



**WARRINGTON BOARD OF SUPERVISORS
MINUTES FOR DECEMBER 13, 2016**

The written minutes are a summary of the December 13, 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 and Matthew H. Hallowell, Sr., Member. Fred R. Gaines, Member attended the meeting via skype. Staff present was Barry P. Lubert, Township Manager/Assistant Township Manager /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 7:30 P.M and stated Supervisor member Fred Gaines was skyping from Texas. Ms. Yannich also thanked Stated Representative Kathy Watson for attending the meeting.

PLEDGE OF ALLEGIANCE

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

EXECUTIVE SESSION: Ms. Yannich stated the Board did not have an executive session.

Mr. Lubert commended the Warrington Township Police Department and Target in Warrington for implementing the first annual "Shop with a Cop" event. Twelve (12) police officers volunteered their time to make arts and crafts and shop with under privileged children residing in Warrington. Target gave each child a gift card to buy gifts for their families to give during the holiday season. Each police officer helped the children select their gifts.

PRESENTATION BY WARRINGTON LIONS CLUB AND CELEBRATION OF 75TH ANNIVERSARY

Ms. Yannich introduced Warrington Lions Club member, James Furlong to speak about the Warrington Lions Club. Mr. Furlong stated the Warrington Lions Club was chartered on Pearl Harbor Day, December 7, 1941 and is celebrating the Club's 75th anniversary. Mr. Furlong gave background information on the Lions Club and the Warrington Lions Club. Mr. Furlong announced the largest project ever taken on by the Warrington Lions Club. A cooperative effort between Warrington Township and the Warrington Lions Club will be the construction of a destination playground with distinct areas for children of all ages and needs, from toddlers to senior citizens. Warrington Lions Club is spearheading the project with a donation in the amount of \$150,000.

Ann Toole, Toole Recreation Planning assisted by Ivy Ross held a workshop at Titus Elementary and received sketches and ideas from a 5th Grade class. The children named the project "Lions Pride". Titus fifth grader, Mike Finlaw spoke about the project to the Board and public.

Also present was State Representative Kathy Watson who commended the Warrington Lions Club for their donation to the Township.

Ms. Baker read Proclamation Resolution No. 2016-R-58 which was resolved and adopted by the Board on December 13, 2016.

APPROVAL OF BILL LIST:**1. November 23, 2016 – December 13, 2016: \$ 916,695.90**

Ms. Seliga motioned, seconded by Mr. Hallowell to approve the bill list from November 23, 2016 through December 13, 2016 totaling \$916,695.00. By roll call vote, the motion passed 5-0.

APPROVAL OF MINUTES:**2. October 18, 2016**

Ms. Yannich noted all five supervisors were in attendance.

Mr. Gaines motioned, seconded by Ms. Baker to approve the October 18, 2016 minutes. All were in favor and the motion passed 5-0.

3. October 25, 2016 Work Session

Ms. Yannich noted all five supervisors were in attendance.

Mr. Gaines motioned, seconded by Ms. Baker to approve the October 25, 2016 Work Session minutes. All were in favor and the motion passed 5-0.

4. October 25, 2016

Ms. Yannich noted all five supervisors were in attendance.

Mr. Gaines motioned, seconded by Ms. Baker to approve the October 25, 2016 minutes. All were in favor and the motion passed 5-0.

MINUTES FOR POSTING:**5. November 22, 2016 Work Session**

Ms. Yannich noted all five supervisors were in attendance.

Mr. Gaines motioned, seconded by Ms. Baker to approve the November 22, 2016 Work Session minutes. All were in favor and the motion passed 5-0.

6. November 22, 2016

Ms. Yannich noted all five supervisors were in attendance.

Mr. Gaines motioned, seconded by Ms. Baker to approve the November 22, 2016 minutes. All were in favor and 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.*)

The following residents gave public comment:

- Robert and Bernadette Colasanto (2145 Maple Avenue) concerned about the drainage and run-off to his property from the development of 2166 Street Road. He also stated he should have been notified about the project.

Ms. Yannich stated under the Municipalities Planning Code, there is no requirement for a municipality to individually provide notice to adjacent property owners of land development applications or subdivision applications.

Mr. Zarko stated the project was approved in 2009 or 2010. There is money in an escrow account and CKS Engineers, Inc. will monitor the system.

Mr. Clemons stated under the Municipalities Planning Code, after completion of a development, there is an 18 month maintenance agreement which is part of the developers agreement.

The Board asked Mr. Luber to follow up with the resident.

- John McConnell (206 Trellis Drive) asked if there was an expiration of a plan.

