

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, APRIL 16, 2009**

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**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, APRIL 16, 2009**

MEMBERS PRESENT: Frank Feinberg, Chairman
Gail E. Johnson, Vice Chairman
Ellen S. Jarvis, Secretary
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 7:05 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.

ANNOUNCEMENTS, CORRESPONDENCE, AWARDS

Ellen Jarvis:

1. Warminster "Clown" resident, Green Bean Tea shared the following information: Clowns or Us (Professional Clowns) will have their performance "Fools on Parade" at the WREC Center (1101 Little Lane) Saturday April 18, 2009 at 6:30 P.M. There will be pre-events at 6:00 P.M. It is an evening of magic, clown skits and comedy. It will feature Tommy McDonald the Magician. The cost for adults is \$5.00, children under 12 years is \$3.00. Proceeds will be used to provide gifts and merry making for the Nursing Homes visited by the clowns during the Christmas Season.

Gail Johnson:

1. Reminds Warminster residents there is a need of 50 more sign ups for PECO WIND energy at a cost of \$7.62 added to your monthly bill. We only have six (6) weeks to reach our goal for clean energy that helps the township, state and the world.

Frank Feinberg:

1. The Police and Fire Federal Credit Union will be having "Free Shredding" on Saturday, April 25, 2009 from 10:00 A.M. to 2:00 P.M. Location: Davisville Shopping Center (Davisville & Street Roads). There will be face painting for the kids, free child identity safety kits, balloons, clowns and more.

Fred Gold:

1. 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. To date, forty-eight exhibitors have signed up for this event.

Leo Quinn:

1. Parks & Recreation Department:

i) Congratulations to Karen (Whitney), the Parks and Recreation Staff and Fulton Bank for an excellent Easter egg hunt held last Thursday (April 9th). There were over 500 children there between the ages of 3 to 10 and well over 1,000 people (parents, grand-parents etc) at the WREC. The Senior Center put together 10,000 eggs that were disbursed for the kids.

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. The picnic starts at 12 Noon and the releasing of the ducks begins at 1:00 P.M. Beneficial Bank is our primary sponsor.

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ANNOUNCEMENTS, CORRESPONDENCE, AWARDS (Cont'd)

Leo Quinn:

1. Parks & Recreation Department: (Cont'd)

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

iv) Summer Camp information has been posted on the townships website. Playground and teen camp registration begins May 16th. All other registrations begin May 4th.

v) The summer "Warminster Township Recreation Directory" should be in your mailbox the last week in April.

FIRST PRESENTATION – Presentation of check to VFW for Memorial Day Parade

Frank Feinberg tells Warminster residents that the VFW Post 6493 (Louis Drive) will be organizing and producing our annual Memorial Day Parade (Monday, May 25, 2009). They will do the ceremony before the parade and host events afterward. In support of this event, he presented to Dave Twiggs the Commander of VFW, the Township's check in the amount of \$7,500.00.

Dave Twiggs:

- Thanks the township for their sponsorship of the parade every year.
- For this year's parade, a surprise is planned.

Karen Whitney, Director, Parks & Recreation:

- The VFW has been generous in allowing the Girl Scouts to do a food drive the day of the Memorial Day Parade.
- Asks that anyone coming to the parade please bring a non-perishable can item to be thrown into the truck when they see the Girl Scouts come by. The items will be delivered to the Warminster Food Pantry.

SECOND PRESENTATION – Damon Oaten – Wind Technology

Karen Whitney, Director, Parks & Recreation:

- She introduced Damon Oaten, Director of Marketing for OmniWind Energy Systems, LLC, of Dublin, PA. She told the Board and community that Damon is here this evening to make a brief presentation on the pending wind project at Warminster Community Park.

