



WARRINGTON BOARD OF SUPERVISORS MINUTES FOR June 13, 2017

The written minutes are a summary of the June 13, 2017 Board of Supervisors meeting. For a complete dialog visit the Township's website, www.warringtonTownship.org.

ATTENDANCE

Shirley A. Yannich, Chair; Fred R. Gaines, Vice Chair; Matthew W. Hallowell, Member; Carol T. Baker, Member (via Skype); and Millie A. Seliga, Member. Staff present was Barry P. Luber, Township Manager; Terry W. Clemons, Esq., Clemons Richter and Reiss, Township Solicitor, Thomas Zarko, P.E., CKS Engineers, Township Engineer and Jacklyn A. Wilson, Administrative Support.

CALL TO ORDER: Ms. Yannich called the meeting to order at 7:05 P.M. All Board members were present. Carol T. Baker attended via Skype.

PLEDGE OF ALLEGIANCE

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

EXECUTIVE SESSION REPORT

Ms. Yannich reported three following items from an Executive Session held on May 22, 2017.

- 1) Retirement plan for an employee, to be addressed later in the meeting.
- 2) Details involving the Victory gardens decision from the Zoning Hearing Board.
- 3) The Geerling TDR appeal will be commented on later in the agenda by Mr. Clemons.

Mrs. Yannich reported that Victory Gardens had appealed and Mr. Clemons requested a motion to authorize the solicitor to establish a briefing schedule and expedite the process. A motion was made by Mr. Gaines, seconded by Mrs. Baker. The motion was carried 4-1, Mr. Hallowell abstained.

Public Comment:

Connie Ace (1067 Folly Road) clarified the process of the Motion that supports the appearance of the solicitor and the denial of the variance for the Victory Gardens operation.

PRESENTATION BY PENSION COMMITTEE – REAL ESTATE INVESTMENT OPTION.

Mr. Joseph Kirby and Lt. Robert Meditz represented the Pension Board. The members presented the option to add real-estate to the portfolio mix for the pension plans. They reviewed several packages available. Mr. Kirby is experienced in the presented information as he is an institutional investor.

Public Comment:

Mark Ruckno (2284 Herblew Road) – expressed his concerns of the types of real-estate investments and provided his opinion on investing property types. Mr. Ruckno would recommend seeing less foreign investments. Mr. Kirby clarified that the Pension Board does not manage the investment files, but rather a professional manager oversees the allocation of investments.

PRESENTATION BY CKS ENGINEERS, INC. UPDATE ON MS4 STORM WATER PROGRAMMING PERMIT PROGRAM.

Mary Stover, Senior Engineer at CKS, who manages the MS4 Storm Water Program, provided the presentation. Ms. Stover provided information and various plans in correlation to the sediment and pollution reduction plans. It was suggested by Ms. Stover to possibly discuss the TMDL and PRP plans at the July 25, 2017 Board of Supervisors meeting.

Mr. Hallowell inquired about the possibility of a grant, which Mr. Zarko replied that this could be a possibility for the future. At the requested meeting of July 25th CKS will discuss a list of projects that need to be completed and will address further information and questions during that time.

Public Comment:

Dr. Connie Ace (1067 Folly Road) relayed additional information to the Board of Supervisors regarding agriculture farming and that the Garges Family has been practicing efforts to reduce sediment for two years.

SPECIAL RECOGNITION OF HERB KAHL SCHOLARSHIP RECIPIENTS.

Mrs. Yannich announced the special recognition of the Herb Kahl Scholarship Recipients and introduced Bobby Kahl to announce this year's students in recipient of the awards. The Scholarship winners: Carley Cantwell, Shayna Cohen, Emily Damico, Charles Hannum, and Joy Zhao each were awarded \$2,000 to put toward their education.

