

# Warrington



# Township

852 EASTON ROAD, WARRINGTON, PA 18976  
215-343-9350 ■ FAX 215-343-5944  
www.warringtontownship.org

BOARD OF SUPERVISORS  
JOHN R. PAUL, Chairperson  
MARIANNE ACHENBACH, Secretary  
MICHAEL W. LAMOND, JR. Asst. Secretary  
PAUL H. PLOTNICK, Member

TOWNSHIP MANAGER  
TIMOTHY J. TIEPERMAN

September 28, 2010

MEMO TO: BOARD OF SUPERVISORS

FROM: TIMOTHY J. TIEPERMAN

RE: MANAGER'S REPORT

- A. 2010 Road Program Bid Award: On Thursday, September 23, we received and opened 8 bids for the 2010 Road Program. Carroll Engineers evaluated all bids for accuracy and conformity with the specifications. Based on its evaluation, we are recommending a bid award in the amount of \$226,140 to Bray Brothers, Inc. of Fallsington, PA, being the lowest qualified bidder. Attached is the bid tabulation report and recommendation. [Attachment A]
- B. Consider award for 2010/2011 Consortium Salt Bid: Doylestown Borough coordinates the annual road salt bid on behalf of the Bucks County Consortium. Attached is the Borough's bid award letter along with a recommendation letter from DPW Foreman Carl Sames. I am seeking the Board's concurrence on this award to International Salt Company, LLC. [Attachment B]
- C. Community Development Block Grant (CDBG): On Friday, September 24, Staff submitted its CDBG application to the County for funding consideration. The final project scope requested \$50,000 in funding to complete a storm water management study for the Neshaminy Valley, the balance of which will be applied to any hard construction dollars. As a more comprehensive plan is developed, the Board may wish to consider allocating any residual funding from the 2008 bonds to this area once the study is complete.
- D. Proposed Revision to Paid Time Off Policy: I have discussed with senior staff the need for a revision to our Employee Handbook Policy to allow employees to sell back unused PTO time. The 2008 Policy prohibits this practice and we've been denying these requests. There are occasional circumstances where we believe there should be some exceptions to this rule, to be evaluated at the discretion of the Township Manager. I would ask for the Board's consent to modify Section 602 to reflect this change. [Attachment C]
- E. Warrington Day Report: Attached is a spread sheet showing Warrington Day expenses for the period 2007-2010. It should be noted that 2009 and 2010 were held at Valley Square. As of September 23, total revenue for Warrington Day 2010 is \$10,025 with some sponsor checks still outstanding. [Attachment D]

F. Other Business:

1. Bristol Road Closure: Eastbound traffic on Easton Road will be closed effective Monday, September 27, 2010 as part of the 202 Parkway project. Attached is a copy of Penn Dot's press release along with the detour maps. [Attachment E]
2. Storm Report: Attached is a brief synopsis of the major storm event that passed through Warrington on September 23. [Attachment F]
3. Fire Insurance Ordinance: The Fire Marshal has drafted a proposed ordinance that would address certain situations where a property becomes abandoned because of fire damage, thus creating a blighted situation in a neighborhood. It is modeled after a similar ordinance when he worked in Springfield (Montgomery County). Mr. Casey is checking whether this ordinance is permitted under the Second Class Code, but I would appreciate the Board's feedback on whether to pursue this. Rick will be available Tuesday evening if you have any questions. Attached is his summary memo. [Attachment G]
4. Accounting Software Update: Last Wednesday and Thursday, Staff received a two-day presentation from Springbrook on its financial management, utilities and payroll/HR programs in addition to other component modules. We also took a field trip to Quakertown to evaluate the Dallas System. I believe we've interviewed enough firms over the past year, where we should be able to make a recommendation to the Board shortly. We're awaiting final pricing packages.
5. Traffic Ordinance Amendment: CEC's traffic division is evaluating the Greensward North intersection for the installation of a multi-way stop sign at this location. Staff believes the need for this new signage has become more critical with the Titus sidewalk project. CEC will be evaluating the historical crash data to see if this meets State warrants. If so Staff will be recommending an amendment to the traffic ordinance.
6. Audit & Budget Update: Our contracted accountants have been in the past week to address an outstanding punchlist of items prepared by our new auditors. Good progress was made in addressing several of these items last week. Meanwhile, I am working with unaudited 2009 actuals in preparing the 2011 budget. I hope to have the preliminary operating funds completed by the end of the month.
7. Town Center Update: The proposed Town Center ordinance is being discussed during a workshop session on September 30. A revision is likely to be forwarded to the BOS shortly thereafter. The Planning Commission is in the process of revising sections 325 and 326 of the Subdivision and Land Development Ordinance, concerning street trees and landscaping. Also under reconsideration is a building height standard for the PI-1 and PI-2 Districts.
8. ZHB Updates: The Zoning Hearing Board has one matter before them. This is the re-hearing of T-Mobile's request to install a telecommunication antenna on the PECO pylons, near Street Road and Wedge Way. Because of inactivity on T-Mobile's part, the Board needs to hear the matter again to "re-establish" their decision.

