



WARRINGTON BOARD OF SUPERVISORS MINUTES FOR JUNE 27, 2017

The written minutes are a summary of the June 27, 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; and Millie A. Seliga, Member. Staff present was Barry P. Luber, Township Manager; Vicki L. Kushto, Esq., Clemons Richter and Reiss, 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 called the meeting to order at 7:00 P.M. All Board members were present.

PLEDGE OF ALLEGIANCE

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

EXECUTIVE SESSION REPORT

Ms. Yannich stated there was no executive session held.

PRESENTATION – ANNUAL REPORT – COMMUNICATIONS ADVISORY BOARD.

Mr. Yannich introduced Communications Advisory Board (CAB) members Mike Starner and Tom Whelans. Mr. Starner and Mr. Whelans presented their 2016 Annual Report to the Board of Supervisors noting their highlights and goals and objectives (Attachment A).

Ms. Yannich questioned when the Board of Supervisors meetings will be placed on the Verizon and Comcast channels. Mr. Starner stated the CAB is working towards this goal by working with the Township to enter into a contract with SWAGIT.

PUBLIC COMMENT:

Before comments were made by the public, Ms. Yannich announced the Warrington Ambulance Corps held an appreciation dinner and presented the Board of Supervisors with a plaque thanking the Board for their continued support. The supervisors in attendance were Carol Baker, Fred Gaines and Millie Seliga.

- Terrance Healy (871 Mustang Road) was following up on an April 9th complaint he had with the police department.
- Mike Starner (3429 County Line Road) requested assistance a few years ago regarding the WD2 road widening on County Line Road. The landscape plan is in place. A sound barrier is in place for the Montgomery Township residents. However, the sound and noise level from County Line Road onto his property **his is** extremely high. Mr. Zarko stated a sound study was completed but a sound barrier could not be installed on the Warrington side because of access to County Line Rd. Mr. Zarko is working with PennDOT to get the landscaping installed to cut down on the sound levels.

PUBLIC HEARING:

Ms. Yannich explained both Zoning Ordinance amendments and opened the hearing at 7:26 pm. Ms. Yannich stated the Township Solicitor would discuss both Ordinances and provide exhibits.

1. Hearing to consider adoption of amendment to Zoning Ordinance for Medical Marijuana. (advertised June 12, 2017 and June 19, 2017)

The amendment to Zoning Ordinance 85-2 will regulate the location and nature of licensed organizations growing, acquiring, processing, manufacturing, selling, delivering, transporting, and/or distributing/dispensing medical marijuana within the Township. Exhibits T1, T2, T3 and T4 were addressed.

Ms. Yannich gave further detail of the Ordinance as prepared by legal counsel. Warrington Township Planning Commission voted 6-0 to adopt the Ordinance. Bucks County Planning Commission suggested limited commercial use. Ms. Yannich stated medical marijuana is a new use and this Ordinance regulates the new use. Five parcels on Titus Road will be included in the new zoning district.

Ms. Kushto stated there are thirty dispensaries in the southeast region.

Public Comment:

- Mike Kelly (135 Muirfield Lane) asked if the five parcels are occupied.

Ms. Kushto stated the new district is PI-1A. The grower and the dispensary have to be on two separate parcels. They both have to be permitted by the State before coming to the Township for medical use.

- Bill Schuman from O.P. Schuman and Sons asked what the criteria selection was for the five selected parcels.

Ms. Kushto stated these parcels were identified with the zoning ordinance and agreed upon by the Planning Commission at public meetings.

Ms. Baker motioned, seconded by Mr. Gaines to approve the zoning ordinance amendment by creating two land uses: a medical marijuana grower/processor and a medical marijuana dispensary. By roll call vote, the motion passed 5-0.

2. Hearing to consider adoption of amendment to Zoning Ordinance to amend the zoning map for Medical Marijuana from PI-1 to PI-1A. (advertised June 12, 2017 and June 19, 2017)

The amendment to Zoning Ordinance of 1985 amends map changes to rezone certain parcels from the PI-1 zone to the PI-1A zone.

