

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, MARCH 26, 2009**

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**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, MARCH 26, 2009**

MEMBERS PRESENT: Frank Feinberg, Chairman
Gail E. Johnson, Vice Chairman
Fred L. Gold
Leo I. Quinn, III

STAFF PRESENT: Robert Tate, Township Manager/Treasurer
Michael J. Savona, Esq., Township Solicitor
Craig D. Kennard, PE, Township Engineer (Gilmore & Associates)
Thomas Thern, Zoning Officer
James 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 7:06 P.M., 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. It was asked that John Jarvis (husband to supervisor Ellen Jarvis) be kept in our thoughts and prayers. John is presently hospitalized.

Frank Feinberg tells the Warminster Community that resident Dee Young has died. He asks her friend, Frank Burstein, to say a few words in her memory.

Frank Burstein:

Dee Young, who recently passed away, was a frequent attendee at the Board of Supervisors meetings for many years. She was known to everyone as Dee Young, Henry Avenue. Her Memorial Service will be held on Friday evening April 3, 2009, 7:00 P.M. at the Warminster Presbyterian Church, 500 Madison Ave, Warminster, PA. Her most recent contribution to Warminster was a \$10,000.00 donation to the Warminster Ambulance Corps, about a year and a half ago, that funded their newly formed bicycle team as well as new equipment. She had a passion to help people especially her Warminster Community. There were those who made sly comments that she got up at the meetings to hear herself talk or it was purely political. Those of us who knew her knew that anything she said and did was to make Warminster a better place to live. She will be sorely missed by everyone who benefited from her generosity.

The following poem captures the essence of the life of Dee Young: "The Dash", by Linda Ellis.

I read of a man who stood to speak
At the funeral of a friend
He referred to the dates on her tombstone
From the beginning to the end,

He noted that first came the date of her birth
And spoke the following date with tears,
But he said what mattered most of all
Was the dash between those years,

For that dash represents all the time
That she spent alive on earth.
And now only those who loved her
Know what that little line is worth.

For it matters not how much we own;
The cars, the house, the cash,
What matters is how we live and love
And how we spend our dash.

So think about this long and hard
Are these the things you'd like to change?
For you never know how much time is left,
That can still be rearranged.

If we could just slow down enough
To consider what's true and real
And always try to understand
The way other people feel.

And be less quick to anger,
And show appreciation more
And love the people in our lives
Like we've never loved before.

If we treat each other with respect,
And more often wear a smile
Remembering that this special dash
Might only last a little while.

So, when your eulogy is being read
With your life's actions to rehash
Would you be proud of the things they say
About how you spent your dash?

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ANNOUNCEMENTS, CORRESPONDENCE, AWARDS

Frank Feinberg:

1. Prior to the meeting we had an executive session to discuss negotiations and personnel issues.

Leo Quinn:

1. Parks & Recreation Department:

i) The Spring Egg Scrabble for children ages 3-10 is 4:00 P.M. Thursday, April 9th at the WREC. Please call the WREC (215-443-5428) or register on line. Fulton Bank is our sponsor for this event.

ii) The Rubber Ducky Regatta tickets are available. The cost is \$5.00 for a duck and \$20.00 for five ducks. The event is Sunday, May 17th at Kemper Park. Beneficial Bank is our sponsor.

iii) Applications are being accepted for summer employment. Openings are available for recreation supervisors, swim instructors, life guards and park & maintenance staff. The website for the WREC is www.warminstertownship.org.

2. A special thanks to Warminster Rotary for last Saturday's (3/21/09) family bowling event at Thunderbird Lanes. It was well attended with about 150 bowlers who all had a great time. They raised in excess of \$4,000.00 to benefit the skate park. When the exact amount is tallied they will come and present a check to the WREC and the Skate Committee.

3. Tells the Warminster Community that Claudia and he are leaving Saturday to take his son Dennis to Georgia where Dennis begins his long awaited trip to thru-hike the Appalachian Trail from Georgia to Maine. For those who would like to keep track of this trip go to Dennis's website www.trailjournals.com/dennisquinn. Already, he has 12,000 hits on that website with information, picture etc. As he walks through the various towns, the hostels will have computer access where he will update his website with particulars of his journey. He makes his family proud and is wished a safe trip.

4. Giuseppe Giaimo Scholarship Comedy Event is April 18th at 9:00 P.M. at Giuseppe's, Warminster. This will benefit William Tennent High School, Archbishop Wood High School and Middle Bucks Vo-Tech. The cost is \$35.00 a person and includes beef, turkey, pork, pastas, salads, beer, soda, wine and various other items. There will be a DJ. Tickets are on sale at Giuseppe's.

Fred Gold:

1. Ben Wilson Senior Center is having their annual Fashion Show at Maggio's Restaurant, Southampton on Sunday, March 29, 2009 from 1:00 P.M. to 5:00 P.M. The event features men, women and children's fashions by Macy's. Admission is \$30.00 in advance or \$35.00 at the door. This includes a sit down dinner and chances to win door prizes. For information call the Ben Wilson Senior Center 215-672-8380.

2. The Senior Health and Advisory Committee is having a Senior Expo on Thursday, April 30, 2009 from 10:00 A.M. to 1:00 P.M. at the Abington Memorial Health Center – Warminster Campus – 225 Newtown Road, Warminster. Free admission – Free parking in the rear. Search out ideal retirement choices. Learn about health, recreation, fitness and more. Take advantage of free health screenings. Win door prizes. This is a day of screening and an opportunity to make your life the very best it can be.