9. Park Project Updates: The King Park lighting bids are scheduled to be let on September 24 and received October 8. CEC estimates installation will commence around the end of October. The Swim Club filter project is expected to start around November 29, 2010 with an estimated completion date of January 23, 2011. Shop drawings have been submitted for the pumps, the lead time of which is estimated at 6-8 weeks. Finally, contracts for the lap pool renovations have been finalized and a pre-construction meeting will be scheduled soon.

# **ATTACHMENT “A”**



## Carroll Engineering Corporation

September 24, 2010

Timothy J. Tieperman, Township Manager  
Warrington Township  
852 Easton Road  
Warrington, PA 18976

Dear Mr. Tieperman:

Subject: Warrington 2010 Road Project Bid Tabulation and Recommendation

Enclosed herein is a bid tabulation pertaining to the above-captioned contract that was recently prepared by our office. The enclosed bid tabulation summarizes the results of the bid opening for this contract that occurred in the township building at 1:00 PM this afternoon.

There were eight bids ranging from \$226,140.00 to \$340,365.00. Of the eight bids, three bidders did not include Addendum #1. This is of no consequence since the two lowest bidders did include Addendum #1.

Based on our review of the bids, and qualifications of the apparent low bidder, we recommend that the contract for the Warrington 2010 Road Program be awarded to Bray Brothers, Inc., Fallsington, PA in the amount of \$226,140.00.

Please call if you have any questions.

Very truly yours,

CARROLL ENGINEERING CORPORATION

Richard A. Wieland, P.E.

RAW:jd

Enclosures

cc: Carolyn Hanel, Warrington Township (w/encl)  
Barbara Livrone, Warrington Township (w/encl)  
William H.R. Casey, Esquire (w/encl)  
Bray Brothers, Inc. (w/encl)  
Lou Calvanese, Jr., PennDOT Region 6-0 (w/encl)  
Roy W. Rieder, P.E., CEC (w/o encl)  
Randy French, CEC (w/o encl)

*Today's Commitment To Tomorrow's Challenges*

555 Second Avenue - Suite G-101  
Collegeville, PA 19426  
Telephone: (610) 489-5100  
Fax: (610) 489-2674

10-6219.00 (1062190035.DOC)

949 Easton Road  
Warrington, PA 18976  
Telephone: (215) 343-5700  
Fax: (215) 343-0875  
Corporate Office

[www.carrollengineering.com](http://www.carrollengineering.com)

105 Raider Boulevard - Suite 206  
Hillsborough, NJ 08844  
Telephone: (908) 874-7500  
Fax: (908) 874-5762

**Summary of Bids  
Warrington Township**

**2010 Road Program  
Contract No.1**

**Project No. 10-6219**

**Bid Date: September 23, 2010**

No.	Contractor	Total Base Bid Amount	Amount Tabulated by CEC	Bid Bond	Addendum No. 1 included?
1	Bray Brothers. Fallsington, PA	\$226,140.00	\$226,140.00	10%	Yes
2	Harris Blacktopping, Yardley, PA	\$242,035.00	\$242,035.00	10%	Yes
3	Miller & Sons	\$257,318.50	\$257,318.50	10%	No
4	Kehoe	\$265,632.50	\$265,632.50	10%	Yes
5	General Asphalt	\$280,450.00	\$280,450.00	10%	Yes
6	A.H. Cornell	\$258,931.50	\$258,931.50	10%	No
7	GoreCon, Doylestown, PA	\$298,037.00	\$298,037.00	10%	Yes
8	Blooming Glen	\$340,365.00	\$340,365.00	10%	No

