



WARRINGTON BOARD OF SUPERVISORS MINUTES FOR MAY 10, 2016

ATTENDANCE

Shirley A. Yannich, Chair; Carol T. Baker, Vice Chair; 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. and stated all Board of Supervisors were present except Matthew H. Hallowell, Sr.

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 PRESENTATION – PETE’S EXPRESS WARRINGTON LP: Ms. Yannich asked Mr. Gaines to acknowledge and present a plaque to Pete and Susan Altringer of Pete’s Express Car Wash. Mr. Gaines thanked Mr. and Mrs. Altringer representing Pete’s Express Warrington LP for being a Silver sponsor of the Township’s 2015 Warrington Community Day event. Mr. Altringer thanked the Board and said they will sponsor the Township’s 2016 Warrington Community Day event.

SPECIAL RECOGNITION OF GIRL SCOUTS OF EASTERN PA GOLD AWARD PRIYAL GUPTA

Ms. Yannich congratulated Priyal Gupta for obtaining the Girl Scout Gold Award. Ms. Yannich read Resolution 2016-R-30 and on behalf of the Board acknowledged Ms. Gupta’s commitment to serve her community. Ms. Gupta spoke about the project she completed to obtain the Gold Award. She developed and facilitated a U-Can-B-U Club program to help girls in grades 5 to 8 develop their self-esteem.

INTERVIEW OF APPLICANTS FOR BUILDING CODES APPEAL BOARD

The Board interviewed two applicants for the Building Codes Appeal Board. They were Matthew Piotrowski and Larry Siefken. Ms. Seliga motioned, seconded by Ms. Baker to appoint Mr. Piotrowski to the Building Codes Appeal Board. Currently there is one vacancy. Ms. Baker motioned, seconded by Mr. Gaines to appoint Mr. Siefken as an alternate, if this is permitted under the Uniform Construction Code. By roll call vote, both motions were approved 4-0.

APPROVAL OF BILL LIST:

1. April 12, 2016 – April 26, 2016: \$1,945,541.86

Ms. Seliga motioned, seconded by Mr. Gaines to approve the bill list from April 12, 2016 through April 26, 2016 totaling \$1,945,541.86. By roll call vote, the motion passed 4-0.

2. April 26, 2016 – May 10, 2016: \$ 591,486.45

Ms. Baker motioned, seconded by Ms. Seliga to approve the bill list from April 26, 2016 through May 10, 2016 totaling \$ 591,486.45. By roll call vote, the motion passed 4-0.

APPROVAL OF MINUTES:**3. March 22, 2016**

Ms. Baker motioned, seconded by Ms. Seliga to approve the March 22, 2016 minutes. The motion was unanimously passed 4-0.

MINUTES FOR POSTING:**4. April 7, 2016 Joint Meeting with Planning Commission**

Ms. Yannich asked for a motion to post the April 7, 2016 joint Meeting minutes with the Planning Commission. Ms. Baker motioned, seconded by Ms. Yannich to post the April 7, 2016 minutes. The motion was unanimously passed 4-0.

5. April 12, 2016

Ms. Yannich asked for a motion to post the April 12, 2016 minutes. Ms. Seliga motioned, seconded by Ms. Yannich to post the April 12, 2016 minutes. The motion was unanimously passed 4-0.

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.)*

Charlie Rueger (1279 School Lane) stated the view is obstructed by large bushes at the intersection of School Lane and Bristol Road. Mr. Zarko will follow up with the Township's Code Department.

Bernard Lineman (100 Evodia Circle #101) stated traffic will be heavier on Bristol Road when the proposed development is completed. Ms. Yannich stated Bristol Road is a State Road and there maybe improvements through the TIP program. Mr. Zarko stated there are plans for the intersection of 611 and Bristol Road with PennDOT.

Carol Pastore (2434 Park Road) questioned the length of time that the Board meeting minutes are posted to the website. Ms. Livrone explained the minutes from this evening will be approved for posting at the following meeting. If there are no corrections, then the minutes are approved at the next meeting, therefore, it takes a month before the minutes are posted to the website.