PUBLIC COMMENT:

- Terrance Healy (871 Mustang Road) was following up on a response from Chief Friel after a complaint on an event that occurred April 9th with the police department.
- Laurie Myers (3014 Bristol Road) represented Winding Brook Farm. Expressed feelings regarding proposed ordinance of Truck traffic on Pickertown Road.
- Mike Butler (Victory Gardens) commented concerns that the Township is putting him out of business by blocking the roads to his facility.
- John McConnell (206 Trellis Drive) inquired about the status of a road study and commented on the traffic from Victory Gardens.
- Harry Chess (1809 Roan Drive) inquired when Palomino Drive will be repaved.
 - Mr. Zarko answered that the road improvement program will begin in August pending the board's vote to approve a bid later in the meeting.
- Bob Thorson (129 Arbor Ridge Drive) reported a noise complaint from Victory Gardens at 6am this past Saturday morning. He was informed to contact the Police Department if this occurs again to generate a report.
- Dr. Connie Ace (1067 Folly Road) inquired about the support and the time frame of action to occur for the Victory Gardens appeal.
- Mike Kelly (135 Muirfield Lane) inquired about streaming board meeting videos and correcting the current issues.

- Mark Ruckno (2284 Herblew Road) – Commented on the Alert system for notifying people. Mr. Ruckno also inquired about an update regarding the lighting project.
 - Mr. Gaines was able to update Mr. Ruckno on the process.

PUBLIC HEARING: None.

1. APPROVAL OF BILL LIST:

a. **May 24, 2017 – June 13, 2017: \$1,220,164.00**

Mr. Gaines made a motion and Ms. Seliga, seconded to approve the bill list from May 24, 2017 through June 13, 2017 totaling \$1,220,164.00. By roll call vote, the motion passed 5-0.

2. CONSENT ITEMS:

Ms. Yannich read the consent items as presented. Mrs. Baker motioned, seconded by Mr. Gaines to approve Consent Items A through L, with the exception of (G) (I) and (L). All were in favor and the motion passed 5-0. (Attachment “A”)

a. **May 4, 2017 Joint meeting with Planning Commission to Approve Minutes.**

b. **May 9, 2017 to Approve Minutes.**

c. **May 22, 2017 to Post Minutes from Bucks County Tour of 911 Center.**

d. **May 23, 2017 to Post Minutes.**

e. **Consider revisions to 2017 Fee Schedule Resolution.**

f. **Consider Resolution to approve June 2017 as National Safety Month.**

g. **Consider approval of a bid award for the 2017 Roadway Improvement Program (advertised May 2 and May 19, 2017).**

Mrs. Baker wanted more information on Item G, which Mr. Zarko provided. Mrs. Seliga made a motion to approve the bid in the amount of 981,685.25 to James D. Morrissey, seconded by Mr. Hallowell. All in favor and the motion passed 5-0.

h. **Consider Vivian Bell Retirement Plan.**

Mrs. Yannich announced that the Board is giving Vivian Bell a lump sum payment of \$5,000 to cover health care costs after 36 years of service to Warrington Township.

i. **Consider authorization to advertise for bids; Continental Drive Culvert Replacement.**

Ms. Seliga questioned if there was enough funds to cover the Culvert Replacement, which Mr. Zarko was able to confirm. Mrs. Baker made a motion to advertise for the bid, seconded by Mr. Hallowell. All in favor and the motion passed 5-0.

j. **Consider authorization to advertise for bids; Mary Barness Tennis and Swim Club Toilet Room Renovations.**

- k. **Consider signature and issuance of letter from BOS Chair to State and Federal Representatives concerning the Township's Cooperative Agreement (CA) Amendment with the Air National Guard (ANG).**
- l. **Consider Warrington Meadows Escrow Release # 5 (Final) in the amount of \$237,790.24.**

Ms. Seliga inquired to review the topic and ensure there were no pending questions or concerned with the final payout. Mr. Zarko confirmed that it is appropriate to release the escrow. Ms. Seliga made a motion to payout the final payment of \$237,790.24, seconded by Mr. Gaines. All in favor and the motion passed 5-0.

3. CORRESPONDENCE: None.

4. OLD BUSINESS:

- a. **Water Supply Update.**

Ms. Yannich reported that 17 properties have been connected to public water, 22 have been authorized for connection and 11 wells have been abandoned. A full report is listed on the Township website.

- b. **Consider adoption of Truck Restriction Ordinance (advertised June 5, 2017).**

The Truck Restriction Ordinance was tabled and will be re-advertised.

