



## **WARRINGTON BOARD OF SUPERVISORS MINUTES FOR JUNE 14, 2016**

**The written minutes are a summary of the June 14, 2016 Board of Supervisors meeting. For a complete dialog visit the Township's website, [www.warringtontownship.org](http://www.warringtontownship.org).**

### **ATTENDANCE**

Shirley A. Yannich, Chair; Carol T. Baker, Vice Chair; Millie A. Seliga, Member, Fred R. Gaines, Member and Matthew H. Hallowell, Sr., Member. Staff present was Barry P. Lubert, Interim Township Manager/Assistant Township Manager/CFO/Board Treasurer; Terry W. Clemons, Esq., Township Solicitor, Thomas Zarko, P.E., CKS Engineers, Township Engineer and Vivian Bell, Administrative Support Services.

### **WORK SESSION**

**CALL TO ORDER:** Ms. Yannich opened the work session at 6:30 P.M. followed by a Pledge of Allegiance and a Moment of Silence for the Orlando victims.

Ms. Yannich noted all supervisors were in attendance for the work session.

### **DISCUSSION OF REZONING OF FORMER WARRINGTON AIRPORT PROPERTY (MORRISSEY)**

Ms. Yannich stated the township solicitor received a letter dated February 23, 2016 from Steve Harris, Esq., which addressed the background of rezoning the former Warrington airport property. Ms. Yannich introduced Mr. Harris who presented the facts and explained the proposal for Eureka Stone Quarry, Inc. Mr. Harris introduced James Morrissey III, Katie Murray and Dave Allen, both representing EarthRes Group. Eureka Stone Quarry is proposing to dedicate fifteen acres to Warrington Township for recreational use in exchange for rezoning of remaining lands to Quarry (A) zoning district. An amendment to the permit will have to be forwarded to DEP. If DEP grants the mining permit amendment, Eureka Stone Quarry will need a letter from the township to process the application to rezone the remaining parcel to Quarry (A) zoning district. This consideration will be presented to both the Warrington Township Planning Commission and to the Bucks County Planning Commission. Both of their recommendations will be presented at a Board of Supervisors meeting as a public hearing.

After questions and discussion by the Board, it was noted that a decision or action will not occur during a work session. Ms. Yannich stated the Board will take into consideration sending a letter to DEP to process the rezoning application at the June 28, 2016 Board of Supervisors meeting.

### **EMPLOYEE HEALTH CARE OPTIONS TO SAVE TOWNSHIP MONEY**

Ms. Yannich stated this is for non-union employees. Mr. Lubert gave a summary of the current health care insurance plan for full-time non-union employees which currently consist of thirty five employees. If an employee opts out of the plan, compensation is given to the employee.

To reduce costs to the township, three options were presented to the Board by Mr. Lubert. Mr. Lubert stated the employees were polled to give their opinion, as recommended by Ms. Seliga.

Ms. Yannich recommended a board sub-committee to work with Mr. Lubert on these possible health care options. Both Ms. Seliga and Mr. Hallowell expressed interest to aid Mr. Lubert in the decision making process.

**REGULAR SCHEDULED BOARD OF SUPERVISORS MEETING**

**CALL TO ORDER:** Ms. Yannich opened the meeting at 7:32 P.M. and stated the Pledge of Allegiance and a Moment of Silence was conducted at the Work Session.

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

**SPECIAL RECOGNITION WARRINGTON COMMUNITY DAY PRESENTATION WARRINGTON GLEN BY TOLL BROTHERS.**

Ms. Yannich asked Mr. Hallowell to recognize Warrington Glen by Toll Brothers as a 2015 Silver sponsor of the Township's 2015 Warrington Community Day event. Ms. Rhonda Swartz, Senior Sales Manager received the township's plaque.

