

**WARMINSTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF THE PUBLIC MEETING**

THURSDAY, JANUARY 14, 2010

MEMBERS PRESENT: Gail E. Johnson, Chairman
Frank Feinberg, Vice Chairman
Ellen S. Jarvis, Secretary
Thomas E. Panzer
Leo I. Quinn III

STAFF PRESENT: Robert V. Tate, Manager
Michael J. Savona, Esq., Township Solicitor
Craig D. Kennard, PE, Township Engineer (Gilmore & Assoc)
Jim Krueger, Municipal Services Director
Thomas Thern, Zoning Officer
S. Michael Murphy, Chief of Police

CALL TO ORDER: The Public Meeting of the Warminster Township Board of Supervisors, duly advertised in public notices, was held at the Township Building, 401 Gibson Avenue, Warminster, PA. The meeting was called to order at 7:03 p.m. by Chairman Gail E. Johnson.

THE PLEDGE OF ALLEGIANCE was led by Frank Feinberg, followed by a moment of silence for our men and women in uniform around the world, and also for the dead and suffering following the recent tragic earthquake in Haiti.

ANNOUNCEMENTS, CORRESPONDENCE AND AWARDS:

1. **Recognition of the Boys' and Girls' Soccer Teams from Archbishop Wood High School:** Student athletes and their coaches were welcomed to the dais to receive proclamations honoring their on-field achievements this season, each capturing PIAA District 12 divisional titles in 2009.
2. **Swearing in of Two Police Officers:** Chief S. Michael Murphy was joined at the podium by Chairman Gail E. Johnson for the swearing in of two new police officers, both of whom will enter Warminster's police field training program and will be assigned to the patrol division:
 - a. **Nathan Walters** is a native of Reading, Pennsylvania. He attended Kutztown University for 2.5 years before entering the US Air Force Reserve, and graduated from the Reading Police Academy on December 11, 2009.
 - b. **Robert Schwarting** grew up in Delaware County (PA), graduated from Sun Valley High School, and received his Bachelors of Science from the University of Scranton in 2008. He graduated from the Police Academy at Lackawanna College in July 2009.

3. **Introduction of Police Cadet:** Chief Murphy introduced **Melissa Herman** to the Supervisors. Upon graduation from Central Bucks East High School, Ms. Herman entered the Pennsylvania Army National Guard, where she continues to serve and holds the rank of Staff Sergeant; she served a deployment to Iraq as part of those duties. She received an Associates Degree in Criminal Justice from Montgomery County Community College, and is currently a class Lieutenant at the Montgomery County Public Safety Training Center. She anticipates her graduation from there in February 2010, after which she will enter Warminster Police Department's Field Training Program.
4. **Resident Presentation/Discussion – Bucks Landing:** Mrs. Marie Brzezinski (Roberts Road) was absent from the meeting, and so her presentation was deferred until she reschedules it by contacting Bob Tate, Township Manager.

PUBLIC COMMENT:

1. **Eleanor Waller, 47 Fenton Street:** Ms. Waller gave notice to the Board of Supervisors that she and a group of other residents of Warminster Heights plan to stage a protest on February 9 in front of the local District Justice's office. Ms. Waller expressed her frustration with what she calls the Warminster Police Department's response, or lack thereof, to ongoing drug problems in Warminster Heights. She believes that the WPD "uses drug addicts as informants" and she believes this causes the drug problem to go unchecked in Warminster Heights.
 - a. **Discussion by the Board of Supervisors with Ms. Waller ensued.** Mr. Feinberg asked why the Warminster Heights Homeowners' Association Board has not contacted the Warminster Board of Supervisors about this problem. Ms. Waller replied that she did not know, though she presented her concerns at the WHHA Board's recent meeting. Mr. Savona warned Ms. Waller that this Board (of Supervisors) cannot publicly discuss criminal investigations as doing so is illegal, can compromise the investigation, and compromise the safety of the public as well as the officers involved. Ms. Waller was encouraged to give all of the information she had with her on these concerns, to Gail Johnson, Chairman, who would then be sure to circulate this information to staff, the police department, and Supervisors for appropriate action, if any.
2. **Paul Luff, 253 Fairway:** Mr. Luff, a member of the Villas at Five Ponds Homeowner Association (HOA) and its Board secretary, came this evening to discuss the planned escrow release to McGrath Homes, of \$72,000 +/- . Prior to the public meeting, Craig Kennard (Gilmore & Associates) met with Mr. Luff, other members of the HOA, Kevin McGrath and Tom Hecker (attorney for Mr. McGrath) to try to resolve some outstanding issues that are *not* covered by the Township's escrow. Mr. Luff reports that the meeting was productive and as a result, and because some \$33,000 was being transferred from VFP Phase 1 escrow to be held under the VFP Phase 2 escrow, Mr. Luff said he now supports the escrow release.