WARRINGTON 2010 ROAD PROGRAM - BID COMPARISON

Description	Item No.	Quantity	Bray Brothers, Inc.		Harris Blacktopping		Miller & Sons	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Pavement Removal	1	3,800	\$4.00	\$15,200.00	\$4.40	\$16,720.00	\$5.50	\$20,900.00
Superpave base course	2	3,800	\$15.00	\$57,000.00	\$17.40	\$66,120.00	\$16.20	\$61,560.00
Milling	3	17,750	\$1.55	\$27,512.50	\$1.50	\$26,625.00	\$1.95	\$34,612.50
Levelling course	4	210	\$72.75	\$15,277.50	\$70.50	\$14,805.00	\$70.60	\$14,826.00
Superpave wearing course, SRL L	5	12,050	\$5.80	\$69,890.00	\$6.10	\$73,505.00	\$6.40	\$77,120.00
Superpave wearing course, SRL M	6	5,700	\$5.80	\$33,060.00	\$6.10	\$34,770.00	\$6.10	\$34,770.00
Sealing	7	3,500	\$0.20	\$700.00	\$0.50	\$1,750.00	\$0.50	\$1,750.00
Excavation	8	200	\$12.00	\$2,400.00	\$17.70	\$3,540.00	\$36.90	\$7,380.00
PennDOT 2A	9	200	\$25.50	\$5,100.00	\$21.00	\$4,200.00	\$22.00	\$4,400.00
<b>Totals</b>				<b>\$226,140.00</b>		<b>\$242,035.00</b>		<b>\$257,318.50</b>
Addendum #1 included			Yes		Yes		No	

Description	Item No.	Quantity	Kehoe Construction		General Asphalt		A.H. Cornell	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Pavement Removal	1	3,800	\$6.50	\$24,700.00	\$7.40	\$28,120.00	\$7.32	\$27,816.00
Superpave base course	2	3,800	\$18.50	\$70,300.00	\$19.10	\$72,580.00	\$16.45	\$62,510.00
Milling	3	17,750	\$1.68	\$29,820.00	\$1.71	\$30,352.50	\$1.98	\$35,145.00
Levelling course	4	210	\$75.00	\$15,750.00	\$67.00	\$14,070.00	\$70.00	\$14,700.00
Superpave wearing course, SRL L	5	12,050	\$6.45	\$77,722.50	\$6.15	\$74,107.50	\$7.07	\$85,193.50
Superpave wearing course, SRL M	6	5,700	\$6.45	\$36,765.00	\$6.15	\$35,055.00	\$7.15	\$40,755.00
Sealing	7	3,500	\$0.45	\$1,575.00	\$0.47	\$1,645.00	\$1.02	\$3,570.00
Excavation	8	200	\$20.00	\$4,000.00	\$52.80	\$10,560.00	\$35.53	\$7,106.00
PennDOT 2A	9	200	\$25.00	\$5,000.00	\$69.80	\$13,960.00	\$45.68	\$9,136.00
<b>Totals</b>				<b>\$265,632.50</b>		<b>\$280,450.00</b>		<b>\$285,931.50</b>
Addendum #1 included			Yes		Yes		No	

Description	Item No.	Quantity	Gorecon		Blooming Glen	
			Unit Price	Total Price	Unit Price	Total Price
Pavement Removal	1	3,800	\$7.15	\$27,170.00	\$10.65	\$40,470.00
Superpave base course	2	3,800	\$21.27	\$80,826.00	\$28.00	\$106,400.00
Milling	3	17,750	\$1.83	\$32,482.50	\$1.65	\$29,287.50
Levelling course	4	210	\$79.00	\$16,590.00	\$70.00	\$14,700.00
Superpave wearing course, SRL L	5	12,050	\$6.79	\$81,819.50	\$6.75	\$81,337.50
Superpave wearing course, SRL M	6	5,700	\$6.79	\$38,703.00	\$6.75	\$38,475.00
Sealing	7	3,500	\$0.60	\$2,100.00	\$0.85	\$2,975.00
Excavation	8	200	\$31.93	\$6,386.00	\$68.60	\$13,720.00
PennDOT 2A	9	200	\$59.80	\$11,960.00	\$65.00	\$13,000.00
<b>Totals</b>				<b>\$298,037.00</b>		<b>\$340,365.00</b>
Addendum #1 included			Yes		No	

# **ATTACHMENT “B”**

# Warrington



# Township

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PAUL H. PLOTNICK, Member

TOWNSHIP MANAGER  
TIMOTHY J. TIEPERMAN

## Memorandum

To: Tim Tieperman  
From: Carl Sames *CS*  
Date: 9/23/2010  
Re: **2010/2011 Consortium Salt Bid Results**

Warrington Township has received the tabulation for bids for the 2010-11 season for the purchase of salt.

I recommend that we award the bid to the lowest bidder, International Salt Co, LLC at a cost of \$ 50.83 per ton delivered.

All required paper work was submitted. Please contact me if you need additional information.