**SPECIAL RECOGNITION OF ST. PAUL'S UNITED METHODIST CHURCH'S 50<sup>TH</sup> YEAR ANNIVERSARY**

Ms. Yannich asked Ms. Baker to read Proclamation Resolution 2016-R-38 recognizing St. Paul's United Methodist Church's 50<sup>th</sup> year anniversary. Reverend Janet L. Sadel, Pastor and Pat Nickett, Chair of Church Council was present to receive the recognition from the Board of Supervisors.

Ms. Yannich also noted that Reverend Sadel forwarded a letter dated April 20, 2016 to the Board inviting them to attend their June 19<sup>th</sup> worship service. Ms. Yannich said she planned on attending the service.

**STATEMENT READ BY MS. YANNICH**

Prior to the approval of the bill list, Ms. Yannich read a statement about governing and how the current Board fulfills their obligation to which they were elected. (Attachment A).

**APPROVAL OF BILL LIST:****1. May 24, 2016 – June 14, 2016: \$1,447,302.94**

Ms. Seliga motioned, seconded by Mr. Gaines to approve the bill list from May 24, 2016 through June 14, 2016 totaling \$1,477,302.94. By roll call vote, the motion passed 5-0.

**APPROVAL OF MINUTES:****2. May 10, 2016**

Ms. Baker motioned, seconded by Ms. Seliga to approve the May 10, 2016 minutes as amended. By roll call vote, the motion passed 5-0.

**MINUTES FOR POSTING:****3. May 24, 2016**

Mr. Gaines motioned, seconded by Ms. Baker to post the May 24, 2016 minutes as amended. By roll call vote, the motion passed 5-0.

**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.*)

Ms. Yannich announced that comments will be held at three minutes.

Scott Vogin (2150 Lisa Drive) stated Ms. Yannich should resign from the Board of Supervisors.

Nick Plenzick (3154 Street Road) requested a copy of the complete email exchange sent by the supervisors and Dave Nyman relating to the hiring of a consultant to search for a township manager. Ms. Yannich stated this information is public record and referred to the township solicitor.

Danielle Blum (1700 Street Road) was concerned about the quality of the well water coming into her apartment. Ms. Yannich stated the Director of the Water and Sewer Department would contact and address her issues.

**PUBLIC HEARING:** None

**DECISIONS:** None

**OLD BUSINESS:**

**4. Discussion of Park Road and School Lane.**

David Gould, Esquire representing the neighborhood of Park Road and School Lane questioned the expedience of opening the road. Mr. Gould stated that prior to opening Park Road remedial measures should have been installed in order to provide safety to the neighborhood. Mr. Gould questioned Anderson Way connecting to Park Road. Mr. Clemons reviewed two letters from Mr. Gould and stated they were not accurate.

John VanLuvanee, Esquire stated there are no findings from prior Board to indicate Park Road was closed due to dangerous conditions. Mr. VanLuvanee agreed with the Planning Commission recommendations.

Barbara Coyle (2640 Fawn Lane) stated people are parking on Park Road and it is difficult to get through and feels this is a dangerous condition.

Tom Watkins (2512 Park Road) expressed his opinion that Park Road should not be open.

Carol Pastore (2434 Park Road) stated Park Road is not in good repair and presented pieces of asphalt from the road that ended up in her yard over the weekend.

Mike Kelly (135 Muirfield Lane) noted that Supervisor Hallowell voted for the zoning change and as a result, Anderson Way was built for the new development.

Al Pastore (2434 Park Road) stated he wasn't informed that the flashing lights at the Park Road intersection were turned on. Mr. Pastore requested counters on Park Road.

Mark Bartow (2488 Park Road) wanted to know the status of the traffic study. Mr. Zarko responded and addressed the status. Mr. Bartow did not agree with Mr. Zarko's assessment. Mr. Clemons said a traffic study was completed by the applicant when the High Grove development was being proposed. Ms. Yannich prepared a memorandum to the board July 2011 and voted against the ordinance to rezone due to increase in traffic.