Gail Johnson:

1. We have been making efforts to make Warminster a Clean Energy Community for over a year and a half. The newly formed Environmental Advisory Council (EAC) has gotten a lot of sign ups for clean energy and we are less than 100 sign ups away to receive a free solar panel.

2. He asked Jim Scott, a member the EAC to explain to the community the sign up process for clean energy.

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ANNOUNCEMENTS, CORRESPONDENCE, AWARDS (Cont'd)

Jim Scott – EAC member:

- 1. The SmartPower initiative is basically a program sponsored by a non-profit out of DC that is willing to provide the Township with a \$10,000.00 Solar Panel. We have to get 200 sign ups. Unless we reach 200 sign ups we will miss out on the Solar Panel which would be a nice start for efficient energy in the Township. Our coordinated efforts started about two months ago. Recently, we have made a lot of headway and we now need 100 more sign ups. Tonight he asks the Warminster Community and the Board for their help and for any signatures they can provide so we can reach the solar panel goal.**
- 2. The financial commitment is \$7.62 a month added to your PECO electric bill. Basically, this buys a block of 300 Kilowatt-hours of wind energy. This is not a full commitment. We are really just looking for sign ups.**
- 3. The SmartPower initiative is being promoted in Bucks County and throughout the region. Anyone can sign up for wind energy and it will go toward you local municipality quota. For Warminster to get the Solar Panel we need 100 more Warminster residents to sign up.**
- 4. Businesses can sign up as well. The way the process works is that we are getting people to sign up for blocks of 300 kilowatt-hours of wind power. Theoretically, if a business was using 1500 kilowatt-hours they could buy 1500 kilowatt-hours of wind power which would be five blocks a month and would count as five sign ups.**
- 5. A telephone number is listed on the PECO bill if anyone wants to sign up. When a Warminster resident signs up that eventually will go toward the townships sign up quota.**

Gail Johnson: Any Warminster resident can contact Pat Chapman (215-443-5414) at the township building to sign up.

AWARD TO BARBARA SULTZBACH

To honor and give recognition to Barbara Sultzbach as a dedicated employee in service to the Township of Warminster, Bob Tate, Township Manager presented a plaque to her which reads:

“Warminster Township recognizes Barbara Sultzbach in appreciation of your efforts and accomplishments during your tenure as Interim Township Manager and Assistant Township Manager. Thank you for your dedication and service to the employees and residents of Warminster Township”.

Bob Tate:

- Barb, a long time employee of the Township has started a new job today in the L & I Department. With less than two years before her retirement, she has chosen to finish out her time in the department where she started.**
- Barb, my Assistant Manager showed me the ropes since this was my first foray into Municipal Government. She was there from my very first day. This is kind of bitter sweet.**
- Barb, you may be in a different building but we know where to find you.**

Barbara Sultzbach:

- She thanked the Board of Supervisors for their support and said she thoroughly enjoyed working for them.**
- She said the years (8 ½) spent in the Township Building for the most part have been great.**

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PRESENTATION – The Johnsville Centrifuge and Science Museum

Museum President and Secretary, Mike Maguire, is here this evening to provide a more thorough introduction to the Johnsville Centrifuge and Science Museum and express certain needs that the museum has of the Township.

Project Information:

- **The museum was established in July 2008 for the purpose of developing a science and history museum in Warminster. It is located in the Dynamic Flight Simulator (DFS) Building also known as the “Human Centrifuge” situated on the former Naval Air Development Center (NADC). On February 10, 2009 the corporation received its IRS charitable status under 501 (C) (3) and as a result we are getting very active.**
- **Exhibits will include artifacts related to the US Space program as well as the research laboratories that once occupied the center (about 100 to 200).**
- **A corresponding educational program for local students will expose them to science and engineering. Programs for senior citizens and groups like the scouts will also be developed.**

Purpose:

- **We have seven (7) noble purposes for why we are doing this and what the museum is all about.**
 1. **Provide a center of learning for the youth of the Delaware Valley, specializing in the history and science of Astronautic, Aeronautics, Biomedical Studies, Flight Simulation Software and Physics.**
 2. **Honor the early astronauts and highlight their heroic deeds as an inspiration for young people.**
 3. **Provide senior citizens of the Delaware Valley with a place they can experience and engage in stimulating activities.**
 4. **Preserve the history and artifacts illustrating the contribution of the local population to the US Space Program.**
 5. **Preserve the history and artifacts associated with development and advancement of the Biomedical and Aerospace Sciences.**
 6. **We want to preserve all the drawings, documents, photos, oral histories and film archives of NADC, for future generations.**
 7. **We want to provide a public model of energy efficiency and green technology in a commercial setting.**

Community Benefits:

- **We are going to redevelop a property that is only partially used right now.**
- **We are going to provide educational opportunities.**
- **There will be a nice tourism draw.**
- **There will be national recognition. This year is the 50th Anniversary of the Mercury Program and the 40th Anniversary of Apollo.**
- **The restoration of the building improves property values.**

Needs from the Township:

- **We are in need of signage. The Municipal Authority controls the entrance of the road and there is a sign there for the Forensic Unit. We would like to ask the Municipal Authority for permission to put a museum sign there.**
- **We would like the support of Parks and Recreation for an event in late August in celebration of the 50th Anniversary of the Mercury Program and our ground breaking ceremony.**
- **We would ask that the Township proclaim a year of science in honor of the NADC.**
- **We would ask for a museum link on the township website.**
- **We would ask for a Township liaison to help resolve museum/township issues and serve as a link to the county for any assistance that they may provide.**

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PRESENTATION – The Johnsville Centrifuge and Science Museum (Cont'd)

INVITATION

Mike Maguire extends an invitation to The Johnsville Centrifuge and Science Museum “Open House” scheduled on April 23rd and April 24th.