# BOROUGH OF DOYLESTOWN

BUCKS COUNTY, PENNSYLVANIA

**OFFICIALS:**

LIBBY WHITE, Mayor  
DET ANSINN, President  
LOU WHITE, Vice President  
JOHN H. DAVIS, Manager  
PHILIP C. EHLINGER, Asst. Manager

## MEMORANDUM

**TO:** Bucks County Consortium Salt Bid Participants  
**FROM:** John H. Davis, Borough Manager QQ  
**DATE:** September 15, 2010  
**RE:** 2010-2011 Consortium Salt Bid

Bids were opened and publicly read for the purchase of Rock Salt for the 2010-2011 season on Wednesday, September 15, 2010. Below is a tabulation of the bids received:

	<u>Delivered Price Per Ton</u>	<u>Undelivered Price Per Ton</u>
1. International Salt Company, LLC	\$ 50.83	\$ 50.00
2. Cargill, Inc. - Deicing Technology Business Unit	\$ 54.22	\$ 52.00
3. Oceanport, LLC	\$ 56.25	\$ 59.00
4. American Rock Salt Co., LLC	\$ 61.20	\$ 58.00
5. Eastern Salt Company, Inc.	\$ 62.85	\$ 62.85

**No Bid:**

North American Salt Company

Attached are the Proofs of Publication along with copies of the Bids received. It will be each municipality's responsibility to award the Bid to the Company of its choice.

If you have any questions, please feel free to contact me at the number listed below.

JHD:sa

# **ATTACHMENT “C”**

## 601 Employee Benefits

Eligible employees of Warrington Township are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Full time employees are eligible for the benefits listed below starting the first of the month following hire date. Part time employees receive pro-rated pay for Township holidays falling on their normally scheduled work day.

- \* Paid Time Off
- \* Holidays
- \* Educational Financial Assistance
- \* Health Insurance
- \* Prescription Plan
- \* Dental Insurance
- \* Vision Insurance
- \* ICMA (457 Deferred Compensation Plan) or Equivalent
- \* Pension Plan
- \* Life Insurance/Accidental Death & Dismemberment
- \* Long-Term Disability & Short Term Disability

Some benefit programs require contributions from the employee.

Part-time employees receive pro-rated pay for Township holidays falling on their normally scheduled work day.

## 602 Paid Time Off

Our PTO policy is designed to allow, depending on years of service, multiple days of paid time off for vacation, illness, personal days and other short-term absences in line with other Township policies. Warrington Township believes time away from work to relax and enjoy personal endeavors is in the best interest of employees and Warrington Township. As such, you are encouraged to use your PTO to maintain a balanced life.

### ***ELIGIBILITY:***

PTO days are earned on the basis of your continuous years of service and PTO pay is based on your regular rate of pay. Regular full-time employees who have completed six months employment are entitled to the following PTO time:

<b>Service to Township in Months</b>	<b>PTO day entitlement per year</b>
13 – 48	15
49 – 108	20
109 – 228	25
229 months and over	30

For employees within the first twelve (12) months of service, PTO time shall be earned as follows:

January, February, March, April	7 days
May, June, July, August	5 days
September, October, November, December	3 days

**USAGE:**

You must request PTO using the Paid Time Off form. Requests for PTO should be submitted to your immediate supervisor at least fifteen (15) days prior to the date requested or as soon as possible. Your direct manager must approve all PTO requests in advance. The Township will attempt to accommodate your request; however, consideration will be given based on the operational needs, open positions, etc.

PTO must be taken and will be paid in whole or half day increments. Employees must take their PTO during the year in which it is earned unless extended by the Township Manager. In any case, no more than one week (5 days) may be carried forward to the next year. Any time carried forward must be used by March 30 of the calendar year following the year it was accrued. "Selling back" PTO time is prohibited. Unused PTO time in excess of the 5 day carryover will be forfeited

Official holidays occurring during a vacation period are not counted against PTO time.

**LEAVES OF ABSENCE:**

Employees who are away from work on an approved leave of absence will not accrue PTO days while they are on leave.

**TERMINATION:**

When you terminate service from the Township you will be paid out your accrued unused balance on your final paycheck. PTO shall accrue on a pro-rated basis throughout the year.

**EFFECT ON OTHER POLICIES:**

Regular attendance is a necessary condition of employment. A record of excessive unscheduled absences or lateness may lead to corrective action, up to and including termination of employment.

**603 Bereavement Leave**

When a death occurs in an employee's immediate family, all regular full-time employees may take up to three (3) days off with pay, within one (1) week of the death, to attend the funeral or make funeral arrangements. Immediate family is defined as an employee's current spouse, parent, stepparent, sibling, step-sibling, child, stepchild, grandparent, grandchild, father-in-law, mother-in-law, daughter-in-law, and son-in-law.

The Township may require verification of the need for bereavement leave.