Damon Oaten:

- Tells the Board that OmniWind Energy Systems is going to position an anemometer on the old runway at Warminster Community Park to collect wind data at that location.
- Says in a month or two the compilation of that data will be reviewed with Karen and her Staff for feasibility of having one of their wind turbines located at that site.
- Says his company is looking to install a wind turbine at the park. Within the wind turbine is new technology invented by a Bucks County resident Fran McCabe.
- Says the new technology of the wind turbine is as follows:
 - The generator in the machine (wind turbine) is rated at 1.8 kilowatts.
 - The wind turbine will most likely be placed on a pole height between 33 or 45 feet.
 - The swept area of the machine is approximately 8 feet.
 - The wind turbine has an 8 blade system. Example: Operating in a 28 Mph (miles per hour) wind will produce 800 watts of power.
- Says when the data comes back a final proposal for the installation of the concrete base for the tower will be put together. The machine would then go up.
- Says the technology that was developed by the inventor is very unique and OmniWind has taken great engineering prowess in the development of this technology.

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SECOND PRESENTATION – Damon Oaten – Wind Technology (Cont'd)

Damon Oaten: (Cont'd)

- Says the unusual technology in the blades allows the machine to hold eight blades rather than the standard three blades. The blades spin at low RPM rather than at high RPM which gives the silhouette of the machine, when it is active, more of a solid rather than becoming invisible as it moves through its RPM cycle. This means, with regard to the environmental issue of birds and bat strike, the birds have a visual queue and bats have a radar queue so they recognize the technology before they run into it.
- Says this latest technology is spinning at half the RPM that most of their competitors are spinning at, therefore it is virtually silent.

Questions were asked by Supervisors Gail Johnson, Ellen Jarvis, Frank Feinberg and Leo Quinn.

Damon Oaten answers brought forth additional information as follows:

- OmniWind Systems standard practice to measure wind speed (prior to investing in a wind turbine) is to place an anemometer on a smaller pole (than the turbine would be placed) and place it at the location of the turbine. The wind testing would take place at the height of the center point of rotation of the turbine when it would be installed. They would then have an idea of what the wind one speed would be and the average wind speed. They take that and calculate how much power the turbine would be able to create in that exact location.
- An installed wind turbine for a resident would, on average, cost about \$20,000.00.
- The new technology can create usable power (for home or business) with 4 Mph of wind. Most of the old technology creates usable power at the 12 Mph mark.
- Most of the competitors have to operate from 100 to 130 feet up in the air to capture the prevailing winds. The highest tower offered by OmniWind Systems is 60 feet.
- Power is generated through a 1.8 kilowatt generator at the top of the tower. It comes back into a control inverter which turns the kinetic energy of the wind into AC power which is fed into the existing building's electrical infrastructure.
- If there is an abundance of energy, it has to be going somewhere so it goes back into the grid and the technology already exists to spin that meter backwards.
- There are safety features built into the system. If for some reason there is lost grid power in that area, the safety feature built into the inverter would stop the power coming in from the wind turbine and reverse the meter, therefore, PECO or PP&L representative that is out to repair the grid and believes that the grid has been de-energized, the wind turbine would not re-energized, would not be put in harms way.
- The safety features, of the advanced electronics, that we designed for this machine have not only the township and the environment in mind but the safety of the people working on the infrastructure.
- The electronics for the system will be located and serviced in the building. We want to keep the equipment out of harms way so it will be locked up.

Karen Whitney:

- Tells the Board that OmniWind Systems have an operational wind turbine behind their facility in Dublin.

Damon Oaten:

- Says to view their technical data and get an overview of their operations, go to their website www.omniwindenergy.com. Contact information for him is on there as well.
- Welcomes the Board to contact him for an individual or group tour of their facility and to acquire a more detailed description of the technology that they have developed.

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THIRD PRESENTATION - Revised Zoning Ordinance, Zoning Map and Revised Subdivision/Land Development Ordinance

Lynn Bush, representative of the Bucks County Planning Commission is here this evening to present the proposed revisions to the Warminster Township Zoning Ordinance.