Ms. Pastore also questioned the open space funds. Mr. Gaines responded by saying the funds from the open space budget are only used for Park and Recreation.

Ms. Pastore questioned when the signage for the blind person would be installed on School Lane. Mr. Gaines motioned, seconded by Ms. Baker to approve a sign to be posted in accordance with township regulations.

Peter Melley (3212 Meridian Blvd) spoke about his high water and sewer bill. Ms. Yannich asked Mr. Luber to follow-up and to investigate the matter.

PUBLIC HEARING:**6. Consider approval to amend the Warrington Township Zoning Map by rezoning Melody L. Eble, 926 Stump Road, TMP # 50-004-021. (advertised April 26, 2016 & May 3, 2016)**

Mike Kelly (135 Muirfield Lane) asked if a court stenographer was required for the hearing. Mr. Clemons stated no legislative action taken, therefore under the Municipalities Planning Code, this item does not require a court stenographer.

Ms. Yannich stated the legal notice was advertised April 26 and May 3, 2016 and then read the legal notice. There was an affidavit of posting prepared for the property and letters were mailed out to the surrounding property owners notifying them of the hearing.

A. Victor Meitner, Jr, Attorney for the applicant and Anthony Hibbeln, P.E., appeared before the Board and submitted plans to the Board for review. A summary of the project was presented by Mr. Hibbeln. The application proposes the rezoning of TMP # 50-004-021, 926 Stump Road, 9.18 acres. Currently, this parcel is zoned RA which allows a minimum lot size of 3 acres. The application proposes a change from RA to R1. R1 allows a minimum lot size of 40,000 square feet. If the rezoning is approved, the applicant proposes to build three new homes plus retain the existing dwelling.

Mr. Clemons advised the Board that the applicant needs to submit a full development plan if the change of zoning is granted.

Mr. Zarko agreed that the impact of traffic with the proposed plan would be de minimis.

Ms. Yannich noted the four lots, Lot #1 would retain the existing dwelling and the other three lots would be for the proposed dwellings. All of these lots would be deed restricted and could not be further subdivided.

Dr. Connie Ace, Chair of Historic Commission completed a site visit of the Eble tract and was pleased that the house, barn and corn crib were all going to be preserved. Dr. Ace also noted that the Eble's would enter into a façade preservation easement. Dr. Ace also favored the deed restriction as being part of the development.

The following residents are not in favor of the rezoning and development plan:

- Charlies Rueger (1279 School Lane)
- Eric Thompson (291 Folly Road)
- Mary Lynn Fox (1022 Stump Road)
- Dan Moyer (911 Longwood Court)
- Mike Kelly (135 Muirfield Lane)
- Frank Wellock (915 Longwood Court)
- Ken Gorman (917 Longwood Court)

Ms. Yannich closed the hearing at 9:07 p.m. Ms. Seliga motioned, seconded by Mr. Gaines to table the amendment to the Warrington Township Zoning Map by rezoning Melody L. Eble, 926 Stump Road, TMP # 50-004-021. By roll call vote, the motion passed 4-0.

DECISIONS:**7. Consider Request for Proposal and Resolution for 2016 Capital Project Financing.**

Mr. Luber presented a power point presentation to consider a bond verses a bank loan for the 2016 capital financing project. The Township is requesting a loan of \$6,000,000 over a ten year period.

Bucky Closser from Curtin and Heefner LLP said that recently bank loans are more prevalent.

Ms. Yannich answered a resident who asked what the loan is for. The loan is for financing various capital projects involving the repair, replacement and improvement of various Township roads, buildings, storm drains, culverts and other facilities.

Ms. Seliga motioned, seconded by Mr. Gaines to move forward with the Resolution to Request for Proposals for the \$6,000,000 to fund capital projects. By roll call vote, the motion was passed 4-0.

