



**WARRINGTON BOARD OF SUPERVISORS
MINUTES FOR APRIL 12, 2016**

ATTENDANCE

Shirley A. Yannich, Chair; Carol T. Baker, Vice Chair; Matthew H. Hollowell, Sr., Member; Millie A. Seliga, Member and Fred R. Gaines, Member. Staff present was Barry P. Luber, Interim Township Manager/Assistant Township Manager/CFO/Board Treasurer; Terry W. Clemons, Esq., Township Solicitor, Thomas Zarko, P.E., CKS Engineers, Township Engineer and Barbara Livrone, Executive Assistant to the Township Manager/Board Secretary.

CALL TO ORDER: Ms. Yannich opened the meeting at 7:30 P.M.

PLEDGE OF ALLEGIANCE

Ms. Yannich followed the Call to Order with a pledge to the flag.

EXECUTIVE SESSION REPORT: Ms. Yannich said an executive session was not held.

SPECIAL RECOGNITION WARRINGTON COMMUNITY DAY – HATBORO FEDERAL SAVINGS:

Mr. Hollowell presented a plaque to Linda Roehner, President/Chief Financial Officer of Hatboro Federal Savings. Mr. Hollowell thanked Ms. Roehner and Hatboro Federal Savings for being a Silver sponsor of the Township's 2015 Warrington Community Day event. Ms. Roehner thanked the Board and presented a check to sponsor the Township's 2016 Warrington Community Day event.

SPECIAL RECOGNITION BY JOSEPH J. SZAFRAN, JR. BUCKS COUNTY RECORDER OF DEEDS – BUCKS COUNTY HONOR FLIGHT TRIP

Ms. Yannich introduced Joseph J. Szafran, Jr., Bucks County Recorder of Deeds Office. Mr. Szafran explained the Bucks County Honor Flight Trip to Washington DC for WWII veterans. On behalf of Bucks County, Mr. Szafran recognized Warrington Township's Police Department for their outstanding service by escorting veterans from Lower Bucks County to the Parx Casino. Mr. Szafran presented Lt. Robert Meditz with a Mercer tile plaque and thanked the police department. The next scheduled trip for the veterans is Monday, September 26, 2016.

SPECIAL RECOGNITION OF CENTRAL BUCKS HIGH SCHOOL SOUTH HOCKEY TEAM

The Board recognized Central Bucks High School South Hockey Team for winning the State Championship by defeating Bishop Canevin 7-3. The Titans finished the season at 26-1 and won their last 25 games. This was the second state title for the Titans in the last three years. Mr. Gaines read Proclamation Resolution 2016-R-24 and congratulated the hockey team.

APPROVAL OF BILL LIST:

1. March 22, 2016 – April 12, 2016: \$1,140,107.61

Ms. Seliga motioned, seconded by Ms. Baker to approve the bill list from March 22, 2016 through April 12, 2016 totaling \$1,140,107.61. By roll call vote, the motion passed 5-0.

Mr. Hollowell made a statement relating to the Building Code Appeals Board. He noted questions pertaining to this Board had been answered before the solicitor responded. He questioned the cost involved for

the solicitor to respond. Mr. Clemons responded by saying that this cost was not part of the March 22 to April 12 bill list and that he clarified legal issues.

Ms. Yannich asked Mr. Luber to explain the highway budget expenditures. Mr. Luber stated the funds have been spent on snowplowing, salt, contractors and the repayment of a 2012 bond issue.

APPROVAL OF MINUTES:

2. March 8, 2016

Ms. Yannich stated all supervisors were present at the March 8, 2016 meeting. She asked if there were any corrections to the minutes. With no corrections to the March 8, 2016 minutes, the minutes stand as approved.

Mr. Hallowell requested all future meeting minutes to be voted on by the Board. Ms. Yannich stated she was adhering to Roberts Rules but if the Board wanted to vote on the minutes, she would ask for a vote.