3. **Marty Weisner, Fairway Drive:** Mr. Weisner reported that his home suffers from very wet ground near his VFP home basement’s sliding door leading from his basement to the rear of his property that backs onto Delmont Avenue. His air conditioning often sits in a puddle of water, and grass will not grow there. He came tonight to attest to the fact that the drainage at VFP should not meet with approval by the Township.
 - a. **Discussion by Mr. Savona, Township Solicitor:** At the request of Mr. Johnson, Mr. Savona defined “escrow” held by the Township. He said that funds are used to ensure that the work that is identified when building permits are taken is done properly and to the satisfaction of the Township engineer. This would be those parts of the project that are considered “public improvements” under the MPC, or those offered to the Township for dedication. It may include roads, streets and sidewalks. Escrow is not held for individual or common elements, individual homes, or individual lots.

4. **Joel Mickelberg – Villa Drive:** Mr. Mickelberg believes that the issues that confront the VFP HOA are due to the fact that Phase 1’s inspections have been done, over time, by two different Township Engineers (Pennoni and Gilmore). He believes the transition should have been more seamless. He reiterated that there are still three principal issues that concern him and the HOA Board; he listed those three as the VFP’s North Courtyard drainage issues, the soil and seeding around the tennis court, and poor drainage off Delmont Avenue. He is satisfied that these projects will be resolved through a new development agreement with McGrath.

CONSENT AGENDA:

Of the eleven items on the consent agenda, the following five were removed for further and individual discussion (see below):

- a. Approval of the Minutes of January 4, 2010 – Reorganization Meeting
- b. Approval of Ordinance #692 – Warminster Township’s Property Maintenance Code, Fire Prevention and Life Safety Code and Repealing of Several Ordinances.
- c. Approve Resolution #10-03 – Amending Res. #05-13 Which Established a Board to Hear Appeals from the Enforcement of the Provisions of the Warminster Township Building Code.
- e. Escrow Release #2 (Final) Nina Way LLC in the amount of \$55,379.13 Lot No. 16, Street Road Industrial Park
- i. Escrow Release #17 (Final) Villas at Five Ponds, Phase I in the amount of \$72,079.79.

MOTION by Mr. Panzer, 2nd by Mr. Quinn to approve the following six items that remain as the balance of the Consent Agenda:

- d. **Payment Release #4 (Final) to Bass II Enterprises in the amount of \$3,913.00 Contract #2008-09 – Warminster Community Dog Park Pavilion and Maintenance Building.**
- f. **Approve Extension through Dec. 1, 2010 to Record the Final Land Development Plans for CVS Pharmacy, LLC – York and County Line Roads.**
- g. **Authorization to Advertise Bid #2010-01 Maintenance Dredging of Pond 4 – Five Ponds Golf Club.**
- h. **Vertical Screen – Execution of Development Agreement, Financial Agreement & Mylar Signing.**
- j. **Appoint Debra Caucci (Food & Beverage Manager) Manager for LCB License**
- k. **Approve Appointment of Bobbie Loftus as Alternate Delegate to Tax Collection Committee.**

