: Craven Hall Proclamation (Cont'd)

Erik Fleisher, President and spokesman this evening for the Craven Hall Historical Society tells the Board of Supervisors that they are proud to be the historic society for Warminster and are quite pleased with the Proclamation. He invites anyone interested in seeing Craven Hall to come Sunday, March 9th. Craven Hall is open every second Sunday of the month from 12 Noon until 3 PM. There is no charge. Donations are always appreciated.

The next project for the historical society is the John Fitch Steamboat Museum. John Fitch invented the first commercial steamboat in the world.

PRESENTATIONS

Second Presentation: Nancy Szamborski - Reuse of Navy Housing Properties in Bucks County

Nancy Szamborski is formally from Warminster. She has been director of housing for the Navy for the past twenty years. Recently she retired as director of housing for the Navy. She has been through one base closure with Warminster. She says the Navy portion of the Willow Grove Base will be closing in 2011. As the housing director, she is aware of some of the plans that the Navy has made for the ultimate demise of the properties at the base and is here to share some information about the properties she has managed for the last twenty years and also give some possible scenarios' for what might be possible for the housing. Currently, Nancy Szamborski, CPM®, RPA®, GRI® is the Executive Director of Bucks County Housing Group. Only with this group one month she has already been approached by some big developers who have expressed an interest in the military properties. She wasn't too thrilled about some of their ideas for the properties because they involved giving the properties to homeless people in Pottstown and Philadelphia. It is her view that a better plan, something more local, was needed. She is looking at something that would be a Bucks County based program.

The only portion of the Navy properties located in Bucks County which will eventually be consider excess by the military is the housing properties located in:

1. Shenandoah Woods – Warminster

- Three (149 units) and four bedroom (50 units) town homes (199) built in 1974-75. The site is 51 acres with 40 buildings of 4, 5 or 6 units. These have been occupied by active duty military families since they were built. Units are managed by the Navy Housing Office. Current occupancy is about 75%. Municipal services (fire, police) are provided by Warminster Township through an arrangement in 1996. They met with the Warminster Public Safety Director and have complied with all signage requirements. The units were retro fitted with a sprinkler system in 1997. The Navy pays for snow removal and trash removal. Children attend Centennial Schools (Davis & Longstreth elementary schools).

2. Jacksonville Road – Ivyland

- Three (5 units) and four bedroom (1 unit) single ranch homes (one unit has handicap modifications) were built in 1941. The site is 2.5 acres. Municipal services (fire, police) are provided by Ivyland Borough. Navy pays for snow and trash removal. Children attend Centennial Schools.

Note: Both properties are about 75% to 80% occupied. The units were renovated in 1994-1995 at a cost of \$13 million dollars to bring the houses up to code. The homes are nice and have been kept in good shape by local maintenance people. The units have basically been gutted. The kitchens have been remodeled, hard wired smoke detectors (7 or 8), carbon monoxide detectors, new floors, new electrical system, new plumbing systems, all outlets and switches have been changed and upgraded, has 200 Amp service, new breakers, new HVAC systems, new vinyl fencing and many other upgrades. There are some challenges to the property, for example storm water issues. Whoever acquires the property will have to address any problems.

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PRESENTATIONS (Cont'd)

Second Presentation: Nancy Szamborski - Reuse of Navy Housing Properties in Bucks County

The Navy is scheduled to leave Willow Grove in 2012 in BRAC action and the housing properties will be declared surplus.

BRAC (the base realignment enclosure process) requirements are:

- **McKinney-Vento Act screening. Surplus properties must be screened for possible reuse or utilization to benefit homeless providers.**

Note: Homeless providers in Bucks County include: Bucks County Housing Group (Nancy Szamborski works for this group), Red Cross Shelter, and A Woman's Place.

- **Requires a LRA (local redevelopment authority) to plan for reuse.**

Note: Horsham LRA - Donnamarie Davis is the Bucks County representative
Horsham will feature heavily in the plans for reuse even though its in Bucks County.

- **HUD must also approve reuse plan.**

Although preference has to be given to homeless providers, Nancy Szamborski gives the following suggested proposals:

1. Acquisition Proposal

- **2009 – Convey Shenandoah Woods and Jacksonville Rd. properties to BCHG (Bucks County Housing Group).**
- **BCHG will operate and maintain units for military use and occupancy similar to a military privatization site until 2012.**
- **BCHG will do the 2009-2012 housing allowance (BAH) market data input to avoid a decrease in allowances (approx 75 million dollars a year).**
- **BCHG will provide relocation services and counseling to civilian and military personnel relocating to McGuire AFB.**
- **BCHG will provide Homeowners Assistance Program (HAP) sales market data to Army Corps of Engineers on behalf of Willow Grove for their BRAC program.**

2. Reuse Proposal

- **In 2009-2010 BCHG will renovate the 6 Jacksonville Rd. ranch homes to include handicap modifications, and market them for sale at below market prices to disabled veterans.**
- **BCHG will retain ownership of 10% of the units for program use, and in 2010-2011 relocate BCHG administrative offices to the site.**
- **In 2011-2012 BCHG will renovate the Shenandoah Woods units for sale as affordable housing to low to moderate income families, with preference to veterans but also to municipal employees, teachers, firemen, police etc. in Warminster.**
- **Sale proceeds will remain in a fund to benefit BCHG, Red Cross Shelter, and A Woman's Place, the Bucks County McKinney-Vento eligible providers.**

These proposals provide the following benefits:

1. Benefits to the Navy

- **Navy and other service personnel occupy units seamlessly until BRAC closure.**
- **Housing units are managed by military housing specialist who operated them for 20 years.**
- **Military BAH housing allowances will remain high and bring considerable revenue to all of Bucks and Philadelphia metropolitan area.**
- **Transferring personnel receive relocation services and counseling for renters and buyers, and may be also eligible for Homeowners Assistance Program.**
- **Reuse proposal fully meets BRAC McKinney-Vento requirements**

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PRESENTATIONS (Cont'd)

Second Presentation: Nancy Szamborski - Reuse of Navy Housing Properties in Bucks County

2. Benefits to Community

- Navy housing properties will not be abandoned or boarded up.
- Properties will generate stable property tax revenue.
- Over 90% of residents will also pay wage taxes.
- No public housing projects or Section 8.
- Local veterans and moderate income families will benefit as homeowners.
- Use of the property will be compatible with surrounding residential community.
- Sustainable source of revenue for Bucks service providers mitigates burden on Bucks taxpayers.