Ms. Baker motioned, seconded by Mr. Gaines to approve the March 8, 2016 minutes. The motion was unanimously passed 5-0.

MINUTES FOR POSTING:

3. March 22, 2016

Ms. Yannich noted all supervisors were in attendance. Without any corrections, the March 22, 2016 minutes were posted as received. Mr. Gaines motioned, seconded by Ms. Seliga to post the March 22, 2016 minutes. The motion was unanimously passed 5-0.

Mr. Hallowell questioned why the minutes from an earlier meeting were not revised to reflect that three people met to interview the township solicitor and engineer. Ms. Yannich suggested for Mr. Hallowell to check his records and she will check her records. The minutes cannot be amended once they have been approved and posted as a permanent record.

PUBLIC COMMENT *(The Board will hear from any interested resident or taxpayer who would like to comment on an item not on this evening's agenda. Respondents are asked to keep their comments to 3 minutes.)*

Frank Peranteau (1356 School Lane) thanked the Board of Supervisors for their efforts relating to Park Road.

James Whelan (2519 Cindy Lane) representing the Warrington Springs development had met with Supervisor Gaines regarding debris behind Cindy Lane. The debris is causing a safety hazard. Mr. Gaines responded by saying that himself, Director of Planning Roy Rieder, Vice Chair EAC Ivy Ross visited the property. The property in question was purchased by the County of Bucks. The former owner before the County was a roofing contractor and left materials and general debris at the site. The Bucks County Conservation District will be contacted for a clean-up.

Brian Wright (2521 Cindy Lane) reinforced Mr. Whelan's comments and said there are a lot of sharp objects behind Cindy Lane.

Ms. Yannich directed Mr. Luber to contact the public works department to inspect the area and submit a cost for removal to Mr. Luber.

Mike Kelly (135 Muirfield Lane) noted the entrance to Walmart is not striped on Route 611. Ms. Yannich requested the township engineer to research this matter.

John McConnell (206 Trellis) stated the walking trail at Barness Park needs repair work. Mr. Luber said the contractor is working on the retention basin and the regrading has not been completed. Mr. Luber said the township has hired park stewards who are checking the parks on a daily basis and recording their findings. Mr. Gaines suggested the engineer to contact the contractor to keep Bristol Road clear of mud.

Greg Rupar (2870 Highland Avenue) noted the minutes for the Planning Commission have not been posted on the website since January. Ms. Yannich asked the Board if they were agreeable to stream line the Planning Commission meetings on the website. The Board was in agreement.

PUBLIC HEARING: None

DECISIONS:

4. Consider for approval a Resolution establishing the name of a street as “Highland Road”.

Ms. Yannich read a resolution stating that Highland Road has come to be known by two names: Highland Road and Highland Avenue. In the best interest of public safety and convenience of the residents living along this road, it will be referred to by a single name, “Highland Road”. The Fire Marshal will give notice to the Warrington Postmaster, emergency services and to the property owners.

Comments:

Mark Caldwell (2834 Highland Road) said he reviewed eleven deeds and they all say Highland Road. He said all the tax bills are printed with Highland Road. He said in the 1960’s, the post office was mis-informed of which homes was Road or Avenue.

Greg (2870 Highland Avenue) said a survey should have been sent out to the residents.

Ms. Yannich stated from the mailing notification list, four addresses are Avenue, ten addresses are Road and one was Drive.

Ms. Baker motioned, seconded by Mr. Hallowell to approve the Resolution establishing the name of the street as “Highland Road”. By roll call vote, the motion was unanimously passed 5-0.

5. Consider for approval a Resolution to add alternates to the Planning Commission.

Ms. Yannich stated in October 2015, the Pennsylvania General Assembly amended the PA MPC to provide for the appointment of a maximum of three alternates to the Planning Commission. Mr. Hallowell asked Ms. Yannich to explain the term alternate.

Mr. Gaines motioned, seconded by Ms. Seliga to appoint up to three alternates to the Planning Commission. The motion was unanimously passed 5-0.