- April 23, 2009 (Thursday) – from 3:30 P.M. to 8:30 P.M. - A wine and cheese “open house” for business leaders, government officials and teachers.
- April 24, 2009 (Friday) – from 4:30 P.M. to 9:00 P.M. – A wine and cheese “open houses” for NADC Alumni.
- April 24, 2009 (Friday) – from 7:00 P.M. to 9:00 P.M. – A limited tour for the General Public.
- To register please email name, company and contact information to:
nadcmuseum@comcast.net.

IN CLOSING

Mike Maguire tells the Board and the Warminster Community that the museum has received recent press. On Monday, it was on the front page of the Intelligencer and Courier which led to KYW doing a radio interview that will air this Saturday.

Reaction is tremendous. This week a dozen teachers signed up to be part of the teaching program. It is intended to recruit a panel of teachers and turn the program over to them. They would design the curriculum to be offered. A number of artifacts have been offered this week.

This is going to take off and be a great success. He asks the Township to help in anyway they can.

QUESTIONS AND ANSWERS

Mike Maguire’s response to questions asked by Leo Quinn and Gail Johnson brought forth the following information:

- The museum is going to lease the current unused portions of the building. When successful, we have additional phases planned that would consume the building. There is a Plan B option - two office buildings, across the parking lot (one has high ceilings). They are vacant and now on the market. We would like them if funding could be raised.
- Initially, we need about three million to convert the second floor of the museum. If we look at acquiring the additional buildings, we are looking at about twelve million dollars.
- The training there started with the X-15 Program in the fifties. A few flew high enough to qualify as astronauts (e.g. Neil Armstrong & Scott Crossfield). That lead into the Mercury program, the Gemini Program and then the Apollo Program.
- NADC Engineer, Winston Scott (in his late forties) was accepted in the Space Program.
- There is a veterinary wing on the building. The animal pens and cages are still there. There were chimpanzees, baby gorilla’s, goats and every animal imaginable. We have plans to convert the wing to a sort of animal and space thing for the kids.
- Sam Cravero, the owner of the building, was the person who incited his interest in the museum.

NOTATION

Jim Krueger mentions that an Archbishop Wood High School graduate became an Astronaut. Leo Quinn said his name was Andrew “Andy” Allen.

Leo Quinn to Mike Maguire

Someone from the Tri-Centennial Committee will be contacting you. The intention is to come to you for history as well as try to find a way to incorporate you into the 300th Anniversary ceremony in 2011.

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CONSENT AGENDA ITEMS -- (One motion to approve all items)

- A. Approval of the Minutes of March 12, 2009**
- B. Parks & Recreation recommendation for Community Assistance Grants**
- C. Approval of Adoption - Ordinance #686 - Amendment of Contractor Licensing Ordinance**
Note: This puts us in compliance with new state laws.
- D. Approval of Participation in GIS (Geographic Information System) Data License Agreement for the Municipal Consortium**
- E. Legal & Engineering Escrow Release – Tabmar Development in the amount of \$371.33**

- G. Authorization for Solicitor to prepare Ordinance for All Way Stop Sign at Worthington Drive and Sinkler Road**
- H. Recommendation for approving Bid #2009-01 – Bituminous Tack Coat**
- I. Recommendation for approving Bid #2009-02 – Tri-Axel Hauling**

Leo Quinn requested that Consent Agenda Item “F” be removed for discussion.

Michael J. Savona, Esq. responds to Gail Johnson’s request for clarification to acquire Stop Signs:

- If a street is PennDot or State controlled those determinations are controlled by PennDot not by the Township.
- If a street is a Township street then the placement of a traffic control device is dependent upon a study to support the need of that device. This is to be conducted by the Township Engineer.
- It was found that the intersection of Worthington Drive and Sinkler Road required all way stop signs.

Craig D. Kennard, PE:

- The intersection of Worthington Drive and Sinkler Road did meet the All Way Stop Warrant Analysis as outlined in Gilmore & Associates letter dated March 5, 2009 sent to Mr. Tate by our Senior Transportation Engineer (Amy Kaminski). This report will be referenced as part of the ordinance preparation by the solicitor’s office.

<p>Fred Gold so moved the motion to approve Consent Agenda Items A, B, C, D, E, G, H and I. The motion was 2nd by Gail Johnson. The vote carried 4-0-1 (Jarvis not present).</p>

F. Escrow Release to Christ’s Home in the amount of \$1,637,496.85

Leo Quinn:

- How much money will be left after this escrow release?
- There is a huge dip issue (front of Firehouse) on Norristown Road because of the sewer work done. Cars are bottoming out there. When will that be repaired?
- How far are they into the project as far as units being built? When will Norristown Road get finished?