- She tells the Board that the Zoning Ordinance has been the subject of study of a very excellent Township committee. She has been working with Jim Krueger, Tom Thern, the Township Solicitor and the Township Engineer intensively for the last six months. They have organized the entire document and have made some clear advances forward for the Township.
- She said, some of the things they hoped to accomplish were to acknowledge some of the recommendations from the Comprehensive Plan (updated in 2003) and make changes as required by the PA Municipality's Planning Code which is a law we all live by in terms of land use regulations which changes every couple of years. The Zoning Ordinance needed to be updated to reflect what the state law requires.
- She said, she has followed some of the issues that have come before Warminster in recent years so their aim was to give the Township better tools to regulate development in a way that meets the goals of the community.

Lynn Bush makes mention that she knows that each member of the Board has a copy of the Zoning Map. She discusses briefly the Zoning Map and highlights some of the major changes to the Zoning Ordinance as follows:

- In terms of the Zoning Map, the Zoning Map currently has 31 zoning districts and we have simplified that to a total of 13 Districts. The districts were combined to make them more consistent.
- In terms of the historic issue, we have added a new concept to the Ordinance, a historical overlay District to recognize the importance of Hartsville and Johnsville to the community.
 - To encourage people of Hartsville and Johnsville to retain those special buildings.
 - To allow owners of older buildings to perhaps use them for things like Bed and Breakfast and other types of uses.
- In terms of making the Township greener we have a number of things.
 - We have added a provision for a wind energy system as a use in the Township.
 - We have added impervious surface limits. How much that a lot can be paved.
 - We have addressed the issue of alternate fuels. The Township has a CNG (Compressed Natural Gas) Fueling Station. We thought about things such as plug in for electric cars.
 - We have addressed things such as buffers, stream corridor set backs and other stronger environmental standards that work within the context of your community.
- In terms of residential districts, we are recommending 4 Districts (R-1, R-2, R-3 & R-4).
 - R-1 District and R-2 District – lot size 20,000 square feet.
- In terms of special purpose districts, we have left those standards untouched. They remain in place (Anne's Choice, Christ's Home and the Villas at Five Ponds).
- In terms of the commercial district, we simplified by combining them into a C-1 & C-2 District. Lot size set at a slightly larger size.
- In terms of uses permitted in the District, we made that simpler and brought it up to date. Some of the uses added were for example:
 - Family Day Care – Gas Station Location – Funeral Homes – Large Retail Store – Forestry – No impact based business
- In terms of parking, we have scrutinized every use to make sure the requirements are realistic and that we are not requiring too much paving or too much impervious surface.
 - Some of the things that rightfully belonged in the Subdivision Ordinance such as how a parking lot is designed have been moved to that Ordinance.
- In conclusion, we have tried to make it more environmentally friendly, tried to accommodate the uses that both bring you up to date with state law but also give you the opportunity and ability to regulate developments that come before you in Warminster.

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THIRD PRESENTATION - Revised Zoning Ordinance, etc. (Cont'd)

Questions & Answers

Gail Johnson: Regarding the uses, he asks, are some uses strictly prohibited in certain zoning areas and others if you get a variance for them permitted?

Lynn Bush:

- I am looking at R-1 District which lists uses in three categories and the ways that uses are permitted and documented in the district:
 1. Permitted by Right
 2. Use Permitted as a Special Exception
 3. Conditional Uses
- No one should be coming to the Township and say I am going to go to the Zoning Hearing Board and ask for a Variance. The Ordinance gives three ways to establish yourself in each district and that is what we would anticipate happening.

Leo Quinn: When I look at the existing zoning and I compare to the proposed zoning under R-1, R-2 etc. there is an institutional component that exists in our existing zoning. When we go to the new proposed zoning is the institutional no longer included?

