



## WARRINGTON BOARD OF SUPERVISORS MINUTES FOR SEPTEMBER 12, 2017

The written minutes are a summary of the September 12, 2017 Board of Supervisors meeting. For a complete dialog visit the Township's website, [www.warringtontownship.org](http://www.warringtontownship.org).

### ATTENDANCE

Shirley A. Yannich, Chair; Fred R. Gaines, Vice Chair; Carol T. Baker, Member; Matthew W. Hallowell, 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 7:00 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 an executive session was not held.

Mr. Gaines recognized the posters that were placed in front of the dais from the Environmental Advisory Council (EAC). Businesses were recognized by the EAC who made donations towards the EAC's annual community day.

### **PUBLIC COMMENT:**

There was no public comment.

### **1. APPROVAL OF BILL LIST:**

- a. August 22, 2017 – September 12, 2017: \$ 906,090.20

Ms. Seliga motioned, seconded by Mr. Gaines to approve the bill list from August 22, 2017 through September 12, 2017 totaling \$906,090.20. By roll call vote, the motion passed 5-0.

### **2. CONSENT ITEMS:**

Ms. Yannich read the consent items as presented and Consent Items C and D were clarified by the Solicitor. (Attachment "A") Mr. Gaines requested a further explanation of Consent Item #F. Mr. Hallowell motioned, seconded by Ms. Baker to approve Consent Items A through E and G. All were in favor and the motion passed 5-0.

- a. August 8, 2017 Approval of Minutes.
- b. August 22, 2017 to Post the Minutes.
- c. Consider bid award for Bradley Road Driving Surface Aggregate Installation Project (advertised August 2 and August 16, 2017).

- d. **Consider bid award for Warrington Village Storm Sewer Video Inspection Project. (advertised August 2 and August 16, 2017.**
- e. **Consider authorization to advertise for Salt Application and Snow Removal for 2017-2018.**
- f. **Consider Change Order # 1 for Center Street and Easton Road Water Main Extension in the amount of \$1,000.00.**

The contractor on Easton Road is finishing the project and a change order was needed to remove a tree. For future projects, Mr. Gaines requested a four foot wide sidewalk from Target to Street Road be constructed.

Mr. Gaines motioned, seconded by Ms. Baker to approve Change Order #1 in the amount of \$1,000.00 for the Center Street and Easton Road Water Main Extension. All were in favor and the motion passed 5-0.

- g. **Consider Change Order # 1 for 2017 Roadway Improvement Project in the amount of \$32,000.**

### 3. CORRESPONDENCE:

- a. **Correspondence from Michael McGeehan (1099 Lincoln Court) regarding Dysautonomia.**

Ms. Yannich read a description of Dysautonomia as presented by resident, Michael McGeehan via email to the Board of Supervisors on August 23, 2017. It is a term that includes many different diseases of the autonomic nervous system. Mr. McGeehan is requesting the Township to recognize Dysautonomia Awareness.

- b. **Correspondence from Governor Tom Wolf.**

Ms. Yannich stated the Township received a letter dated August 29, 2017 from Governor Tom Wolf thanking the Township for sending him an approved resolution in opposition to SB 663 and HB 1469.

- c. **Correspondence from FEMA – Hazard Mitigation Plan.**

Ms. Yannich read from a letter dated August 30, 2017 from FEMA approving the Township's Hazard Mitigation Plan and that the Township is eligible to apply for federal disaster assistance until the plan expires. Ms. Yannich also noted that the letter included ten recommendations for future improvements to the local hazard mitigation plan.

- d. **Correspondence from Montgomery Square United Methodist Church 175<sup>th</sup> Anniversary.**

Ms. Yannich received a letter dated September 1, 2017 from the Montgomery Square United Methodist Church which serves both Bucks and Montgomery residents. The Church, located at 1900 County Line Road is celebrating their 175<sup>th</sup> anniversary and extended an invitation to the Board of Supervisors to attend their celebration on October 1<sup>st</sup>.

### 4. OLD BUSINESS:

- a. **Water Supply Update.**

Ms. Yannich read the report from Director of the Water and Sewer Department, Christian Jones dated September 8, 2017 noting the number of public water connections as of August 17th; Costner Filtration

Project; High Grove Manor Interconnection Project and the Center Street/Easton Road Water Main Extension Project.

- b. **Discussion of Shihadeh minor subdivision of Tax Map Parcel No. 50-023-141-001, 2357 Tohickon Lane, to create a new parcel with frontage on Grady Avenue, an unopened street.**

Ms. Yannich stated two letters were received on September 12<sup>th</sup> (the date of this meeting), and the solicitor did not have a chance to review them regarding the Shihadeh minor subdivision. Therefore, this agenda item will be brought back again at the September 26<sup>th</sup> Board meeting.

