



WARRINGTON BOARD OF SUPERVISORS MINUTES FOR OCTOBER 25, 2016

The written minutes are a summary of the October 25, 2016 Board of Supervisors meeting. For a complete dialog visit the Township's website, www.warringtontownship.org.

ATTENDANCE

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

CALL TO ORDER: Ms. Yannich opened the meeting at 7:33 P.M. and stated all Board members were present and that the video should be working.

PLEDGE OF ALLEGIANCE

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

Ms. Yannich announced the first scheduled and advertised Board of Supervisors meeting for November will be Tuesday, November 22, 2016. The November 8th meeting was cancelled due to District 1 voting at the Township building.

Ms. Yannich announced new members have joined the Veteran Affairs Committee (VAC). On Friday, November 11, 2016, the VAC will host their first annual Veterans Day Ceremony. The ceremony will take place at the flag pole of the Township's Administration Building starting at noon. A wreath will be placed in front of the flag pole. Invited to show respect to the Veterans are EMS, Board of Supervisors, Township staff and the public.

Ms. Yannich stated the Communications Advisory Board reported for the months of July, August and September, 2016, 6,031 people have viewed the Board of Supervisors meetings on-line. In August, 2016 for the water contamination meeting, 1,090 people viewed the meeting and 1,450 the day after this meeting.

Ms. Yannich noted that Agenda Items # 12 and 14 will be moved to the beginning of the meeting.

EXECUTIVE SESSION: Ms. Yannich stated the Board discussed a personnel matter with the Police Department during executive session.

MS4 STORMWATER UPDATE PRESENTATION

Tom Zarko, P.E., Executive Vice President, CKS Engineers, Inc., gave an overview of the new MS4 requirements and introduced Mary R. Stover, P.E., Manager of the MS4 program, CKS Engineers, Inc. Ms. Stover reported in 2018, a MS4 permit is required from the EPA and DEP for discharges from municipal separate storm sewer systems. Applications are due September 16, 2017 with the permit period starting March 16, 2018 for five years.

An Ordinance from the Township will be required. The plan will be presented at an advertised public meeting either in July or August of 2017. No building permit will be issued for sites with one acre or more disturbances

unless they have an NPDES permit. The Bucks County Conservation District must be notified of receiving an application with one acre or more of earth disturbance.

APPROVAL OF BILL LIST:

1. October 19, 2016 – October 25, 2016: \$ 1,327,223.24

Ms. Seliga motioned, seconded by Ms. Baker to approve the bill list from October 19, 2016 through October 25, 2016 totaling \$1,327,223.24. By roll call vote, the motion passed 5-0.

APPROVAL OF MINUTES:

2. September 27, 2016 Work Session

Ms. Baker motioned, seconded by Ms. Seliga to approve the September 27, 2016 work session minutes. All were in favor and the motion passed 5-0.

3. September 27, 2016

Mr. Hallowell motioned, seconded by Ms. Seliga to approve the September 27, 2016 Board of Supervisors minutes. All were in favor and the motion passed 5-0.

MINUTES FOR POSTING:

4. October 18, 2016

In order for the Board to review the October 18th meeting minutes, these minutes will be carried forth to the November 22nd meeting for posting as requested by Ms. Yannich and Ms. Seliga. Ms. Yannich noted a correction to the minutes.

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.*)

The following residents gave public comment:

- Mike Kelly (135 Muirfield Lane) asked if the Township can't regulate firearms due to State regulations. Mr. Clemons responded by stating a 1958 ordinance prohibited firearms within the Township, however State laws supersede the Ordinance. Ms. Baker stated some Townships are passing Resolutions which support the prohibition of firearms but are superseded by State laws.
- Gary Mauz (879 Euclid) stated bow hunting at John Paul Park at Lower Nike was allowed many years ago.
- Frank Peranteau (1356 School Lane) thanked the Board of Supervisors for installing the speed humps on Park road and School Lane. Mr. Peranteau noted that a person has the right to bear arms, however he/she needs a permit to conceal guns.