Michael J. Savona, Esq.:

- Most if not all of your institutional zoned properties were schools, school owned property or school used property.
- There is not anything inconsistent about a school being in a residential neighborhood.
- There is not anything inconsistent with making a school use, something that is provided in the residential zoning areas.
- The reason why you don't see institutional there anymore is because any use that would be taken up if that school property were divested, any use that would be made of that property after the fact would have to be consistent with whatever the neighborhood is whether it is R-1, R-2 etc. zoning.
- The existing zoning map with all those zoning districts looks like a crazy quilt. It is almost a case study for spot zoning. If you look at the placement of the residential areas you are going to see we haven't moved and we haven't changed residential areas to something crazy.
- We may have increased the number of residential districts, but I would still say that 75 to 85 percent of your Township is still zoned residential before and after this map.
- For Government owned properties, we created a government owned district (G). Those are all things owned by us, the Municipal Authority or the county.
- For institutional purposes the School District properties have all been merged into the residential neighborhood zones.

Gail Johnson: What is the process now?

Michael J. Savona, Esq.:

- The next step in this process (after the fine tuning and some final edits) would be for the Board to authorize to advertise the Zoning Ordinance, the Zoning Map and the Subdivision and Land Development Ordinance (which Gilmore is finishing).
- We would then have to refer these to the Warminster Planning Commission and the Bucks County Planning Commission. Under the MPC both of those Boards have a 30-day period to review and comment on the proposed Ordinance.
- Once the planning commissions have had their 30 days to review the Ordinances and comment, then, we are required under the MPC to advertise two times in the newspaper. Not less than 7 days before you are going to hold your hearing and not more than 30 days away. We will advertise to the public that we are going to hold formal hearing for the Board to consider adoption of both the Zoning Ordinance and the new Subdivision Land Development Ordinance.

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THIRD PRESENTATION - Revised Zoning Ordinance, etc. (Cont'd)

Questions & Answers (Cont'd)

Michael J. Savona, Esq.:

- I am going to ask that we try, to adapt, to have the map on the website from tonight forward... The ordinances once the drafts are cleaned up and finished we'll have those on public view as well. The more input you have from the broader base of the community the better.
- I would anticipate, probably, a hearing on this in late May or early June depending on the review times. We have a meeting scheduled before the planning commission on April 29th for them to take a first look at the Zoning Ordinance. They may want more time. We will work with them accordingly.

Leo Quinn:

How is the process going to work if someone takes exception to any of the items?

Michael J. Savona, Esq.:

- I would imagine both Lynn and I would baby-sit this through. I have already made plans with Tom to go to the Planning Commission meeting with Lynn to give them an explanation on some of the more technical details. I would fully expect that we will tinker as we go.... We will keep track.
- If any substantive changes have to be made, the review process starts all over again. If it is minor changes such as re-lettering, re-numbering etc. it will not require a re-review. The process could take awhile. I am being very optimistic when I say there could be a hearing in June more likely it is not going to happen for a couple months.

After an exchange of dialogue between Gail Johnson, Michael J. Savona, Esq., Leo Quinn and Craig Kennard, PE, regarding when the Ordinances should be put on the Township website, it was defined as follows:

- The Zoning Ordinance Draft and the Subdivision and Land Development Ordinance Draft have to go together. They will be put on the website as soon as available.
- Mr. Savona mentions there is still some tinkering to be done to finish and tidy up the Zoning Ordinance Draft.
- Mr. Kennard mentions that as we tinker the Zoning Ordinance Draft he needs to make sure we don't create gaps or miss things in the Subdivision and Land Development Draft. The majority (75%) of his draft is done.

Leo Quinn made the motion to approve the authorization to advertise the Zoning Ordinance, Zoning Map and the Subdivision and Land Development Ordinance. The motion was 2nd by Ellen Jarvis.
The vote carried 5-0-0.