**604 Holidays**

The following days have been designated as official Warrington Township holidays, for which Full Time and Part Time (not seasonal) employees will be paid:

# **ATTACHMENT “D”**

<b>WARRINGTON DAY EXPENSES</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
American Rental	\$ 1,342.00			
Angel Rose (floral arrangements)			\$ 1,300.00	\$ 217.00
Anthony Rental		\$14,669.00		
Chas Keller Electric	\$ 1,140.00			
Clown	\$ 700.00	\$ 700.00	\$ 700.00	\$ 500.00
Cool Beans	\$ 850.00		\$ 850.00	\$ 850.00
Copy Post	\$ 362.45		\$ 457.00	\$ 289.00
Dollar Tree (table cloths)			\$ 115.00	\$ 101.00
Face Painting	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Fast Signs				\$ 1,514.00
First Student - Bus	\$ 682.50	\$ 700.00		
Galena Brass				\$ 600.00
Gardens Nursery (mums)				\$ 91.81
George Allen (Porta Potties)	\$ 400.00	\$ 1,300.00	\$ 1,775.00	\$ 1,140.00
George's Tool Rental	\$ 1,910.39	\$ 901.60		
Home Depot (sponsor tower)			\$ 246.04	
Intell Advertising	\$ 1,100.00	\$ 1,000.00		
Map Insert			\$ 1,689.00	
Natalie Lerario				\$ 63.00
Nick Giambri (Tent Rental)	\$ 5,687.50			
Norris Sales (tent rental)			\$15,057.00	\$ 15,594.00
North Pole Amusements (inflatables)	\$ 3,600.00	\$ 3,800.00	\$ 9,600.00	
PartyMagic (inflatables)				\$ 8,859.00
Peregrine	\$ 1,231.00	\$ 1,429.00		
Petting Zoo & Pony Rides	\$ 2,560.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Pyrotecnico (Fireworks)	\$ 7,500.00	\$ 7,500.00		
Radio Disney		\$ 6,000.00		
Sandwich Board Signs			\$ 500.00	
Sterling Signs			\$ 1,111.00	
Stone Age	\$ 300.00	\$ 300.00	\$ 350.00	\$ 400.00
T Shirts			\$ 627.20	
Warrington Rotary (meals)	\$ 162.50		\$ 199.00	
WNPV Radio (advertising)				\$ 585.00
Valley Square (tote bags)				\$ 500.00
Scott Stein Video				\$ 1,500.00
Labor	\$ 7,642.00	\$ 5,889.00	\$ 2,968.00	\$ 3,087.73
	\$37,420.34	\$45,938.60	\$39,294.24	\$ 37,641.54

# **ATTACHMENT “E”**

**US 202 PARKWAY: SECTION 721  
Pickertown Rd to PA 611  
Bristol Road Detour Emergency Coordination Meeting**

**DATE:** September 22, 2010  
**TIME:** 9:00 AM  
**LOCATION:** Hill International, 418 Stump Road, Montgomeryville, PA

**Detour Route – See attached**

- EASTBOUND ONLY Detour will be in place from September 27, 2010 to end of December 2010
- Detour signage to be installed on September 24, 2010

**Advance Notifications:**

- The PennDOT Press Office was notified on September 15, 2010
- Detour Notice is posted on <http://www.us202-700.com/>

**Reason for Detour:**

- Contractor will work to widen Bristol Rd from 22ft to 55ft in the area where the new Route 202 Parkway will intersect it between Upper State Rd and Stump Rd.

**Emergency Vehicle Passage**

- Emergency vehicles can utilize the Emergency Access Road between Bristol Rd and Sage Lane

**Local Traffic:**

- Bristol Rd will remain open to westbound through traffic. Eastbound traffic from Butler Ave will be able to access Upper State Rd, but will not be able to pass through the intersection
- Traffic entering Bristol Rd from Stump Rd will be able to travel Eastbound to Lower State Rd.