PUBLIC HEARING: None

OLD BUSINESS:**5. Water Supply Update.**

Ms. Yannich reported the Township is working with the ANG on a draft amendment to the cooperative agreement. This amendment is proposing approximately \$15 million in funding and has included \$490,000 to reimburse affected customers for pressure reducing valves installed as a result of pressure increase over the past summer. The township met with legislators regarding possible legislation to further address the PFAS contamination situation in our region.

Mr. Lubber and staff met with the ATSDR to discuss the Township's public water system and to provide them with information to determine if follow-up health activities are warranted.

6. Consider for approval the Land Development and Financial Agreement for Valley Gate Hotel.

Ms. Yannich stated the Board was briefed at the October 18th by the Solicitor who described the background; improvements; inspections and developers obligations during construction; financial security and reimbursement to the Township; insurance, responsibility and hold harmless and special clauses. Ms. Yannich noted two small errors and Mr. Clemons made the corrections. Ms. Yannich questioned the hours of operation and Mr. Gaines noted per Ordinance, they must abide by the hours of operation Monday through Saturday.

Public Comment:

- Mike Kelly (135 Muirfield Lane) asked the name of the chain of the hotel. Mr. Lubber responded by saying the hotel chain is not known.

Ms. Baker motioned, seconded by Mr. Gaines to approve the Land Development and Financial Agreement for the Valley Gate Hotel. All were in favor and the motion passed 5-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**7. Consider for action of High Grove Manor Amended Final Site Plan.**

Kim Freimuth, Partner, Fox Rothschild, LLP, introduced the project and asked for feedback from the Board of Supervisors before going back to the Township Planning Commission for another review. Being proposed is a gas station plus a convenience store. This will be the first proposed Blue Apple gas/convenience store in the area. Also present was Project Engineer, Chris Jenson.

Ms. Freimuth stated they will submit a written letter granting a thirty day extension beyond November 2nd.

The Board asked Ms. Freimuth to provide some items when considering the preliminary/final plan, i.e., LED site lighting, Agreement of Sale from Blue Apple; bike rack; plantings/species are in accordance with the Township's landscape ordinance; check on the number of parking spaces; provide safe crossings to the convenience store and inform the developer not to have trucks travel on Park Road while construction is taking place. Ms. Yannich stated \$24,000 of taxpayer money has gone to the mitigation of Park Road.

Public Comment:

- Mark Barto (2488 Park Road) inquired about commercial traffic from Park Road to Anderson Way. Mr. Clemons responded that a traffic study and impact of traffic calming measures will be presented to the Board.

- Gina Bigelow (2470 Park Road) asked how many pumps being proposed, hours of operation and LED lights projecting a glare. She also asked if there is additional traffic, is there recourse to ask the developer to pay for the traffic study.

Ms. Yannich stated the application for High Grove Manor amended final site plan will go back to the Township Planning Commission for review and then will be presented to the Board of Supervisors at a public meeting for approval.

The applicant offered to grant an extension of time until December 2, 2016.

8. Consider adoption of Resolution for Bucks County 2016 Hazard Mitigation Plan.

Ms. Yannich gave background information on the Hazard Mitigation Plan. The Bucks County Commissioners adopted the Hazard Mitigation Plan and staff from Warrington Township was represented to draft the final plan. Adoption of a Hazard Mitigation Plan outlining the processes for identifying the Township's natural hazards, risks and vulnerabilities is required under Section 322 of the Disaster Mitigation Act of 2000 in order for Warrington Township to be eligible for federal disaster insurance.

Mr. Gaines motioned, seconded by Ms. Seliga to adopt a Resolution for the Bucks County 2016 Hazard Mitigation Plan. All were in favor, the motion passed 5-0.

9. Consider approval of 2016/2017 Bucks County Consortium Salt Bid.

Ms. Yannich stated the salt bid for the Township was coordinated by the Bucks County Consortium. Three bids were received and the lowest bid came from Morton Salt, Inc. at a price per ton delivered at \$56.13.

Mr. Hallowell motioned, seconded by Ms. Seliga to approve and award the bid to Morton Salt, Inc., at a price of \$56.13 per ton. All were in favor, the motion passed 5-0.

10. Consider authorization of advertisement of an Ordinance to restrict stopping, standing, and discharging of passengers during school hours.