8. Consider approval to amend Final Plan for 2166 Street Road – State Farm Insurance (formerly Yarmark).

Mr. Kevin Kester, R.L.A. representing Van Cleef Engineering and Will Thomson, representing State Farm presented an amended final land development plan for State Farm Insurance Company, TMP # 50-023-138, 2166 Street Road, consisting of approximately 28,000 square feet.

The amended final plan was approved at the Planning Commission's April 16, 2016 meeting. The land owner will comply with the Fire Marshal's letter.

Mr. Clemons will prepare a Resolution and Financial Security by Letter of Credit.

Ms. Baker motioned, seconded by Mr. Gaines to authorize Mr. Clemons to prepare a Resolution for the amended Final Plan for the State Farm Insurance. This Resolution will be for the Board of Supervisors consideration at the May 24, 2016 meeting. By roll call vote, the motion was passed 4-0.

9. Consider preliminary/final subdivision approval TCL Holdings, L.P., for 3-lot subdivision at the intersection of County Line Road and Titus Avenue (TMP 50-031-028-002).

Applicant, Christopher DelPlato and John R. Hornick, P.E. presented a plan for a three lot subdivision with one existing building located on each lot. There is no new construction proposed as part of the subdivision. The proposed subdivision is located in the PI-1 district and is a total of 8.37 acres. The applicant is requesting a number of waivers from the Subdivision and Land Development Ordinance.

Ms. Seliga motioned, seconded by Ms. Baker to approve all conditions as stated for the preliminary/final subdivision approval of TCL Holdings, L.P. for a 3-lot subdivision and include them in the Resolution which will be presented at the May 24, 2016 Board of Supervisors meeting. By roll call vote, the motion was passed 4-0.

10. Consider for approval a request from Warrington Soccer to install a shed at King Park.

Jim Keyser, Executive Director of the Warrington Soccer Club and Robert Miller, President of the Warrington Soccer Club presented a proposal to build a storage shed at King Park for the soccer fields. The Warrington Soccer Club would assume all costs to install the storage shed and have ready for storage prior to the fall season.

Ms. Seliga motioned, seconded by Mr. Gaines to approve the installation of a shed by the Warrington Soccer Club at King Park and to waive all building permit fees. The motion was unanimously passed 4-0.

OLD BUSINESS:**11. Consider approval to enter into a contract with the Bucks County Planning Commission to prepare Warrington Township Comprehensive Plan.**

Executive Director, Lynn Bush submitted a letter dated May 3, 2016 summarizing eight items to the scope of work for the Comprehensive Plan Update. The Board agreed with the scope clarifications.

Mr. Gaines motioned, seconded by Ms. Baker to enter into a Planning Services Agreement with the Bucks County Planning Commission to prepare the Township's Comprehensive Plan. By roll call vote, the motion passed 4-0.

12. Discussion of Park Road Closure

John A. VanLuvanee, Attorney for John and Lauren Spognardi (1214 Park Road) and David F. Gould, III, Attorney representing thirty-six families living in and around the neighborhood of Park Road and School Lane spoke about the closure of Park Road.

The following residents are opposed to re-opening Park Road:

- Jeff Bigelow (2470 Park Road)
- Carol Pastore (2434 Park Road)
- Mark Bartow (2488 Park Road)
- Al Pastore (2434 Park Road)
- Tom Watkins (2512 Park Road)

Mr. Zarko reported if the township install sidewalks along Park Road, according to Township code, the residents would pay for the sidewalks. If the Township installs trails along the road, the cost will be borne by the Township. Mr. Zarko also reported that weight restrictions for Park Road can be posted.

Mr. Gaines amended the motion, seconded by Ms. Yannich to re-open Park Road based on the Planning Commission's recommendations:

- Park Road open to two way traffic
- Install a five foot trail on the north side
- Install additional speed humps
- Periodic traffic studies will be conducted until the new development (High Grove) is open and established
- Widening will be done if the traffic counts merit it.
- Increase police patrols

By roll call vote, the motion passed 4-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**13. Consider approval of bid award for Palomino and Greyhorse Drive Stream Rehabilitation Project.**

Mr. Zarko addressed this project as having two issues. The first is the existing sewer sanitary sewer crossing an unnamed tributary to the Little Neshaminy Creek that was undermined by erosion and is in danger of rupture. The second issue is that the existing corrugated metal pipes have deteriorated. Funding will come from both the Water and Sewer 2014 Bond and Capital Projects 2014 Bond. Eight companies submitted bids.