In closing Mrs. Szamborski says, it is not too early for the township to begin discussing these proposals and becoming familiar with the properties, the challenges and the opportunities that they present.

DISCUSSION:

Fred Gold: What will be the status of these properties as far as taxes? Does the McKinney Act provide abatement similar to Anne's Choice?

Nancy Szamborski: No, if they are sold they will go right back on the tax rolls.

Fred Gold: The school board has had a problem collecting for the children in fact they have not collected anything over many years. The rest of us taxpayers have taken the burden of educating the naval housing children that live in Shenandoah Woods. I do not want to see that continue.

Nancy Szamborski: In the last ten years the school district has been receiving either \$400,000.00 or \$500,000.00 each year. This is a special appropriation that Arlen Specter started after the school board brought this matter to the attention of the government. Centennial is the only school district in the county that gets this special appropriation. As far as I know they are still getting it.

Fred Gold: It is my understanding they are getting nothing, I suggest you check on this.

Nancy Szamborski: I will check and provide that information to you.

Gail Johnson: Do I understand correctly that you would arrange to have your agency take over the properties then find families that would fit.

Nancy Szamborski: We would have a development partner to do that. It is possible for the Navy to convey it under the McKinney Act to an agency or a coalition of agencies; but, I have a feeling when this surplus announcement comes out there may be other coalition of agencies from out of town that will be coming forth. This should now be opened up for discussion. There is a very narrow window of opportunity. If no homeless agencies come forward then it goes up on the block. I already know that others are interested. Consideration must be given to homeless providers. I do not feel the property is suitable to simply bring in a bunch of homeless families to live there. I don't think it lends itself to that type of application. To develop it and use the proceeds seems more reasonable. We should keep a few units for program use but not necessarily for homeless families per say, but for low income families. To sell off 90% of them to people who already live and work here makes more sense. They would have to be able to get a mortgage. Why not sell to area people at a below market rate?

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PRESENTATIONS -DISCUSSION (Cont'd)

Second Presentation: Nancy Szamborski - Reuse of Navy Housing Properties in Bucks County

Gail Johnson: My daughter just recently bought a house in the area and it was hard for her to find something that was affordable.

Nancy Szamborski: These homes have been lovingly maintained. It seems like a wonderful opportunity. Even the ones that are not occupied will be fixed up to move in condition. I am going to suggest to Congressman Murphy to move things along by allowing the people to stay there as renters until they move out and begin to look at developing and reselling them while they are still in good shape.

Gail Johnson: Would these houses then be subject to our building codes, licenses and inspections? We heard that they really don't comply.

Nancy Szamborski: Absolutely, these houses will comply to present building codes and put on the tax rolls. They did not comply when they were built. I can't speak to 2008 but I can tell that in 1995, we complied with the strictest building code at that time and then on.

Dee Young – Henry Avenue - Wants to know if this information was provided to our township manager and suggests that any changes be brought to his attention.

Nancy Szamborski: He has a copy of all the information presented.

Fred Gold: Says, there is a lot of storm water problems that have not been resolved by the Navy, asks, Mary Stover to address this issue.

Mary Stover: When this development was built in the 70's, it was built with one small detention basin which is not up to current standards. We were working with the Navy to try to get it up to standards so we could help the downstream flooding that's occurring as a result of all the impervious surfaces in the development itself. The hope was that at the time the property transferred, whoever would purchase the property would have to comply with the current standards for storm water management.

Nancy Szamborski: We had developed a concept for the repairs together as a group. The new owners, regardless of who it is, need to be held accountable for those repairs.

LAND DEVELOPMENT ISSUES

I. McGrath Punch List- Phase I (The Villas at Five Ponds) – Punch list update dated February 14, 2008 was submitted by Mary Stover, Pennoni Associates, Inc.

Mary Stover reviews the contents of the 21 listed items in the updated punch list regarding the Villas at Five Ponds & McGrath Homes. She describes each item, its location, defines if it is to be completed or corrected and states the probable construction cost for completion. The total cost shown for the updated items is \$443,657.50.

NOTATION ONLY: In a Memorandum dated February 13, 2008 from Mary Stover, Pennoni Associates, Inc. it states that the total cost for the items on the punch list is \$443,657.50. If an additional 10% were added to this amount for a contingency, it would total \$488,023.25. The amount currently remaining in escrow is \$665,846.63. Recommended was Escrow release No. 13 (\$139,074.87) which would have reduced the amount remaining to \$526,771.26.there is an adequate amount remaining in escrow to complete the work even if Escrow Release No. 13 were approved.

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LAND DEVELOPMENT ISSUES (Cont'd)

McGrath Punch List- Phase I (The Villas at Five Ponds) – updated February 14, 2008

Richard Rodgers – 269 Fairway Drive – President of the Homeowners Association, at the Villas at Five Ponds. He introduced other board members, Mark Schwartz, Treasurer and Paul Luff. They are here tonight because they have several concerns regarding the McGrath Phase I punch list.

Paul Luff – 253 Fairway Drive – Member of the Board of Directors at the Villas at Five Ponds. He provided the Board of Supervisors with a letter that he prepared as a member of the Villas' board and is representing the Villas' board to this board on the Phase I completion, in a detailed review of the Pennoni report dated February 14, 2008. The concerns are voiced as a collective board. The primary issues are the inclusion of missing items to the Pennoni list and what is believed to be inadequate funding for several critical projects listed.

The Pennoni Report recommended a total reserve requirement with.....contingency of \$488,023.00.that figure should be raised to at least \$628,000.00..... This estimate was developed throughconstruction and development experience.....collective thoughts.....and.....from the experts in the industry.