Mr. Clemons noted that appointed alternate names can be filled in at any time by future resolution(s).

6. Consider for approval a Resolution for a DCNR grant application for Mill Creek parcel TMP # 50-004-106, 50-004-107 and 50-004-109.

Ms. Yannich explained this 66.8 acre of land is in the PI 1 District and was on the list as a potential open space parcel to be acquired by the township. This parcel is located along Lower State and Pickertown Roads. An application was made to the DCNR to acquire a fifty percent matching grant. Open space funds are available from the Bucks County Municipal Open Space Program. The township obtained an appraisal of \$30,000 per acre. A letter of recommendation from the Warrington Township Planning Commission and the Bucks County Planning was received supporting the establishment of regional trails and greenways, and the

preservation of natural habitats. Ms. Yannich encouraged the public to get involved in planning the use of the property.

Ms. Seliga motioned, seconded by Ms. Baker to approve a resolution to apply for a DCNR grant for the Mill Creek parcel, TMP # 50-004-106, 50-005-107 and 50-004-109. By roll call vote, the motioned was unanimously passed 5-0.

7. Consider for approval an amendment to the Historic Commission Ordinance (advertised April 5, 2016).

Ms. Yannich presented an Ordinance to amend the Historic Commission quorum requirements. Mr. Hallowell questioned the number of a quorum. Ms. Yannich stated a quorum for the Historic Commission had previously required four members. However, not every meeting has a full commission. Therefore, it was in the best interest of the Historic Commission to amend their Ordinance for a quorum to consist of a number of members as determined by the Historic Commission. If there is not a quorum, then the Historic Commission can't hold a meeting. Ms. Seliga is the liaison to the Historic Commission. Dr. Connie Ace, Chair for the Historic Commission supports the amendment to the Ordinance. Mr. Hallowell questioned when the sign to the 10 Folly Road Schoolhouse was going to be taken down.

Ms. Seliga motioned, seconded by Mr. Gaines to approve an amendment to the Historic Commission. The motion was unanimously passed 5-0.

8. Consider for approval a Resolution for Sterling Act amendment requested from the Bucks County Association of Township Officials.

Ms. Yannich reported on the Sterling Act enacted by the City of Philadelphia in 1932. This Act gave Philadelphia the authority to impose a tax on non-residents working in the City. The Bucks County Association of Township officials drafted a resolution for municipalities to enact requesting one percent of the city wage tax to be remitted to each municipality in which the taxpayer resides.

Mr. Gaines motioned, seconded by Ms. Seliga to approve a resolution to amend the Sterling Act requiring that up to one percent of Philadelphia Way tax paid by non-residents of Philadelphia be remitted to the municipality in which the taxpayer resides. The motion was unanimously passed 5-0.

9. Consider for approval a Resolution establishing Local Government Week, April 11-15, 2016.

Ms. Yannich recognized Local Government Week designating the week of April 11 through April 15, 2016 as "Local Government Week" in Warrington Township. The Board invites its residents and students to attend township meetings to see first-hand how local government operates.

Ms. Baker motioned, seconded by Mr. Hallowell to approve a Resolution establishing Local Government Week, April 11-15, 2016. The motion was unanimously passed 5-0.

OLD BUSINESS:

10. Consideration of the application of Eble for rezoning of property at 926 Stump Road, TMP #50-004-021.

Ms. Yannich reported the rezoning application for the Eble parcel was being considered at the meeting but will not be voted upon because it has to be advertised first. A. Victor Meitner, Jr., attorney for the applicant and Anthony Hibbeln, P.E. were present to discuss the rezoning of 926 Stump Road, which is a 9.2 acre tract located at the intersection of Stump Road. The applicant desires to create three new lots. Due to the size of the lot and the presence of a sanitary easement through the property, the applicant is unable to subdivide under current zoning. The applicant intentions are to preserve the existing house and barn. There were conditions were approved by the Planning Commission at their January 21 2016 meeting and Ms. Baker read the