- c. **Consider adoption of amendments to the Property Maintenance Code Ordinance (advertised June 5, 2017).**

Mr. Clemons explained the reasoning for updating the code to the 2015 Property Maintenance code. Mr. Gaines made a motion to adopt the amendments to the Property Maintenance Code Ordinance (advertised June 5, 2017), seconded by Mr. Hollowell. All were in favor and the motion passed 5-0.

- d. **Consider adoption of amendments to the Use and Occupancy Certificate Ordinance (advertised June 5, 2017).**

Mr. Clemons explained the reasoning for this ordinance. Mr. Gaines made a motion to adopt the amendments to the Property Maintenance Code Ordinance (advertised June 5, 2017), seconded by Mr. Hollowell. All in favor and the motion passed 5-0.

Public Comment:

Mark Ruckno (2284 Herblew Road) – shared his knowledge on this topic and questioned the legislation.

- e. **Consider approval for Township Manager to execute agreement with SWAGIT Productions LLC for meeting video streaming services.**

Christian Jones presented SWAGIT Productions as a new company to provide communications in recording the board meetings. The Board discussed the costs and variables with the SWAGIT production company in comparison to the other companies that Mr. Jones had reviewed. Costs to do upgrade to the Cosmos option will be guaranteed for three (3) years.

Ms. Seliga made a motion for Township Manager to execute agreement with SWAGIT Productions LLC for meeting video streaming services, seconded by Mrs. Baker. All in favor and the motion passed 5-0.

Public Comment:

Mike Kelly (135 Muirfield Lane) – questioned the contracted amount of meetings that would be recorded per year compared to the amount of meetings that could potentially be recorded. Further questioning occurred to confirm variables of the audio equipment and off location recordings.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):**a. Consider amending investment policy for pension plans.**

Mrs. Yannich provided background information on the current percentage of the various investments and confirmed with Mr. Kirby that 7% would go to real-estate investments. The fixed income allocation will decrease as well as lessen the equity.

Ms. Seliga motioned, seconded by Mr. Gaines to amend the investment policy for pension plans. All were in favor and the motion passed 5-0.

Public Comment:

Seth Gansman (903 Bentley Court) – inquired about the risk of investments. Mr. Luber and Ms. Yannich commented on allocation of funds and process of selection of a consulting company.

b. Consider a request for a waiver of land development at the Shops at Valley Square.

Paul Reinke with Polgg Shopping Centers in Memphis, Tennessee, the management agent of Valley Square along with Tom Hammel, Gilmore Associates presented an application of the waiver of land development.

Mr. Reinke reported the goals. Valley Square is to introduce a fixed pavilion structure that will be a central gathering place within the shopping center. The plans are to redevelop the Town Square before the holiday season begins with a completion date of a November 1, 2017 opening.

Mr. Gaines motioned to approve the waiver of land development application in accordance with the township engineer's letter that all trees in existence with the original application be replaced, seconded by Mr. Hallowell. All were in favor and the motion passed 5-0.

Public Comment:

Mike Kelly (135 Muirfield Lane) – commented on the existing trees in accordance with the lighting.

c. Consider authorization to execute an Easement Agreement for the second interconnection with NWWA (County Line Road).

Mr. Zarko provided background information of this project. Mr. Hallowell made a motion to execute an Easement Agreement for the second interconnection with NWWA (County Line Road), seconded by Mr. Gaines. All in favor and the motion passed 5-0.

6. MANAGER'S REPORT:**a. Consider lettering for Shetland Water Tank located at 2210 Shetland Drive.**

Mr. Luber provided two options for lettering on the tank with Mr. Zarko. The board voted on a font style and agreed that the lettering will be placed on the tank parallel to Easton Road.

Ms. Seliga made a motion, seconded by Mr. Gaines to vote on one of two lettering styles presented for the Shetland Water Tank located at 2210 Shetland Drive. All in favor and the motion passed 5-0.

Mr. Hallowell made a motion, seconded by Mr. Gaines to incorporate the lettering to face Easton Road (Rt. 611). All were in favor and the motion passed 5-0.

b. Report on Environmental Advisory Council to hire John Rogers to conduct an environmental analysis.

Mr. Luber gave background information on Mr. Rogers and his proposal to the Township. The board briefly discussed the proposal and verified there were sufficient funds in the budget.