**School Bus Access and Bus Stops:**

- School Busses are to use the Eastbound detour route during the detour period



DISTRICT	COUNTY	ROUTE	SECTION
6-0	BUCKS	6202	721
SEE BR 1A114, BARRINGTON AND DOVLESTON REVISIONS			
REVISIONS			

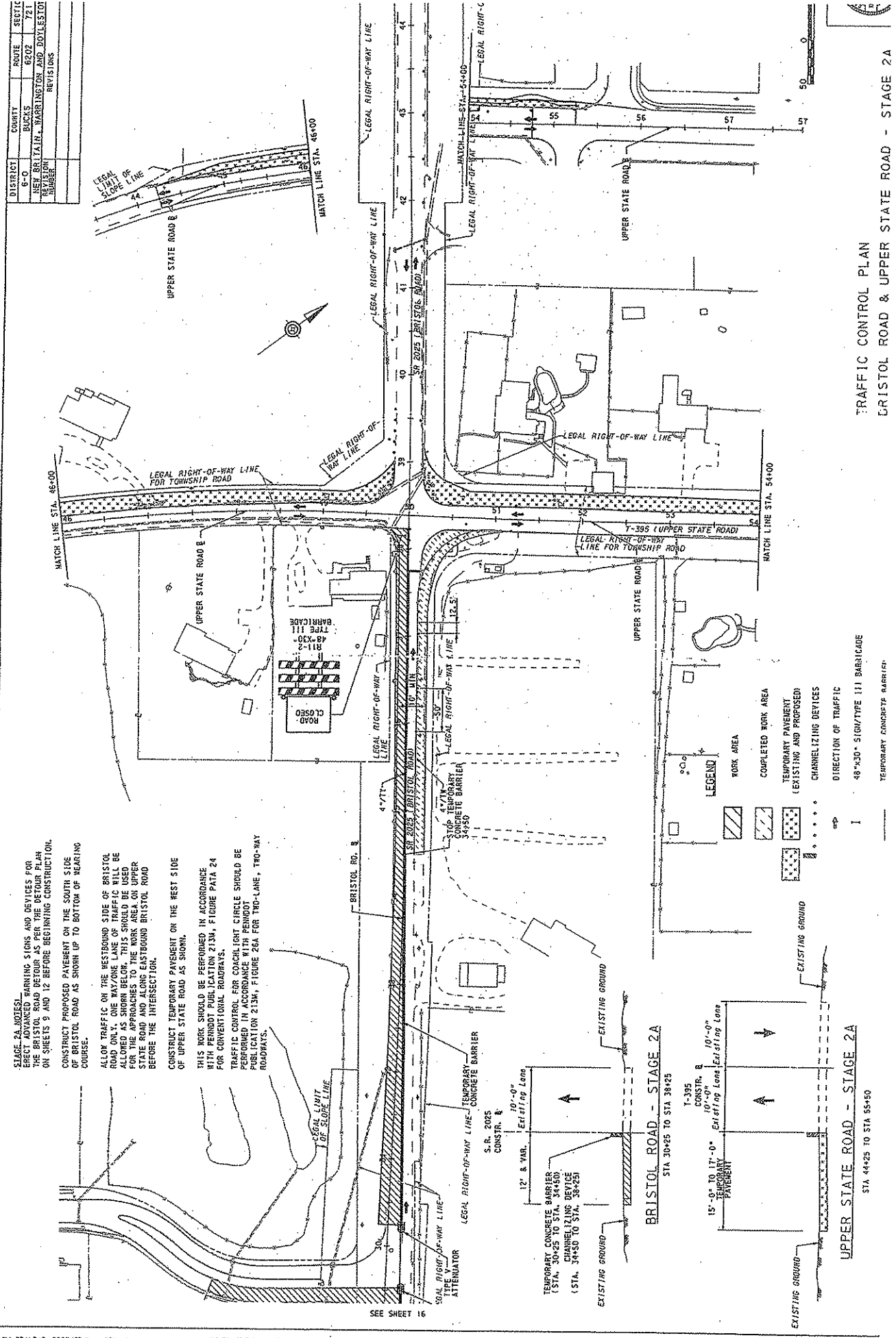
STAGE 2A NOTES:  
 1. INSTALL SIGNING SIGNS AND DEVICES FOR THE BRISTOL ROAD RESTRICTION BEFORE PLACING THE BRISTOL ROAD RESTRICTION.  
 2. CONSTRUCT PROPOSED PAVEMENT ON THE SOUTH SIDE OF BRISTOL ROAD AS SHOWN UP TO BOTTOM OF NEARING COURSE.

ALLOW TRAFFIC ON THE WESTBOUND SIDE OF BRISTOL ROAD TO PROCEED UNTIL TRAFFIC WILL BE ALLOWED AS SHOWN BEFORE THE CHANNELIZING DEVICE FOR THE APPROACHES TO THE WORK AREA ON UPPER STATE ROAD AND ALONG EASTBOUND BRISTOL ROAD BEFORE THE INTERSECTION.

CONSTRUCT TEMPORARY PAVEMENT ON THE WEST SIDE OF UPPER STATE ROAD AS SHOWN.

THIS WORK SHOULD BE PERFORMED IN ACCORDANCE WITH PENNDOT PUBLICATION 213M, FIGURE PATA 24 FOR CONVENTIONAL ROADWAYS.

TRAFFIC CONTROL FOR CONICAL LIGHT CIRCLE SHOULD BE PERFORMED IN ACCORDANCE WITH PENNDOT PUBLICATION 213M, FIGURE 20A FOR TWO-LANE, TWO-WAY ROADWAYS.