Craig D. Kennard, PE:

- There is 1.3 million dollars left in total. Of the 1.3 million, only \$800,000.00 is available money. The remainder cannot be released (Retainage/Security).
- The escrow release of 1.6 million is for work that was done before the winter (erosion control, excavation, storm sewer installation). Typically, we would have received as many as four escrow releases by this time because the work has been done quite awhile. I notified Richard Smyth, CEO Christ’s Home. I provided their contractor with an understanding of the Land Development Process and guided him through the process.
- I’ll have to check on the schedule as to when the “dip issue will be repaired”. An ongoing issue is keeping the contractor fixing repairs. We are working to resolve that problem. We will make sure there are no safety issues on Norristown Road.

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CONSENT AGENDA ITEMS (Cont'd)

F. Escrow Release to Christ's Home in the amount of \$1,637,496.85 (Cont'd)

Jim Krueger:

- The issue in front of the Firehouse was that the sanitary sewers didn't line up the way they thought per the Municipal Authorities drawings. The fix will probably start next week.
- The Township Engineer and I agreed to let the road settle through the winter to give it enough compaction and settlement to avoid sink holes after the overlay.
- We are looking at the Batch Plant to open up April 15th and shortly after getting the materials we need to resurface the roads, weather permitting, we should start seeing paving along Norristown Road.

Frank Feinberg:

- Construction Vehicles damaged the Fire Station's parking lot on Norristown Road. Is that going to be resolved?

Jim Krueger:

- When the paving contractor comes, we will try to get them to do the paving all the way to the bay doors. The Board of Directors of the Fire Department, Gilmore, our site inspector and I will relay that message to them.

Gail Johnson:

- PECO trucks, on Saturday mornings, have caused the worst inconvenience to the residence along Norristown Road. They park their trucks in front of resident's driveways blocking them in. He wonders why the electrical work can't be done during the week while most people are at work.

Jim Krueger:

- Christ's Home site will require more power. The substation at County Line and Norristown Road can not handle the load that will be drawn. PECO is installing a 31 line from Delmont East on Street Road, South on Delmont to a cluster of transformers.
- I do not know the expected completion date. I can call Debbie Taylor to see if PECO can limit the work to during the week.

Leo Quinn:

- I saw PECO staging 16 trucks by the golf course. They were lined up all the way down the road as far as I could see.
- It is my guess, if what they are doing necessitates that much manpower all at once, probably they can't get that many people during the week.

<p>Leo Quinn so moved the motion to approve Consent Agenda Items F - The escrow release for Christ's Home. The motion was 2nd by Fred Gold. The vote carried 4-0-1 (Jarvis not present).</p>

PROFESSIONAL REPORTS

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

Administration & Management
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- Collective Bargaining Agreements - AFSCME contracts for WTEO (Local 2289) and Public Works (Local 1598) and PBA contract are finalized and approved by the Board. Union members from each Local voted and both contracts were approved on Wednesday, March 18, 2009. These contracts will be presented before the Board for signature. They should be prepared and finalized before the next meeting.

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PROFESSIONAL REPORTS (Cont'd)

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

Administration & Management (Cont'd)

- **Communications – just finished our second segment Warminster Your Township. It was a segment that featured Five Ponds Golf Course & Clubhouse and aired this past week. In the next couple of weeks, the third installment will feature the Parks and Recreation Department.**

Parks & Recreation

- **Crews are working on preparing the sports fields. They are improving the drainage at the ball field at Kemper and Munro.**
- **Tomorrow we are expecting a delivery of 50 trees to be planted in Warminster Community Park and Werner Park under the State's Tree-Vitalize Program.**
- **Staff is busy working on preparation for all summer camps, swimming, tennis, arts, music & theater camps and summer children's theater. Please check your Spring Directory which will be mailed directly to all residents during the last week of April.**
- **The Basket Bingo netted \$3,000.00 to support Park & WREC programs.**

Public Works

- **Thanks the Public Works crew and Buddy for their efforts in helping the Coordinating Council of Health & Welfare on Thursday, March 12th when they collected food for the 2009 Operation Helping Hand. President of the Council stated in her letter of thanks, "It was all done so quickly and so courteously, and our volunteers appreciated their help. This year the total amount of food contributed to the Centennial School District was 4,195 pounds. We are so grateful for everyone who helped to bring all that food to the Community Center".**

Animal Control

- **While responding to a call on Tuesday evening, March 10th, where a man was seen abandoning his pet cat along Norristown Road, Buddy Mullen was attempting to retrieve the cat when it jumped into the wheel well and hid under the bed of his truck. We thank Barry Hackert's Auto Body for their generosity in assisting with the removal of the cat.**
- **We ask all residents, if you have a pet that you can no longer care for, please call the Township at 215-443-5414 or Animal Control directly at 267-803-4859. No questions asked. Our staff will come out and will assist in finding a safe place for your pet.**

License & Inspections

- **Inspectors have been diligently working to re-inspect homes in the Villas at Five Ponds. To date, Certificates of Occupancy have been issued for 200 of the 244 units in that development. Thanks to our inspectors for expediting this work. A special thanks to the residents of the Villas at Five Ponds for their patience and cooperation.**
- **L & I have been awarded a grant of \$1,000.00 to correct the front entrance doors to their building to be ADA/handicap compliant.**