conditions. Dr. Ace, Chair of Historic Commission reviewed the plan and was in favor of the façade restrictions and preservation of the current property. Mr. Clemons questioned who would be the grantee of the façade easement. Mr. Meitner said the township would be the grantee. Mr. Meitner agreed to meet with Dr. Ace and go over the plan. Ms. Baker inquired how this tract fits in with the comprehensive plan. Mr. Clemons responded that the plan is consistent with the township goals. Mr. Hallowell questioned the electric, water and sewer on the plan. Mr. Hibbeln reported that each lot will have a connection. Ms. Seliga questioned the trails proposed for the property and the water and sewer connections. She does not want to set precedence for higher density.

Mr. Gaines motioned, seconded by Ms. Yannich to advertise the Eble Tract for a public hearing to consider rezoning of TMP # 50-004-021. By roll call vote, the motioned passed 4-1, with Ms. Seliga voting no.

11. Consideration of the contract proposed by the Bucks County Planning Commission to revise the Warrington Township Comprehensive Plan.

After discussion, Mrs. Yannich asked the Board to make a motion to forward the contract to the Planning Commission for review and comment.

Mr. Gaines motioned, seconded by Ms. Baker to forward the Planning Services Agreement prepared by the Bucks County Planning Commission to revise the Comprehensive Plan to the Planning Commission. The motion was unanimously passed 5 to 0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

12. Consider approval to hire municipal management consultant, David Nyman.

The Board of Supervisors requested a management search and administrative evaluation. Mr. Nyman, Municipal Management Consultant submitted a services agreement. Ms. Yannich stated Barry Luber had submitted an application for the manager's position. Ms. Yannich noted this position is required to be advertised in accordance with Municipal Code. Ms. Yannich stated the fee per hour that Mr. Nyman is providing is \$45.00 per hour. Ms. Seliga corrected the wording in the agreement to clarify the total cost of the manager search will not exceed \$5400. Ms. Seliga also noted that the hiring of a municipal management consultant was discussed at an executive session. Mr. Clemons read the conditions of the agreement as presented by Mr. Nyman. Mr. Hallowell questioned Mr. Nyman placing an ad before he was under contract. Ms. Yannich responded that Mr. Nyman placed the ad before the agreement was signed, as agreed upon by four supervisors and he was not being paid for this service.

Ms. Seliga motioned to approve the agreement with the amended change. Ms. Yannich asked for a roll call vote. By roll call vote, the motion was passed 4 to 1; with Mr. Hallowell voting no.

13. Consider approval of extension of time to record approved plans for Cardamone Lot Line change, TMP # 50-004-071.

Mr. Zarko reported the plans for the Cardamone Lot Line Change were approved at a prior Board meeting and the attorney for the applicant is requesting an extension of time to record the plans.

Mr. Hallowell motioned, seconded by Ms. Yannich to approve the extension of time to record the approved plans for the Cardamone Lot Line change, TMP# 50-004-071. The motion was unanimously passed 5-0.

14. Consider appointments to various committees.

Ms. Yannich requested the applicant for the Building Codes Appeal Board to be scheduled for an interview at the next scheduled supervisors meeting.

Applications were received from residents requesting to volunteer on the Study Committee for the Parks, Recreation, Open Space; Study Committee for Trails; Bike and Hike Trails Committee; Building Code Appeals Board, Historic Commission, Open Space and Land Preservation Task Force and Veteran Affairs Committee.

The Board agreed to appoint Mike Kelly and Ken Rose to the Study Committee for the Parks and Recreation, and Open Space. The Board also agreed to appoint Chris Roth to the Veteran Affairs Committee.

The Board agreed to notify the rest of the applicants to attend a monthly committee meeting that they are applying for. This will give the prospective applicants a chance to observe and obtain more information about their interested committee.

15. Consider approval for a Zoning Ordinance Amendment for Pileggi parcel located on Limekiln Pike, TMP # 50-004-053; 50-004-053-001; 50-004-053-004 and 50-004-054-001.