Vince Evans (706 Barrington Court) voted on the opening of Park Road, as a member of the Planning Commission and agrees with his decision as a resident of the township.

Frank Peranteau (1356 School Lane) thanked the township for the new signs on School Lane. He also commented that a decision to open Park Road was in haste.

Nick Plencizk (3154 Street Road) stated a traffic study should have been completed before the High Grove development was approved.

Larissa Weiskopf (1263 School Lane) said Park Road was never closed at both ends and was only closed at the intersection of 611.

Ms. Yannich asked Mr. Zarko to present a report on improvements that have already been made to Park Road as a result of a meeting with the residents.

**5. Discussion of renaming Anderson Way.**

Ms. Yannich motioned, seconded by Mr. Gaines un-table the renaming of Anderson Way.

Mr. Gaines motioned, seconded by Ms. Baker to change Anderson Way to either Park Road or Park Road East. A vote was not taken. There was discussion by the Board. Ms. Yannich was a member of the Board when the naming of Anderson Way was decided upon through an email chain in July, 2014 before the plans were approved. Mrs. Achenbach and Mr. Hallowell responded to the email stating they were in favor of the loop road called "Anderson Way". The name of the road was not decided at a public meeting.

**Public Comments:**

An unnamed resident stated it was a waste of taxpayer's money to change the name.

Dr. Connie Ace (Chair of Historic Commission) commented that the naming of the loop road was discussed at a public Historic Commission meeting and the members recommended naming the road to honor a historic family. This conversation continued to the past Chairman of the Board of Supervisors.

Charles Rueger (1279 School Lane) stated not to change the name.

Mr. Hallowell questioned the cost involved to change the name.

Mr. Hallowell motioned, seconded by Ms. Baker to table the renaming of Anderson Way until the Board reviews the PennDOT plans. By roll call vote, the motion passed 5-0.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):**

**6. Consider authorization to reject the bid for Valley Road Pump Station and authorize to re-advertise the project.**

Mr. Zarko stated only one bid was received and exceeded the budgeted amount, therefore after consultation with department staff and the township manager, it is being recommended to reject the bid and authorize for a second bid advertisement. Mr. Hallowell motioned, seconded by Ms. Baker to reject the bid. After discussion, Ms. Seliga requested the bid to be placed on PennBID which is a free service. Mr. Luber stated the project was placed on PennBID and will be posted again to PennBID. The motion passed 5-0.

Mr. Zarko suggested sending notices out to local contractors notifying them of this project. Mr. Hallowell requested this suggestion to be added to the motion.

Mr. Gaines motioned, seconded by Ms. Seliga to re-advertise the bid for the Valley Road Pump Station and send out notices to local contractors. The motion passed unanimously 5-0.

**7. Consider for approval to hire a Financial Advisor for Capital Project Financing.**

Mr. Luber presented two quotes for professional services to hire a financial advisor for the capital project financing.

Ms. Baker motioned, seconded by Ms. Seliga to hire Concord Public Financial Advisors to be the Township's Financial Advisor for a \$6 million borrowing at a cost not to exceed \$5,000. By roll call vote, the motion passed 5-0.

**8. Authorization to advertise a Debt Ordinance.**

Mr. Clemons noted it was recommended by Bond Counsel to advertise a Debt Ordinance. Mr. Clemons further stated that Mr. Luber will consult with Bond Counsel to provide more documentation.

Ms. Yannich stated this item will be carried over to another agenda.

**9. Consider for approval Resolutions Declaring Default for Phase I and Phase II of the Warrington Ridge Development.**

Mr. Clemons said the township can draw down the bond from the financial securities. Mr. Clemons is waiting for the former engineer to provide cost estimates for both phases. Once this information is obtained, the resolutions can be completed.

Ms. Yannich stated this item will be addressed at the June 28, 2016 Board of Supervisors meeting.