VOTE: 5-0-0 to APPROVE these Consent Agenda items (d, f, g, h, j and k), noted above

FURTHER DISCUSSION ON ITEMS REMOVED FROM THE CONSENT AGENDA:

1. **(a) Approval of the Minutes of January 4, 2010 – Reorganization Meeting.** Draft minutes were provided to the Supervisors with their Friday packet last week, and were amended to reflect Supervisors’ comments received on the draft minutes before tonight’s meeting. That amended version of the draft minutes was only ready yesterday -- the day before this meeting; as such, two Supervisors (Quinn, Panzer) felt that they had insufficient time to review the amended minutes. Mr. Panzer has some changes that he will submit through the Chair to the Recording Secretary this week.

MOTION to table until the next meeting of the Supervisors, made by Mr. Panzer, 2nd by Mr. Quinn. VOTE 5-0-0 to TABLE.

2. **(b) Approval of Ordinance #692 – Warminster Township’s Property Maintenance Code, Fire Prevention and Life Safety Code and Repealing of Several Ordinances.** Following an explanation of the Ordinance by Solicitor Savona, Mr. Quinn offered discussion on the pool enclosure section of the Ordinance. Staff member Dan Laurich (in audience) said that Township residents who apply for a pool permit receive documentation about the Ordinance as part of the application process.

MOTION to approve Ordinance #692 by Mrs. Jarvis, 2nd by Mr. Panzer. VOTE 5-0-0 to APPROVE.

3. **(c) Approve Resolution #10-03 – Amending Res. #05-13 Which Established a Board to Hear Appeals from the Enforcement of the Provisions of the Warminster Township Building Code.** Mr. Savona explained that the new Resolution expands the jurisdiction of the Board of Appeals to include not only Building Appeals but also appeals dealing with matters in Ordinance #692 (see above). Comments were heard from Mr. Johnson and Mrs. Jarvis,

disagreeing with the proposal to pay members of the Board of Appeals \$50 per meeting, stating that it is a “slippery slope” once we start to remunerate our township volunteers who so ably serve on our many authorities, boards and committees.

MOTION TO AMEND RESOLUTION #10-03, striking any/all references to compensation for members of the Board of Appeals, made by Mr. Johnson, 2nd by Mrs. Jarvis. VOTE 5-0-0 to AMEND.

MOTION TO TABLE for further consideration of the amended Resolution, made by Mr. Johnson, 2nd by Mrs. Jarvis. VOTE 5-0-0 to TABLE.

4. **(e) Escrow Release #2 (Final) Nina Way LLC in the amount of \$55,379.13 Lot No. 16, Street Road Industrial Park.** Upon question for clarification from Mr. Panzer, Mr. Kennard of Gilmore & Associates explained that there are no public improvements on Lot. No. 16, and the escrow release is unrelated to the Hankin project discussed at last year’s meetings.

MOTION to approve Escrow Release #2 (Final) to Nina Way, made by Mrs. Jarvis, 2nd by Mr. Johnson. VOTE 5-0-0 to APPROVE.

5. **(i) Escrow Release #17 (Final) Villas at Five Ponds, Phase I in the amount of \$72,079.79.** The Supervisors expressed appreciation to the Villas at Five Ponds Homeowners’ Association for having attended the meeting, and for meeting with Mr. Kennard and Mr. McGrath prior to the meeting, to resolve remaining issues to the satisfaction of both the Township and the HOA. Mr. Savona said that while a few of these issues are unrelated to the escrow being held, McGrath agreed to deal with these issues (e.g. the North Courtyard and Delmont Avenue drainage matters, as well as the topsoil and seeding issues relevant to the HOA). Mr. Panzer asked if McGrath (the Developer) agreed to the transfer of certain sums to the Phase II escrow holdings, to complete the project as agreed, and to enter into a new developer’s agreement. Mr. Tom Hecker, Esq., speaking on behalf of his client McGrath Homes, said that Mr. McGrath agreed on the recommendation to resolve the issues, and agreed on the amount of the additional escrow (\$33,000) that Gilmore & Associates asked be transferred to Phase 2 of the Villas at Five Ponds development project. Mrs. Jarvis stated for the record that she is a resident of the Villas at Five Ponds and is therefore a member of the HOA with potential financial interest in this decision. Thus, she abstains from this vote.