Ms. Yannich stated several signs prohibiting parking; stopping and discharging of passengers were found during school hours in the Palomino Drive/Barclay Elementary School area. The police department cannot enforce these signs because there is no Ordinance on file. The Board received a memorandum from Roy Rieder proposing an Ordinance to establish the parking restrictions for this area.

Mr. Gaines requested the residents be notified before the enforcement takes place. Ms. Baker requested that Barclay Elementary School be notified of the Ordinance.

Ms. Seliga motioned, seconded by Ms. Baker to authorize advertisement of an Ordinance to restrict stopping, standing, and discharging of passengers during school hours in the vicinity of Barclay Elementary School. All were in favor, the motion passed 5-0.

11. Consider approval and Resolution for the Lester Minor Subdivision Plan (Elbow Lane & Anna Street).

Paul L. Neyhart II, RLA from Eustace Engineering addressed the waivers presented in a CKS, Engineers, Inc., letter dated October 21st. The proposed development of a one single family dwelling has minimal impact on the environment. Mr. Neyhart confirmed there will be no further development to Lot 2 after approval. The grinder pump was confirmed to be placed outside. An additional waiver to add the outflow pipe with a minimum diameter of 18 inches from Section 319.2.C.15 was agreed upon by the Board.

Ms. Seliga motioned, seconded by Ms. Baker to approve the application and Resolution with the addition of the additional waiver from Section 319.2.C.15. A roll call vote, the motion passed 5-0.

12. Consider approval of an agreement for Mass Notification System.

Mr. Gaines reported the "Mass Notification System" is an unfunded mandate through the PA DEP. Representing GeoDecisions, a division of Gannett Fleming, Inc., was Jonathan Greiner, Project Manager. Mr. Greiner presented the agreement to the Board and stated the system can deliver 150,000 email and text messages that are linked to a GIS mapping system. This will be used for emergency notifications and can also be used for customer service notifications (i.e. hydrant flushing).

Mr. Lubber stated he interviewed another firm but they were more expensive and did not provide the same service. Mr. Lubber said staff will draft a policy for the Board to adopt usage of the system. Mr. Clemons explained the addendum to the software license and services agreement.

Public Comment:

Connie Ace (1067 Folly Road) commented that this would be a good method to notify residents who have wells in rural areas.

Mr. Gaines motioned, seconded by Mr. Hallowell to approve the agreement and the addendum to the software license and services agreement. All were in favor, the motion passed 5-0.

13. Discussion of COLA adjustment for Police Officers.

Ms. Yannich reported on a request for cost of living adjustment (COLA) for police retirees and summarized the background. Mr. Lubber stated the last COLA increase was 2009/2010. After discussion, the Board recommended not granting a COLA for police retirees due to the financial impact to the budget.

Public Comment:

- Mike McGeehen (1099 Lincoln Court) stated as the Township Auditor, he does not recommend the COLA.

Ms. Seliga motioned, seconded by Mr. Gaines to deny the COLA increase to police retirees. By roll call vote, the motion passed 5-0.

14. Consider approval of police personnel action agreement.

Chief Dan Friel reported on a disciplinary action relating to an officer. An agreement between the Township and the Warrington Township Police Benevolent Association was reached.

Chief Friel requested the Board to approve the agreement regarding a police officer's disciplinary case. Chief Friel also recommended to the Board to permit the Township Manager to execute the agreement on behalf of the Township with the Police Benevolent Association. Mr. Gaines motioned, seconded by Mr. Hallowell for the Township Manager to sign the agreement as presented. All were in favor, the motion passed 5-0.

15. Consider approval of Resolution for Warrington; PA Small Water & Sewer Grant Application.

Mr. Zarko reported that the Township will be submitting an application to the Pennsylvania Department of Community and Economic Development and the Commonwealth Financing Authority for grant funding available under the Pennsylvania Water and Sewer Grant Program. The grant funding is for the rehabilitation of the existing Warrington Oaks Sewage Pumping Station. The total project cost is estimated at \$345,000 and the Township will provide fifteen percent of the project funding as required by the grant.

Mr. Lubber prepared a commitment letter for the fifteen percent matching fund.

Ms. Seliga motioned, seconded by Mr. Gaines to approve the Resolution for Warrington; PA Small Water and Sewer Program Grant. All were in favor, the motion passed 5-0.