Ms. Seliga made a motion, seconded by Mr. Gaines to hire John Rogers to conduct an environmental analysis not to exceed \$2500.00. All in favor and the motion passed 5-0.

7. ENGINEER'S REPORT:

a. General Update:

Mr. Zarko added to the water supply report that equipment will be on the Costner Road site June 14th.

Mr. Zarko is waiting to hear back from PennDot regarding the County Line Road project; however, due to summer heat he doesn't expect the installation of the plantings until the Fall.

Public Comment:

Mike Kelly (135 Muirfield Lane) – verified the completion date for the County Line Road project by PennDot will be September 2018. In addition, he reported that the intersection at Limekiln & County Line will be closed for 3-months, which Mr. Zarko will research.

8. SOLICITOR'S REPORT:

a. Kristiansen Zoning Appeal to Common Pleas Court.

Mr. Clemons reported that the proposed in home day care was denied by the Zoning Hearing Board. Ms. Kristiansen appealed to the Court of Common Pleas. Due to the fact that the Zoning Hearing has their own Solicitor, Mr. Bolla, Mr. Clemons recommended that it be in the board's best interest to allow Mr. Bolla handle the court case on behalf of the Township and Zoning Hearing Board.

b. Geerling TDR Appeal to Common Pleas Court.

Mr. Clemens reported that the attorney representing the Geerling tract appealed both the TDR and the Cluster applications. There is conference before the Judge on July 25th, 2017 at which time a briefing schedule will be discussed.

Public Comment:

Dr. Connie Ace (1067 Folly Road) – inquired about the status of the historic house on the Geerling property.

c. WT ZHB Application 17-12: Swenson-Orrino, Variance to increase impervious cover (100 Lyric Way) (Hearing set for June 26, 2017)

Mr. Clemons stated that the variance is from the Zoning Hearing Board level that the impervious coverage is for an accessory unit.

d. **WT ZHB Application 17-13: Nolan Enterprises, variances to enable construction of a self-storage warehouse at 1800 Street Road in the PRD district. (Hearing set for June 26, 2017)**

Mr. Clemons reported Nolan Enterprises applied to change the use of the property. The manager of the property will also reside on the property.

9. EXTENSION REQUESTS: None.

Ms. Seliga requested Mr. Clemons to provide an update on the Murphy Tract. The hearing will be Thursday, July 13, 2017. Mr. Clemons will place the advertisement. Ms. Seliga made a motion, seconded by Mrs. Baker to allow for the extension and hold a meeting to occur on Thursday, July 13, 2017, which Mr. Clemons will advertise. All in favor and the motion passed 5-0.

10. DEDICATION REQUESTS: None.

SUPERVISOR COMMENTS:

Ms. Seliga questioned the status of a letter from residents on Horseshoe Road that was received by the code office regarding the color and height of a fence.

Ms. Seliga questioned Mr. Luber in regards to roof repairs at Equestrian Center for which a quote was submitted.

Mr. Gaines stated that he received two complaints. One complaint was regarding trespassing and the other was regarding a snow mobile that was driven during the winter months at Meridian of Valley Square.


Mrs. Yannich stated that Mr. Brian Webb of Webb Building Group donated a book to the Township about Bucks County.

Mr. Hallowell commented that he is proud of our Public Works Departments for taking courses.

ADJOURNMENT

There being no further business, Ms. Seliga motioned, seconded by Mr. Gaines to adjourn the meeting at 10:20 PM.

Respectfully Submitted By:



Jacklyn A. Wilson, Administrative Support

Attachment "A"

Consent Agenda

Attached to the agenda and on the Township's website is a supplement to the agenda which contains a heading and brief description for each item listed under the Consent agenda. As in the past, any Board member can ask to remove an item from consent and have it discussed independently.

I would now ask for a motion to approve items A through L on the Consent agenda.