Five Ponds Golf Course & Clubhouse

- **We are two weeks from the unofficial start of the golf season on Friday, April 10th. As work progresses in preparing the course and doing the necessary maintenance outside, inside the clubhouse the staff is catering to baby showers, birthday parties, luncheons and a Wedding Reception. This is just a sampling of the varied parties booked for the clubhouse from March 21st through April 16th, in addition to the Friday Night specials from 5:00 P.M. to 9:00 P.M. I commend the staff running the clubhouse for the many events they seem to juggle. This weekend alone there are four different events that they are managing.**

Administration

- **A reminder to all residents – Yard waste pickups resume next week, beginning April 1st. Please remember that grass and leaf waste must be placed in either 50 gallon yard waste bags or loose in trash or garbage cans.**

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PROFESSIONAL REPORTS (Cont'd)

2. Engineer's Report – Craig D. Kennard, PE

General Township Projects

- **2009 Road Paving Program – We continue to work with Public Works on contracts and as was approved tonight, Bituminous Tack Coat and Hauling Contracts that were awarded. We will be working almost everyday with Public Works and moving forward with projects once the Batch Plants open up.**
- **Zoning Ordinance Revisions – I will defer to Mr. Savona for update.**
- **Subdivision/ Land Development Ordinance Revisions – We are hoping to have the first draft here very shortly and catch up will all the zoning revisions so that can be presented on the coattails of the Zoning Ordinance.**
- **Norristown and Belair Roads Drainage Project - Preliminary design is done. That is installation of 9 to 10 inlets (half are replacement inlets) to address drainage on Norristown Road. We have worked with PennDot to connect to their Storm Sewer System out on County Line Road.**

Subdivision and Land Development Projects

- **Franklin Corporate Center–Lot 5– We will be starting construction in the next month or so.**
- **Pohle Enterprises/Nina Way – Lot 16 Street Rd Industrial Park – We will be starting construction in the next month or two.**
- **William Tennant HS Addition - Construction will start in April.**
- **Super Value Beverage Bldg Addition – 625 Mearns Road – We are wrapping up work on that and anticipate construction in the next month.**
- **Marquis Realty – Learning Experience Daycare – Review coming up – going to the Planning Commission next month then the BOS.**
- **CVS Pharmacy – 455 W. Street Rd – Review coming up – going to the Planning Commission next month then the BOS.**
- **H & P Investments II, LLC – Review coming up – going to the Planning Commission next month then the BOS.**
- **Franklin Corp. Center – Lot 4, Vertical Screen – Review coming up – going to the Planning Commission next month then the BOS.**

Construction Projects

- **Ann's Choice – Neighborhood Phases 1 & 4 – Had a conversation with Erikson representatives yesterday. We are going to work toward finalizing the transfer of the escrow. There are a couple issues because the Lot 4 and Lot 5 development in Franklin Corp borders the Veterans Way Street that we have issues.**
- **McGrath Homes Phase II – The site work is slow but most of the energy is focused on the building construction and driveway construction. There are not a lot of site issues at this time.**

DISCUSSION

Fred Gold:

- **The McGrath Homes Phase II development has absolutely no landscaping. The residents now living there have an immediate need for shrubbery and trees. He wants to know what can be done to have this expedited.**

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PROFESSIONAL REPORTS (Cont'd)

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

DISCUSSION (CONT'D)

Jim Krueger:

- Suggests that, in conjunction with the landscaping needs, McGrath should also expedite the following:
 1. Install the 35 foot long stone wall that has above it an oval signage that measures 6' 6" x 4'.
 2. The air-rater for the front pond.
 3. The lighting for the sign on the 35' long stone wall.
 4. The electric to the LED sign just approved by the Zoning Hearing Board.
 5. Shrubbery along the driveway on the westerly side.

NOTE: Mr. Savona will sit down with Mr. Kennard to determine what they can do to address the immediate needs of the residents in the McGrath Phase II Development.

Leo Quinn:

- What, if anything, have we heard from Wal-Mart?

Tom Thern:

- Wal-Mart has hired a General Contractor and will be starting their renovations. Most of the work will be inside with the exception of the installation of 50 to 60 skylights in the roof. The company expects to have the project done in four months.

Jim Krueger:

- The front retention pond that was never finalized, we have an outstanding issue with the maintenance of that underground basin.

Michael J. Savona, Esq.:

- We did finalize a Stormwater Best Management Practices (BMP) Maintenance and Monitoring Agreement that Wal-Mart signed and we forwarded it back to the Township in the last couple of weeks.

Jim Krueger:

- He did not see Wal-Mart's finalized Stormwater BMP Maintenance and Monitoring Agreement. Needs copy.
- He mentions that the Delaware Valley Planning Commission talked about the entrance/exit way onto Jacksonville Road. One of their recommendations is to make it right in and right out only. This can be discussed at a later time and maybe we can have PennDot reconfigure that light to accommodate that.

3. Solicitor's Report – Michael J. Savona, Esq.

Petrucci Transit Oriented Development

- The Applicant has submitted a final revised version of the TOD Ordinance.
- Mr. Kennard's office is doing a final review of the revised sketch plan against the revised ordinance to make sure we are comfortable. When Mr. Kennard's office signs off on it, my intent would be to forward that to the Bucks County Planning Commission and again to our local Planning Commission for their thirty day review, effective the beginning of next week.
- Once that is done, we have to give the County and our local Planning Commission a 30 Day period to review the Ordinance and comment. It would then be scheduled for a hearing in front of the Board probably late April or early May.
- So you would have a Zoning Ordinance Amendment Hearing most likely the first meeting in May and conceivably could be in a position to adopt that Ordinance as early as May.