## 5. NEW BUSINESS (ACTION/DISCUSSION ITEMS:

- a. **Consider implementing a policy that addresses requests for public awareness matters.**

Ms. Yannich requested for the Board to consider a policy that addresses requests for public awareness matters. For example, the recent request made by resident Mike McGeehan to place turquoise lights on the township building to recognize awareness for Dysautonomia.

Mr. Clemons stated a public awareness policy could be created for the health, safety and other public concern. He suggested a request for general awareness to come from a non-profit entity with the Township and that the municipality shall not incur any cost to support the requested public awareness.

Ms. Baker motioned, seconded by Ms. Yannich for the Township Manager to create a draft policy for public awareness and present the policy to the Board of Supervisors for review/approval. Mr. Hollowell amended the motion to include the Township Manager to report back what type of policy other municipalities have adopted. All were in favor and the motion passed 5-0.

Mr. Gaines motioned, seconded by Ms. Baker to declare the month of October as Dysautonomia Month and invite Mike McGeehan and his family to attend the October 10, 2017 Board of Supervisors meeting.

## 6. MANAGER'S REPORT:

- a. **Consider authorization to advertise amendment to Chapter 21 Streets and Sidewalks –removal of trees obstructing the right-of-way.**

Mr. Lubber reported the purpose of the proposed Street Tree Ordinance is to establish standards for trees that are planted in the right-of-way or extend into the right-of-way. The Ordinance requires abutting landowners, at their expense, to maintain these trees and/or remove them if the tree is determined to be diseased or dying.

Mr. Clemons stated the 2<sup>nd</sup> Class Township Code gives the Township the authority to have the property owner trim the tree(s) or remove the tree(s) if the tree(s) presents a safety issue.

Ms. Yannich requested the Planning Commission and the Environmental Advisory Council to review the Ordinance and also obtain the Director of Code Enforcement's comments on said Ordinance.

Ms. Seliga motioned, seconded by Mr. Hollowell to postpone the review of the Street Tree Ordinance until September 26<sup>th</sup>. All were in favor and the motion passed 5-0.

Mr. Lubber stated he will send the Street Tree Ordinance to the Consortium for review and comments.

**7. ENGINEER'S REPORT:****a. General Update:**

Mr. Zarko gave a report on the following three (3) items listed below.

**b. Report on Fairways Water Tank Standpipe Leak:**

Mr. Zarko stated when the tank was repainted and the tank was being filled, a leak was noticed in the standpipe. A storage tank consultant was brought in to evaluate the standpipe and determined it had deteriorated. A change order will be presented to the Board at a future meeting. Ms. Seliga requested a price and Mr. Zarko did not have a price at this time.

**Public Comment:**

Mike Kelly (135 Muirfield Lane) asked why the township is painting tanks that are not being used.

Mr. Zarko responded that these tanks are being kept in service to provide water to the eastern section of the township, if needed.

Mr. Gaines stated the tanks are needed for water pressure and for storage.

**c. Mason Drainage Basin Complaint:**

Mr. Zarko met with Mr. and Mrs. Mason (2796 Bristol Road). Stormwater is being discharged to their property from Barness Park.

Mr. Zarko stated that the drainage is properly being managed at the park; however some improvements could be made to the drainage pipe outlet but would have to go onto Mr. Mason's property.

Mr. Mason would have to agree to grant an easement and permit access onto his property. Public Works could construct the improvements. An estimated cost to the township would be around \$6,000.

Ms. Seliga motioned, seconded by Mr. Gaines to approve the installation of work needed by the Public Works Department to provide a rip rap apron and obtain an easement at an estimated cost of \$6,000. All were in favor and the motion passed 5-0.

**d. Easton and Street Roads left turn study.**

Mr. Zarko stated the Board of Supervisors has received concerns from area residents for Easton, Street, Titus and Paul Valley Roads to have left turn signals. In order to PennDOT to implement left turn signals at these intersections, they need a traffic count and crash history. Mr. Zarko said that he will reach out to both Warrington and Warminster police departments to obtain a crash history report for these intersections.

Mr. Zarko reported that CKS is working with the contractor to obtain information for the Orchard Hill tower and proposed exterior painting. The contractor is suggesting finishing the painting in the spring.

**8. SOLICITOR'S REPORT:**

Mr. Clemons requested an executive session to discuss open space acquisition and pending litigation matters before the next Board meeting.

a. **Victory Gardens**

Mr. Clemons reported that he met with Victory Gardens, the Garges' and their counsel to discuss options and asked for a written proposal to present to the Board of Supervisors within the next thirty days for bringing the truck traffic onto Bristol Road from the Garges farm.

Mr. Clemons stated the Victory Gardens Zoning Ordinance appeal intervention issue needs to be resolved.

Victory Gardens is appealing to the courts stating the truck ordinance is invalid. Mr. Clemons is filing a response.

Geerlings' appeal is outstanding and Mr. Clemons will respond to Mr. McBride's brief by September 30<sup>th</sup>.

Mr. Clemons stated there is no activity of an appeal filed regarding the Murphy property (2934 Bristol Road).