**10. Memo from Water and Sewer Department regarding water conservation.**

Ms. Yannich received a memorandum from Christian Jones, Director of Water and Sewer requesting the residents to conserve water and place a notice on the website. Ms. Yannich read the four measures to be implemented.

Mr. Luber stated the township is able to maintain a normal supply of water due to the purchase of supplementary water from North Wales Water Authority. However on peak days, it is recommended that residents conserve and this notice will be posted on the website and will also appear in the next edition of the township's newsletter.

Liaison supervisor to the water and sewer department, Mr. Gaines noted the National Air Guard owes the township money from the contamination of wells. Mr. Gaines suggested for Mr. Jones to attend a meeting and present the options how to address and pay for the public wells that have been off-line.

**MANAGER'S REPORT**

**11. Change in 2016 Budgeted Capital Equipment for Public Works.**

Mr. Luber presented changes in the 2016 budgeted capital equipment purchases for the Public Works Department. The Director of Public Works requested that Xmark mowers and the Hook truck be eliminated and replace with two pick-up trucks costing \$2,000 less.

Mr. Hallowell motioned, seconded by Ms. Baker to approve the changes to the 2016 budgeted capital equipment purchases for public works. By roll call vote, the motion passed 5-0.

**12. Consider for approval Franchise Fee Settlement Agreement with Comcast Corporation.**



Mr. Lubber presented a settlement agreement with Comcast whereas Comcast owes the Township \$8411.01. This amount was determined by an audit performed by the Cohen Law Group. The Township Solicitor reviewed the agreement and found it to be acceptable.

Ms. Yannich motioned, seconded by Mr. Gaines to approve the Franchise Fee Settlement Agreement with the Comcast Corporation. The motion passed 5-0.

**13. Fee Schedule Change – Rental of Parking Facilities.**

Mr. Lubber presented a change to the fee schedule for the rental of parking facilities at the township's parks. It was recommended to add a rental fee of \$50 per three hour interval for a resident to use the township parking lot at the parks and \$65 for a non-resident.

Ms. Yannich motioned, seconded by Mr. Hollowell to approve the rental fee of parking lot facilities at a fee of \$50 per three hour interval for a Warrington Township resident and \$65 per three hour interval for a non-resident. The motion passed 5-0.

**14. Authorize advertisement for Request for Bidders for Tennis Court Reconstruction at Mary Barness Tennis & Swim Club.**

Mr. Zarko stated reconstruction of two existing tennis courts and the replacement of the existing chain link fence enclosure at the Mary Barness Tennis and Swim Club needs to be considered as a project. If authorization is approved to advertise by the Board, an ad will be placed requesting bidders to submit their bids to the Township by July 13<sup>th</sup>. Subsequently, award the bid at the July 26<sup>th</sup> Board of Supervisors meeting.

There is \$125,000 allocated for this project in the 2016 budget. Ms. Seliga requested this project to be advertised on Penn BID and was assured that it would be.

Ms. Yannich gave Mike Kelly (135 Muirfield Lane) a copy of the notice to advertise as bid openings are public.

Ms. Seliga motioned, seconded by Mr. Hollowell to authorize advertisement for request for bidders for the tennis court reconstruction and fencing replacement at Mary Barness Tennis and Swim Club. The motion passed 5-0.

**ENGINEER'S REPORT:**

**15. General Update**

Mr. Zarko updated the Board on the following issues:

- Willow Knoll development - post rail fencing has been installed along the detention basin.
- Willow Knoll development – unfinished restoration along Suzann Drive has been completed.
- SEPTA Bus Stops at BJ's and Walmart: SEPTA have agreed to relocate the bus stop closer to the signalized intersection for the pedestrian crossing. However, the one bus shelter is not owned by SEPTA and Mr. Zarko will coordinate with the owner of the shopping center to get this moved.
- Sight distance issues at Bristol Road and School Lane intersection: contact has been made with both property owners. The one property owner has complied but the other property owner needs to complete the work and the Township Engineer along with the Code Department will follow up.