It is the recommendation of the Board of Directors at the Villas at Five Ponds that the reserves required to complete the items on the Pennoni report should be increased by approximately \$140,000.00 beyond the Pennoni estimate to properly cover the seven items listed below:

1. Interior Driveway \$1,000.00 (Item 2) - identifies numerous driveways with ponding issues. The amount of \$1000.00 would be totally insufficient to cover the proper correction of any ponding issues (milled and repaved). Using Item1 (Interior Driveway \$2,000.00) in the Pennoni report as a benchmark and assuming that there may be 20 driveways to be completely redone properly the estimated cost would be \$40,000.00. Not \$1,000.00.

2. Basin Area \$34,735.00 (Item 7) – The Villas executive board's review of the drawings (basin area) obtained from McGrath revealed the following problems:

- **It is not obvious that the solution originally engineered to complete the water retention basin is even possible.**
- **The basin has never dried out and has gone to mud for two weeks in the last 18 months. It was intended to be engineered such “that the water quality areas are designed to remain inundated with storm water for some period after all storm events”.**
- **The area in the immediate bottom of the basin appears to be at or above the local water table. It appears impossible to effectively drain this basin. If it is dug out another foot it will even be exasperated. This basin is a large source of mosquitoes. The Pennoni report has observed this situation and recommended an engineering review of the basin. The Villas' board strongly concurs. For a solution the following is suggested:
1. Remove all silt build-up. 2. Dig out a five to seven foot deep minimum one-half acre pond in the basin. 3. Sink a well nearby. 4. Put in electricity then the Villas' board (having already agreed) would find a pump and aerator to put in a true pond in that basin during the times that there is not active water from storm management.**
- **The Villas' board feels the current proposed fence that is in the drawings is not required. It is recommended that instead of putting the fence around the basin that the six foot high fence currently along Delmont Avenue, now ending at the juncture of the Villas and the Warminster Township Municipal Water Authority Property be continued all around the municipal property up toward Street Road. The high fence will continue the security of the property. If you have a split rail fence people/kids will jump it. The estimated cost would be \$60,000.00. Not \$34,735.00.**

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LAND DEVELOPMENT ISSUES (Cont'd)

McGrath Punch List- Phase I (The Villas at Five Ponds) – updated February 14, 2008

Paul Luff (Cont'd)

3. Wetlands/Creek Area \$10,000.00 (Item 10) –

The Villas at Five Ponds executive board commissioned a certified arborist, Mark Biresch (Bair's Tree & Lawn Service) to review the property grounds and provide a prioritized list of recommendations in regard to the wetlands, trees, and debris issues. They also provided a highest priority recommendation that needed immediate attention, a) to protect the safety of the people and b) protect the assets of the association (walls, fences, houses etc). Concern for the safety in the neighborhood necessitated the removal of a specified number of trees and limbs at a cost of \$6,620.00. In a letter drafted by Richard Rodgers to the Board of Supervisors, Warminster Township and McGrath Homes it is requested that the sum of \$6,620.00 be reimbursed to the Villas' Association from the builder's reserves for the action taken by the Villas to avoid a potentially dangerous situation, and to mitigate damages. Beyond the cost incurred of \$6,620.00 the arborist quoted a cost of \$20,000.00 to just take down the dead or dying trees and a cost of \$30,000.00 to remove them as noted in the Pennoni report (to remove the dead or dying trees and remove all fallen trees and debris from the area). The estimated cost would be \$30,000.00 + \$6,620.00. Not \$10,000.00.

Wetlands Area – Not identified in the Pennoni report

There is a non-easement access point across the creek next to the east side of the basin in the 50 foot clear area, on the (far) east part of the Villas property near Christ Home. Installed currently there is an 18 inch culvert that allows water to pass through and under this access drainage easement. The culvert pipe located in this easement is significantly undersized, it is always clogged and creates erosion in this wetlands area. The existing situation would require a very constant maintenance. This pipe needs to be removed, enlarged, re-graded and installed deeper to be made useful. The estimated cost would be \$ 3,000.00.

4. Delmont Avenue \$1,000.00 (Item 11) – Securing the area along Delmont Avenue near the culvert.

The culvert area has had significant erosion as identified in the Pennoni report. To secure and stabilize the ground in an appropriate manner so that the fence is secured as identified in the Pennoni report, it is believed that the only way for this to be accomplished is to put a stone or concrete wall extending from Street Road down almost to the Municipal Water Authority area. This would also assure that the sidewalk doesn't fall away. The estimated cost would be \$25,000.00. Not \$1,000.00.

5. Interior sidewalk \$595.00 (Item 15) – replace two damaged sidewalks (4 blocks). In addition, to the two damaged sidewalks in the Pennoni report, the Villas on site survey determined that there are fifty (50) cracked sidewalks. Twenty (20) on Delmont Ave, ten (10) in the immediate area of the Club House and twenty (20) are scattered around the development. It is recommended that the blocks be removed, compacted and properly re-poured. Using the Pennoni estimate of \$595.00 extrapolated for 50 cracked sidewalks the estimated cost would be between \$8,000.00 and \$10,000.00. Not \$595.00.

6. Common area on North side of site \$5,000.00 (Item 18) – There are significant water issues that need to be addressed there, primarily around the properties 237 and 239 Fairway. There are other areas that the Villas have identified, 53 Villa on the south end of property, 229 Fairway near the creek, 156 Fairway next to their patio, and 166 Fairway with their ground water run off (if it rains water gets saturated and runs across their driveway for days because the water table is relieving at their driveway), this has to be re-engineered. The estimated cost would be 15,000.00. Not \$5,000.00.

7. Delmont Avenue \$5,000.00 (Item 20) – That water problem was identified and attempts were made to put in an underground system which apparently had little effect. This water table issue needs a detail study with extensive remediation. The estimated cost would be \$10,000.00. Not \$5,000.00.

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LAND DEVELOPMENT ISSUES (Cont'd)

McGrath Punch List- Phase I (The Villas at Five Ponds) – updated February 14, 2008

DISCUSSION:

Gail Johnson: What had caught my attention are the sidewalks cracking. It seems unusual that sidewalks that have been put in place only a year or so would be cracked that much. I would like to ask Mary Stover about that.

Mary Stover: I was not aware of that much cracking. I will certainly have our inspectors get in touch with Paul Luff. We'll be happy to get together with the Homeowners Association and look at any of these items more carefully.