Ms. Baker motioned, seconded by Ms. Yannich to award the contract to the lowest responsible bidder, N. Abbonizio Inc., of Conshohocken, PA in the amount of \$1,020,413.50. By roll call vote, the motion passed 4-0.

14. Consider approval to authorize payment of \$500 to obtain Easement along Costner Drive to improve water tower access.

Mr. Clemons reported the Water and Sewer Department needs an access easement from MCF Associations which owns 262 Valley Road, TMP # 50-031-033-007. The Easement is necessary to allow delivery and construction trucks enough turning radius to enter and exit Costner Driveway which leads to the Costner Water Tank. The requested \$500 is payment to the property owner for the granting of the access easement to township property.

Mr. Gaines motioned, seconded by Ms. Yannich to authorize the payment of \$500 to obtain an easement along Costner Drive to improve access to the Township's Costner Drive Water Tank. By roll call vote, the motion passed 4-0.

15. Consider approval of Change Order # 1 for Warrington Walking Trail – Route 202 to Bradford Dam Feasibility Study.

Mr. Luber described this project needs a technical wetlands report in order to obtain a permit from PA DEP. The report would be provided by Penn's Trail Environmental, LLC. The change order will cost \$1500.00.

Mr. Gaines motioned, seconded by Ms. Baker to approve Change Order # 1 for Warrington Walking Trail project – Route 202 to Bradford Dam Feasibility Study. By roll call vote, the motion passed 4-0.

16. Consider approval of amendment to cooperative agreement with Air National Guard providing instruction for utilization of the Wide Area Work Flow Portal.

The Warrington Township Environmental Services Cooperative Agreement was modified to add an attachment and also to replace Article XI with Article X. The attachment identifies the Wide Area Work Flow (WAWF) instructions and data elements needed by the township to process invoices in WAWF.

Mr. Gaines motioned, seconded by Ms. Baker to approve the amendment for the cooperative agreement with Air National Guard for providing instruction for utilization of the WAWF Portal. The motion passed 3-1 with Ms. Seliga abstaining.

17. Consider approval of Guaranteed Savings Agreement (GSA) for LED Street Light Conversion Project.

Ms. Seliga motioned, seconded by Mr. Gaines to table the approval of the Guaranteed Savings Agreement for LED Street Light Conversion Project. The motion passed 4-0.

18. Consider authorization to advertise 2016 Road Improvement Program.

Mr. Zarko announced the bidding documents for the Township's 2016 Roadway Improvement Program have been completed. The scope of work outlines the work involved for sections of various roads within the township.

Ms. Selig motioned, seconded by Mr. Gaines to authorize the advertisement of the 2016 Road Improvement Program. The motion passed 4-0.

19. MANAGER'S REPORT:**a. Consider authorization to update 2016 Fee Schedule (Swim Club).**

Mr. Luber reported the Township charges \$65 for a swim club member who is a township resident and \$75 for non-residents for any child wishing to participate in swim lessons. The township is recommending adding a \$10 fee for non-member residents and \$20 fee to non-members who are not residents and want to take swim lessons.

Ms. Baker motioned, seconded by Ms. Seliga to update the Swim Club portion of the 2016 Fee Schedule. The motion passed 4-0.

b. Consider approval for a revised Employee Handbook to change wording under Holidays for Firefighters.

Mr. Luber recommended adding language to the employee handbook to ensure that a paid firefighter is not losing the paid holiday benefit if it falls on his/her regularly scheduled day off.

Mr. Gaines motioned, seconded by Ms. Baker to approve the wording change under Holidays of the Employee Handbook for firefighters. The motion passed 4-0.

c. Update status of the traffic light at Valley Square Blvd and Main Street.