MOTION to approve Escrow Release #17 (Final) to McGrath Homes, made by Mr. Johnson, 2nd by Mr. Panzer. VOTE 4-0-1 to APPROVE.

OLD BUSINESS

1. **Open Space Subcommittee.** The Supervisors discussed whether this “subcommittee” is better off as a part of the Environmental Advisory Committee (which has open space as a part of its mission), as part of the Parks & Recreation Board (which also includes

“Conservation”), or as a stand-alone committee. Since the Parks & Recreation Board is nearly finished the Open Space Plan, and the plan is necessary to submit to receive county open space funds, it was decided that there should be consultation with Karen Whitney.

MOTION to table the vote on the establishment of an Open Space Subcommittee was made by Mrs. Jarvis, 2nd by Mr. Johnson; VOTE 5-0-0 to TABLE.

2. **Energy Advisory Council.** Jim Scott, chair of this committee, was scheduled to report on this Council, but was unable to attend this evening’s meeting.

MOTION to table the discussion of the Energy Advisory Council was made by Mrs. Jarvis, 2nd by Mr. Johnson; VOTE 5-0-0 to TABLE.

3. **Committee Appointments**

- a. **Traffic Safety Committee:**

- i. Mr. Quinn nominated **Wayne McCulloch** to the Traffic Safety Committee, serving a full three-year term expiring December 31, 2012. 2nd by Mrs. Jarvis. **VOTE 5-0-0 to APPOINT Mr. McCulloch.**
 - ii. Mrs. Jarvis nominated **Jim Messina** to be reappointed to serve as Citizen Advisor to the Traffic Safety Committee, for a one-year term, 2nd by Frank Feinberg, **VOTE 5-0-0 to APPOINT Mr. Messina.**

- b. **Construction Board of Appeals:**

- i. Mr. Quinn nominated **Karl Lewis** to be reappointed to the Township’s Construction Board of Appeals, serving a full five-year term, expiring December 31, 2014. Mr. Panzer 2nd.
 - ii. Mr. Feinberg nominated **John Jarvis** to be appointed to the Township’s Construction Board of Appeals, serving a full five-year term, expiring December 31, 2014. 2nd by Mr. Johnson.

Discussion ensued on the necessary qualifications to serve on the Construction Board of Appeals. Mr. Panzer told of Mr. Lewis’s experience as a township inspector for Licenses and Inspections and on this Board; Mrs. Jarvis spoke of the breadth of her husband John’s experience in building construction. The Solicitor said that making our experience requirements too strict may preclude service by some.

Vote taken first for Mr. Lewis; **VOTE 2-3-0 (Johnson, Feinberg, Jarvis dissenting)**

Vote taken for Mr. Jarvis; **VOTE 3-2-0 (Quinn and Panzer dissenting) to APPOINT Mr. Jarvis.**

c. Emergency Management Council

- i. Mr. Quinn nominates **Ed Hoffman** to serve on the Township's Emergency Management Council, for a three-year term, 2nd by Tom Panzer. **VOTE 5-0-0 to APPOINT Mr. Hoffman.**

d. Communications Advisory Committee

- i. Mrs. Jarvis nominates **Kathy Frescatore** to serve as a Citizens Advisor on the Communications Advisory Board, 2nd by Mr. Feinberg. **VOTE 5-0-0 to APPOINT Mrs. Frescatore.**

- 4. **Affirmation/Signing of the Meeting Policy.** Discussion ensued about the need to upgrade the former Meeting Policy. Minor revisions were made; Mrs. Jarvis will provide an edited copy of the Meeting Policy to Mr. Tate for the record.

MOTION to affirm the Meeting Policy made by Mrs. Jarvis, 2nd by Mr. Johnson, VOTE 5-0-0 to APPROVE.