Ellen Jarvis: Mr. Luff, I would like to bring to your attention that the ground seems to be heaving behind 66 Villa Drive, as we come down the hill, to the walkway around the pond and the pool area. With the heavy rains that ground is very soft and there is a continual flow of water from the tennis court area across onto the pool area. Is the ground eroding and in need of stabilization? If so, it could need a wall to hold that ground back up because of the swell of the land.

Paul Luff: What you describe is probably another water table issue that needs to be addressed. We will put it on our list to take up with Pennoni.

Ellen Jarvis: In regard to the security fence promised on Cloverly, where is that on the punch list? Is that going to be accomplished sometime soon?

Rick Rodgers: It is my understanding that they will be doing that and the question is not one of finances. At this point, the weather has prevented moving ahead with it. Cloverly side will be finished with PVC post and rail type fencing. This has been a promise from the McGrath group and it is something not in our control.

In closing, Paul Luff makes reference to the letter Richard Rodgers sent to the Board of Supervisors regarding the Villas at Five Ponds Community Association emergency expenditure of \$6,620.00 and asks for reimbursement.

Rick Rodgers: Regarding the tree work for \$6,620.00, the attached letter is just a reiteration of our concerns but more specifically, I wanted to point out that we in no way intended to assume the McGrath obligation to do the tree work. We were simply doing as expeditiously as possible remedial and emergency preventive measures rather than taking on a job that really wasn't ours. So, this is not us looking to say we're taking that job on and we are going to complete it or do anything else with it, we just did a small piece of it as expeditiously as possible. The pricing we got was particularly low because we are doing it now out of season. Tree work is not at its peak and they were looking for the work and also the leaves and bushes are down and it was easy enough to get to, so the costs we incurred were a very minimum as far as that was concerned. You take a minimum cost and the fact that we did emergency work, we were just trying to take and mitigate any possible damages and not assume any additional responsibilities.

Frank Feinberg:

(Regarding Rick Rodgers explanation of the Villas emergency expenditure) The comment I would make on that is that you really have to be careful when you are doing things like that. You have a site plan that has been approved, you have trees that have been approved and you are removing them against the site plan. I understand what you say about the emergency, but it is best to work with people about the emergency. Had you come to us we would have seen that something would have been done.

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LAND DEVELOPMENT ISSUES (Cont'd)

II. McGrath Licensing Agreement Phase II

Elliot Drexler: This is for Phase II and is a similar agreement that we had for Phase I. It allows McGrath to work on the sewer system and the golf course areas. This would be in effect until Phase II agreements have been signed. They are in process but there is a delay in the financing. To continue the work, this license agreement must be authorized and signed by the chairman on behalf of the township.

Ellen Jarvis so moved that the license agreement be accepted as presented by our solicitor. Fred Gold 2nd the motion. The vote carried 4-0-1 (Quinn not present).

PUBLIC COMMENT

Nicholas Buerger – Greenleaf Drive/Norfolk Drive – is here to ask the Board of Supervisors to investigate a safety issue at Valley and Bristol Roads. It is impossible for a disable person to cross Bristol Road into Warminster Township. Residents from Warwick Township travel from Warwick down to Kemper Park and John Barclay Elementary School. There are no sidewalks or handicap crossing walks available for the pedestrians to use. Some of that intersection was built by Warwick Township but their side of the road has handicap accessibility while the Warminster side does not. Basically, there is a problem for people to get across this intersection. Mr. Buerger gave the secretary a copy of his presentation letter, to be attached to the minutes.

Frank Feinberg asked James Krueger to take a look at the intersection of Valley and Bristol Roads.

SUPERVISOR'S COMMENTS

Ellen Jarvis: In the last two weeks I attended two committee meetings.

1) The Seniors & Health Advisory Committee had their first meeting and what is of great concern to the committee is the closure of Warminster Hospital urgent care and emergency services. Katie Farrell, who is a member, will be coming to speak before this board. Someone from Abington will be coming to tell us what type of services are available and how Abington may make some proposals to help us in terms of some of the costs the township has incurred.

2) Joe Alvare' and the Golf Committee – I wanted to announce that the Golf Course will have opening day on Friday, March 21, 2008 (Good Friday). Mr. Alvare' said they receive 800 to 1000 calls a weeks for tee-time, availability of tee-time or to confirm tee-time. Tee-time will soon be available on the web. This should be available around opening day. This will be a great service to the golfers in our community.

Frank Feinberg: I attended a Traffic Safety meeting. I want to thank the three Gilmore engineers (no charge) that came to the meeting to learn what we are doing about traffic calming and to get a lay of the land. They made some good suggestions for revising the Policy to make it more aligned with what PennDot recommends. When the recommendations come through I will work with the committee. I have experience in putting engineering documents and procedures together. If we run into trouble we'll seek help.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, FEBRUARY 28, 2008**

TREASURER'S REPORT

1. Check List for February 28, 2008

Gail Johnson, Secretary/Treasurer, presented the Check List for the period February 28, 2008.

2008 Prepays - \$230,662.12

General Fund	\$286,827.23
Library Fund	107,071.00
Park & Recreation Fund	25,943.75
Storm Water Management Fund	67,823.37
Golf Fund	43,497.74
Highway Aid Fund	241.82
Legal & Engineering Escrows Fund	1,798.08
Payroll Date February 21, 2008	<u>252,467.87</u>
 Grand Total	 \$785,670.86 =====

Gail Johnson, Secretary/Treasurer, made a motion to approve the Check List for February 28, 2008. The motion was 2nd by Fred Gold. The vote carried 4-0-1 (Quinn not present).

2. Transfers for January 2008

Gail Johnson, Secretary/Treasurer, made the motion to approve the Transfers for January 2008. The motion was 2nd by Fred Gold. The vote carried 4-0-1 (Quinn not present).

3. Monthly Financial Update – shows the amount of money we spent in all the various categories during January. This is available at the township building. Residents pay for a copy.

PROFESSIONAL REPORTS

1. Manager's Report – Robert Tate, Township Manager

Parks & Recreation

- P & R will be holding a Fitness Open House the week of March 3rd to 7th at the WREC center. The public is invited to participate in the fitness programs for free. Please call P & R for times and schedules of classes.
- Friday, February 29th, Five Ponds will host the Basket Bingo Fundraiser which benefits the P & R department. Event is sold out- over 120 people will be participating.
- Our thanks to the seniors at the Ben Wilson Center who have stuffed over 5,000 eggs with candy for the upcoming Easter Eggs Scramble on March 20th.