TRAFFIC CONTROL PLAN  
 BRISTOL ROAD & UPPER STATE ROAD - STAGE 2A

48"x30" SIGN/TYPE (1) BARRICADE  
 TEMPORARY CONCRETE BARRIER

BRISTOL ROAD - STAGE 2A  
 STA 38+25 TO STA 38+25

15'-0" TO 17'-0" TEMPORARY PAVEMENT  
 10'-0" Existing Lane Existing Lane  
 T-395 CONSTR. B  
 10'-0" Existing Lane Existing Lane

UPPER STATE ROAD - STAGE 2A  
 STA 44+25 TO STA 55+50

EXISTING GROUND  
 EXISTING GROUND

SEE SHEET 16

# **ATTACHMENT “F”**

# Memorandum



**To:** T. J. Tieperman  
**From:** R. M. Lesniak  
**Date:** September 23, 2010  
**Re:** Weather Event – September 23, 2010

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At approximately 8:15 p.m. on Wednesday, September 22, 2010, the National Weather Service issued a severe thunderstorm warning for portions of the Delaware Valley. Shortly thereafter, severe weather moved through Warrington Township causing the following damage as reported by Lt. Knox.

- Residences and traffic signals west of Folly Road lost power. The Public Works Department used a generator to power the traffic signal at the intersection of Lower State and Bristol Roads.
- There was an electrical pole fire on Bristol Road at the entrance to the Route 202 Parkway construction site. PECO responded and temporarily repaired that problem. Power outages were minimal and electrical service has since been restored.
- At approximately 5:00 a.m., an electrical pole fire in the area of 1269 Lisa Drive caused power outages along the 611 corridor. Traffic signals as well as local residences and the township building were affected. Traffic signals that had battery back-up systems were operational; however, all of the other signals were out of service. Power has since been restored.

Should you need additional information, please don't hesitate to contact me.

Thank you.

# **ATTACHMENT “G”**

# Memorandum



**To:** T. J. Tieperman  
**From:** R. M. Lesniak  
**Date:** September 23, 2010  
**Re:** Fire Insurance Ordinance

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Attached please find a proposed ordinance commonly referred to as the Fire Insurance Ordinance.

This ordinance would require insuring agents to provide the township with a portion of the insurance proceeds that could be used to remove, repair or secure a building damaged by fire. When the homeowner repairs, removes or secures the building, and if the township has not incurred any costs for repairs, removal or securing, the fund shall be returned to the named insured. If the township incurs costs for repairs, removal or securing of the building, the costs shall be paid from the fund and if excess funds remain, the township shall transfer the remaining funds to the named insured.

Please forward a copy of the ordinance to the Board of Supervisors for their review and consideration.

Should you have any questions or need additional information, please feel free to contact me.

ORDINANCE NO. 2010-O-\_\_\_\_\_

AN ORDINANCE OF THE TOWNSHIP OF WARRINGTON PURSUANT TO ACT 98 OF 1992 PROVIDING THAT IN CERTAIN FIRE LOSSES THE INSURANCE COMPANY, ASSOCIATION OR EXCHANGE SHALL TRANSFER INSURANCE PROCEEDS TO A DESIGNATED OFFICER OF THE MUNICIPALITY AS A PORTION OF THE INSURANCE PROCEEDS TO BE HELD AS SECURITY AGAINST THE TOTAL COST OF REMOVING, REPAIRING OR SECURING THE DAMAGED BUILDING, PROVIDING FOR FEES, PROVIDING FOR PENALTIES FOR VIOLATION AND SETTING FORTH PROCEDURES AND REQUIREMENTS PERTAINING TO SUCH INSURANCE PROCEEDS AND TO THE IMPLEMENTATION OF ACT 98 OF 1992 IN THE TOWNSHIP OF WARRINGTON, BUCKS COUNTY.

**WHEREAS**, the Commonwealth of Pennsylvania has enacted Act 98 of 1992 effective on September 7, 1992 amending the Insurance Company Law of 1921 to provide procedures for the payment of certain fire loss claims;

**WHEREAS**, it is the purpose of said legislation to deter the commission of arson and related crimes, to discourage the abandonment of property, and to prevent urban blight and deterioration; and

**WHEREAS**, the Township of Warrington desires to adopt an ordinance pursuant to Section 508 of the Insurance Company Law of 1921 to provide for the payment of proceeds from certain fire loss claims to the Municipality.

It is THEREFORE ORDAINED AND ENACTED by the Board of Supervisors of Warrington Township, Bucks County, as follows:

**SECTION I:**

The Township Manager or such official's designee is hereby appointed as the designated officer who is authorized to carry out all responsibilities and duties stated herein.