- 5. **Conditional Use – Kushnir.** Solicitor Savona explained that this was the time set aside to consider the findings of facts and conclusions of law relative to the Conditional Use hearing held before the Warminster Township Board of Supervisors on November 12, 2009, pertaining to the Conditional Use Application of Bohdana Kushnir. Kushnir asked for consideration to use Parcel # 49-018-090 at 188 Evergreen Avenue, Warminster as a Day Care Center, Use 17, pursuant to the Warminster Township Zoning Ordinance.

That hearing in November 2009 was attended by Mr. Johnson, Mr. Feinberg and Mrs. Jarvis; Mr. Quinn was out of town on that date and Mr. Panzer was not then a sitting Supervisor. Mr. Panzer explained that he is familiar with the matter as he reviewed the transcript of the hearing as well as the Findings of Fact. Mr. Panzer also discussed that he then served as Solicitor to the Warminster Township Zoning Hearing Board during a previous zoning request for this parcel. Mr. Savona said that counsel for all parties consented to allowing Mr. Quinn and Mr. Panzer to render a decision in this matter despite their absences from the November hearing.

MOTION to deny the Conditional Use Application of Bohdana Kushnir, made by Mrs. Jarvis, 2nd by Mr. Feinberg, based on the entered findings of facts and conclusions of law as prepared by the Solicitor. VOTE 4-0-1 (Quinn) to DENY.

NEW BUSINESS

- 1. Consideration of the Energy Audit Contract with John Butler.** Mr. Quinn said that he asked at a recent BCATO meeting whether other Townships had conducted energy bill audits and if so, who conducted them? No other Township with which he inquired had done so and so, could not offer any recommendation. He supports the concept although notes the high fee. Mr. Panzer asked if we had tried to negotiate a reduced fee, that 50% fee of savings found is “really high.” Mr. Savona assured Mr. Panzer that Mr. Butler is inflexible on these terms. Mr. Johnson said that a member of the Environmental Advisory Committee knows Mr. Butler and vouches for his work. Township staff collated recommendations that were presented to the Supervisors; all of the recommendations were impeccable. The contract is only to allow Mr. Butler to audit the Township’s electric bills, not all of its utilities.

MOTION to execute an amended contract that entitles Mr. Butler the opportunity to audit the Township’s Electrical Bills (only), as stipulated in the agreement, made by Mrs. Jarvis, 2nd by Mr. Johnson. VOTE 4-1-0 (Panzer dissenting) to APPROVE.

- 2. Consideration of Approval of Highway Occupancy Permit Condition Statement – CVS at Street and Mearns Rds.** Solicitor Savona clarified that the Statement presented here is required by the Pennsylvania Department of Transportation (PennDOT) whenever there are improvements made in the PennDOT right-of-way (e.g., sidewalks), based on the requirements of the Township in land development applications. In this matter (CVS, Street and Mearns Roads), the Township requires the installation of sidewalks. The Highway Occupancy Permit Condition Statement says that the Township will be responsible for the maintenance and repair of the improvement in perpetuity regardless of what entity eventually owns the site. Discussion ensued, and the Supervisors were assured that the burden of maintenance and repair can be assigned by the Township to the land developer (in this case, CVS) during the land development process. Township Engineer Kennard told the Supervisors that without an executed agreement, the Township must then remove the requirement that caused the Statement to be mandated, that is, the Township could not require the sidewalks mandated at the CVS site at Street and Mearns Roads, unless the Township agreed to maintain them, obviating PennDOT’s future need to do so.

MOTION to execute the Highway Occupancy Permit Condition Statement by Mrs. Jarvis, 2nd by Mr. Feinberg. VOTE 5-0-0 to APPROVE.