Caroline Edwards, attorney for the applicant presented a concept plan to re-zone approximately 41.2 acres of land to the Board for the John J. Pileggi, Jr., tract of land located on Limekiln Pike. The re-zoning would be to change the existing zoning of RA (Residential Agriculture) to I-U-A (Institutional-Age-qualified residential district). Mr. Pileggi explained the history of the 41.2 acre parcel. Christopher Luce, Architect presented an architectural plan showing the proposed one hundred units. Ms. Yannich requested the applicant to work with the Planning Commission. The Comprehensive Plan will be updated and should be completed in a year. After the Comprehensive Plan has been updated, Ms. Yannich suggested to Ms. Edwards to submit the plan. Ms. Yannich stated the application presented was for discussion only. Ms. Seliga, Ms. Baker and Mr. Gaines expressed concerns about the impact of traffic, additional services for the township and thought this should be considered after the Comprehensive Plan was completed.

16. Consider approval for Communications Advisory Board's recommendation to place the Board of Supervisors video on the Township's television channels.

The Communications Advisory Board recommended to the Board to publish township meetings to the township's two television channels. Currently, live streaming capabilities have been implemented so that citizens can remotely view the Board of Supervisors meetings live. The next phase would be to publish meetings live on the television channels. Mr. Luber stated more cameras would be needed, install a control room and assign a staff member to run the program. Ms. Yannich suggested for the Board members to attend other township meetings that have their meetings live via by television. It was suggested that this expense could be a budgeted item for 2017.

Mr. Gaines motioned, seconded by Ms. Seliga to approve the Communications Advisory Board's recommendation to place the Board of Supervisors video on the Township's television channels. The motion was unanimously passed 5-0.

17. MANAGER'S REPORT:

a. Consider for approval appointment of Bond Counsel.

Mr. Luber reported four bond counsels submitted proposals that specialize in public finance. The lowest hourly rate was Curtin & Heefner and Mr. Luber recommended this firm to be hired as Bond Counsel.

Ms. Baker motioned, seconded by Mr. Gaines to hire Curtin & Heefner as Bond Counsel at a cost not to exceed \$11,750 (for bond work) or \$7500 (for bank loan). By roll call vote, the motion was unanimously passed 5-0.

18. ENGINEER'S REPORT:

a. **General Update**

Mr. Zarko noted the Township had recently received plans and draft maintenance agreements from PennDOT concerning supplemental landscaping request pertaining to the PennDOT WD2 County Line Road Improvement Project that was submitted by the Board of Supervisors several weeks ago. Staff is currently reviewing this information.

Mr. Zarko received complaints regarding the 611, Valley Gate and BJ traffic signal light. Mr. Zarko is setting up a meeting with PennDOT to help improve this situation.

19. SOLICITOR'S REPORT:

a. **Baran ZHB Appeal, 2236 Street Road, TMP # 50-023-098-001.**

Mr. Clemons reported a Zoning Hearing Board Application was received from Ivan Baran, the owner of 2236 Street Road, TMP # 50-023-098-001. The applicant is proposing an addition with a deck and a garage addition and requesting a variance.

20. ESCROW AND MAINTENANCE BOND RELEASES:

a. **Release of Escrow for Warrington Glen Phase III #3: \$578,161.95.**

Mr. Zarko reported the work has been satisfactorily completed and recommends the release of escrow for Warrington Glen Phase III.

Ms. Seliga motioned, seconded by Mr. Hallowell to release the escrow in the amount of \$578,161.95 for Warrington Glen Phase III. The motion passed unanimously 5-0.

21. EXTENSION REQUESTS: None

DEDICATION REQUESTS: None

SUPERVISOR COMMENTS: None

ADJOURNMENT

There being no further business Ms. Baker motioned, seconded by Ms. Yannich, to adjourn the meeting at 10:45 p.m. The motion passed unanimously 5-0.

Respectfully Submitted By:



Barbara J. Livrone, Township Secretary