Public Works

- Thanks to the public works crew who did a great job last week getting out there very early, about 3 AM on Friday morning, to plow, salt and clean the roads.
- In addition, they have been busy with building maintenance, patching and repairing potholes, repairing faulty inlets along Ridge Avenue, and preparing the area outside the Police Department for installation of the impound yard.

License & Inspections/Fire Marshal

- During the month of February, inspectors have conducted 77 annual fire inspections, 113 re-inspections and have issued 37 annual operational permits.
- Received a letter of accommodation from Delta Community Supports, Inc.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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THURSDAY, FEBRUARY 28, 2008**

PROFESSIONAL REPORTS (Cont'd)

1. Manager's Report – Robert Tate, Township Manager (Cont'd)

Police Department

- Received 80 applications for the five open positions. Of the 80, 59 applicants showed up for the exam this month, 46 passed and will move on to the physical fitness part of the test which will be Saturday March 1st. Those participants who pass will then complete oral interviews in two weeks. From this list, the finalists will be determined, background checks will be completed and ultimately 5 candidates will be selected.

Administration

- Warminster Rotary Club is hosting a Bowling Fund Raising Event to support the Warminster Skate Spot. The event will be held at Thunderbird Lanes in Warminster on Saturday, March 15, 2008 from 8:00 to 10:30 PM. A cost of \$125.00 per lane includes 2 hours of bowling for four to six people, shoe rental, soft drinks, chips and pizza. Door prizes and raffles will be available. You need not be present to contribute as you may sponsor a lane for \$100.00. Call Joe Witiw at 215-441-0100 for information or to register.
- Plans are in progress for the Memorial Day Parade sponsored by the VFW. Please check the website and the character generator for proposed changes in the parade route.
- Ordinance #647 was passed November 9, 2006 which created seven lighting districts in Warminster. Under the old ordinance, residents were billed according to the square footage and frontage of their property. Under the new ordinance, residents are billed based on usage. Some residents notice a dramatic decrease in their annual bill while others had a slight increase. Letters were sent to residents who, under the new ordinance, were receiving a significant bill for the very first time. Any resident who is receiving a bill for the first time can be assured that they will not be billed for lighting charges from previous years.

Five Ponds Golf Course / Clubhouse

- Work has begun to install the sanitary sewer lines across portions of the golf course and connecting into the Phase II project of the Villas at Five Ponds. Upon completion of this installation, McGrath Homes will be ready to begin the Delmont Avenue / Driveway Entrance alignment project. A McGrath representative estimates the timetable for completion to be early to mid-May, 2008.
- Friday, March 21st is Good Friday, the official opening day of golf season at Five Ponds.
- Sometime in the next three weeks, Five Ponds will introduce its new website, Fivepondsgc.com which will allow for online tee-time reservations.

2. Engineer's Report – Craig Kennard, PE

- Current Project Transition List has been finalized.
- There are about 86 projects and when we break it down there are probably about 11 that Pennoni has that are at dedication process or closing out the projects.
- There are about 75 active engineering projects and Gilmore is taking about 50 of those right now and eventually will phase into the others as they wrap up or there is a good point for a transition.
- Mary Stover and I have been communicating several times a week on each project to try to make sure they continue to move smoothly.
- I have been working with the staff and everybody has been wonderful about helping out to get up to speed.
- I have met with the Erickson people at Anne's Choice. They were wonderful about helping get me up to speed on that project. Jim Krueger and my staff also attended this meeting.
- The people from Christ Home are professionals. They offered to come to our office meet and get my staff up to speed on that because they are ready to go for construction and they are still reviewing plans.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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PROFESSIONAL REPORTS (Cont'd)

2. Engineer's Report – Craig Kennard, PE (Cont'd)

- It has really been wonderful seeing how people have actually volunteered to help out with getting my staff up to speed not only internally with the staff but also, the people in the community and the developers.
- I am looking forward to preparing an engineering report; go through all the plan reviews, and all the capital improvement projects. I know Pete & Buddy have already started loading up my staff with capital improvement projects. I'll start putting that in writing and prepare a report for next month.

3. Solicitor's Report – Elliot Drexler, Esq.

- I did speak to Craig about the Current Project Transition List. If there are decisions to be made, he is the engineer and should have a lot to say so as to what happens.
- Warminster Heights – There have been some meetings and understandings have been reached. I urge that whatever agreement is reached for 2008 and 2009 be put in writing.
- Wawa Curative Amendment Hearing commenced on February 21st. We need to make a decision as to a date for the second hearing. We can schedule a date even though only four members can attend. The hearing would continue on that basis then the fifth board member will have the opportunity to review the transcript and still vote on that issue.

Frank Feinberg made the motion to schedule the second Wawa Curative Amendment Hearing for Thursday, March 20, 2008 at the township building 7 PM. The motion was 2nd by Gail Johnson. The vote carried 4-0-1 (Quinn not present).

- Mr. Thern dropped off to me last week a Conditional Use Application for Middle Earth School. It is a building next to the high rise on Potter Street. It's an existing building previously used for a clinic. Middle Earth School used it for their uses, now an architect has bought it and wants to put his architectural office in there. Because it will have a different use and under the zoning for that particular district, it needs to have a conditional use hearing.

Ellen Jarvis moves to advertise for the Conditional Use Hearing scheduled for Thursday, March 27, 2008 at the township building 6:30PM. The motion was 2nd by Fred Gold. The vote carried 4-0-1 (Quinn not present).

Tom Thern will arrange to have the court reporter at the hearing.

- Attended the first Planning Commission meeting for the Transit Oriented Development plan when the developers were here. The second meeting was to review the ordinance. What was its outcome? Frank Feinberg said he was at that meeting. The Planning Commission was not pleased with the plan; it was considered dense and there were safety issues about vehicle movement in the compound (e.g. fire trucks). The Planning Commission is requesting that the plan be revised.

NOTE: Following the Solicitors report, Mr. Johnson inquired about Warminster Heights.