3. **380 York Road – Warminster Dental Associates – Application for Waiver of Land Development.** Zoning Officer Tom Thern explained to the Board that this project submitted by Jeffrey Cooper DDS would enable Dr. Cooper to add a 180 sq. ft. sunroom addition to the building where his dental practice is maintained, so that the space could be used as a “break room” for his employees. Engineer Kennard explains that this is among the smallest additions he has ever reviewed, and based on its very minimal (if any) impact, he recommends exemption from land development. Discussion ensued relative to the Board’s assisting the Township’s Department of Licensing and Inspection in the development of objective standards when minor projects come before it; presently, “discretion” is afforded the Township Zoning Officer to make such determinations based solely on his judgment.

MOTION to waive land development for this project at 380 York Road, subject to all requirements of staff and the Zoning Hearing Board, made by Mrs. Jarvis, 2nd by Mr. Panzer. **VOTE 5-0-0 to APPROVE WAIVER.**

4. **Snow Removal – Discussion – Development of Ordinance.** Public Works Manager George “Buddy” Mullen led discussion about the problems caused when Township residents ignore, or are ignorant of, the Township’s existing Snow Removal Policy (#05-10) and either do not clear their sidewalks of snow or clear their private driveways and sidewalks in such a manner that the snow is blown or shoveled back into public streets. Mr. Mullen also provided to each Supervisor evidence that residents leave their cars parked on public streets after significant snowfalls, making snow removal by Public Works crews either impossible or difficult, or makes it necessary that a Public Works snow plow return to that street after the snow removal was already/previously done, when the car is finally moved from the street.

Mr. Mullen and Municipal Services Director Jim Krueger would like stricter enforcement of the Policy and/or development and communication of a Snow Ordinance. Discussion ensued as to the Township’s ability to enforce such Ordinance and the potential liabilities the Township faces in trying to do so.

Mr. Quinn said he would still like to move toward having this Ordinance created. Chief Murphy stated that he doubts there are many “public safety” incidents created by the poor removal of snow, but rather thinks that it is more of a nuisance and cost to re-plow issue. The Supervisors agreed to have Police Chief Murphy, Mr. Mullen and Township Solicitor Savona determine how much regulation is needed to improve the public health and safety during a snowstorm.

No other action taken at this time.

5. **Approval of AFSCME/WTEO Contract Related to Crossing Guards for the Term of July 1, 2009 – June 30, 2013.** Township Manager Tate said that over time, the costs relative to this contract for Crossing Guards are decreasing over time, and the contract is agreeable to the Union.

MOTION to approve the AFSCME/WTEO Contract as presented made by Mrs. Jarvis, 2nd by Mr. Johnson. **VOTE 5-0-0 to APPROVE.**

6. **Resolution #10-04 – Authorize Transfer of Storm Water Management Funds.** Township Manager Tate explained that this transfer would fund the buy-out of excess police compensatory time accrued that had at one time presented as a liability on the “books” of the Township of nearly \$500,000. The buy-out is provided under the terms of the new police contract.

Mr. Panzer expressed his dismay that the repayment period allowed in this proposed Resolution was too long and unspecific. He asked that it be amended to require repayment to the Storm Water Management Fund within this budget year.

MOTION to amend ¶3 of Resolution #10-04 to reflect repayment of the transfer by December 31, 2010, made by Mr. Quinn, 2nd by Mr. Johnson. **VOTE 5-0-0 to AMEND.**

MOTION to approve Resolution #10-04 to transfer \$337,154 from the Storm Water Management Fund to the Warminster Police Department budget, to satisfy the buyout of accumulated compensatory time which is due and owed to the members of the Township police force, made by Mr. Quinn, 2nd by Mr. Johnson. **VOTE 5-0-0 to APPROVE.**

THE FOLLOWING NEW BUSINESS WAS ALSO DISCUSSED LATER IN THE MEETING, but items are re-ordered here to provide for consistency in subject heading (New Business) for the purposes of these Minutes:

