



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS  
MINUTES FOR OCTOBER 24, 2017**

The written minutes are a summary of the October 24, 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; 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 7:37 P.M. Ms. Yannich stated Supervisor Matthew Hallowell was ill and would not be attending the meeting.

**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 held on October 23, 2017.

Mr. Luber reported an item for discussion was the Fairways Condominium Association water main break that occurred. The homeowners association is stating the township owns the water main and the infrastructure. However, the township cannot find any documentation confirming that the water main and infrastructure was dedicated to the Township. The thirty plus old system needs to be inspected by CKS Engineers. It was suggested for the Fairways to pay for the cost and then brought back again to the Board of Supervisors.

Mr. Clemons reported on three legal issues that were discussed:

- DEP violation notice regarding water lab testing.
- Open Space acquisition.
- Litigation regarding Victory Gardens. The residents were granted approval to intervene in the case.

No decision was made during the executive session.

**PRESENTATION FOR CHRISTIAN R. JONES**

Ms. Yannich read a Proclamation recognizing Christian R. Jones for earning a Master of Public Administration Degree with a Certificate in City Management from Villanova University. The Proclamation was presented to Mr. Jones.

**PUBLIC COMMENT:**

John McConnell (206 Trellis Drive) inquired about the written proposal from Victory Gardens that was mentioned at the September 12, 2017 Board meeting.

Mr. Clemons said he has not received a written proposal and that Victory Gardens has thirty days to answer. A meeting with the Judge has been scheduled for November 30, 2017.

**1. APPROVAL OF BILL LIST:****a. October 11, 2017 – October 24, 2017: \$ 1,018,640. 50**

Ms. Seliga motioned, seconded by Ms. Baker to approve the bill list from October 11, 2017 through October 24, 2017 totaling \$1,018,640.50. By roll call vote, the motion passed 4-0.

**2. CONSENT ITEMS:**

Ms. Yannich read the consent item page and asked if any clarification was needed for the consent items as presented. (Attachment "A") Ms. Baker motioned, seconded by Mr. Gaines to approve Consent Items A through E. All were in favor and the motion passed 4-0.

- a. September 26, 2017 to Approve Minutes for Budget Work Session.
- b. September 26, 2017 to Approve Minutes for Regular Board meeting.
- c. October 10, 2017 to Post Minutes for Board meeting.
- d. Consider Certificate of Completion #5 for High Grove Manor (Lot 2) in the amount of \$39,217.25.
- e. Consider appointment of Shawn McGuigan as a full member of the Warrington Township Planning Commission.

**3. CORRESPONDENCE: None****4. OLD BUSINESS:****a. Water Supply Update.**

Mr. Luber read the report from Director of the Water and Sewer Department, Christian Jones dated October 19, 2017 noting the number of public water connections as of October 19th; Costner Filtration Project; High Grove Manor Interconnection Project and the Center Street/Easton Road Water Main Extension Project.

**b. Consider approval of a draft Ordinance amending the Zoning Ordinance to permit municipal and educational uses in the PI-2 zoning district.**

A draft Ordinance to amend the Zoning Ordinance to permit municipal and educational uses in the PI-2 zoning district was discussed. Mr. Clemons stated this amendment to the zoning ordinance will not be advertised until it is reviewed by the Warrington Township Planning Commission and the Bucks County Planning Commission.

Ms. Baker motioned, seconded by Ms. Yannich to forward the draft Ordinance amending the Zoning Ordinance to permit municipal and educational uses in the PI-2 zoning district to the Warrington Township and Bucks County Planning Commissions for review as per the Municipality Planning Code. All were in favor and the motion passed 4-0.

**c. Discuss leasing terms for the old DPW building located at 3400 Pickertown Road.**

Ms. Yannich stated in 1920, 3400 Pickertown Road was used as a school, then as a municipal building, followed by a public works building. An amendment to the Zoning Ordinance to permit municipal and

educational uses will be reviewed by the Warrington Township and Bucks County Planning Commissions before approval of a lease. A non-profit school, ATG Learning Academy contacted the Township to rent the space.

Mr. Luber discussed the leasing terms of the old DPW building. \$140,000 had been previously budgeted and ATG Learning Academy is willing to contribute \$75,000 over the course of the lease toward renovations.