16. Consider approval of Resolution indicating intent to follow Municipal Records Schedule.

Mr. Lubber stated the Township is adopting the latest version of the municipal records schedule following the most recent law from the Pennsylvania Historical and Museum Commission Bureau of Archives and History.

Ms. Baker motioned, seconded by Mr. Hallowell to approve a Resolution indicating intent to follow the Municipal Records Schedule. All were in favor, the motion passed 5-0.

17. Authorize Solicitor to prepare an amendment to Part 4, Sections 411, 437, 447 and 457 of the Zoning Ordinance to restrict use of TDRs to single family homes.

Mr. Gaines stated the need to restructure the Zoning Ordinance to restrict use of TDRs to single family dwellings. Mr. Gaines asked the Township Solicitor to review the sections pertaining to these TDRs.

The Board requested additional information to be presented (i.e., map, etc.)

Mr. Hallowell motioned, seconded by Ms. Seliga to table the preparation of an amendment to Part 4, Sections 411, 437, 447 and 457 of the Zoning Ordinance to restrict the use of TDRs to single family homes. All were in favor, the motion passed 5-0.

18. Authorize Solicitor to prepare an amendment to Part 16, the Central Business District of the Zoning Ordinance to prohibit 'big box' stores within that district.

Ms. Yannich requested the Township Solicitor to prepare an amendment to prohibit 'big box' stores within the Central Business District. Mr. Gaines stated more police are required and more traffic is created as a result of the 'big box' stores in this district. "Big box" refers a commercial retail operation. Ms. Yannich further explained the three (3) uses and the areas that encompass these uses.

Mr. Gaines motioned, seconded by Ms. Baker to authorize the Solicitor to prepare an amendment to Part 16, the Central Bucks District of the Zoning Ordinance to prohibit 'big box' stores within that district. All were in favor, the motion passed 5-0.

19. Consider appointment of Bill Connolly as a full member of the Warrington Township Planning Commission.

Mr. Gaines reported that Nancy Beresovoy resigned from the Planning Commission and requested to establish Bill Connolly as a full-time member of the Planning Commission. Currently, Mr. Connolly was serving as an alternate member.

Ms. Baker motioned, seconded by Ms. Yannich to appoint Bill Connolly as a full time member of the Warrington Township Planning Commission. All were in favor and the motion passed 5-0.

Ms. Yannich discussed legal representation for the Planning Commission and also a memo submitted by the Planning Commission relating to "creeping subdivisions". The Township Solicitor becomes counsel to the Planning Commission. Ms. Yannich requested authorization for Terry Clemons to prepare an Ordinance regarding "creeping subdivisions".

Mr. Gaines motioned, seconded by Ms. Seliga to authorize the Township Solicitor to prepare an Ordinance for the Planning Commission to submit to the Board of Supervisors relating to "creeping subdivisions." All were in favor and the motion passed 5-0.

MANAGER'S REPORT:**20. Discussion for a Recruitment Policy.**

Mr. Lubber created a recruitment policy that outlines the steps to be taken to find the best candidate to fill a job vacancy and dictates the process to be used for the hiring process. This policy will be included in the Personnel Policy.

Mr. Gaines motioned, seconded by Ms. Baker to approve the Township Recruitment Policy. The motion passed 4-1 with Ms. Seliga opposing.

21. Consider for approval the utilization of up to \$270,000 of Delaware Valley Health Insurance Trust (DVHIT) in Rate Stabilization Funds in 2017 to reduce health care costs.

Mr. Lubber recommended utilizing up to \$270,000 of the rate stabilization fund to reduce health premium costs for 2017 which will assist in balancing the 2017 proposed budget. The Township has until November 30, 2016 to notify DVHIT how much to withdraw from this fund.

Ms. Seliga stated the Township should cut back on expenses and suggested a maximum withdrawal amount of \$200,000.

Mr. Gaines motioned, seconded by Ms. Baker to approve the utilization of up to \$270,000 of Delaware Valley Health Insurance Trust (DVHIT) in Rate Stabilization Funds in 2017 to reduce health care costs. The motion passed 4-1 with Ms. Seliga opposing.