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THURSDAY, MARCH 26, 2009**

PROFESSIONAL REPORTS (Cont'd)

3. Solicitor's Report – Michael J. Savona, Esq. (Cont'd)

Zoning Ordinance Revision

- On Tuesday (3-24-09), the Planning Staff (Mr. Thern, Mr. Krueger, Kurt Schroeder and me) attended our last session with Lynn Bush.
- For your review, before the April 16th meeting, I expect to provide the Board with a completed Draft of the newly proposed “Warminster Township Zoning Ordinance”. It will be placed in your packet by April 8, 2009. Also, along with the draft will be an Executive Summary of the changes made.
- I am hoping to ask for the Board's authority to send the Draft of the Zoning Ordinance to the Warminster Planning Commission and the Bucks County Planning Commission to start the review process.
- Mrs. Bush will attend the April 16, 2009 Board of Supervisors meeting. We are intending to do a Presentation to explain what the thinking is, what the major revisions are and the revisions to the map. The residents will have a chance to take a first look at what the new map might look like.
- We have gotten Craig Kennard's office to revise and begin a first Draft of a Revision to the Subdivision and Land Development Ordinance.
- The Zoning Ordinance and the Subdivision and Land Development Ordinance have to be done in tandem because:
 - A lot of the items being removed from the Zoning Ordinance are being put in the Subdivision and Land development Ordinance - they belong there.
- Our focus has been to try to make the Warminster's System of Zoning and Subdivision and Land Development as simple and as easy to use as possible without compromising the Township's interest in protecting orderly development and such.
- We are trying to make things as workable as possible and in that vain we are putting a lot of the regulations into the Subdivision and Land Development Ordinance because that puts more control here in this Board.
- I commend everybody that's been working on this.

WREC Center – School District

- Discussed with the Board in Executive Session a couple of items related to the School District and our discussions concerning the WREC Center. I will be talking with the attorney for the School District to resolve those issues, hopefully in the near future.

Pohle Enterprises – Super Value Beverage (Bounds)

- Development Agreements have been prepared. We are waiting final construction estimates. Then those matters can come back to the Board for Execution of the Agreements and Approval of the Record Plan.

R F P

- We are working with Bob Tate to develop the RFP for Township Insurance Brokerage Services and to discuss a number of other administrative matters. We will move forward with those in the next couple of weeks.

Staff Development

- The Right to Know Seminar for your Staff and Manager in conjunction with Lower Southampton and Middleton Township's on March 6, 2009 was a successful joint seminar.
- We are arranging another seminar COSTARS which is the Department of General Services Purchasing Program. We are inviting Warminster's Staff and Manager as well as Lower Southampton and Middletown Township's.
- We will have a representative from COSTARS (Harrisburg) come to the Township to give a tutorial session to Staff explaining the benefits of COSTARS and how to use COSTARS. In the afternoon, Ray Stepnoski, the Manager from Middletown Township, has arranged to have computers set up. You can actually have hands on training right there in the meeting.

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PROFESSIONAL REPORTS (Cont'd)

3. Solicitor's Report – Michael J. Savona, Esq. (Cont'd)

Staff Development (Cont'd)

- Those attending the COSTARS Seminar will have a chance to look at how the program works. They will learn the benefits of using that program for Township purchasing and how to maximize those benefits.
- It is free of charge. The state does that with no cost and my office includes that as part of the retainer.
- I am a firm believer of continuing education. The more the Staff knows the less likely it is they will need me. I try to make it a policy to do as much of this as possible.

DISCUSSION

Regarding the Revised Township Zoning Map, Leo Quinn inquires as to the possibility of having it on the Township's website and asked in what building it would be placed.

Michael J. Savona, Esq.:

- He thinks it can be put on the website. It was his intent to do as much as could be done to post it on the website for anybody who wants to see it. It should be there, it should be available.
- He suggests that if a person doesn't want to go to the website they could submit a Right to Know Request and probably, we can send an electronic copy to them via email.
- He thinks the map should be placed in the Public Meeting Room, the Township Manager's Office (or other room in building) and over at Licenses and Inspections.

FINANCE

1. Approval of Bill List for March 26, 2009

BILL LIST FOR THE PERIOD ENDING MARCH 26, 2009

Prepays - \$57,187.08

General Fund	\$ 166,825.30
Park & Recreation Fund	34,154.84
Golf Fund	81,527.50
Highway Aid Fund	19,925.92
Payroll Date March 19, 2009	<u>297,603.59</u>
Grand Total	<u>\$ 600,037.15</u>

Leo Quinn so moved the motion to approve the Bill List for March 26, 2009.

The motion was 2nd by Gail Johnson. Fred Gold requested discussion.

The vote carried 4-0-1 (Jarvis not present).

DISCUSSION

Fred Gold states that under Medical Insurance, he noticed that a number of retirees are being reimbursed for Prescriptions. He mentions that one particular individual received a \$294.00 reimbursement for one month. As a Pharmacist, he is familiar with prescription insurance plans and what he is viewing does not seem right to him. He asks to review them. He thinks we can do better.