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

- A. Approval of the Minutes of March 26, 2009**
- B. Appointment of James J. Scott, Esq. to Finance & Budget Committee**
- C. Construction Escrow Release for Tree Replacement – Michael J. Wielehowski - (Pignatelli Tract) - 681 Newtown Road in the amount of \$3,900.00**
- D. 2008 CDBG – Curb Ramp Installation (CN 2008-06) Application for Payment No. 2 - Final - Bartholomew Concrete & Excavating Co., Inc. in the amount of \$3,255.93 funded through the Community Development Block Grant that will be paid by the County**
- E. Award 2009 Sign Material & Post Consortium Bid to Garden State Highway Products, Inc.**
- F. Pohle Enterprises – Street Road Industrial Park – Nina Way - Mylar Signing**

Fred Gold so moved the motion to approve the Consent Agenda Items A through F.
The motion was 2nd by Ellen Jarvis. The vote carried 5-0-0.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
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OLD BUSINESS

Approval of \$12,000.00 expenditure by Tri-Centennial Committee for 300th Anniversary book to be produced for purchase

Leo Quinn so moved the motion to approve the \$12,000.00 expenditure for the 300th Anniversary book. The motion was 2nd by Ellen Jarvis. The vote carried 5-0-0.

COMMENTS

Leo Quinn:

- He commends Erik Fleisher and the Craven Hall Historical Society, who before the Tri-Centennial Committee was up and running, was on the front end of this book effort and did much of the leg work.
- He says the Tri-Centennial Committee is now is full swing. As liaison to the committee, he was present when the book was reviewed. If it is anything like the one he saw, it will be a quality piece.

Ellen Jarvis:

- Says as the other liaison to the Tri-Centennial Committee, she can fill in some of the blanks about the book.
 - This is part of a series known as “Images of America” that is put out by Arcadia publishing.
 - A lot of our local communities have these books. At Barnes & Noble there is one for Warrington, Hatboro, Yardley, Newtown etc.
 - This will put Warminster in book stores and in a recognizable format.
- Says, this is an exciting project well thought out by Craven Hall and the committee.
- Says, this is a budgeted sum. We do have money set aside in our Budget for Tri-Centennial activities. We had money in our Budget last year that went unused. It was one of those use it or lose it. The committee wants to be sure we invest the money wisely that we have in this years Budget.
- The book will be available by December 2010.

FINANCE

1. Approval of Bill List for April 16, 2009

BILL LIST FOR THE PERIOD ENDING APRIL 16, 2009

Prepays - \$246,105.99

General Fund	\$ 376,896.81
Park & Recreation Fund	29,444.69
Storm Water Management Fund	15,835.12
Sanitation Fund	306,667.33
Golf Fund	93,240.11
Debt Service Fund	1,077.50
Highway Traffic Cap. Improv. Fund	3,339.00
Highway Aid Fund	19,427.89
Legal & Engineering Escrows Fund	36,540.86
Payroll Date April 2, 2009	<u>310,930.75</u>
Grand Total	<u>\$1,193,400.06</u>

Ellen Jarvis so moved the motion to approve the Bill List for April 16, 2009. The motion was 2nd by Fred Gold. The vote carried 5-0-0.

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OTHER BUSINESS

Ellen Jarvis:

- Says the Communications Advisory Board has been active in doing “Warminster Your Township” featuring Bob Tate and various department heads.
- Says the next addition of that program will run April 23rd through the 29th. At 2:00 P.M. and 7:00 P.M. It will be on the government access channels Verizon and Comcast. The next department featured will be Parks and Recreation.
- Says the Communications Advisory Board would like to be placed on our next meeting Agenda. The committee, working with Larry DerHagopian, wants to bring to the Board for review and approval the idea of having a “Jobs List” placed on our website and in other various Warminster publications of jobs that are available here in the Warminster business area and offer free this “Help Wanted” advertisement to Warminster businesses.

Leo Quinn:

- He extends to his parents a Happy 53rd Wedding Anniversary.
- He shares with the Warminster Community that his son Dennis has over 150 miles under his belt in his endeavor to thru-hike the Appalachian Trail (from Georgia to Maine). Anyone interested can view updates on his website www.trailjournals.com/dennisquinn.