- Elliot Drexler, Esq. said there should be an agreement, a written document with Warminster Heights regarding the work that is being done for 2008 and 2009.
- Mr. Tate brought forth the following information that two weeks ago, he, Mr. Mullen and Mr. Quinn met with the Warminster Heights Director, Richard Fahnestock. They came away from the meeting with a verbal agreement on all the work that would be completed in 2008 and 2009. A letter was sent to the director listing the agreed upon items. This was to insure that not only was the director in agreement but also that their entire board is satisfied.

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PROFESSIONAL REPORTS (Cont'd0

3. Solicitor's Report – Elliot Drexler, Esq. Mr. Tate (Cont'd)

- What was agreed upon was actually more than what was discussed in December, which was much to the satisfaction of the Director. The agreed upon work in this letter of understanding more than addresses Warminster Heights most critical needs. Mr. Tate is waiting for the sign off and return of that letter to assure that the director as well as the entire board is in agreement. There is no indication that they would disagree. They were happy with what was proposed (It did not reference the court order because it is outside the court order at this point).
- Steve Harris, Esq. chose to comment on the matter. He suggests that an ultimate agreement with Warminster Heights that satisfies the obligation to replace the curbs (which is the driving force) must be reached. The final agreement will require an amendment to the court order recognizing that the curb replacement requirement has been satisfied.

OLD BUSINESS

1. An agreement to substitute banks. Originally the townships agreement with Mark Hankin, Street Road Industrial Park, Inc. (to install a new detention basin to serve some of remaining lots in the Industrial park) has the escrow funds (\$326,000.00 to insure installation and completion of that basin) held by Pennsylvania Bank. The developer now asks that the funds be moved to Madison Bank (all amounts and conditions remain the same). This is only a transfer, from Pennsylvania Bank to Madison Bank. The new escrow bank will be Madison Bank and will be bound by all the same terms and conditions including the escrow amount as the previous bank.

Frank Feinberg asks for a motion to transfer the escrow funds for Street Road Industrial Park from Pennsylvania Bank to Madison Bank. Fred Gold so moves the motion. The motion is 2nd by Ellen Jarvis. The vote carried 4-0-1 (Quinn not present).

2. Towing Ordinance – Frank Feinberg:

a) Our Towing Ordinance #544 must be rewritten. We have copies of other township ordinances which will serve as a guideline in the rewriting of this ordinance. We hope to accomplish this within the next month.

b) We have a towing operator (Glenn Natter-Glenn Towing) who has some consternation because he feels he was wrongly excluded from the process of applying for and receiving a towing license. He is asking to be allowed to re-apply.

Mr. Feinberg makes the motion to allow Glenn Natter (Glenn Towing) to re-apply for the towing license. To be approved he will be subjected to a thorough investigation to assure that he meets with the requirements of Towing Ordinance #544. Ellen Jarvis so moves the motion. The motion is 2nd by Gail Johnson. The vote carried 4-0-1 (Quinn not present).

TOWING DISCUSSION:

Arlene Gilbert - co-owner of Al Million & Son Auto Body since 1958 (2008 fifty years) - 395 Ivyland Road – provides a towing service to the Township

- Here because of Mr. Natters' concern about being excluded from the towing contract. There was an ad in the newspaper. Three towing companies applied (Modern, Million & Earthbourne). Applications were submitted in a timely manner, the fee paid and the contracts awarded. If this contract were to be breached at this time I feel it would be a gross injustice.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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OLD BUSINESS (Cont'd)

TOWING DISCUSSION: Arlene Gilbert (Cont'd)

- Mr. Natter was not the only company that was not included, there were several others, not by any favoritism but it's just the fact that they did not see the advertisement.
- There is a misunderstanding about the actual ordinance. We are looking for companies whose businesses are primarily in the township of Warminster. When towing in opened to outside companies, you run the risk of having those companies take business away from the township, the taxpayers.
- Mr. Natter has established a satellite business (I could be wrong) in Warminster Township by erecting a fence on someone else's property with the supposed rental of an office in someone else's building. According to the ordinance Glenn Towing must have a primary business in Warminster. Upon calling information for the telephone number for Glenn's Towing in Warminster, I was told there is a listing for Doylestown, Horsham and Warrington (all have same telephone #) but no listing for Warminster. I find it unusual that if you have a business in Warminster, you wouldn't have a listed telephone number for Warminster.
- I do not object to competition; I think the ordinance is old and needs to be updated but I hope that the threat of a lawsuit doesn't prevent this board from at least representing the businesses of your community, the people who pay the taxes in your community, the people who continue to do business and are residence of Warminster.
- The issue is not missing the ad. The issue is, are you really qualified as a primary business. How Mr. Natter convinced the board in the first place that he was is beyond me. I don't like or appreciate confrontation but at the present time we have a contract and I'm hoping the board will help us uphold that contract.

When asked by Mr. Feinberg how she learned about the ad. She said I saw it. It's as simple as that. My husband reads the newspaper each morning front to back before work.

Ellen Jarvis:

The issue was miscommunication. We were not guaranteeing that Glenn Towing would get a license. The ordinance is whether you qualify to receive a license. The ordinance was misinterpreted by our Chief of Police. There was some miscommunication to Glenn Natter Towing. The Chief of Police decided that the old board didn't look at the ordinance and to put in effect the new contract he arbitrarily established a new year. The ordinance calls for the year to be August 1st to July 31st which would have comported with the applications from last summer and instead the application that you call a contract is January 22, 2008 to January 22, 2009 which doesn't comport with our ordinance. By ordinance, by law, we need to entertain applications again. It does not necessarily mean Mr. Natters' company would receive a license..... In order to be compliant with the law as it currently exists we really do need to at least reconsider the application. I agree the ordinance does call for the primary place of business in Warminster. Under the existing antiquated ordinance Mr. Natters' company has qualified in years past to be put on the towing rotation list. We're looking at correcting the ordinance so that all issues can be addressed. The Chief of Police is on target with us to look at the ordinances again. We would be happy to have input from towing companies to be fair for everyone.

Frank Feinberg: That we grant Mr. Natter the ability to re-apply does not mean he'll get a license. We will thoroughly look into if Mr. Natter really does have a primary place of business in Warminster.