Ms. Kathleen Smookler representing ATG Learning Academy stated seventeen students; grades 4<sup>th</sup> through 12<sup>th</sup> and eleven staff members would occupy the space. The Academy is looking for a permanent residence and is seeking a five to six year lease.

Ms. Seliga asked about additional security for the building and the credit rating of the Academy.

Mr. Gaines questioned the fire access and ADA compliance.

Ms. Baker asked if the Code Department looked at the building for this new use. Mr. Luber responded that both the Fire Marshal, Code Inspectors, CKS and the architect toured the building and made recommendations for renovations.

Ms. Yannich stated upon Ordinance approval, the Township can move forward with the engineering process.

Mr. Luber asked for a consensus of the Board. Ms. Yannich said the Board will wait until they receive the review letters from the Warrington Township and Bucks County Planning Commissions.

- d. Consider Resolution to approve Preliminary Final Plan Approval for the Sandstone Development located at Street Road and Phillips Avenue, TMP # 50-020-021; 024; 026; 027; 028; 029; 031 and 032.

Ms. Yannich asked if there were any questions to the Sandstone plan.

Ms. Baker asked who was going to naturalize the basin. Mr. Zarko stated that he will work with the developer to develop plantings for a naturalized basin bottom.

Mr. Gaines showed a ten unit proposal from years ago which showed all of the trees removed and more houses were proposed than the current plan.

Ms. Yannich highlighted conditions as written in the Resolution along with four waivers.

Mr. Clemons noted a change to the proposed Resolution, Item #14 that the Developer shall pay to the Township as a contribution in lieu of open space one eighth of the total required contribution calculated on the basis of \$140,000 per acre of required open space.

Ms. Yannich requested the developer to meet with the Historic Commission to discuss the name of the street within the development.

Ms. Yannich stated that the Developer will enter into a financial security agreement with the Township.

Mr. Katz questioned the traffic signal noted in Item #16 of the Resolution that the escrow was posted from Lamplighter to Warrington Springs.

Mr. Gaines motioned, seconded by Ms. Yannich to accept the amended Resolution to approve the Preliminary Final Plan for the Sandstone Development located at Street Road and Phillips Avenue, TMP # 50-020-021; 024; 026; 027; 028; 029; 031 and 032. All were in favor and the motion passed 4-0.

e. Consider Change Order # 1 for the Fairways Storage Tank Standpipe Replacement Project.

Mr. Zarko stated the standpipe that feeds the tank was leaking. An evaluation was completed and two more modifications were noted for the 16" vent and safety gate. The proposed cost is \$49,800 and needs to be completed before the tank is put back in service. Mr. Zarko did contact another contractor and their cost was higher.

Mr. Gaines motioned, seconded by Ms. Baker to approve Change Order # 1 for the Fairways Storage Tank Standpipe Replacement Project. All were in favor and the motion passed 4-0.

5. **NEW BUSINESS (ACTION/DISCUSSION ITEMS):**

a. Consider Sprint Contract.

Mr. Luber gave background information on the current wireless provider. The township has been with Verizon since 2001 and in order to save taxpayer money, the township is proposing to contract with Sprint who will provide unlimited data. The approximate annual savings to the township will be \$9,000.

Mr. Luber stated a feature that Sprint is offering is a new technology called "Officer Down" which is a device worn in the police officers bullet proof vest. If the officer is shot or stabbed, an alert will automatically be dispatched to EMS and Chief Friel. Mr. Luber stated this device is being offered to the township at no cost.

Sprint representative Bo Birkhead was present to offer more detail and answer questions.

Ms. Yannich stated there is no contract term between Sprint and the township.

Ms. Yannich stated the township solicitor has reviewed and approved the contract documents submitted to the township.

Public Comment:

Ted Cicci (407 Prescott Court) asked if the sensor panel works if the officer is in an accident. Mr. Birkhead said if the sensor panel is not penetrated, it will not be activated.

Ms. Seliga motioned, seconded by Mr. Gaines to approve with contract with Sprint. All were in favor and the motion passed 4-0.

b. Discuss Warrington Fire Company # 1 Tax Abatement for Volunteer Firefighters.

Ms. Yannich reported that PA Act 172 allows municipalities to provide incentives through the issuance of a tax credit for earned income taxes and/or real estate taxes to volunteer firefighters and non-profit emergency medical service providers.