Mr. Clemons stated the Pennsylvania Permits Extension Act was enacted after 2166 Street Road State Farm development was approved, therefore, the Permit Extension Act does not apply to this project.

PUBLIC HEARING: None

CONSENT ITEMS:

Ms. Yannich explained "Consent Items" which will be a new agenda category to the Board meetings. The purpose of the consent items line item is to streamline and conduct the Board meetings in a more efficient matter. Ms. Yannich will ask for a motion to approve all items listed under consent. At that time, any Board member can request that a specific item or items be removed from the Consent agenda for further discussion.

Ms. Yannich read each of the following consent items:

7. Consider approval contract with Hometown Press for 2017.

Hometown Press produces the quarterly newsletter, *The Link* at no cost to the taxpayer.

8. Consider appointment Kay Fairs to the Environmental Advisory Council.

Kay Fairs, who is currently a member of the Bike and Hike Trails Committee, requested to represent the Bike and Hike Trails committee and serve on the Environmental Advisory Council.

9. Consider approval to advertise to amend Ordinance to reduce speed limit on Bradley Road to 15 mph.

This item and agenda item # 18 are to be advertised together as one Ordinance. The Ordinance reduces the speed limit on Bradley Road between Folly Road and a point approximately 550 feet northwest of the intersection of Bradley Road and Barton Lane from 25 miles per hour to 15 miles per hour and prohibits certain classes of vehicles on Bradley Road for its entire length. This action is being taken following the receipt of an engineering review from the Township's Engineer and input from the Chief of Police.

10. Consider approval of Resolution establishing the Open Space and Land Use Preservation Task Force a permanent committee.

The Open Space and Land Use Preservation Task Force's prior term was one year. The committee is requesting to be a permanent committee. Chair Ruth Schemm supports the Resolution to establish the Open Space and Land Use Preservation Task Force as a permanent committee.

11. Escrow Release: Meridian at Valley Square – Parcel H – Certificate of Completion # 6: \$53,115.70.

Ms. Yannich recused herself from voting on the Meridian at Valley Square Parcel H Certificate of Completion # 6.

The Township Engineer confirmed all items included within the developer's request have been completed.

12. Escrow Release: MM Storage – Certificate of Completion # 1: \$526,590.78.

The Township Engineer confirmed all items included within the developer's request have been completed.

Mr. Gaines motioned, seconded by Ms. Baker to approve Consent Items 7 through and including 12. Ms. Yannich recused herself from Consent Item # 11. All were in favor and the motion passed 5-0.

OLD BUSINESS:**13. Consider approval of the 2017 Proposed Budget.**

Mr. Luber explained the proposed 2017 budget gap alternatives. Staff recommended a 1.2 mil increase and \$180,000 withdraw from DVHIT "Rainy Day Fund". Option # 1 is a .5 mil tax increase with a \$390,000 drawdown from DVHIT "Rainy Day Fund". Option #2 is a .5 mil tax increase with a \$345,000 drawdown from DVHIT "Rainy Day Fund".

Ms. Baker noted that a .5 mil increase, based on the average assessment would be approximately an increase of \$18.12 per household. The .5 mil tax pays for the debt service.

The 2017 budget includes the hiring of two police officers and two water and sewer employees. The \$300,000 of \$600,000 open space funds will be paid back in 2017.

Ms. Seliga requested for the Township to generate revenue through the Homestead Act and possibly institute the business privilege tax.

Mr. Luber stated the \$45,000 drawdown between Option # 1 and 2 would be made up from the increase in the earned income tax.

Mr. Luber thanked Amy Organek for the countless hours she spent working on the budget and to all department heads.

Mr. Luber introduced Cassandra Williams as Warrington Township's Finance Director. Ms. Williams is a CPA and also an attorney.

Ms. Seliga motioned, seconded by Mr. Gaines to approve Option # 2 for the 2017 Budget which includes a .5 mil tax increase and a drawdown of \$345,000 from the DVHIT "Rainy Day Fund". By roll call vote, the motion passed 4-1, with Mr. Hallowell voting for Option #1.

14. Water Supply Update.

Ms. Yannich explained Director of Water and Sewer Department, Christian Jones' memorandum addressed to the Board. The new Water Supply Agreement between Warrington Township and North Wales Water Authority will be signed December 14, 2016. Mr. Jones attended a meeting with Warminster Municipal Authority and Horsham Water and Sewer Authority. All parties agreed to support proposed legislation and reach to State Senators and Representatives for their support.