Gerry DeRosa – Mueller Rd – A motion was passed at the last meeting not to have Mr. Natter re-apply. The vote was four against one in favor. How does the board change a motion? What are the rules on that? Is there a certain percentage? I agree with the lady (Arlene Gilbert) from Al Million's. Let's keep Warminster business people in Warminster. They are paying taxes. Let's give them the contracts.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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**OLD BUSINESS (Cont'd)
TOWING DISCUSSION:**

Glenn Natter - I am a long time local community person and resident of Warminster. My mother still lives in Warminster. My trucks are registered in Warminster which the chief required of me. I pay taxes to Berkheimer with the Warminster address and I just want to be held to the same standards of the ordinance that everybody else is.

Mark Dents – co-owner Modern Auto & Collision (a family operated business since 1954) – 100 York Road – various services from auto sales, auto repairs, auto towing

- When I first started with my Dad thirty five years ago, we had ambulance chasing and we had tow operators from outside the area come in and recklessly drive to try and steal work out of the township. When cars were involved in an accident and the drivers were carted off on a litter, the owner of the car was unaware where the car was taken.
- The chief at the time (Elmer Clawges), me and Arlene's father put our heads together to come up with an organizational plan that was fair and equitable, especially to the people of the township. It provided, if a car that was involved in an accident, the driver arrested or otherwise, that the car was secured.
- I have been raised in the business and I have worked along with three different chiefs.... The predecessor to Chief Murphy had an....open attitude.....about towing in Warminster. At one time there were nine operators. For over thirty years both Al Million and Modern have been providing a service (tow) to this township and the township has been good to us.
- We respected the idea with Chief Clawges....being the administrator of the ordinance. He checked the trucks and screened the people that applied for towing. He was the person who determined if you were approved. That has been done with each chief with a little more flexibility with Chief Jim Gorczynski.....
- Chief Murphy made a decision, made a stand and properly advertised the contract in the newspaper. Whether or not an application was made is now spilled milk. Screening properly shows that there are not too many people that comply with the ordinance, regulations, and specifications. It was the chief's judgment and the investigative process that determined that the two tow operators that applied were in compliance. The heavy duty tow operator, although an outsider, fulfills the townships need for the towing of larger vehicles.
- It is the chief's responsibility to interpret and marshal this ordinance, which he has. I just want to know, does Chief Murphy have credibility with this board?

Ellen Jarvis:

I want to reaffirm that Chief Murphy has ultimate credibility with us and we greatly respect our chief. He has done a great job for Warminster Township for about the last three years. This isn't a decision that I have shepherded lightly. In response to Mrs. Gilbert, there was no threat of any law suit. This is a matter of doing what's right according to the ordinance. According to the ordinance we are not even required to advertise. There was no reason for any business person to look for an advertisement and especially not to look for one in the middle of by ordinance the towing year. The commitment is to re-look at the ordinance, but until we do that we have to follow to the letter of the law, the ordinance. Why I brought this back up before the board wasn't because we doubted the chief's ability to do his job and screen effectively, it was according to the letter of the ordinance. If Mr. Natter does not meet the specifications as you have asserted that he has not then he would not be licensed by the chief. The chief and his staff do all of the inspections necessary to achieve a license. Believe me, we have done our homework and I just wanted to assure you we are not out to make your life more difficult or anything else like that.

Mr. Feinberg again makes the motion to allow Glenn Natter (Glenn Towing) to re-apply for the towing license. The vote carried 3-1-1 (Gold – Quinn not present).

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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OLD BUSINESS (Cont'd)

3. Proposal for rental use of the Warminster Community Park for the Pennsylvania Fair May 22, 2008 through May 31, 2008.

Steve Harris, Esq. and Rick Reithoffer (Reithoffer Shows) brought forth the key issues in support of bringing the PA Fair to Warminster's Community Park.

- State Fair Productions would produce a first class "state fair" to include: Educational exhibits, shows, educational school days provided to students, free entertainment, amusement rides, food, and games of skill.
- State Fair Productions would give the Park and Recreation Department of Warminster Township 20% of the gate admissions with a guarantee of \$50,000.00 for rent of the park.
- State Fair Productions would pay for all other expenses such as security, traffic control, sanitation, bathroom facilities, fencing, advertising, entertainment, and labor to produce and run the event.
- State Fair Productions would request the assistance of the Park and Recreation Committee in the procurement of any permits and inspections required by the local government. The ride company would provide state inspection of amusement rides.
- State Fair Productions would guarantee to clean the facility and reseed any grass field damage by the event bringing the facility back to its original condition.

Rick Reithoffer shares that the show has been operated and owned by his family for 112 years. Presently, he and his brother are running the Reithoffer shows. They play in excess of 70 events from festivals, county fairs and state fairs up and down the eastern seaboard from Florida to Canada and as far west Springfield, Missouri. The PA Fair has been at the Philadelphia Park (formally Keystone) Race Track for the past twenty years. He said, "The only way you can keep coming back to an event year after year is because you have a great working relationship with the people you are doing business with". He describes how the fair would be set up here in Warminster. At the Warminster Community Park the fair would be held basically on the runway. Part of the runway will be used for parking. The entire fair would be fenced with chain link fencing that they rent, install and they take down. The patrons will come into the facility in a fenced off area. The chief of police suggested entrance on Street Road and exit on Bristol Road. They will provide their own electricity (generators), use cell phone service, and the ATM and credit card machines are wireless. They get water by tapping onto the local fire hydrants. They get a meter from the local municipality, hook onto the fire hydrant, run piping to the facility and run water hoses after that. They do it all. They have a manager for the Fair and they know how to run it.

During his presentation Rick Reithoffer answered all questions that board members presented. In one instance regarding sanitation of hands his associate Michael Kaplan brought forth additional information.

Steve Harris, Esq. mentioned that the Parks & Recreation Board recommended that the proposal for the PA Fair be rejected. He presented all the bullet points to Rick Reithoffer.

Rick Reithoffer addressed each point of concern and offered solutions. He said, "There is a way to make it work. I just need a chance to have you let me try it. Let me show you that I can co-exist with you".