Ms. Yannich read the recommendation provided by staff not to adopt an incentive credit for earned income taxes or real estate taxes. Currently, a generous incentive amount is already in place. Offering a de minimis incentive would not attract nor retain volunteer firefighters or emergency personnel.

Ms. Yannich stated no action is required by the Board.

c. Consider changes to 2017 Fee Schedule

Ms. Yannich stated changes to the 2017 Fee Schedule will be postponed to a later date.

**6. MANAGER'S REPORT:**

a. **Consider Cost of Living Adjustment for Police Retirees.**

Mr. Luber reported that in the collective bargaining agreement with the Police Benevolent Association, the CBA indicates that the Pension Committee can recommend that the Board of Supervisors grant a COLA to the police retirees. Mr. Luber noted the increase to the general fund if the COLA was granted.

Ms. Seliga was not in agreement with the COLA.

Mr. Gaines said to defer to contract negotiations.

Ms. Yannich asked Ms. Baker to follow up with Chief Friel.

No action was taken.

**7. ENGINEER'S REPORT:**

a. **General Update:**

Mr. Zarko highlighted from his report the Road Improvement Program; Highgrove Manor Interconnection; Mary Barness Swim Club Restroom Renovations and the Mary Barness Tennis Courts.

**8. SOLICITOR'S REPORT:**

Mr. Clemons did not have a report.

**9. EXTENSION REQUESTS:** None.

**10. DEDICATION REQUESTS:** None.

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**SUPERVISOR COMMENTS:**

Mr. Gaines reported on October 21<sup>st</sup>, an open house will take place at 10 Folly Road.

Mr. Gaines reported on November 1<sup>st</sup>, the Environmental Advisory Council has asked for members of each board/council/committee and the public to attend a presentation on "Return on Environment". John Rodgers from Keystone Conservation is the keynote speaker.

Mr. Gaines reported on November 2<sup>nd</sup>, the Planning Commission will be hosting a public meeting to present the draft Comprehensive Plan as presented by the Bucks County Planning Commission. The draft Comprehensive Plan will be made available via the township's website.

Ms. Seliga stated that in the Willow Knoll development, there is a lot of debris and trash. Noting there is no Homeowners Association, what can the Township do to remedy this situation? Mr. Luber stated there are no cameras to pin point and who to cite. Letters have been mailed to the landlords describing the conditions. The public works department collects and disposes trash at the township's expense. Mr. Luber recommended increasing the trash bill by including it in the real estate taxes for this development. Mr. Luber will bring this item back to the Board of Supervisors at a future date.

Mr. Luber also stated that on Lisa Drive of the Willow Knoll development, the parking issues are being worked on.

Ms. Baker questioned the sidewalks in this development.

Ms. Baker stated the EPA is being forced to re-write the clean water regulations.

Ms. Yannich noted the following future meeting dates:

- November 14, 2017 – there will be no budget work session. There will be a regular Board of Supervisors meeting.
- November 21, 2017 – a budget work session will begin at 6:00 PM
- November 28, 2017 – a regular scheduled Board of Supervisors meeting.
- December 12, 2017 – possibly eliminate this meeting.
- December 19, 2017 – a regular scheduled Board of Supervisors meeting.

**ADJOURNMENT**

There being no further business, Mr. Gaines motioned, seconded by Ms. Seliga to adjourn the meeting at 9:21 PM.

Respectfully Submitted By:

  
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Barbara J. Livrone, Board Secretary

## ATTACHMENT "A"

### Consent Agenda – October 24, 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. September 26, 2017 to Approve Minutes for Budget Work Session.
- b. September 26, 2017 to Approve Minutes for Regular Board meeting.
- c. October 10, 2017 to Post Minutes for Board meeting.
- d. Consider Certificate of Completion # 5 for High Grove Manor (Lot 2) in the amount of \$39,217.25.

This is to reduce the amount of financial security held by the township. Site improvements have been completed to the satisfaction of the Township Engineer and thus the amount of security can be reduced.

- e. Consider appointment of Shawn McGuigan as a full member of the Warrington Township Planning Commission.

Shawn McGuigan was appointed by the Board of Supervisors at their May 9, 2017 meeting as an alternate to the Planning Commission. Brian Shapiro resigned from the Planning Commission on October 5, 2017 leaving a full-time vacancy.

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