Ms. Kushto submitted Exhibits T1, T2, T3, T4, T5 and T6. Ms. Seliga requested a clarification to the PI-1 and PI-1A districts. Ms. Kushto stated new uses were being added thus creating a new zone.

Ms. Seliga motioned, seconded by Mr. Hallowell to approve the amendment to Zoning Ordinance by amending the zoning map for Medical Marijuana from PI-1 to PI-1A. By roll call vote, the motion passed 5-0.

3. APPROVAL OF BILL LIST:

- a. **June 14, 2017 – June 27, 2017: \$ 956,060.71**

Ms. Seliga motioned, seconded by Ms. Baker to approve the bill list from June 14, 2017 through June 27, 2017 totaling \$ 956,060.71. By roll call vote, the motion passed 5-0.

4. CONSENT ITEMS:

Ms. Yannich noted a brief description of the consent items are added to the agenda. Ms. Yannich read the consent items as presented. (Attachment B) Mr. Hallowell motioned, seconded by Ms. Seliga to approve Consent Items A through D, and G. Ms. Seliga requested a further explanation of Consent Items E and F. All were in favor.

- a. May 23, 2017 Approval of Minutes.
- b. May 24, 2017 to Approve Minutes from Bucks County Tour of 911 Center.
- c. June 13, 2017 to Post Minutes.
- d. Consider approval of a bid award for the County Line Road Water Interconnection (advertised June 8 and June 12, 2017).
- e. Consider approval of a bid award for the Sanitary Sewer Replacement, Costner Drive Easement Project (advertised June 7, 2017 and June 11, 2017).

Ms. Seliga asked if this project was budgeted.

Mr. Zarko stated the Palomino Rehabilitation project was under budgeted and the balance can fund this project. Mr. Lubber confirmed Mr. Zarko's statement.

Ms. Seliga motioned, seconded by Ms. Baker to award the bid contract to LDI/The Tulio Group in the amount of \$114,983.00. All were in favor and the motion passed 5-0.

- f. Consider agreement of Mike Stitz/Century 21 to locate tenant for 1585 Turk Road.

Ms. Seliga questioned if a comparison was made to other realtors in the area.

Ms. Kushto stated a comparison was made and the average commission for this area is 4.2%. Mr. Lubber stated Century 21 New Horizons' commission will be 4.2% for five years.

Mr. Gaines motioned, seconded by Mr. Hallowell to retain Mike Stitz of Century 21 New Horizons in accordance with the agreement. All were in favor and the motion passed 5-0.

- g. Consider Escrow Release # 8 for Valley View (West Tract) in the amount of \$5,000.

5. CORRESPONDENCE: None.

6. OLD BUSINESS:

- a. Water Supply Update.

Ms. Yannich gave an update to the water supply report noting the number of public water connections as of June 23, 2017; Costner Filtration Project and the ANG Cooperative Agreement Amendment.

Ms. Seliga asked how much of the ANG funds have been received by the Township. Mr. Lubber stated a million so far, however 7.6 million is owed to the Township.

7. NEW BUSINESS (ACTION/DISCUSSION ITEMS):**a. Consider authorization to advertise amendments to the Police Pension Plan Ordinance.**

Mr. Lubber stated the Auditor General's Office conducts an annual audit of pension plans. Based on findings there were policies in place that did not comply with Act 600 – Police Pension Fund Act. Those findings were the Service Related Disability; Killed in Service Benefit and Service Increments. Ms. Seliga requested an explanation of the findings and Mr. Lubber responded. Mr. Lubber stated the current Ordinance needs to be amended to match Act 600. Finance Director, Cassandra Williams prepared a draft Ordinance which was review by Mr. Lubber and legal counsel. Ms. Yannich complimented Ms. Williams for her work on the Ordinance.

Mr. Hallowell motioned, seconded by Mr. Gaines to advertise the amendments to the Police Pension Plan Ordinance. All were in favor and the motion passed 5-0.

b. Consider Gloria Dei Sketch Plan located on Street Road (TMP # 50-010-014-001).

Ms. Yannich explained a sketch plan application. Voting does not occur from the Board of Supervisors. The applicant for each sketch plan is looking for feedback from the Board of Supervisors. Ms. Yannich noted each document attached to the application.