7. **Nominations Procedure.** Mrs. Jarvis asked the Board to consider developing a written procedure that would provide objective information about each Township resident who wishes to be considered for appointment to Warminster’s authorities, boards and committees. She also suggested the Board adopt a written procedure for accepting and reviewing those applications prior to the annual Reorganization Meeting. She provided to Mr. Tate an application form she drafted, as well as a proposed procedure, and asked that Mr. Tate distribute both to the Board for future consideration.
8. **PSATS’ Annual Meeting, April 18-21.** Mrs. Jarvis reminded the Board that the annual meeting of the Pennsylvania State Association of Township Supervisors will be held in Hershey, PA from April 18-21, 2010. The deadline for submitting reservations for PSATS’ Hotel Lottery is January 22, 2010. It would be appropriate for this Board to name its Delegates to this meeting, and to vote to authorize reimbursement for expenditures for Supervisors attending this meeting.
9. **Tax Exemption Granted to Abington Hospital.** Mrs. Jarvis noted a recent newspaper article that reported that Abington Hospital (Abington Health Center, Warminster) had been granted tax exempt status for certain of its parcels in Warminster. In the article, a

spokesperson for the Hospital states, "There will almost certainly be a payment in lieu of taxes.... I can't say when or for how much." Mrs. Jarvis asked staff and the Solicitor to reinstitute discussions with the Hospital to get to the "when" and the "how much."

- 10. Bucks County Regional Police Study.** Mrs. Jarvis asked the status of the study and the work toward regionalization of our police force. Chairman Johnson stated that it was his desire to coordinate a meeting between the Supervisors of the respective townships (Warminster, Warrington) to further discuss the feasibility of the recommended merger of police forces creating the regionalization. He directed staff to arrange such a meeting.

FINANCE

- 1. Approval of Bill List for January 14, 2010.** Mr. Panzer asked for an explanation as to why certain payments (e.g., one to his law firm for his services as Solicitor on the Zoning Hearing Board) could be included on this bill list but the check itself was not found in the box containing the checks to be signed. Mr. Tate said that this was due to whether a check is for "prepay" versus drafted for approval. In the case of those checks where vendors require timely payment and Supervisor meetings are four weeks apart (as happened between December 10 and January 14), there are more prepayments made than usual. Some vendors (such as the State Store or beer suppliers for the Five Ponds Golf Club) are paid by check at delivery as required, usually on a weekly basis. Mr. Panzer warned that this system may compromise the checks-and-balances to protect against fraud/abuse. Solicitor Savona and Mr. Feinberg said that most Townships use a mechanical/computerized check-signing process (versus checks hand-signed by a Supervisor).

<p>MOTION to approve the Bill List for January 14, 2010, made by Mrs. Jarvis, 2nd by Mr. Johnson. VOTE 4-0-1 (Panzer) to APPROVE.</p>

PUBLIC COMMENT – No additional public comment at this time.

SUPERVISORS' COMMENTS –

- 1. Shenandoah Woods.** Mr. Panzer reported that the HLRA Subcommittee met publicly at the William Tennent High School cafeteria on Monday, January 11 to discuss the ultimate redevelopment of the land known as Shenandoah Woods. Following the meeting, Mr. Feinberg, Mr. Panzer, Mike McGee (Horsham Twp Manager), Mr. Tate, and Mr. Savona met with representatives of The Reinvestment Fund and the Bucks County Housing Group and representatives of the Shenandoah Woods Subcommittee to discuss refinement of the TRF residential plan in keeping with public comments. Copies of that draft of a refined plan have been given to the Supervisors; the refined plan may be discussed at a future public meeting. The next public meeting will be held at the William Tennent High School cafeteria on Monday, February 8 at 7 p.m. **All Warminster residents are urged to attend.**