Mr. Clemons is requesting an executive session to discuss the Victory Gardens litigation.

**Public Comment:**

Connie Ace (1067 Folly Road) stated that past history indicates that Victory Gardens does not respond to time limits. Dr. Ace showed pictures of the farm lane off of Folly Road into the Garges farm and was never intended to be a truck traffic road. Dust from this farm lane is being generated.

Teresa Paone (1240 Folly Road) requested the township to enforce the truck ordinance for other trucks besides the Victory Gardens trucks. Mr. Clemons stated you can't enforce the Ordinance to some trucks and not all trucks.

John McConnell (206 Trellis Drive) stated the entrance from Folly Road to Winding Brook Farm's inlet is destroyed and needs to be repaired from the trucks driving over the inlet.

**9. EXTENSION REQUESTS:** None.

**10. DEDICATION REQUESTS:** None.

**SUPERVISOR COMMENTS:**

Mr. Gaines referenced the past two hurricanes and stated the Township was well prepared for any emergency. Mr. Gaines complimented Director of EMS, Lee Greenberg for the planning, response and mitigation listed in the emergency handbook. Mr. Gaines complimented the police, public works and water and sewer departments for being a well-trained group of professionals.

Ms. Baker reported on a program called "Bucks County Police Assisting in Recovery (BPAIR)" program. This program is for people seeking treatment for substance use disorders. Friends, family and caregivers are also instructed how to care and manage these users. Warrington Police Department has saved eighteen lives that have overdosed. Chief Friel needs volunteers for this program.

Mr. Hallowell inquired about the status of the Bradley Road storm pipe. He also complimented the Public Works Department for doing a great job on Bradley Road.

Ms. Seliga complimented the Public Works Department for removing ash trees and taking care of a tree on Pickertown Road behind the Arbor Ridge development.

Ms. Seliga thanked the township manager for writing a letter to Senator Greenleaf requesting his support for the Route 202 to Bradford Dam Walking Trail construction grant.

Ms. Seliga attended the Pension Committee meeting and stated non uniform pension is close to 100% funded whereas police pension is underfunded which will require a large increase in upcoming years' MMO funding requirement. Nothing can be done to address this issue until police union contract comes up for renewal in 2019.

Ms. Yannich noted the Warrington Police Department has a crime watch site.

Ms. Yannich stated the Central Bucks Bicycle Club holds a fundraiser each year. Their club donated 53 bicycles to Warrington Township girls and boys. Walmart gave the club a discounted rate on each bike and assembled the bikes.

Ms. Yannich reported a draft plan for open space will be presented at the September 28<sup>th</sup> Park and Recreation Board meeting.

Mr. Luber announced the Warrington Cares Employee Charity Sprint Triathlon was held on Sunday, September 10<sup>th</sup> at the Mary Barnes Tennis and Swim Club. 175 participants participated. Mr. Luber will present a summary and pictures of the event at the September 26<sup>th</sup> Board meeting. Mr. Luber thanked CKS Engineers for their generous donation and also to Terry Clemons for legal advice not charged to the township.

Mr. Luber announced Warrington Community Day to be held on Saturday, September 23<sup>rd</sup> at John Paul Park @ Lower Nike. New events this year include Hot Dog Pig Races, Barrel Racer and the Bridge Band performing at Upper Nike Park before the fireworks. This is a free event to the public. Mr. Luber was pleased to announce \$25,000 was received from businesses sponsoring the event.

#### ADJOURNMENT

There being no further business, Ms. Baker motioned, seconded by Mr. Hallowell to adjourn the meeting at 8:40 PM.

Respectfully Submitted By:

  
Barbara J. Livrone, Board Secretary

## Attachment "A"

### Consent Agenda – September 12, 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.

a. August 8, 2017 to Approve Minutes.

b. August 22, 2017 to Post Minutes.

b. Consider bid award for Bradley Road Driving Surface Aggregate Installation Project. (advertised August 2 & August 16, 2017)

**This contract is for a contract to apply a more permanent surface to Bradley Rd. to suppress the dust.**

d. Consider bid award for Warrington Village Storm Sewer Video Inspection Project. (advertised August 2 & August 16, 2017)

**This contract is for a video inspection of the storm drain system in Warrington Village which will provide information on the condition of the infrastructure to determine which parts of the system are in need of replacement.**

e. Consider authorization to advertise for Salt Application and Snow Removal for 2017-2018.

**This bid is to find qualified contractors to snow plow and apply salt to township roads during snow and/or ice events.**

f. Consider Change Order #1 for Center Street and Easton Road Water Main Extension in the amount of \$1,000.00.

**This change order is to remove a tree which had to be taken down to accommodate the revised plan for the water main extension..**

g. Consider Change Order #1 for 2017 Roadway Improvement Program in the amount of \$32,000.

**A recent inspection determined that the pavement and loop system at the intersection of Valley and Street Roads was in need of re-paving. This change order to the Morrissey contract will cover the expense of the additional paving.**

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