Kim Freimuth, attorney representing the applicant, GDL Farms Corporation presented the sketch plan application. The proposed development, Gloria Dei Community is located on three acres on Street Road and zoned I-U-A-1, Institutional Age Qualified. A personal care facility is being proposed.

Also present was Ken Bissinger, P.E. with Renew Design Group and GDL Farms Corporation CEO Vincent Dattilo.

Mr. Zarko summarized Director of Emergency Services & Code Enforcement Lee Greenberg's memorandum dated June 20, 2017.

Ms. Kushto stated this parcel was created from the original Lamplighter Village development and will have to meet the open space and stormwater standards. Ms. Kushto also explained the tax refinancing via Bond issued by Perkashie Borough Industrial Development Authority. Ms. Kushto stated the applicant will pay to advertise for a July 25, 2017 hearing to recognize the development project and bond issued by Perkashie Borough Industrial Development Authority.

Ms. Seliga and Mr. Gaines expressed concerns over the application, i.e., buffer and parking. Ms. Yannich requested a design in parking and Ms. Baker commented on the fire truck clearance.

Public Comment:

- Vince Evans (706 Barrington Court) commented on the entrance way to the proposed development.
- Ernest Gallo (1108 Manchester Court) commended on the buffer plan and how close the development is being proposed to Lamplighter Village. Also expressing concerns relating to truck deliveries creating noise.
- John Kurek (1104 Manchester Court) concerned about truck deliveries and a 50' buffer is needed.
- Mike Kelly (135 Muirfield Lane) expressed concerns about parking and the height of the building.

- Lynn Kurek (1104 Manchester Court) stated the row behind the proposed facility area is all single-family homes. Ms. Kurek expressed concerns about the proposed height of the proposed building.

Ms. Baker suggested for the applicant to meet with the Lamplighter Village residents and discuss the proposed sketch plan and try to reach an agreement.

c. **Consider review of the Wright Partners Sketch Plan (National Tire & Battery and Auto Zone – 500 Easton Road).**

William Benner, attorney for the applicant, Warrington Wright, LLC, presented a sketch plan for a proposed NTB/Auto Zone at Easton and Kansas Roads. This is a 2.17 acre parcel that is zoned C-2 Commercial District. A plan was submitted followed by a revised plan.

Bill Roundtree, P.E. and Director of Development for Warrington Wright, LLC met with the homeowners association of the neighboring townhomes and presented a plan which included the elimination of access to Kansas Road. Mr. Roundtree also gave a brief description of both NTB (tires) and Auto Zone (retailer) businesses.

Sam Renauro III, P.E. gave a brief overview of the plan and relief of variances.

Ms. Seliga expressed safety concerns about the NTB bays facing Auto Zone and the traffic coming and leaving each building.

Ms. Yannich questioned the additional parking at Chickie N Petes, the buffering and access on Kansas Road and/or Garden Avenue.

Mr. Zarko stated a second access should be addressed to provide proper circulation either at Kansas Road or Garden Avenue. Mr. Zarko referred to a cross easement agreement with Chickie N Petes.

Mr. Benner noted Garden Avenue is a paper street.

Mr. Zarko recommended a parking study when presenting the plan to the Zoning Hearing Board.

Ms. Yannich asked for a fee schedule review for land development filing fees.

Public Comment:

- John McConnell (206 Trellis Drive) expressed concerns about traffic congestion at the site.
- Mike Kelly (135 Muirfield Lane) questioned the buildings facing each other.

d. **Discussion of amount to set for “fee in lieu of open space”.**

Mr. Luber stated the current fee schedule lists \$140,000 per acre for fee in lieu of open space. The last appraisal report was May 15, 2015.

Ms. Seliga commented that the average fee should be between \$120,000 and \$125,000 per acre in Warrington Township.

Mr. Gaines motioned, seconded by Ms. Baker to allocate a maximum fee of \$1500 to update the existing appraisal report dated May 15, 2015 for open space. All were in favor and the motion passed 4-1 with Ms. Seliga voting no.

8. MANAGER'S REPORT: None.**9. ENGINEER'S REPORT:****a. General Update:**

Mr. Zarko stated a grant was received for the drainage improvement project for Bradley Road. CKS is preparing the bid documents for this project. The projected construction will begin either August or September, 2017.