PUBLIC COMMENT - Bobbie Loftus, Warminster Tax Collector

- She reminds the residents that payment for the County, Township and Refuse Tax Bill, at the 2% discounted amount, must be paid by April 30, 2009.
- Says, her extended hours will be Saturday, April 25th from 9:00 A.M. to 12:00 Noon, and Wednesday, April 29th and Thursday, April 30th (last day) will be from 8:30 A.M. to 7:30 P.M.
- She reminds the senior residents (62 yrs or older) that pay their trash through her that they must show their driver’s license as proof of residency. Through the courtesy of the Board of Supervisors they are entitled to deduct \$55.00 from their trash bill.

PUBLIC COMMENT - TOPIC OF DISCUSSION – METHADONE CLINIC IN OUR NEIGHBORHOOD

Speaking this evening are seven residents of Warminster Township:

1. Colleen Kilkenny - Hampton Lane - Warminster
2. Lisa Thomas – Hampton Lane – Warminster
3. Glenn Weiss – Hampton Lane - Warminster
4. Jennell Weiss – Hampton Lane - Warminster
5. Mark Shragher – Foster Road – Warminster
6. Beverly Weiss – Hampton Lane - Warminster
7. Bobbie Loftus – Villa Drive – Warminster

These individuals are here to express their disturbance and concerns on a matter brought to their attention by a flyer. It seems that Discovery House (39 County Line Road – Warminster), an outpatient addiction treatment center dispensing methadone (5:15 A.M. to 11:00 A.M.), will be moving to 1300-1400 block of Street Road (in front of the Ben Wilson Senior Center, near the kid’s bus stops, the Elementary School and basically in the resident’s backyards)

Essentially, the opinion of each person as expressed, in their own way, is that a Methadone Clinic at this location is inappropriate and could have repercussions that threaten the safety of their children, their neighborhood and their property values. They do not want it there.

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PUBLIC COMMENT: TOPIC OF DISCUSSION – METHADONE CLINIC IN OUR NEIGHBORHOOD (Cont'd)

Individual questions presented to the Board with respective answers:

1. Was the Township aware of the Clinic?

Frank Feinberg: We saw the flyer for the first time tonight.

2. Did Discovery House or the owner have to put in an Application?

Michael J. Savona, Esq.: Nothing has officially been submitted to the Township.

- They would not submit an application. Any building or structure in the Township that is proposed to be occupied whether it is a house, apartment, a business or industrial use has to receive a certificate from the Township called a Use & Occupancy Certificate. This indicates that the Township has inspected the site, it meets code and the use they are going to make of the property meets the requirements of the Zoning District where the property is located.

NOTE: Regarding Discovery House (Methadone Clinic), at the Street Road location, dialogue between Mr. Tom Thern and Mr. Savona brought forth the following information:

- The zoning for that location is “office” and as such the Clinic would be a permitted use.
- The Ordinance was established in 1967, the Office District was added in 1977.
- The Use Regulations permitted By Right in the Office District include:
 - An office or clinic for medical or dental examination or treatment of persons as outpatients including laboratories. That is the section that type of facility would fall under.
- These are licensed facilities. They are going to be regulated by state licensing board and state licensing agency. They are still subject to all of the crime code. If there are instances where you have problems with people coming and going from those kinds of facility they are still subject to the jurisdiction of the police. Those needs do not change.
- If nothing else this underscores the need to update the Zoning Ordinance so we can harmonize these uses so things like this aren't permitted to be developed so close to where you live.

3. What are the homeowner's rights? Should they have been notified?

Michael J. Savona, Esq.:

- Theoretically, if it is a permitted use, that property is entitled to be used for that use.
- The Township cannot deny use based upon the fact that the facility isn't wanted there.
- If it is permitted in that District, they have a vested right to use the property for that use.