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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OLD BUSINESS (Cont'd)

3. Proposal for rental use of the Warminster Community Park for the Pennsylvania Fair May 22, 2008 through May 31, 2008. (Cont'd)

The following individuals expressed their concerns. For various reasons, each is not in favor of the PA Fair in the Warminster Community Park:

- **Karen Whitney, Parks and Recreation Department**
- **Jim Dunn, Vice Chairman of the Park Board**
- **John Gonzalez, Chairman of the Park Board**
- **Michelle Myers, Member of the Park Board**

Ed Hoffman – Deputy Chief of Warminster Volunteer Ambulance Corps – Says he is not for or against having the PA Fair but he believes the larger impact to the community would be to EMS and the Police Department. It is going to create not only a logistical nightmare but it could create more services related to EMS. It is his opinion that, if approved, more time will be needed to establish a working emergency plan.

Rick Reithoffer - If there is any organization like EMS who thinks I am going to be over taxing them, know, that there are other EMS companies out there that we can contract with so that we don't negatively impact their manpower and stretch their capacity, to where we are hurting their organization.

Steve Harris, Esq. sums up this evening's presentation with the comments: Reithoffer Shows understands everybody's concern about the unknown. Everybody is concerned that we don't know how this is going to work. I know whether you approve this or not, everyone will come away with the impression that, the Reithoffer Shows is a first rate operation. The question is, is the park the right facility? We would ask that we be given the chance by having the Fair this year to prove to you it is. If it is not, you won't invite us back. They are here because they are looking for a long term relationship. This is something that can benefit the park, as well as them. I would simply ask your consideration in approving it for one year. Let us show that Reithoffer Shows can do exactly what is says it can do.

Gail Johnson makes the motion to approve the PA Fair at Warminster Community Park. By phone, the motion is 2nd by Leo Quinn.

Leo Quinn (by phone):What I see from this is the opportunity to let someone other than ourselves run an event. Step up a level, not get stuck in minutia. We are guaranteed a financial amount of money in order to use our facility. I would look at this in a much bigger manner, we have our 300th Anniversary coming up and I think we can make this much bigger by allowing a company like Reithoffer.....We talked about how it would hurt our field and our park. Southampton Days are completely and totally over the entire field.... I am willing to give this organization a shot. They have proved to us that they are a professional organization. Give them this one year Let them show us that they can do it. That's why I am voting yes for the proposal.

Frank Feinberg asked for a vote. The motion defeated 1-4-0 (Feinberg, Jarvis, Johnson, & Gold).

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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OLD BUSINESS (Cont'd)

4. A Resolution of Warminster Township supporting the usage of voter marked paper ballots for election purposes in Bucks County, PA.

Frank Feinberg asks for the motion to accept the Resolution supporting passage of Usage of Voter Marked Paper Ballots for Election Purposes. Fred Gold so moves the motions. The motion is 2nd by Ellen Jarvis. The vote carried 4-0-1 (Quinn not present).

5. Approval to accept Campus Deed of Dedication for roads.

Jim Krueger: There is a sliver of land that is supposed to be dedicated to PennDot. The entrance way to Johnsville Boulevard and then there is a sliver of land along the retention pond between Johnsville Boulevard and the restaurant. Part of the agreement was that before this final signing of the Mylar for phase IV that all these slivers of land throughout the Warminster Campus, L.P. are to be dedicated to the appropriate entity. Warminster Township, by taking this sliver of land will own right up to the right away line as far as our maintenance for the Johnsville Boulevard. The sliver of land that extends from Johnsville Boulevard along the retention pond will become part of the lands of Warminster Township. Johnsville Boulevard is .034 acres and along the retention pond will be .026 acres.

Elliot Drexler, Esq.: This is a conditional approval subject to other transfers that are on that plan in prior agreement. I will record this but the Mylar's won't be recorded.

A motion is made for the approval to accept Campus Deed of Dedication for roads subject to other transfers that are on that plan in prior agreement. Fred Gold so moves the motion. The motion is 2nd by Gail Johnson. The vote carried 4-0-1 (Quinn not present).

6. Approval of Vendors for sign material.

Ellen Jarvis made the motion for approval of Vendors for sign material. The motion was 2nd by Gail Johnson. The vote carried 4-0-1 (Quinn not present).

NEW BUSINESS

Frank Feinberg: Maglieri appeal to the zoning board. We got that information this evening. We will have this for an action item at the next meeting.

Ellen Jarvis: I received a resume for consideration for appointment to the Tri-Centennial Executive Committee from our Warminster District Magistrate, Judge Daniel Finello, Jr. She makes the motion to appoint Judge Daniel Finello, Jr. to the Tri-Centennial Executive Committee. The motion was 2nd by Gail Johnson. The vote carried 4-0-1 (Quinn not present)

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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SUPERVISOR'S COMMENTS

Gail Johnson – The committee's we have for consideration are to be placed on next meeting agenda.

AGENDA FOR MARCH 13, 2008

- Presentation by Abington Hospital – Katie Farrell
- Presentation on HLRA – Donnamarie Davis
- Approval of a Voting Member for the Senior & Health Advisory Committee
- McGrath Recommendation and Assessments
- Zoning board appeal Angela Maglieri Project
- New Committee Discussion (Finance & Budget Advisory Board, Economic Development Committee and Energy Advisory Committee)

INDIVIDUAL ACTION ITEMS:

1. Robert Tate

- Have the 2008 Minutes posted on the web site.
- Forward to Solicitor, Elliot Drexler, Esq. the letter that was sent to Richard Fahnestock, Warminster Heights Director.

2. James Krueger

- Valley & Bristol Roads – safety and handicap accessibility.

3. Tom Thern

- Court Reporter for Conditional Use Hearing, Thursday, March 27, 2008 at the township building 6:30PM.

4. Elliot Drexler, Esq.

- Record conditional approval to accept Campus Deed of Dedication for roads.
- Wawa Curative Amendment Hearing Thursday, March 20, 2008 township building 7 PM.
- Advertise the Conditional Use Hearing scheduled for Thursday, March 27, 2008, 6PM township building.

MEETING ADJOURNED AT 11:20 PM

Attachment: Public Comment by Nicholas Buerger