Mr. Zarko stated CKS is working on an ARLE grant application for improvements to the Lower State Road corridor which extends from Street Road and Bellflower Blvd. This will provide GPS timeclocks for the intersections and provide coordination between these traffic signals.

CKS is also working on a right turn lane at Pickertown and Lower State Roads to facilitate better traffic flow during rush hour.

The Palomino Sanitary Sewer Rehabilitation Project is one hundred percent complete.

10. SOLICITOR'S REPORT:

Ms. Kushto stated the Zoning hearing Board denied relief to Nolan Enterprises located at 1800 Street Road.

Ms. Kushto asked the Board if they wanted to grant Gloria Dei authorization to advertise for the tax refinancing via Bond and recognize the development project at the July 25, 2017 meeting. After discussion, the Board agreed to wait until the plan moves forward and combine the tax refinancing with the development project at a future meeting.

11. EXTENSION REQUESTS: None.**12. DEDICATION REQUESTS:** None.**SUPERVISOR COMMENTS:**

Mr. Gaines stated the Fire Company and Police Department has been honored during a public meeting. Mr. Gaines would like to invite Warrington Ambulance Corps to make a report to the Board of Supervisors and honor their senior personnel.

Ms. Baker stated both the Bucks County Crimewatch and Warrington Police Department has created a "Push to Pushers" program and is offering \$5,000 for information leading to arrests.

Ms. Seliga reported the Communications Advisory Board is reviewing the contract with Granicus. Ms. Seliga stated a Notice of Termination was given to Granicus and the Township will be transitioning to SWAGIT which will provide better video recording of future Board of Supervisor meetings.

Ms. Seliga stated the Veteran Affairs Committee is building a data base for veterans. The VAC is also suggesting fundraising activities.

ADJOURNMENT

There being no further business, Mr. Gaines motioned, seconded by Ms. Yannich to adjourn the meeting at 10:14 PM.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary

Attachment "A"

WARRINGTON TOWNSHIP
COMMUNICATIONS ADVISORY BOARD
2016 ANNUAL REPORT

Mission Statement: To promote and enhance township external communications for the benefit of Warrington Township Residents, as well as identify potential problem areas as they arise.

2016 Highlights

- Township social media review and analysis
- Cable franchise renewal
- Public website
- Meeting Video Capture Platform
- Right-of-Way Utility Audit

2017 Goals and Objectives

- Improve the information on the township website and develop a strategy for new content on the public television station,
- Continued support for the renewal of the cable franchise agreements.
- Improve the overall Communications Plan for the Township by identifying communication tools (including email lists, social media, etc.) which are most useful to Township residents.
- Support township personnel in the selection of a new platform for recording township meetings.

Attachment "B"

Consent Agenda – June 27, 2017

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 G on the Consent agenda.

- a. May 22, 2017 to Approve Minutes from Bucks County Tour of 911 Center.
- b. May 23, 2017 to Approve Minutes.
- c. June 13, 2017 to Post Minutes.
- d. Consider approval of a bid award for the County Line Road Water Interconnection (advertised June 8 and June 12, 2017)

This project is to construct an interconnection on County Line Rd. to get additional water into the Township from North Whales Water Authority. This is necessary since the township is relying more on public water than well water, due to the water contamination issue. The contract is in the amount of \$185,096 and will be reimbursed by the Air National Guard.

- e. Consider approval of a bid award for the Sanitary Sewer Replacement, Costner Drive Easement Project (advertised June 7, 2017 and June 11, 2017).

This Contract is for the replacement of a sanitary sewer line on Costner Drive. The amount of the contract is \$114,986.

- f. Consider agreement of Mike Stitz/Century 21 to locate tenant for 1585 Turk Road.

The current tenant has given notice that they will be ending their lease on August 31, 2017. This agreement is for the services of a Real Estate Broker to lease this property for the Township.

- g. Consider Escrow Release #8 for Valley View (West Tract) in the amount of \$5,000.

This is a reduction in the escrow due to the completion of public/site improvements at The Estates at Valley View.