- Bristol Road signage: install additional signage at Kelly Road to advise motorists that it is an alternate route to 611. PennDOT will consider the signage and follow up with the Township.
- Parking allowed at Kelly Road @ Warrington Ridge Development: roadway is wide enough to permit parking on one side however the striping doesn't give proper width for parking. Mr. Zarko suggests considering this item for the 2017 budget to correct the striping on Kelly Road.

### **SOLICITOR'S REPORT:**

#### Zoning Hearing Board Applications:

16. Stephen and Christina Dachowski, 596 Georgetown Lane (TMP 50-016-049), request for variance of Section 2314 of the Warrington Township Zoning Ordinance to allow an encroachment into a transition area adjacent to wetlands for the construction of a deck on the side of the existing residence.
17. Keith McGee, 1111 Princeton Court (TMP 50-026-202) request for a variance of Section 2309.C.(4) to allow a covered deck to encroach into the required rear yard setback.

Mr. Clemons noted that Staff is recommending not taking a position on either of these zoning requests. Ms. Yannich stated the position of the Board is not to take action.

#### **18. ESCROW AND MAINTENANCE BOND RELEASES: None**

#### **19. EXTENSION REQUESTS: None**

#### **DEDICATION REQUESTS: None**

### **SUPERVISOR COMMENTS:**

#### **a. Investment Performance Report dated March 31, 2016 from Pierce Park Group.**

Ms. Yannich removed this item from the agenda because the Township's Pension Board is going to report on the investment performance dated March 31, 2016 from the Pierce Park Group and submit a letter to the Board as to how the pension is allocated.

#### **b. Set date and time for Executive Session to review resumes pertaining to Township Manager position. Minutes will be taken.**

Ms. Yannich asked the board members to set a date and time to schedule the interviews for the township manager's position. Ms. Yannich suggested beginning at 5:00 PM and minutes will be taken. Mr. Clemons stated Mr. Nyman will schedule the interviews based on the selection made by the Board. Executive Session is being announced at this meeting and the purpose of the Executive Session is being announced. Ms. Yannich asked that the record show that the board members submit their recommendations to Mr. Nyman by June 17, 2016 and suggest to Mr. Nyman to schedule interviews for June 29 and/or June 30, 2016 @ 5:00 PM.

Ms. Yannich received a letter from Joseph Szafran, Director of the Bucks County Recorder of Deeds Office requesting a donation or placing an ad to honor Bucks County WWII veterans. Mr. Hollowell motioned, seconded by Ms. Seliga to donate \$100 to the Bucks County Recorder of Deeds in honor of the flight trip to Washington for the WWII veterans. The motion passed 5-0.

Mr. Hallowell showed Ms. Seliga the condition of the public works truck that is being replaced.

Mr. Gaines reported at the Warrington Springs development, with support from the Environmental Advisory Council, Public Works Department and Bucks County Soil Conservation District, that construction debris at the site was picked up by these workers. Mr. Gaines noted that the remaining debris is hazardous and suggests reaching out to the County to clean up this site which is owned by the County.

Mr. Gaines referenced Act 511 of 1965, a local state enabling act which prohibits seeking taxes on commercial establishments. Mr. Gaines suggested for the township solicitor to draft a resolution to the Bucks County Association of Township Officials (BCATO). BCATO will forward this resolution to the Pennsylvania State Association of Township Supervisors lobbying agency. Mr. Gaines motioned, seconded by Ms. Seliga to authorize the solicitor to prepare a resolution to BCATO to pursue the institution of a Mercantile Tax within the municipality. The motion passed 5-0.

Mr. Hallowell said the Special Equestrian Board is meeting Thursday, June 23, 2016 and stated the Special Equestrian Board is pleased that a member of the Board of Supervisors will be on their Board. The Special Equestrian Board meets on a quarterly basis. The Park and Recreation Board invited the Special Equestrian Board to be present at their July 28<sup>th</sup> meeting.