Bob Tate responds as follows:

- If it is paid to an individual person, that person would have retired under a contract where the provisions allow out of pocket reimbursement. That extends for a period of time based upon the contract they retired under. We do have a handful of retirees who are eligible.
- I will certainly look into it to see if there are any changes that can be made

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FINANCE (Cont'd)

2. Approval of Transfers for February 2009

Note: The transfers are the result of items paid for by the General Fund and allocated out to various funds such as payroll, public works allocations, fuel allocation, postage allocation and real estate tax allocations and escrows.

<p>Fred Gold so moved the motion to approve the Transfers for February 2009. The motion was 2nd by Gail Johnson. The vote carried 4-0-1 (Jarvis not present).</p>

OTHER BUSINESS

Leo Quinn:

- He received a comment from a resident regarding the Police website. It was suggested that the dark background be lightened. It seems it makes the printouts hard to read.
- He asked Bob Tate to have our team take a look and see what they can do about it.

Bob Tate:

- Mentions he received a similar comment. He will look into the matter.

PUBLIC COMMENT

Theresa Stollsteimer – 425 Mae Drive – Warminster – Meadow Glen

After attending last night's Zoning Board Hearing, she is here this evening to speak for the residents of the Meadow Glen Development (specifically every resident on Mae Drive) to express how disappointed, appalled and dumbfounded they are that the current elected Board has:

- a) determined that the most appropriate location for the proposed AT&T cell tower (Norristown & Street Roads) would literally be in their backyards.
- b) allowed Variances to be applied for that ask for the very laws that were made to protect its citizens, by past officials, be broken.

At the Zoning Hearing Board meeting last evening the representative for AT&T stated the following:

1. AT&T felt the best location for the cell tower was at the Golf Course behind the church. The landlord turned down that request.

WE ASK, IS THE TOWNSHIP NOT THE LANDLORD?

2. AT&T did not pursue the golf course area behind the shed because the future residents of the homes there voiced their strong opposition.

WE ASK, ARE WE NOT RESIDENTS? DO WE NOT HAVE A VOICE?

3. It was also mentioned that the location behind the Township Building was a consideration.

**WE DON'T WANT THIS GLARING EYESORE IN OUR BACKYARD,
WE DO NOT WISH IT ON ANYONE ELSE, EITHER.**

Before this project moves forward, the Meadow Glen Residents representative brings to the Board tonight questions that deserve answers. They are demanding that the following questions be answered:

1. Under the Right-to- Know Law - Was there ever an Environmental Protection Zoning District for the wetlands and open space that surrounds the Meadow Glen Development that was supposed to be created according to the Township Minutes dated 01-14-1999? What does this entail?

2. Under the Right-to-Know Law - When the golf course was being developed, did it enter into an agreement with the Department of Environmental Protection (DEP) regarding other wetland/open space areas that they would not be encroached as the golf course was encroaching into wetland areas in Warminster?

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PUBLIC COMMENT (Cont'd)

Theresa Stollsteimer – questions to be answered (Cont'd)

3. How did the Township come to the conclusion that the tower and supporting buildings were better suited immediately adjacent to one of its neighborhoods versus public space?

4. How does the Township come to the conclusion that a tower, with unknown health risks associated with the frequencies being admitted day and night (24/7), is better suited next to a neighborhood of families with small children (29 under 11 yrs.) and not tucked away on public land where there would be limited and sporadic exposure (Not to mention that it would blend more with the adjacent wooded area to the east.)? The Golf Course has made changes in the past. There has never been a more warranted reason than this to redesign the course so the 9th hole and the tower can be situated in the same area. Why won't this be done?

5. It is well documented that homes next to cell phone towers have decreased home values and are harder to sell. Original owners in our development have watched their taxes go from an average of \$2,900.00 per year in 1997 to \$5,400.00 in 2009. Our question to you is when will the residents of Meadow Glen see a reduction in their taxes, due to the lower property values because of your decision?

6. Who determined that an area deemed a "natural habitat" and "wetlands" and "open space" that were not to be disturbed, have a potential health hazard placed on it – ruining not only the surrounding areas, but placing such a health hazard next to a stream? We beg to differ if you feel that a cell phone tower does not emit harmful signals. Prove to us that it does not. We have studies that show it does present a risk. Do you realize that it has been fully documented that Warminster Township has the highest number of brain tumor/cancer in this entire region?

7. Is the tower's falling distance 180 feet from our property lines as recorded by a 5-0 motion in the 09-17-1996 approved minutes?

8. Why were the notices, for the meetings regarding the proposed site, mailed to the Easton, PA address for Fichter? Did you not know that this taxpayer lived on Mae Drive and is the property most affected by your decision?

9. What would each of you personally do if this was happening behind your house? How would you feel if you were being treated like a second rate citizen, taking the back seat to the 9th hole at a public golf course?

10. What were you thinking?

The Meadow Glen spokesperson states, we stand here, literally begging you to revisit the other, more obvious location of the Golf Course behind the Church as the site for the tower. If you don't want it there, then just say "no" to any tower and make the cell phone companies go away.

You have hurt us 100% by allowing this. We just don't understand. What were you thinking when you approved the tower development on Norristown Road in the shadows of our homes?

Frank Feinberg: Asked that a copy be provided to the Township Manager.

Theresa Stollsteimer: Said she has a copy for everyone.

Michael J. Savona, Esq.: A few requests under the Right-to-Know Law were mentioned that must be submitted with the required form completed. These forms can be obtained through the State Office of Open Records or through the Township website. The Township is not obliged to answer those questions unless you submit the form in accordance with what the statute requires. To guarantee that you get the responses in a timely way I would advise you to fill out that paper work.