15. Consider approval of Final Draft to Second Amendment of the Cooperative Agreement.

Ms. Yannich stated a memo dated December 9th from Christian Jones along with a copy of the ANG CA Amendment # 2 was sent to the Board. Ms. Yannich noted that State Representative Kathy Watson and Barry Luber met with other legislative representatives and authorities. Ms. Yannich thanked State Representative Kathy Watson for representing the Township.

Mr. Luber stated the agreement and the amendment to the agreement have been signed but that the Township is still seeking reimbursement from the Federal government, if the State adopts stricter rules.

State Representative Kathy Watson spoke about the State and Federal levels regarding EPA drinking water standards. Ms. Watson stated that she and State Representative Bernie O'Neill are working on legislation to get around the EPA drinking water standards in order for the Federal government to pay. Ms. Watson and Mr. O'Neill will be introducing legislation in 2017.

Mr. Clemons stated the amended agreement extends over five years and adds an additional \$9,000,000 to compensate for loss of use of water supply for Wells #1, #2, #3, #6 and #9 due to the presence of PFOS and/or PFOA at or above the Health Advisory Level.

Ms. Seliga inquired if the Township could request additional funding from the Federal government and Mr. Clemons responded that the Township is able to do so.

Ms. Baker and Mr. Gaines inquired about private well testing and additional well testing.

Ms. Baker motioned, seconded by Mr. Hallowell to approve the Final Draft to the Second Amendment of the Cooperative Agreement. All were in favor and the motion passed 5-0.

16. Consider adoption of Resolution to approve Preliminary/Final for Blue Apple Trade, Inc., Lot #2, TMP# 50-025-019 (High Grove Manor).

Ms. Yannich stated there will no longer be an extension period. The application for the Blue Apple Trade, Inc., Lot # 2 application has already been approved by the Board.

Ms. Seliga inquired about the financial security agreement and Mr. Clemons explained the procedure implementing financial security agreements. Mr. Clemons noted a ten percent contingency was added to the financial security agreement.

Mr. Gaines motioned, seconded by Ms. Yannich to approve the amended Preliminary and Final Land Development Plans of Blue Apple Trade, Inc. for Lot #2, TMP # 50-025-019 (High Grove Manor). All were in favor and the motion passed 5-0.

17. Discuss public improvements for Lingo 7-lot subdivision on Stump Road.

Rob Gundlach, Esquire, representing the applicant, MDG3, LLC has entered into an agreement of sale to purchase TMP # 50-004-100, 5.64+ acres on Stump Road. Mr. Gundlach cited a resolution from 2010. Mr. Gundlach agreed to install all of the improvements (i.e. basins, roadwork, utilities, etc.). Mr. Zarko stated the subdivision still needs a stormwater permit. Mr. Gaines requested that the street trees and landscape all conform to the new criteria. Mr. Clemons advised the Board to obtain posting of escrow before commencement of construction.

Mr. Hallowell motioned, seconded by Ms. Yannich to grant a waiver to Section 505 of the Subdivision and Land Development Ordinance. After discussion, Ms. Yannich requested a roll call vote. Mr. Hallowell and Mr. Gaines voted yes; Ms. Baker, Ms. Seliga and Ms. Yannich voted not in favor. Therefore, the roll call motion was denied 3-2.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):**18. Consider approval to advertise Ordinance to restrict trucks on Bradley Road.**

This item and agenda item # 9 are to be advertised together as one Ordinance. The Ordinance reduces the speed limit on Bradley Road between Folly Road and a point approximately 550 feet northwest of the intersection of Bradley Road and Barton Lane from 25 miles per hour to 15 miles per hour and prohibits certain classes of vehicles on Bradley Road for its entire length. This action is being taken following the receipt of an engineering review from the Township's Engineer and input from the Chief of Police.

MANAGER'S REPORT:**19. Consider approval of Cobrahead wattage and dedicated light fixtures.**

Mr. Luber and two members of the Board went to Middletown Township and met with Johnson Controls to view the wattages and fixtures. Some of the other Board members went on their own to view the light fixtures.

Public Comment:

Dr. Connie Ace (1067 Folly Road) questioned if farm lights would be affected? Mr. Luber responded by stating no added lights will be installed to farmland areas. Dr. Ace also stated that the Historic Commission expresses concerns about light pollution.

Mike Kelly (135 Muirfield Lane) commented on newer LED lights.

Mr. Luber read an email from Chief Friel expressing his views on behalf of the Police Department.

Mr. Hallowell motioned, seconded by Ms. Seliga to approve white Cobraheads and 4,000 K LED color temperatures in non-residential areas; yellow Cobraheads and 3,000k LED color temperatures in residential areas. All decorative colonial fixture wattages will be 40W yellow. All were in favor and the motion passed 5-0.