Mr. Luber stated this item will be presented at the May 24th meeting.

d. Request for waiver of fees for Zoning Hearing Board – 2830 Anna Street.

A letter was received from Mr. and Mrs. Darl Swartz, residents of 2830 Anna Street requesting a waiver of fees to file an appeal with the Zoning Hearing Board. The lot is undersized for chickens and the shed is located next to the property line. Currently, both of these items are in violation. Mrs. Swartz spoke to the Board and presented her case that the fees are a financial hardship.

Ms. Yannich asked for a roll call vote to waive the fees for the zoning hearing board. By roll call vote, the request was denied 3-1 with Mrs. Seliga voting yes.

e. Barness Park Improvement Change Order #4.

Mr. Luber reported that PennDOT required modifications be made to both the proposed entrance and exit way to Barness Park prior to the issuance of an Highway Occupancy Permit. Additionally, any unforeseen existing cesspool was discovered on site which had to be removed to allow for proper installation of the parking lot paving. The Change Order is in the amount of \$27,581.00.

Mr. Gaines motioned, seconded by Ms. Seliga to approve Change Order # 4 for improvements to Barness Park. The motion was passed 4-0.

20. ENGINEER'S REPORT:**a. General Update: Mr. Zarko did not have a report.**

21. SOLICITOR'S REPORT:

- a. **Cohen Action Alert – PUC is Seeking Comments on Mini-Cell Towers in the Public Rights-of Way.**

Mr. Clemons reported the Public Utility Commission (PUC) is seeking comments on an issue relating to mini-cell towers within the Township.

Mr. Gaines motioned, seconded by Ms. Baker to authorize the manager to send a letter to the PUC requesting the Commission to discontinue the practice of granting Certificates of Public Convenience to providers of distributed antenna systems. The motion was passed 4-0.

- b. **Alsdorf ZHB Appeal, 1591 Stuckert Road, TPN # 50-030-010-004.**

A zoning hearing board application from Richard Alsdorf, 1591 Stuckert Road was received to allow a fence that was installed and currently is in violation. The request for the variance has arisen from a private dispute between property owners. A recommendation was made to Mr. Alsdorf to request a variance from the requirements of Section 2319.I.C of the Zoning Ordinance.

22. ESCROW AND MAINTENANCE BOND RELEASES:

- a. **Release of Escrow for Warrington Springs Phase III #2: \$23,060.00.**

Mr. Zarko reported the work has been satisfactorily completed with the exception of a sidewalk. Mr. Zarko recommends the release of escrow for Warrington Springs Phase III.

Mr. Gaines motioned, seconded by Ms. Baker to release the escrow in the amount of \$23,060.00 for Warrington Springs Phase III. The motion passed 4-0.

23. EXTENSION REQUESTS: None**DEDICATION REQUESTS:**

- a. Villas at Lamplighter II, Phase IV – Public Improvements

Mr. Zarko reported The McKee Group requested the Township to accept dedication of the sewer and water systems within Villas at Lamplighter II, Phase IV development. Mr. Zarko stated a number of deficient items were identified relating to the dedication of both systems.

Ms. Baker motioned, seconded by Ms. Seliga to approve the resolution denying dedication of public improvements for the Villas at Lamplighter II, Phase IV development. The motion passed 4-0.

SUPERVISOR COMMENTS:

- a. Consider 5th Tuesday to hold Work Session/Staff Presentation/Other Items as Needed.

This item was tabled until May 24, 2016.

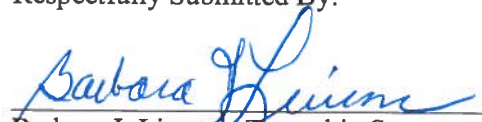
- b. Warrington EAC Report on Community Service Day by Fred Gaines.

This item was tabled until May 24, 2016.

ADJOURNMENT

There being no further business Ms. Yannich motioned, seconded by Ms. Seliga, to adjourn the meeting at 11:45 p.m. The motion passed unanimously 4-0.

Respectfully Submitted By:



Barbara J. Livrone, Township Secretary