2. **Storm Water Management.** Mr. Panzer expressed ongoing concern that the Township has with flooding and our Storm Water Management plan. He asked that the Township invest the time and resources to evaluate where the storm water problems are, and what we think is behind the problems, as well as what it will take to remediate the problems, at what cost and in what time frame. Municipal Services Director Krueger said that, working with engineering staff from Gilmore & Associates, several sites for remediation were targeted; Mr. Mullen had identified many “collapsing pipes” and such.
3. **Closed Loop Signalization, Street Road, County Line Road, York Road.** Mr. Panzer reminded the Township that this traffic light signalization project is “supposed to be a smart system.” It often doesn’t work well. PennDOT is supposed to send us settings on a regular basis, determined after monitoring.
4. **Evaluation for the Township Manager.** Mr. Panzer recommended that the Warminster Municipal Authority has a good protocol and process for evaluating its manager, and perhaps we can use the same to evaluate our Township Manager. He asked that the Township liaison to the WMA contact them to secure more information.
5. **Treasurer position.** Mr. Panzer was under the impression that this evening, the Board would re-evaluate whether Mr. Tate should be the Township Treasurer in addition to Township Manager, and he said that Mr. Tate was looking for unanimous support for the Township Manager to serve in this role. Discussion ended without resolution at this time; **however, at the end of the meeting, Mr. Johnson raised the subject again.**

MOTION to appoint Supervisor Leo I. Quinn III to the position of Township Treasurer, made by Mr. Johnson, 2nd by Mr. Panzer. VOTE 4-0-1 (Jarvis) to APPROVE.

6. **PennDOT Illuminated Road Signs.** Mr. Quinn noted that the illuminated Street Road signs that are now on County Line Road are of the same faulty (leaking) design that plagued those on Street Road. Apparently, PennDOT has closed out the work order on the project, making the repair of these signs now the Township responsibility. The Supervisors asked Mr. Tate to check on this and advise, working with Mr. Krueger, Gilmore & Associates, and Public Works staff member Pete Carter.
 - a. Mrs. Jarvis inquired about the broken illuminated street road sign at the intersection of Five Ponds Drive (to the Five Ponds Golf Club) and Street Road. Mr. Krueger said that a dump truck caused the problem when the driver left its bed raised and collided with it accidentally; the new sign is on order and we are hoping to get cost recovery from the dump truck driver’s insurance company, or from the developer (McGrath).
7. **BCATO Conference.** Mr. Quinn advised the Board that the format for February’s meeting of the Bucks County Association of Township Officials (BCATO) has been changed to a morning meeting, with a breakfast buffet, at Spring Mill. Dave Sanko, new

Executive Director of PSATS, will be a featured speaker, along with speaker to address the water issues relative to pollution control/clean-up.

8. **“Light the Night”, a benefit for the Leukemia/Lymphoma Society.** Mr. Quinn co-chaired this event last year with Mr. Panzer; it was very successful, increasing the money raised in Bucks County by 7% despite the tough economy. He thanked the many volunteers and team coordinators for their support of the event, specifically Patricia Hueber-Bodor, Donnamarie Davis, and Claudia Eisenmann Quinn. He announced that this year’s “Light the Night” may be held at the Warminster Community Park on October 16, and it will be a combination of a Bucks County/Montgomery County event, attracting about a thousand or more participants.

AGENDA FOR NEXT MEETING, January 28, 2010:

1. **Discussion of the Environmental Advisory Committee – Report by Jim Scott**
2. **Payment in Lieu of Taxes by Abington Hospital – Report by Bob Tate**
3. **Nominating Process for Authorities, Boards and Committees**
4. **Election of Delegate(s) to the annual meeting of the Pennsylvania State Association of Township Supervisors, and authorization to reimburse expenses**
5. **Reconsideration of Resolution #10-03 – Amending Resolution #05-13 Which Established a Board to Hear Appeals from the Enforcement of the Provisions of the Warminster Township Building Code, incorporating changes made by amendment January 14, 2010.**
6. **Use of Township Vehicles**
7. **Resident Presentation/Discussion about Bucks Landing – if requested by Mrs. Marie Brzezinski**

ADJOURNMENT by Motion made by Mr. Feinberg, at 11:04 p.m.

AS APPROVED BY THE BOARD OF SUPERVISORS ON FEBRUARY 26, 2010.



Ellen S. Jarvis, Township Secretary

Recording Secretary Kathy Belisario was absent from this meeting, with permission