4. What is the opinion of law-enforcement?

S. Michael Murphy - Police Chief of Warminster Township

Discovery House has been in Warminster Township for many years.

- It generates fewer calls for service than our High School does.
- We don't have rampant crime in and around Discovery House.
- They manage their operation fairly well.
- It is essentially a medical facility and it is governed by the Department of Health.
- They are protected by HIPAA (Health Insurance Portability and Accountability Act) regulations.
- We don't have any more calls for crimes there than we do in any other place.
- When Warminster Hospital was here, it generated far more calls for service than Discovery House ever did.
- It is not a significant problem area. It doesn't generate a tremendous amount of calls for service.

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**PUBLIC COMMENT: TOPIC OF DISCUSSION – METHADONE CLINIC IN OUR NEIGHBORHOOD (Cont'd)
Individual questions presented to the Board with respective answers: (Cont'd)**

S. Michael Murphy - Police Chief of Warminster Township (Cont'd)

Discovery House has been in Warminster Township for many years (Cont'd)

- It doesn't generate a significant number of traffic that a main roadway like Street or County Line cannot accommodate. There is no line waiting to get into their parking lot in the morning.
- More than anything it provides a service to the community. There are significant drug issues throughout all of Central Bucks County and it serves a legitimate therapeutic purpose in helping these people through their addiction.
- It does not generate, from a law enforcement standpoint, a significant number of law enforcement calls for service. It just doesn't.

5. Are the people going to Discovery House Warminster residents?

S. Michael Murphy - Police Chief of Warminster Township

- It is my understanding that they draw residents throughout the Bucks County and Montgomery County Region. It is a Regional Therapeutic Center.

6. Will the Township provide extra security at the Methadone Clinic and guarantee the safety of the neighbors?

S. Michael Murphy - Police Chief of Warminster Township

- I can't guarantee anybody's safety anywhere. Law enforcement just doesn't have those capabilities to guarantee people's safety. Crime occurs everywhere. It occurs in residential neighborhoods, residential properties it can occur anywhere, there is no way I can guarantee anyone's safety.

Individual statements made to the Board with responses where applicable:

1. Warminster does have a right to say what they want in their Township and what they wouldn't want in their Township.
2. The state does not tell Warminster to have a certain medical clinic in the Township.

Michael J. Savona, Esq.:

- Local government does not have the power when they have already written the rules that permit this kind of use. They do not have the power to arbitrarily change. That opens the Township to liability and I can assure you that when the property owner sues to be permitted to use the property in that way they will win.
- It is zoned to be used for what the definition provides. For at least 31 years this kind of use has been permitted in this "office district".

3. The residents are prepared to sign a petition for the Board not to allow this Methadone Clinic.

Michael J. Savona, Esq.:

- The questions if enough residents signed a petition could the Board stop it. The answer is absolutely not.

4. They have contacted their state senator and state representative regarding this matter.

Michael J. Savona, Esq.:

- I encourage you to do things like that because a lot of this is justified by what the state permits us do under the regulations that are set down in the MPC. The Municipality Planning Code tells this local government what we can do to control land development and what we can't do to control land development.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, APRIL 16, 2009**

**PUBLIC COMMENT: TOPIC OF DISCUSSION – METHADONE CLINIC IN OUR NEIGHBORHOOD (Cont'd)
Individual statements made to the Board with responses where applicable: (Cont'd)**

4. They have contacted their state senator and state representative regarding this matter.

Michael J. Savona, Esq.: (Cont'd)

- We can't do as much as we want to in some instances when someone comes along who wants to use the property according to the rules we have given them, we can't arbitrarily, because we don't like their particular use, pull the rug up from under them.

5. Surprise was expressed over the police chief's argument given:

- That even one crime was committed at the present location of Discovery House.
- That the new intended location for Discovery House is 100 feet from Warminster's Senior Center and 100 feet from the neighboring children's bus stop.
- That it is known that seniors and young children are targets of drug addicts.