- a. **May 4, 2017 Joint meeting with Planning Commission to Approve Minutes.**
- b. **May 9, 2017 to Approve Minutes.**
- c. **May 22, 2017 to Post Minutes from Bucks County Tour of 911 Center.**
- d. **May 23, 2017 to Post Minutes**
- e. **Consider revisions to 2017 Fee Schedule Resolution.**
 - On the previous version of the Fee schedule, the fee for lien placement was accidentally removed – this restores the fee to \$80.
 - Page 4 listed under Occupancy Permits, Section B, Number 2 Commercial/Industrial. The fee is \$250 for the 1st 1,000 sq. ft. plus \$50 per sq. ft. after. Note: the plus \$50 was a typo and should be \$0.05 per sq. ft.
 - Page 12 – XXVII. Miscellaneous Charges – Open Records Fees - Records on CD - \$5.00 per CD. Revise to \$10.00 per CD.
- f. **Consider Resolution to approve June 2017 as National Safety Month.**

RESOLUTION 2017-R-_____

RECOGNIZING THE MONTH OF JUNE 2017 AS NATIONAL SAFETY MONTH

WHEREAS, the rate of unintentional injuries and deaths in the United States remain at unacceptable levels; and

WHEREAS, injuries and deaths from falls, motor vehicle crashes, overexertion and poisoning remain leading causes of preventable injuries and deaths in the United States; and

WHEREAS, the cost of unintentional injuries to Americans and their employers exceeds \$886 billion each year and causes great suffering among individuals and their families; and

WHEREAS, Warrington Township residents and all Americans deserve to live in communities that promote safe and healthy living; and

WHEREAS, preventing unintentional injuries and deaths requires the cooperation of all levels of government, employers and the general public; and

WHEREAS, the National Safety Council, founded in 1913, was congressionally chartered in 1953 to lead this nation in injury prevention through safety and health information, education, training and advocacy in the United States; and

WHEREAS, the National Safety Council works to promote policies, practices and procedures leading to increased safety, protection and health in business and industry, in schools and colleges, on roads and highways, and in homes and communities; and

WHEREAS, the National Safety Council in 2017 will provide this nation with a month-long public education campaign; and

WHEREAS, the summer season is a time of increased rates of unintentional injuries and deaths, it is an appropriate time to focus attention on injury risks and preventions; and

NOW THEREFORE, be it resolved that the Warrington Township Board of Supervisors supports National Safety Month by practicing safe and healthy behaviors in all aspects of their lives and the lives of their Township residents.

RESOLVED, this _____ day of _____, 2017.

BOARD OF SUPERVISORS OF WARRINGTON TOWNSHIP

ATTEST:

Barry P. Luber
Township Manager

Shirley A. Yannich, Chair

Fred R. Gaines, Vice Chair

Carol T. Baker, Member

Matthew W. Hallowell, Sr., Member

Millie A. Seliga, Member

g. Consider approval of a bid award for the 2017 Roadway Improvement Program (advertised May 2 and May 19, 2017)

This bid is for the annual road paving contract. Roads to be repaved this year include all or portions of:

- *Palomino Drive*
- *Rodgers Ave.*
- *Greenwood South*
- *Bradford Rd.*
- *Kansas Rd.*
- *Columbia Rd.*
- *Spruce Rd.*
- *Valley Square Blvd.*
- *Paul Valley Rd.*
- *Old public Works Facility parking lot*

h. Consider Vivian Bell Retirement Plan.

After 36 years of Service to the township, Vivian Bell is retiring on July 3rd. The Board will consider giving Vivian a lump sum payment of \$5,000 towards supplemental health care costs.

i. Consider authorization to advertise for bids; Continental Drive Culvert Replacement.

This is to advertise for bidders for a contract which will replace a deteriorated culvert located between Liberty Lane and Hamilton Court.

j. Consider authorization to advertise for bids; Mary Barness Tennis and Swim Club Toilet Room Renovations.

This is to advertise for bidders for a contract is to renovate/update both restrooms at the swim club. Both restrooms will be ADA compliant and there will also be a family restroom installed.

k. Consider signature and issuance of letter from BOS Chair to State and Federal Representatives concerning the Township's Cooperative Agreement (CA) Amendment with the Air National Guard (ANG).

This letter is to ask these officials to put pressure on the ANG to execute an amendment to the CA to provide funding for the additional scope of work.

l. Consider Warrington Meadows Escrow Release # 5 (Final) in the amount of \$237,790.24.

This escrow release closed out the construction phase of this project. It is now in the 18 month maintenance period.