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PUBLIC COMMENT (Cont'd)

Florence Fox – 9 Holt Terrace – Warminster

- Craven Hall is having a “Spring Tea” Sunday, May 3rd from 2:00 P.M. to 4:00 P.M. Enjoy tea with cookies, pastries and sandwiches. Admission: \$20.00 per person. Children 12 and under \$10.00. Reservations are required. Call Linda Caimi 215-328-0512 or Nancy Carver 215-672-4099. Tours by period dressed guides will be available.
- Bottle caps (from soda bottles, milk bottles, etc) are being collected to raise money to benefit a Willow Dale Elementary School 3rd grader battling cancer. The bottle caps can be dropped off at my home.

Donna Hegyi-Gioia – Dorset Circle – Warminster

- Topic - Shoveling of Snow - Using her personal experiences, in her development, as an example she tells the Board that a serious safety hazard has developed for children and parents because a number of residents have decided not to shovel their walkways. This necessitates that the children who take the bus must walk in the street to the bus stop and stand in the street until the bus comes. This dangerous safety hazard is not limited to students who are bused. She has observed on snow days that the children who live in walking distance of the school are doing so by walking in the street because again many residents have chosen not to shovel their sidewalks.
- She comes here tonight to ask the Board’s help. She knows the Township has a Resolution for snow shoveling but something just isn’t working. For whatever reason, even people who use to shovel have stopped. It appears that people have forgotten the rules and regulations of the Township or perhaps have become a little lazy. It matters not their reason. What matters is that we need help with what is most definitely a safety hazard for the children in our Township.

Frank Feinberg:

- We do have a Resolution. The reason there wasn’t an Ordinance is because if someone doesn’t abide it must be enforced by fines etc.
- We do have an aging population. To get out and shovel could be a physical or life threatening burden.

Donna Hegyi-Gioia:

- I work in the long term care industry so I absolutely understand that. We have to realize that in a way this is like reverse discrimination because we are considering the older people in our Township but we are not considering the very young. These are extremely young children going to elementary school. These first, second and third graders are walking in the street because the adults in the community are not finding a way to shovel their snow.
- I might add these same individuals have the money to hire people to come and cut their grass and they maintain their homes lovely. They hire people one way or another for other services for their homes.
- I certainly don’t want to put someone at risk and I don’t want to put the children at risk either.
- The bottom line is, if you own a home and you have a sidewalk you have a responsibility to maintain that sidewalk , whatever that might entail.....
- While I respect the needs of the elderly I also realize from a Mom’s perspective what it’s like to have my little boy and other children standing in the road and what if a car come flying down that street. It is just not right. We have to do something to protect the children.

Frank Feinberg:

- The matter will be discussed to see what we can do about it in a practical sense.

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PUBLIC COMMENT (Cont'd)

Shawn Fichter – 473 Mae Drive - Meadow Glen

- He thanked Mrs. Stollsteimer for her representation here this evening and thanked the Board for this forum to express concerns.
- His property is adjacent to the tower site location and as the landowner it concerns him that this site was the one selected for suitability over a corner of a golf course. He understands that adjustments would have to be made.
- He requested the help of the Board to revisit these two sites for reconsideration. They are pretty concerned about the seriousness of this matter and want to make this known.
- They will also make this request of the Zoning Board and will be presenting to them a signed petition from all the residents of Meadow Glen and that of the adjacent residents who are also opposed to the cell tower.
- He said, as was mentioned earlier, no one wishes this cell tower on any other resident.
- He appreciates the channel that the Right-to-Know Law provides.

Frank Feinberg:

- We don't send people to the Zoning Board and we can't stop them from going there. They have that right and if they are turned down they don't come to the Board of Supervisors. Their appeal goes to the Court of Common Pleas. We don't get involved in that process until the very end.
- We have basically approved the concept of a Cell Tower. They have to go through all the steps.
- I think revisiting the whole situation in respect to where it might be placed is a worthwhile effort.

SUPERVISOR'S COMMENTS

Fred Gold: Go Wild Cats! Gail Johnson: Happy Passover! Happy Easter!

AGENDA FOR THURSDAY APRIL 16, 2009

- Presentation of check to VFW for the Memorial Day Parade
- Presentation – Wind of Dublin, PA – Damon Oaten – Wind Technology
- Revised Zoning Ordinance, Zoning Map and Revised Subdivision and Land Development Ordinance
- Adoption of Ordinance # 687 – All Way Stop Signs
- Warminster Rotary to present check for Skate Park
- Appointment to the Finance and Budget Committee

MEETING ADJOURNED AT 8:47 P.M.

INDIVIDUAL ACTION ITEMS:

Bob Tate

- Review Medical Insurance for retirees – out of pocket – per Mr. Gold.
- Police website – dark background to be lightened up.

Jim Krueger

- Regarding electrical work on Norristown Road call Debbie Taylor to see if PECO can limit the work to during the week.
- Needs copy of Wal-Mart's Stormwater BMP Maintenance and Monitoring Agreement.

Michael J. Savona, Esq.

- Discuss with Mr. Kennard – McGrath Phase II – Immediate Need of Residents

Board of Supervisors - Discussion

- Cell Tower Placement - Shoveling of Sidewalks