Charles Rueger (1279 School Lane) made a variety of comments during the meeting.

#### ADJOURNMENT

There being no further business Ms. Baker motioned, seconded by Mr. Gaines, to adjourn the meeting at 10:55 p.m. The motion passed 5-0.

Respectfully Submitted By:



Barbara J. Livrone, Township Secretary on behalf of  
Vivian Bell, Administrative Support Services



## Attachment "A"

Ladies and gentlemen I would like to read a statement about governing.

In the words of screenwriter, Aaron Sorkin, "Governing isn't easy". No one knows that better than I. For seventeen years I was employed in State and Local government I fully understand passionate positions of the public and hard decision of the governing bodies. As the chairwoman I am proud to say that the current board of supervisors is totally involved in fulfilling the obligation to which they were elected. Allow me to explain how this Board governs:

Carol Baker is the liaison to the Emergency Management Services Department. She regularly meets with the personnel of the fire company and will soon be sitting down with the staff fire fighters and volunteers at the Ambulance Company to make sure that we, as a board, are doing all that is possible to provide the public with accountability regarding public safety and funding management.

Carol also meets monthly with the Open Space and Land Preservation Task Force, is working on the draft Open Space Parks and Recreation Plan. She is a member of the Warrington Day Committee and regularly attends Planning Commission meetings as a spectator. Just last week Carol went to a sixth grade class at Mill Creek School to meet a student who would like to start a program of collecting clothing for Warrington families.

Matt Hallowell is the Board's contact to the Public Works Department and the Parks and Recreation Board. Matt has volunteered to sit on the Board of Directors of the Special Equestrian Center to report back to us the details we need to know regarding maintenance of this public facility as we address the upcoming budget.

Millie Seliga, is liaison to the Police Department and is fully involved not only in public safety, but also to the point of proposing a revision to towing charges at the request of a concerned citizen. Millie is involved in all things financial; she works with Barry Lubber to iron out every detail that pertains to the budget and expenditures. Mr. Lubber knows he can enlist the advice of Millie on financial matters. The public will remember how out spoken and thoroughly involved Millie was in the research of spending Township money for the LED Project. Millie meets monthly with the Warrington Historic Commission.

Fred Gaines, wears the most hats on this board. He is the liaison to the Water and Sewer Department, mentor to our new Director, Christian Jones, and the public face to the inquiries about safe water. Fred attempts to attend every public meeting wherein the matters involving the Naval Base in Horsham is discussed. The entire board is kept abreast of the outcomes of those meetings.

Fred is on the Planning Commission, attends the Trails Study Committee under the supervision of the Bike and Hike Committee and is an active participant at the monthly Environmental Advisory Council meetings. Fred worked with the residents of Warrington Springs, our EAC, the Bucks County Conservation District and our Public Works Director and accomplished ridding the community of a mosquito breeding area. Fred's volunteer service spans picking up pizzas for the 170 students planting flowers on Community Day to assisting Carol by attending the Ambulance Company Board of Director's meetings in her absence.

I stand before you on my reputation.

In response to the voters this Board has radically changed the way Warrington is being governed. The Board is easily approachable and responsive to the populace of Warrington Township. Residents' phone calls are returned, emails are answered. Solutions to solve a citizen's concern are rapidly forthcoming. This Board is interactive during public meetings expressing opinions and gathering information to make an educated decision when voting.

The recent charge of misconduct brought against four of us has heightened our awareness of proper procedures it has not dampened our enthusiasm to serve. On the contrary, we are more diligent, more involved and harder working for all our constituents.

Roman Statesman Marcus Cicero expressed it best, the administration of government, like guardianship, ought to be directed for the good of those who place that trust in us, not for those of us who receive that trust.<sup>1</sup>

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<sup>1</sup> Translated from Italian.