**SECTION II:**

No insurance company, association or exchange (hereinafter the "Insuring Agent") doing business in the Commonwealth of Pennsylvania shall pay a claim of a named insured for fire damage to a structure located within Warrington Township (hereinafter the "Municipality") where the amount recoverable for the fire loss to the structure under all policies exceeds Fire Thousand Dollars (\$5000) unless the named insured or Insuring Agent is furnished by the municipal treasurer with a municipal certificate pursuant to Section 508 (B) of Act 98 of 1992 and unless there is compliance with Section 508 (c) and (d) of Act 98 of 1992 and the provisions of this Ordinance.

**SECTION III:**

Where pursuant to Section 508 (B) (1) (I) of Act 98 of 1992, the municipal treasurer upon receipt of a Twenty-five Dollar (\$25.00) administration fee issues a certificate indicating that there are no delinquent taxes, assessments, penalties or user charges against real property, the insuring Agent shall pay the claim of the named insured, provided however, that if the loss is agreed upon by the named insured and the Insuring Agent equals or exceeds 60 percent of the aggregate limits of liability on all fire policies covering the building restructure, the following procedures must be followed:

- (1) The Insuring Agent shall transfer from the insurance proceeds to the designated officer of the municipality in the aggregated of \$1,000 for each \$20,000 of a claim and for each fraction of that amount of a claim, this section to be applied such that if the claim is \$20,000 or less, the amount transferred to the Municipality shall be 41,000; or
- (2) If at the time of a proof of loss agreed to between the named insured and the Insuring agent, the named insured has submitted a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure, the Insuring Agent shall transfer to the Municipality from the insurance proceeds the amount specified in the estimate.
- (3) The transfer of proceeds shall be on pro rata basis by all companies, associations or exchanges insuring the building or other structure.
- (4) After the transfer, the named insured may submit a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure, and the designated officer shall return the amount of the funds transferred to the Municipality in excess of the estimate to the named insured, if the Municipality has not commenced to remove, repair or secure the building or other structure.
- (5) Upon receipt of proceeds under this section, the Municipality shall do the following:
  - a. The designated officer shall place the proceeds in the separate fund to be used solely as security against the total costs of moving, repairing or securing the building or structure which are incurred by the municipality. Such costs shall include, without limitation, any engineering, legal or administrative costs incurred by the municipality in connection with such removal, repair or securing of the building or any proceedings related thereto; and
  - b. It is the obligation of the Insuring Agent when transferring the proceeds to provide the Municipality with the name and address of the named insured. Upon receipt of the transferred funds and the name and address of the named insured, the designated officer shall contact the named insured, certify that the proceeds have been received by the Municipality and notify the named insured the that procedures under this subsection shall be followed; and
  - c. When repair, removal or securing of the building or other structure have been completed in accordance with all applicable regulations and orders of the Municipality and the required proof of such completion received by the designated officer, and if the Municipality has not incurred any costs for repairs, removal or securing, the fund shall be returned to the named insured. If the Municipality has incurred costs for repairs, removal or securing of the building or together structure, the costs shall be paid from the fund and if excess funds remain, the Municipality shall transfer the remaining funds to the named insured; and
  - d. To the extent that interest is earned on proceeds held by the Municipality pursuant to this Section, and not returned to the named insured, such interests shall belong to the Municipality. To the extent that proceeds are returned to the named insured, interests earned on such proceeds shall be distributed to the named insured at the time that the proceeds are returned.
- (6) Nothing in this section shall be construed to limit the ability of the Municipality to recover any deficiency. Furthermore, nothing in this subsection shall be construed to prohibit the Municipality and the named insured from entering into an agreement that permits the transfer of funds to the named insured or some other reasonable disposition of the damaged property has been negotiated.

**Section IV:**

The Board of Supervisors may by resolution adopt procedures and regulations to implement Act 98 of 1992 and this Ordinance and may by resolution fix reasonable fees to be charged for municipal activities or services provided pursuant to Act 98 of 1992 in this Ordinance; including but not limited to issuance of certificates and bills, performance of inspections and opening separate fund accounts.

**Section V:**

Any owner of property, any named insured or any Insured Agent who violates this ordinance shall be subject to a penalty of up to \$1,000 per violation.

**Section VI:**

The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

**Section VII:**

All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as same affects this Ordinance.

**ORDAINED and ENACTED** this        day of        , 2010.

**BOARD OF SUPERVISORS OF WARRINGTON TOWNSHIP**

**ATTEST:**

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Timothy J. Tieperman,  
Township Manager

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John R. Paul, Chairperson

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Gerald B. Anderson

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Marianne Achenbach, Secretary

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Michael W. Lamond, Assistant Secretary

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Paul H. Plotnick, Member