20. ENGINEER'S REPORT:**a. General Update – Snapdragon Street Parking Issues.**

Mr. Zarko performed an evaluation of the on-street parking situation along Snapdragon Street, near the intersection with Buttercup Blvd, during the Mill Creek Elementary School arrival and dismissal time periods. The evaluation included discussions with the Township's Police Chief. Based on feedback and monitoring the intersection, Mr. Zarko does not believe parking restrictions for the Snapdragon Street approach to the intersection would be warranted.

However, since the location is situated near a designated walking travel route to the school, Mr. Zarko is recommending that parking restrictions be implemented on each side of Snapdragon Street at the immediate approach to the intersection with Buttercup Blvd. Signage would prohibit the parking of a vehicle within 30 feet upon the approach of the stop sign on Snapdragon Street and would be in accordance with the PA Vehicle Code, Title 75, Chapter 35, Subchapter E, Section 3353.

Mr. Gaines motioned, seconded by Ms. Baker to accept the recommendation of the Township Engineer. All were in favor and the motion passed 5-0.

21. SOLICITOR'S REPORT:**a. Status Amendment to TDR provisions of Zoning Ordinance.**

Mr. Clemons stated the status amendment to TDR provisions of the Zoning Ordinance will be presented to the Board at a January meeting.

b. Status of Amendment to Zoning Ordinance regarding "Big Box" stores.

Mr. Clemons stated after the amendment to the Zoning Ordinance regarding "Big Box" stores has been prepared; it will be submitted to the Warrington Township Planning Commission and the Bucks County Planning Commission for review.

Public Comment:

Mike McGeehan (1099 Lincoln Court) asked if the Big Box Ordinance can be expanded. Mr. Clemons stated if the retail store is over 7,500 square feet.

c. Status SALDO amendment re-subdivision after Minor Subdivision a Major Subdivision.

Mr. Clemons stated after the amendment to the Subdivision and Land Development Ordinance regarding re-subdivision after minor subdivision a major subdivision has been prepared; it will be submitted to the Warrington Township Planning Commission and the Bucks County Planning Commission for review.

d. Other Updates:

- 1) The Floodplain Ordinance will be reviewed at the January 10, 2017 meeting for adoption.
- 2) Geerling tract: A conditional use hearing for the 30 lot proposed subdivision will be tentatively scheduled before the Board of Supervisors at their January 24, 2017 meeting. The TDR conditional use hearing will be tentatively scheduled before the Board of Supervisors at their February 28, 2017.

22. EXTENSION REQUESTS: None

DEDICATION REQUESTS: None

SUPERVISOR COMMENTS:

Mr. Gaines commented that Opiate overdosing has reportedly reached epidemic proportions in Southeastern Pennsylvania. He stated Warrington Township Police Department saved six lives with the application of Narcon. Bucks County offers Narcon training and will set up a program with Warrington Township to offer this training.

Ms. Baker stated that Warrington Fire Co # 1 has turned in their financial statements for year end 2015.

Ms. Baker suggested creating a new Ordinance for emergency vehicles to turn around in smaller areas.

Ms. Baker suggested posting all development applications on the website. A listing of proposed development applications is a new article that appeared in the Winter 2016 edition of *The Link* and will continue each quarter to be updated.

Ms. Yannich announced that the December 27, 2016 Board of Supervisors meeting will be cancelled with the passing of the 2017 Budget at the December 13, 2016 meeting. A notice will be placed on all social media.

Ms. Yannich stated in accordance with the Second Class Township Code, the organization meeting is held on the first Monday in January of each year. However, if the first Monday is a legal holiday, the meeting shall be held the following day. Therefore, the Board of Supervisors will hold their 2017 Organization meeting on Tuesday, January 3, 2017. The regular meeting of the Board of Supervisors will be held on Tuesday, January 10, 2017.

Ms. Yannich complimented the Historic Commission and the Historical Society, along with the Public Works Department for all of their work on painting the Old Schoolhouse white with red shutters. The Old Schoolhouse is located at 10 Folly Road.

Ms. Yannich also noted that the Historic Commission identified a house on Street Road which was a meeting house for Jewish families when they first moved into the Township.

Ms. Yannich has received comments from residents stating they are having difficulties navigating the new Township website.

Ms. Yannich was pleased that the budget process was streamlined and asked the Board of consider submitting a press release.

Mr. Luber instituted the employee newsletter, *The Chatter* and Renee Scally creates it noting employee news.

Birthday wishes to given to Ms. Baker and Ms. Seliga.

ADJOURNMENT

There being no further business Ms. Yannich motioned, seconded by Mr. Gaines to adjourn the meeting at 10:06 p.m.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary