



WARRINGTON BOARD OF SUPERVISORS MINUTES FOR JULY 25, 2017

The written minutes are a summary of the July 25, 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; Terry W. Clemons, 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 7:03 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 an executive session was not held.

PUBLIC COMMENT:

- Connie Ace (1067 Folly Road) asked the Board to speak into the microphones during their meetings.

PRESENTATION BY WARRINGTON AMBULANCE CORPS

Warrington Ambulance Corps, Chief Mark Scholl presented the 2016 Annual Report. The Ambulance Corps averages seven calls per day from one station, average response time to a scene is 4.69 minutes, number of answered calls for 2016 was 2,154. The number of volunteer hours logged in for 2016 was 10,323.

Chief Scholl introduced Captain Ian Liberatore, ALS Coordinator Alan Dashoff and CQI Coordinator Mike Delrossi. Training Coordinators who were working and not able to attend the meeting were Mark Schmidt and Josh Williams.

Mr. Hallowell asked if Warrington Ambulance Corps services other communities. Chief Scholl stated Warrington services Doylestown Township; Doylestown Borough and New Britain Borough.

Mr. Gaines asked Chief Scholl to explain the Vial of Life Program.

Mr. Luber thanked Chief Scholl and the Warrington Ambulance Corps for attending Warrington Township events, i.e., Warrington Community Day, Warrington Cares Employee Charity Triathlon and activities at the Mary Barness Tennis and Swim Club.

Ms. Yannich requested the Warrington Ambulance Corps 2016 Annual Report posted to the Township website.

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

Mr. Zarko stated the MS4 Permit application along with the Total Maximum Daily Load (TMDL) and Pollution Reduction Plan (PRP) must be submitted by September 16, 2017 to PA DEP.

Mary Stover, P.E., CKS, Inc. gave an overall presentation of the TMDL and PRP Plans noting these plans will be advertised for a thirty day public comment period on August 2, 2017. (Attachment "A")

Mr. Gaines noted the Environmental Advisory Council and their volunteers have naturalized a lot of the township's basins thus saving taxpayer monies.

Mr. Hallowell requested Ms. Stover to show on the map, the unnamed tributaries.

Ms. Yannich requested to display the map at the township building for public viewing.

Ms. Seliga suggested spreading out the basin work over a five year period.

PUBLIC HEARING:

- 1. CONSIDER APPLICATION FOR CONDITIONAL USE SEEKING APPROVAL PURSUANT TO §403.b OF THE ZONING ORDINANCE TO ENABLE THE CONSTRUCTION OF CLUSTER SINGLE-FAMILY DETACHED DWELLINGS IN THE RA ZONING DISTRICT.** *(continuation from July 13, 2017 hearing)*
- 2. CONSIDER APPLICATION FOR CONDITIONAL USE SEEKING APPROVAL PURSUANT TO §411.G(b)(a)(1) OF THE ZONING ORDINANCE TO ENABLE THE CONSTRUCTION OF 9 SINGLE-FAMILY DETACHED DWELLINGS USING TRANSFERABLE DEVELOPMENT RIGHTS IN THE RA ZONING DISTRICT.** *(continuation from July 13, 2017 hearing)*

Ms. Yannich opened the hearing at 7:35 PM. Representing the applicant was Rob Gundlach, Esquire and Sam Costanzo, P.E., Van Cleef Engineering, Inc.

Mr. Clemons stated Mr. Zarko was asked by the Board of Supervisors at the July 13th hearing to review a plan that was submitted by the applicant at that hearing and present his comments during the July 25th Board meeting.

Mr. Clemons read into record the township exhibits.

Mr. Zarko was sworn in and Mr. Gundlach cross examined Mr. Zarko referencing his letter dated July 21st focusing on gross site area and open space for 6 lot cluster subdivision. Mr. Gundlach questioned Mr. Zarko on his interpretation of Form 307 of the Zoning Ordinance. Mr. Zarko stated the gross site area for the cluster subdivision needs six TDR's. Mr. Zarko noted his calculation of open space differs from Mr. Costanzo's calculation.

Mr. Clemons entered Warrington Springs plan last revised by Van Cleef Engineers January 4, 2016 as Exhibit T-17 and the Penrose Walk Plan last revised March 31, 2012 as Exhibit T-18. Mr. Clemons asked Mr. Zarko to read into record how the open space requirement was calculated from the Penrose Walk plan.

Mr. Gundlach stated both Warrington Springs and Penrose Walk are in the R2 District and have different requirements.

Mr. Gundlach entered into record Exhibits A14 and A15 referencing the cluster subdivision and TDR.

Mr. Clemons closed the record. The Board agreed to deliberate until the August 8th meeting so that they have a chance to review the information that was submitted by the applicant's attorney and engineer at the July 25th meeting.

Mr. Clemons stated the Board has forty five days from July 25 to provide findings of fact and conclusion of law.

Mr. Hallowell motioned, seconded by Ms. Baker to deliberate to August 8th in order for the Board and engineer to review Mr. Costanzo's response letter dated July 25, 2017. By Roll Call vote, the Board approved the deliberation of both applications to August 8, 2017, 5-0.

The regular meeting reconvened at 8:55 P.M.

3. APPROVAL OF BILL LIST:

a. **July 12, 2017 – July 25, 2017: \$ 1,385,842.63**

Ms. Baker motioned, seconded by Ms. Seliga to approve the bill list from July 12, 2017 through July 25, 2017 totaling \$1,385,842.63. 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. Gaines motioned, seconded by Ms. Baker to approve Consent Items A through D, F, H and I. Ms. Seliga requested a further explanation of Consent Items E, G, J, K and L. All were in favor.

a. **June 27, 2017 Approval of Minutes.**

b. **July 11, 2017 to Post Minutes.**

c. **July 13, 2017 to Post Minutes from Conditional Use Hearings.**

d. **Consider adding "including Lot Line Adjustment and Reverse Subdivision" to II. Subdivision and Land Development" of 2017 Fee Schedule.**

e. **Consider appointment of CKS Engineers, Inc to provide services as temporary Deputy Zoning Officer as requested by Township Manager and/or Zoning Officer.**

Mr. Luber explained that during the absence of the township's zoning officer (vacation, illness) CKS will be asked to provide services as a temporary deputy zoning officer upon request by the township manager and/or zoning officer.

Ms. Seliga motioned, seconded by Mr. Gaines to appoint CKS Engineers, Inc., to provide services as temporary Deputy Zoning Officer as requested by Township Manager and/or Zoning Officer. All were in favor and the motion passed 5-0.

f. **Consider MS4 Stormwater Application.**

g. **Consider Bid Award for Mary Barness Tennis and Swim Club Toilet Room Renovations: General, Electrical, and Plumbing Construction.**

Ms. Seliga questioned the costs of the renovations and asked what is a necessity versus what is proposed. Mr. Luber stated both restrooms need to be ADA compliant, handicapped accessible and incorporate a family accessible restroom. The lighting needs to be updated. Mr. Luber stated it would

be more cost effective to renovate both bathrooms at the same time rather than doing one now and then the other bathroom at a later time.

Mr. Hallowell motioned, seconded by Ms. Yannich to award all three bids including the alternate for the Mary Barness Tennis and Swim Club Toilet Room renovations. The motion passed 3-2 with Mr. Gaines and Ms. Seliga voting no.

- h. **Consider Approval of Warrington Springs, Phases 1, 2 & 3 Post Dedication Punch List Escrow Release in the amount of \$10,000.**
- i. **Consider Certificate of Completion #1 for Valley Gate – Residential (Warrington Pointe) in the amount of \$217,295.20.**
- j. **Consider Bid Award for Continental Drive Culvert Replacement.**

Ms. Seliga questioned the over budgeted costs for this project.

Mr. Gaines motioned, seconded by Mr. Hallowell to award the bid to SJM Construction Company, Inc., in the amount of \$144,937. All were in favor and the motion passed 5-0.

- k. **Consider Authorization to Advertise Warrington Village Storm Sewer Video Inspection Project for Bids.**

Mr. Zarko stated the storm sewer lines need to be videoed to prepare a scope of work within Warrington Village and is requesting to bid out the inspection project.

Mr. Gaines suggested if the Township could do its own mapping versus contracting it out or purchase the video equipment. Mr. Hallowell suggested renting the equipment from Bucks County Water and Sewer Authority.

Ms. Seliga motioned, seconded by Mr. Gaines to authorize advertisement of Warrington Village Storm Sewer Video Inspection Project for bids. All were in favor and the motion passed 5-0.

- l. **Consider Authorization to Advertise Bradley Road Driving Surface Aggregate Installation Project for Bids.**

Mr. Zarko stated a grant of \$66,000 was received for this project.

Mr. Hallowell motioned, seconded by Mr. Gaines to authorize advertisement of the Bradley Road Driving Surface Aggregate Installation Project for bids. All were in favor and the motion passed 5-0.

5. CORRESPONDENCE: None.

6. OLD BUSINESS:

- a. **Water Supply Update.**

A water supply update was supplied by Christian Jones, Director of the Water and Sewer Department, dated July 21, 2017. Mr. Hallowell referenced painting to the water tanks.

7. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

a. **Consider Resolution for Senate Bill No. 663 and House Bill No. 1469 (Amendments to PA Uniform Construction Code)**

Ms. Yannich read the Resolution opposing Senate Bill No. 663 and House Bill No. 1469 which are amendments to the PA Uniform Construction Code. A letter along with a copy of the Resolution will be forwarded to all state representatives.

Mr. Gaines motioned, seconded by Ms. Seliga to approve the Resolution opposing Senate Bill No. 663 and House Bill No. 1469 (Amendments to the PA Uniform Construction Code). All were in favor and the motion passed 5-0.

b. **Consider Resolution and Memorandum of Understanding between Central Bucks School District and Warrington Township regarding School Resource Officer Grant Application.**

Mr. Lubber stated a Memorandum of Understanding needs to be sent with the grant application for a School Resource Officer. Mr. Gaines suggested asking Chief Friel to reduce the amount of time the SRO spends at the school. The grant, if approved by the Pennsylvania Department of Education, would help pay for the salary and training as permitted by the grant. Mr. Lubber stated the application is for a two year grant.

Mr. Hallowell motioned, seconded by Mr. Gaines to approve the Resolution and Memorandum of Understanding between Central Bucks School District and Warrington Township regarding the School Resource Officer Grant Application. All were in favor and the motion passed 5-0.

8. **MANAGER'S REPORT:** None.

9. **ENGINEER'S REPORT:**

a. **General Update:**

Mr. Zarko stated the Parkview at Warrington (aka Illg) record plans were submitted to the Board and are ready for signature. Drainage issues along Folly Road will be addressed during development. The Developer will install a large culvert, in lieu of impact fees. However the repair is at Township expense.

Mr. Gaines motioned, seconded by Ms. Baker to authorize Mr. Zarko to negotiate with the Developer regarding the installation of a culvert for Folly Road, in lieu of impact fees. All were in favor and the motion passed 5-0.

Public Comment:

Seth Gansman (903 Bentley Court) questioned the inspection of the project.

Mr. Zarko noted a pre-construction meeting will take place on July 29th regarding the 2017 Roadway Improvement project. Construction is to be in August.

10. **SOLICITOR'S REPORT:**

a. **Consider amendments to the Police Pension Ordinance (advertised July 18, 2017)**

Mr. Clemons stated the Ordinance amends the police pension plan to revise Section 705 to provide for a maximum service increment, Section 707 to provide for killed in service benefits and Section 708 to remove an example of termination benefits.

Ms. Yannich stated Chief Friel approved the Ordinance as written.

Mr. Hollowell motioned, seconded by Ms. Seliga to approve the amendments to the Police Pension Ordinance. All were in favor and the motion passed 5-0.

b. **Announce Victory Gardens meeting scheduled for July 26, 2017 to discuss Bristol Road Access.**

Mr. Clemons stated a meeting is scheduled for July 26 with Mr. Zarko and Gilmore and Associates to discuss a resolution to use a driveway onto Bristol Road.

Mr. Clemons stated that he had a court conference regarding the Geerling case.

11. EXTENSION REQUESTS: None.

12. DEDICATION REQUESTS: None.

SUPERVISOR COMMENTS:

Ms. Baker stated the police department has received an ID fingerprint scanner through a grant.

Mr. Hollowell stated the public works department is starting road repairs.

Mr. Gaines stated the Planning Commission reviewed four out of five sections of the Comprehensive Plan. Mr. Gaines said the Planning Commission is waiting for the Open Space plan which will be an appendix.

Mr. Gaines said the Bike and Hike Trails Committee has scheduled a hike in August.

Mr. Gaines reported that the Environmental Advisory Council has determined properties adjacent to open space increase their property values by ten percent.

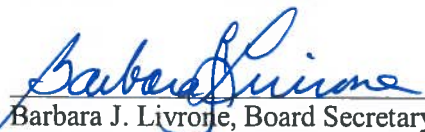
Ms. Seliga asked for a hard copy of the draft Health and Safety Manual to review.

Ms. Yannich stated at the July 11th Board of Supervisors meeting during a discussion relating to the Traffic Regulations Ordinance, a reference was made to a letter sent to the Board. Ms. Yannich read into the record that a letter was never sent to the Board. (Attachment C)

ADJOURNMENT

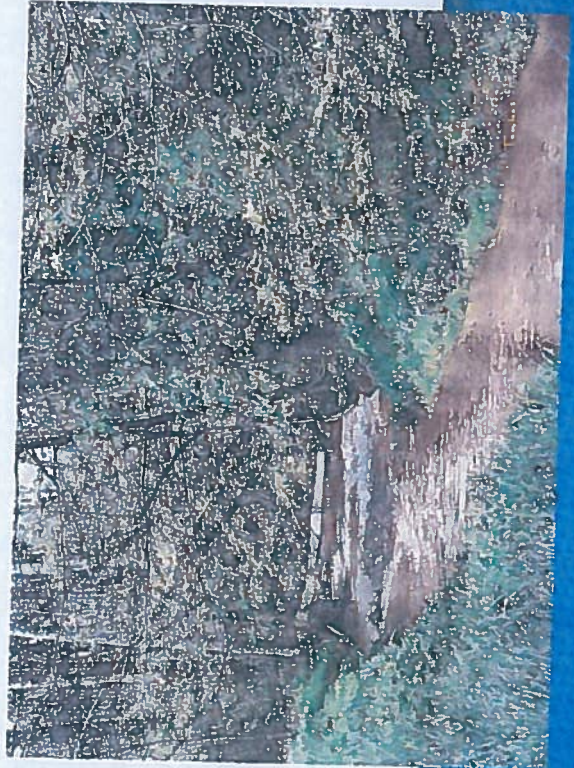
There being no further business, Mr. Hollowell motioned, seconded by Mr. Gaines to adjourn the meeting at 9:59 PM.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary

Warrington Township

TMDL and PRP Plans



Updated TMDL Plans Required for 2018 Permit

- o TMDL - Total Maximum Daily Load
- o Neshaminy Creek TMDL Study includes sediment reduction requirements for specific subwatersheds:
 - o Mill Creek - 28%
 - o Little Neshaminy Creek - 17%
 - o Tributary #3 of Neshaminy Creek - 75%
- o PADEP is requiring that a minimum reduction of 10% be provided during the 5 year permit term

Requirements for Pollution Reduction Plans

- o Nutrient PRP required for overall Neshaminy Creek Watershed to reduce Total Phosphorus by 5%
- o Using the Presumptive Approach where 10% Sediment reduction is presumed to be at least a 5% Total Phosphorus Reduction



Little Neshaminy Creek TMDL/PRP

- o BMPs since 2003:
 - o Conversion of Basins:
 - o Township Building
 - o Morning Walk Drive
 - o Orchard Place
 - o Streambank Stabilization in Palomino Farms
 - o Small Projects less than 1 acre earth disturbance
- o **Full TMDL Requirement met with existing BMPs**

Mill Creek TMDL/PRP

- o BMPs since 2003:
 - o Conversion of Basin:
 - o Billingsly Drive
 - o Small Projects less than 1 acre earth disturbance
- o Proposed BMPs for 2018-2023 Permit Period:
 - o Conversion of Basins:
 - o Statesman Road
 - o Buttercup Boulevard
 - o Future Small Projects less than 1 acre earth disturbance
- o PRP Requirement. Additional Reductions will be required after 2022 to address the TMDL.

Tributary #3 TMDL/PRP

- o BMPs since 2003:
 - o Conversion of Basin:
 - o Guinea Lane/Warwick Road
 - o Green Ridge Drive
 - o Hidden Court
 - o Small Projects less than 1 acre earth disturbance
- o Proposed BMPs for 2018-2023 Permit Period:
 - o Conversion of Basin:
 - o Sarah Lane/Warwick Road
 - o Future Small Projects less than 1 acre earth disturbance
- o PRP Requirement Met. Additional Reductions will be required after 2022 to address the TMDL.

PRP for Overall Neshaminy Creek Watershed

- o Includes all of the projects listed for 2018 to 2023 Permit Period for TMDLs
- o Additional Proposed BMPs:
 - o Small Projects in drainage areas for the remainder of the Township
 - o Conversion of the Basin at Mary Barness Swim Club
- o PRP Requirement met for Overall Neshaminy Creek Watershed.

Estimated Cost

- o Basin Conversions:
 - o If bid to remove low flow channels and naturalize. Average Cost \$40,000 each for 4 Basins
 - o Approximately \$160,000
- o Small Projects:
 - o No cost to Township

Next Steps

- o TMDL and PRP Plans will be advertised for 30 Day Public Comment Period on August 2, 2017
- o All comments received must be documented and addressed in the final Plans
- o 2018 MS4 Permit Application including the TMDL and PRP Plans must be submitted by September 16, 2017

Attachment "B"

Consent Agenda – July 25, 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 L** on the Consent agenda.

- a. June 27, 2017 to Approve Minutes.
- b. July 11, 2017 to Post Minutes.
- c. July 13, 2017 to Post Minutes from Conditional Use Hearings.
- d. Consider adding "including Lot Line Adjustment and Reverse Subdivision" to II. Subdivisions and Land Development" of 2017 Fee Schedule.

The purpose of this item is to address applications filed for Lot Line Adjustment and Reverse Subdivision to cover staff and related costs.

- e. Consider appointment of CKS Engineers, Inc. to provide services as temporary Deputy Zoning Officer as requested by Township Manager and/or Zoning Officer.

These services would be provided for when the Township's Zoning Officer, Roy Rieder, is unavailable, i.e., vacation time.

- f. Consider Ms4 Stormwater Application.

This is an application for Ms4 Stormwater permitting program renewal with DEP.

- g. Consider Bid Award for Mary Barness Tennis and Swim Club Toilet Room Renovations: General; Electrical, and Plumbing Construction.

This is to award contracts for the renovations to two restrooms at the Mary Barness Tennis & Swim Club as follows:

- **Trefz Mechanical \$74,298**
- **Premier Builders \$213,150**
- **MJF Electrical Contracting \$22,000**
- **Total = \$309,448**

- h. Consider Approval of Warrington Springs; Phases 1, 2 & 3 Post Dedication Punch List Escrow Release in the amount of \$10,000.

The Developer has completed all of the items on the Post-Dedication punch list and Township Engineer is recommending the release of escrow.

- i. Consider Certificate of Completion #1 for Valley Gate – Residential (Warrington Pointe) in the amount of \$217,295.20.

This is to reduce the amount of security held because the developer has completed a certain amount of site improvements to the satisfaction of the Township Engineer.

- j. Consider Bid Award for Continental Drive Culvert Replacement.

This is to replace a badly corroded culvert which is beginning to develop sinkholes in the roadway near Continental Drive and Liberty Lane.

- k. Consider Authorization to Advertise Warrington Village Storm Sewer Video Inspection Project for Bids.

This project will allow us to inspect deteriorating stormwater systems to accurately define the needs for future capital improvements.

- l. Consider Authorization to Advertise Bradley Road Driving Surface Aggregate Installation Project for Bids.

This will add a new surface to Bradley Road to reduce dust emissions.

Attachment "C"

MEMORANDUM

To: File
From: Shirley Yannich, Chairwoman
Date: July 24, 2017
Re: Setting the Record Straight

Supervisor Comments:

I would like to set the record straight involving a discussion from an objector's attorney to the Traffic Regulations Ordinance that we discussed at our meeting on July 11th.

On several occasions the attorney referenced a letter he said he sent to us earlier that day.

For the record there was never a letter sent to this board. I do, however, have a copy of a letter sent to a member of Mr. Clemons' law firm noting a copy to Mr. Clemons and the attorney's client. There is no mention of the letter coming to us. It is my understanding that the letter was not sent until after 5:30 on the evening of this hearing.

I think everyone on this board would agree that if a letter were to come to us, no matter how late, our secretary Barbara Livrone would have provided copies at our seats.

Publicly stating that a letter was sent to us, when it was not, not only embarrasses the board but insults Ms. Livrone's efficiency.