S. Michael Murphy - Police Chief of Warminster Township

- I am not going to dispute the fact that it may not be a desirable location as far as the people that live there and the other organization and/or facilities that are near by, but, I can tell you from a law enforcement standpoint that it doesn't generate a significant number of calls.

6. Instead of creating an adversarial relationship it is suggested that the community together with Warminster's Board of Supervisors approach the organization's representatives and the landowner of the property in a positive pro-active manner. When reasonable people come together things can get accomplished.

Frank Feinberg:

- I personally like your approach. I think you are taking a reasonable, rational approach with an alternative possible solution. It is something maybe we should pursue.

Michael J. Savona, Esq.:

- There is absolutely nothing that prohibits the Board if they want to approach the property owner or the prospective user.

7. A couple residents expressed concern about possible sex offenders. There are a lot of sex offenders that do use drugs.

Michael J. Savona, Esq.:

- I don't know of any statistics that indicates that sex offenders are disproportionately higher user of methadone. I understand that sex offenders are a good example because it sounds really bad but I don't know that it necessarily correlates.

8. The residents are talking about boycotting the restaurant whose proprietor owns the Street Road property.

9. Heroin addicts are going to this clinic to get the methadone that they need. This opens up situations that could lead to burglaries, theft and possible harm to the children.

10. The Warminster Zoning Ordinance does allow "medical" but a Methadone Clinic is much different than a dentist office.

11. The residents with first hand knowledge of this type of Clinic (because one was in their prior neighborhood before coming to Warminster) said that some of the people going to the Clinic sold drugs, walk the streets of the neighborhood, look into cars which created upset, worry and fear. The neighbors in Warminster are worried.

12. It was stated that statistically, many people use methadone until they find other means of getting high. That is the true cruel facts. That is the way it is.

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING
THURSDAY, APRIL 16, 2009**

**PUBLIC COMMENT: TOPIC OF DISCUSSION – METHADONE CLINIC IN OUR NEIGHBORHOOD (Cont'd)
Individual statements made to the Board with responses where applicable: (Cont'd)**

13. It was stated that a resident no longer patronizes the donut shop at York & County Line Roads because of the caliber of people (from nearby Discovery House) that now come into that shop. Examples of instances were presented to support that decision.

NOTATION: Ellen Jarvis spoke out in support of Discovery House recognizing they have been a good business and a good neighbor where they are currently located.

SUPERVISOR'S COMMENTS

Frank Feinberg:

- He said that someone he has known for many years participated in the Citizens Police Academy. He loved the experience and didn't want it to end. He wanted to know if we are going to continue to do things like that. It was positively received by the community.

S. Michael Murphy - Police Chief of Warminster Township

- When the class is completed, we hope to bring the group forward here to introduce them to you.
- We are planning future events. We are actually considering one in the fall but in conjunction with that we are meeting with the Navy and representatives from Warrington Township next Wednesday afternoon to plan our National Night Out Pre-Night Festival which will be the first Monday in August.

Fred Gold:

- I just want to tell everyone that I sympathize with all these people. I also live at the Villas at Five Ponds. I am definitely against this Clinic. I work in North Philadelphia in a pharmacy and I see these people everyday and this is not the kind of people that I want in my neighborhood.

AGENDA FOR THURSDAY APRIL 30, 2009

- Awarding of Bid 2009-03 for the 2009 Road Program Twin Streams
- Resolution 2009-05 – Road closure for the Memorial Day Parade
- Re-adoption of Ordinance 685
- Authorization to Advertise Ordinance 687- All way stop on Worthington & Sinkler
- Professional Reports
- Communication Advisory Board – report to Board
- Warminster Rotary – presentation of check to the Community Skate Park

MEETING ADJOURNED AT 8:46 P.M.

Tom Thern: Reminds the Board to sign the Mylar and Agreements that are in the office.

INDIVIDUAL ACTION ITEMS:

Bob Tate

- Zoning Map to be put on the website.