22. Consider for approval 2016/2017 Audit with Maillie, LLP.

Mr. Lubber asked for approval to continue the 2016/2017 audit with Maillie, LLP. There is no increase for their service for the 2016 audit. The fee remains at \$30,500.

Mr. Gaines motioned, seconded by Ms. Baker to the audit for one year with Maillie, LLP. All were in favor, the motion passed 5-0.

23. Discuss a 50% discount off a membership or daily passes for township employees at the Mary Barness Tennis and Swim Club.

Ms. Yannich requested input from the public regarding the membership discount from the public but did not receive any. The discount is for full-time Township employees off of a family membership, individual membership or daily passes to the Mary Barness Tennis and Swim Club.

Ms. Baker motioned, seconded by Mr. Gaines to authorize a 50% discount off of a membership or daily passes for full-time Township employees at the Mary Barness Tennis and Swim Club. All were in favor, the motion passed 5-0.

24. Discuss Firearms Ordinance.

Ms. Yannich reported there is no Firearm Ordinance at this time. Ms. Seliga stated this is a national issue.

25. Consider for approval the hiring of a Finance Director.

Mr. Lubber recommended the hiring of Cassandra Williams who is a CPA and an attorney for the position as Finance Director for Warrington Township.

Ms. Yannich approved the hiring of Cassandra Williams at a salary of \$96,000.

Mr. Gaines motioned, seconded by Ms. Seliga to approve the hiring of Cassandra Williams as Finance Director for Warrington Township. All were in favor and the motion passed 5-0.

26. ENGINEER'S REPORT:

a. General Update

Mr. Zarko reported on the 2016 Road Program and Park Road School Lane speed humps. Mr. Zarko also reported on the subdivision and land development, public improvement projects and general engineering activities status reports for the month of October, 2016. Mr. Zarko also reported on the public improvement projects and general engineering activities status reports for the water and sewer department for the month of October 2016.

b. Truck Restriction Study Proposal for Pickertown and Folly Roads

Mr. Zarko reported on the study proposal for Pickertown and Folly Roads. He stated the costs for Phase I (Geometric Review) and Phase II (Structural Review) at a cost of \$4200 each for Phase I and for Phase II – Pickertown Road \$15,000 and Folly Road \$12,000.

Mr. Zarko recommended starting with Phase I of the study proposal.

Ms. Seliga motioned, seconded by Mr. Hallowell to approve Phase I of the truck restriction study proposal for Pickertown and Folly Roads. All were in favor and the motion passed 5-0.

Public Comment:

Connie Ace (1067 Folly Road) stated the intersection at Pickertown and Folly Roads are problems for large trucks. These large trucks drive on the sidewalks when turning.

John McConnell (206 Trellis Drive) stated even though the signs say truck traffic 6:00 a.m., they are traveling on Pickertown Road before 6:00 a.m.

Mr. Hallowell met with Joe Knox and Roy Rieder to discuss the repair of the walkways at Central Bucks High School South. They suggested contacting Victory Gardens to repave the area for the students to walk on.

27. SOLICITOR'S REPORT: Mr. Clemons did not have a report.

28. ESCROW AND MAINTENANCE BOND RELEASES: None

29. EXTENSION REQUESTS: None

DEDICATION REQUESTS: None

SUPERVISOR COMMENTS:

Ms. Yannich read a letter from Eureka Stone Quarry advising the Board of Supervisors that they have submitted an application for General Plan Approval with the State of Pennsylvania to install and operate a portable crushing plant used for crushing reclaimed asphalt product.

Mr. Zarko stated that he will review the application.

Mr. Gaines suggested forwarding the letter to the Environmental Advisory Council.

Ms. Seliga questioned white LED lights verses yellow LED lights. Mr. Lubber suggested going on a field trip to Cheltenham Township to view their LED lights. Mr. Zarko suggested that the township lighting consultant attend the trip.

Mr. Lubber showed pictures from the new and improved speed humps on Park Road. He also showed pictures from the paving on Pickertown Road towards Stump Road.

ADJOURNMENT

There being no further business Ms. Baker motioned, seconded by Ms. Yannich to adjourn the meeting at 11:10 p.m.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary