



## **WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR JULY 10, 2018**

**The written minutes are a summary of the July 10, 2018 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; Eileen Albillar, Member and Ruth L. Schemm, Member. Staff present was Barry P. Lubber, 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. Ms. Yannich thanked the residents who came to the meeting and also the people watching the meeting live.

### **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 OF WARRINGTON TOWNSHIP WATER AND SEWER DEPARTMENT 2019 CAPITAL PROJECTS**

Ms. Yannich introduced the Director of the Water and Sewer Department, Christian Jones to present the departments 2019 capital project list.

Mr. Jones presented to the Board the projects and costs for the 2019 capital budget. The 2019 capital budget focuses on Sanitary Sewer Main Rehabilitation; Water Main Rehabilitation/Extension; Sewage Pump Station Diesel Pumps; Meter Replacement/FLEXNET; total cost and source of funds. (Attachment "A")

Mr. Jones stated the annual increase to the rate payer would be approximately \$84 per year.

Mr. Gaines stated the annual increase to include the real estate taxes for the new police station added to the water and sewer rate payer, would be approximately \$120 per year.

### **UPDATE AND DISCUSSION OF THE PROPOSED POLICE/MUNICIPAL BUILDINGS.**

Mr. Zarko, Chair of the Ad Hoc Committee gave an update from their first committee meeting of June 28<sup>th</sup>. The items that the committee is recommending to the Board are the following:

- Township building renovations removed but brought back in the future in phases. The renovations are being proposed to have the Public Works Department do as much as they can. Additionally, contract out the remaining renovations in smaller phases.
- Eliminate community room from project. Discussed possible use of basement at township building to hold community events.
- Eliminate metal roof from new police station.
- Develop elevations/residential character with architect.

Schedule open house with residents for them to see first-hand the current conditions that staff have to deal with at the township administration building.

Ms. Yannich asked the Board their opinion of removing the township building renovations from the project.

- Carol Baker is in favor.
- Fred Gaines is in favor but recognizes the need for added security at the entrance of the township administration building to assure the safety of the employees. Mr. Gaines also suggests HVAC upgrades and bringing the building up to ADA compliance.
- Ms. Albillar is in favor of Mr. Gaines recommendations noting the need for security at the township administration building.
- Ms. Schemm is in favor of Mr. Gaines recommendations noting that the HVAC upgrade expenditures be added in the budget.

Mr. Gaines motioned, seconded by Ms. Schemm to separate the administration building rehabilitation from the current project that is going to be considered as part of the bond issue with the intent that the project will be implemented in phases that over the next few years using general fund monies. All were in favor 5-0.

Ms. Yannich asked the Board their opinion if the community room should be attached at the police station.

- Ms. Baker recommended for the community room to be placed at another location.
- Ms. Albillar questioned the access to 611. Mr. Zarko stated this issue will be added to the July 12<sup>th</sup> Ad Hoc meeting agenda.
- Ms. Schemm questioned the impervious surface.
- Mr. Gaines stated if the community room is not part of the project, then the amount of revenue needed is reduced. Later when bonds are closed out, the Township may have the funds to build a community room.

Ms. Baker motioned, seconded by Ms. Albillar not to attach the community room to the police station. All were in favor 5-0.

Ms. Yannich asked the Board their opinion relating to a metal roof versus fiberglass shingles.

- Mr. Zarko stated the roofing material is a significant cost issue and that the Ad Hoc Committee recommends fiberglass shingles.

Ms. Schemm motioned, seconded by Mr. Gaines to support the Ad Hoc Committee in their decision to review each component and make the best choices to match the Township needs at this time. All were in favor 5-0.

Ms. Yannich asked the Board their opinion on the architectural design of the new police station noting that the new police station should fit into the design of the neighborhood and not take away from the Township building.

Ms. Baker motioned, seconded by Mr. Gaines to support the Ad Hoc Committee's discussion with the architect regarding grading and details of visual concept of the police station. All were in favor 5-0.

Mr. Gaines suggested to video the conditions at the township building and show before a public meeting if residents could not attend the open house.

Ms. Albillar suggested explaining the need for a new police station at an open house due to the current limited space the police department currently utilizes.

Ms. Schemm suggested creating teaching tools and making them available to the public.

Ms. Yannich suggested setting a date for an open house during the July 24<sup>th</sup> meeting Board of Supervisors meeting.

**PUBLIC COMMENT:** There was no public comment.

**PUBLIC HEARING:**

- Petition to rezone property owned by Melody L. Eble (926 Stump Road), TMP # 50-004-021 from RA Residential Agricultural to R-1 Residential District and consider adoption of Ordinance. (advertised June 25, 2018 & July 2, 2018)

Ms. Yannich opened the Eble hearing at 7:45 pm. Present at the hearing were Dr. Dennis Eble and his attorney A. Victor Meitner, Jr.

Mr. Clemons presented the following Exhibits:

- Exhibit T-1 – Petition to Rezone
- Exhibit T-2 – Proof of Publication
- Exhibit T-3 – Affidavit of Mailing to property owners
- Exhibit T-4 – Affidavit of Posting
- Exhibit T-5 – Copy of May 15, 2018 letter to Warrington Township and Bucks County Planning Commissions.
- Exhibit T-6 – Copy of Bucks County Planning Commission review letter dated June 6, 2018.
- Exhibit T-7 – Copy of Warrington Township Planning Commission minutes dated June 21, 2018.
- Exhibit T-8 – Declaration of Restricted Covenants.

Mr. Clemons stated the application is to rezone TMP# 50-004-021 from RA to R-1 located at 926 Stump Road.

Ms. Yannich asked if anyone wanted to be a Party of Record and verified that the following residents received notification of said hearing:

- Dan Moyer – 911 Longwood Court
- Barbara Krumins – 909 Longwood Court
- Jessie Hallowell – 1058 Stump Road
- Gerald Laird – 1040 Stump Road
- Joe Cardamone – 825 Stump Road
- Mike Dempsey – 785 Stump Road

Mr. Clemons swore in Anthony John Hibbeln, P.E., Hibbeln Engineering Company, LLC.

Mr. Meitner questioned Mr. Hibbeln about the application plan dated October 7, 2015 with included the proposal of three new homes. This was Exhibit A-1.

Mr. Clemons stated if the Ordinance is approved by the Board, only the zoning is changed to permit the property to be developed as shown on the zoning plan. Mr. Clemons requested the Mr. Hibbeln to provide the Board the zoning plan as Exhibit A-2.

Mr. Eble's plan proposes three new dwellings with one existing dwelling on 9.18 acres. Lot # 1 will be 3.43 acres that will include the existing dwelling with the pond; Lot #2 will be 3.19 acres; Lot #3 will be 1.33 acres and Lot # 4 will be 1.23 acres. The preservation of the existing dwelling and all the resources around the lot complies with the 2018 Comprehensive Plan.

The next step is the presentation of the Subdivision and Land Development application.

Ms. Yannich questioned the density of parcels across the street from the Eble tract. Mr. Meitner stated the lots range from 10,000 to 18,000 square feet which are less than one acre lots.

Ms. Yannich asked for testimony from the parties of record for Mr. Hibbeln.

Barbara Krumins (909 Longwood Ct) questioned the wetlands. Mr. Hibbeln stated all the wetlands are preserved and not impacted by construction.

Dan Moyer (911 Longwood Court) asked where the new dwellings were going to be located. Mr. Moyer expressed concern about additional traffic problems at the intersection of Pickertown and Stump Roads and the location of the driveways. Mr. Hibbeln showed the proposed dwellings on the plan. Ms. Yannich stated the traffic study was prepared in 2015 and both concerns can be brought up at the subdivision application.

Since there were no more witnesses to testify, Ms. Yannich asked for the Board's comments.

Mr. Gaines stated, as a member of the Planning Commission, Mr. Eble went out of his way to preserve the historic structure and the environmentally sensitive areas on the property. Mr. Gaines further stated that if Mr. Eble sold his property, a by-right with the existing zoning laws, could build the three new dwellings and destroy all of the trees.

Ms. Baker questioned the percentage of conservation district. Mr. Hibbeln stated 5.13 acres of the 9.18 acres are preserved.

Ms. Schemm stated every property owner has the right to sell their land as long as they don't violate any Ordinances.

Ms. Yannich asked for comments from the parties of record:

- Dan Moyer (911 Longwood Court) is in favor of preserving open space.
- Jessie Hollowell (1058 Stump Road) approves the plan.
- Gerald Laird (1040 Stump Road) approves the plan.
- Joe Cardamone (825 Stump Road) approves the plan.
- Mike Dempsey (785 Stump Road) approves the plan.

Dr. Connie Ace, Chair, Historic Commission commended Dr. Eble to preserve the historic site.

Mr. Clemons will record the façade easement, after it is executed.

Mr. Gaines motioned, seconded by Ms. Baker to amend the Zoning Ordinance and rezone the application from RA (Residential Agricultural) to R-1(Residential) for TMP # 50-004-021. By roll call vote, the motion passed 5-0.

Mr. Gaines motioned, seconded by Ms. Baker to close the public hearing at 8:35 PM. All were in favor, 5-0.

- Consider Declaration restricting future development for Eble tract – 926 Stump Road, TMP # 50-004-021.

Ms. Yannich stated the Declaration of Covenants Conditions and Restrictions is to restrict future development. Included in said Declaration is the description of a façade easement and deed restriction.

Mr. Gaines motioned, seconded by Ms. Albillar to approve the Declaration of Covenants Conditions and Restrictions for the Eble tract located at 926 Stump Road, TMP # 50-004-021. By roll call vote, the motion passed 5-0.

- Amendment to Zoning Ordinance for Conservation Subdivision and consider adoption of Ordinance. (advertised June 25, 2018 & July 2, 2018)

Ms. Yannich opened the public hearing at 8:40 PM to consider adoption of an Ordinance to amend the Zoning Ordinance for conservation subdivision.

Mr. Clemons presented the following Exhibits:

- Exhibit T-1 – Legal notice and proof of publication
- Exhibit T-2 – Letters to the Warrington Township and Bucks County Planning Commissions
- Exhibit T-3 – Bucks County review letter dated June 6, 2018.

There were no parties of record.

Ms. Baker questioned the density of said Ordinance.

Ms. Albillar stated this Ordinance is a benefit to the Township so that it has more affordable housing.

Ms. Yannich stated this Ordinance is protecting the Township from lawsuits.

Mr. Gaines motioned, seconded by Ms. Albillar to amend the Zoning Ordinance in the RA district to provide for conservation subdivision. By roll call vote, the motion passed 5-0.

The hearing ended at 8:57 PM.

## 1. APPROVAL OF BILL LIST:

### a. Invoices for the Period June 27, 2018 to July 10, 2018 in the amount of \$ 547,626.11.

Ms. Albillar moved, seconded by Ms. Baker to approve the invoices paid for the period June 27, 2018 to July 10, 2018 in the amount of \$ 547,626.11. All were in favor 5-0. Ms. Albillar questioned to service call bills that were on the bill list.

## 2. CONSENT ITEMS:

Ms. Yannich read each consent item and asked if any clarification was needed for the consent items as presented. (Attachment "B")

- Ms. Schemm had some changes to the June 12 and June 19<sup>th</sup> meeting minutes.
- Ms. Albillar had some changes to the June 19<sup>th</sup> minutes.
- Ms. Schemm requested a total cost breakdown for the 3400 Pickertown Road Project. Mr. Luber stated the renter is contributing \$90,000 of the \$200,000 expenditures.

Mr. Gaines moved, seconded by Ms. Albillar to approve Consent Items A through K. All were in favor 5-0.

- June 12, 2018 to Approve Minutes for Board meeting.
- June 19, 2018 to Post Minutes for Special Board meeting.
- June 26, 2018 to Post Minutes for Board meeting.
- June 28, 2018 to Post Minutes for Special Board meeting.
- Consider Change Order #1 to Electrical Contract in the amount of \$2,405.00 for Mary Barness Swim Club Restroom Renovations.

- f. Consider Change Order #2 to Plumbing Contract in the amount of \$1,374.98 for Mary Barness Swim Club Restroom Renovations.
- g. Consider approval for Warrington Springs; Phases 1, 2 & 3 Post Dedication Punch List Escrow Release in the amount of \$16,109.60.
- h. Consider bid award for 2018/2019 Bucks County Consortium Fuel Bids.
- i. Consider Resolution to support North Wales Water Authority (NWWA) in opposition to HB 2533.
- j. Consider Change Order #1 for electric work at 3400 Pickertown Road for new HVAC work in the amount of \$9975.00.
- k. Consider appointment of Vinobha Karthik as a member of the Bike and Hike Trails Committee.

**3. CORRESPONDENCE:** None

**4. OLD BUSINESS:**

- a. **Consider advertisement of Ordinance establishing parking restrictions on the Southside of Greensward North between Freedoms Way and Wedge Way.**

Mr. Gaines moved, seconded by Ms. Baker to advertise the Ordinance establishing parking restrictions on the Southside of Greensward North between Freedoms Way and Wedge Way. All were in favor 5-0.

- b. **Consider request to waive water and sewer account balance.**

A resident requested a refund to have the shut off fees removed from his account.

Mr. Gaines moved, seconded by Ms. Schemm to issue a credit in the amount of \$125.00 against the resident's account which was the charge for shutting off and turning on the water. All were in favor 4-1, with Ms. Yannich voting no.

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

- a. **Consider agreement with Cohen Law for Comcast Franchise Fee Renewal.**

Mr. Luber reported that the fee schedule for the Bucks County Consortium Cable Franchise Renewal with Comcast is based on population. The fee for Warrington Township is \$15,519 and will be billed in thirds by the Cohen Law Group.

Mr. Gaines moved, seconded by Ms. Albillar to approve the agreement with Cohen Law for Comcast Franchise Fee Renewal. All were in favor 5-0.

- b. **Discussion of July 25, 2018 EPA PFAS meeting.**

Mr. Gaines stated this advertised meeting by the EPA will take place on July 25, 2018 at the Hatboro-Horsham High School. Mr. Gaines would like to represent the Township at the working session.

**6. MANAGER'S REPORT:**

a. **Consider the following two (2) Pension Items:**

- Lower the assumed rate of return (ARR) for the closed Non-Uniform Plan to 6.75%.
- Change the retirement benefit for the Non-Uniform Plan to be calculated over the prior 36 months instead of the current calculation of 60 months.

Director of Finance, Cassandra Williams presented the Pension Advisory Board's recommendation for the assumed rate of return to be lowered to 6.75% to work towards a 100% funding level for the Non-Uniform Defined Benefit Pension Plan. This could increase the MMO approximately \$34,000. The increased in the MMO would be for the 2020 budget and be a one-time expense. The 2020 is expected to be less than the 2018 MMO due to good investment results in 2017.

Director of Finance, Cassandra Williams presented the changes in average number of years used for Non-Uniform pension participants' retirement benefit calculation. The Pension Advisory Board recommended changing the defined benefit pension calculation from the average of the final 60 months of salary to the average of the final 36 months of salary.

Mr. Luber stated that neither item will have an impact on the 2019 budget.

Ms. Albillar stated for the average employee, instead of one percent contribution from wages, the new contribution will be two percent deducted from wages for the new pension plan.

**7. DEDICATION REQUEST:** None

**8. ENGINEER'S REPORT:**

a. **General Update:**

Mr. Zarko stated a quarry in Easton, PA is producing DSA which will be able to be purchased by the Township and applied to Bradley Road. Mr. Gaines requested a press release notifying the residents of this development.

**9. SOLICITOR'S REPORT:**

Mr. Clemons reported no action is required from the Board of Supervisors for the following Zoning Hearing Board Applications:

- WT ZHB Application 18-15, Stefanik, 1052 Buggy Whip Drive, TMP # 50-052-134.
  - The applicant is looking to erect a shed and is requesting a variance of Section 805.2.A(5) to allow impervious area of 16.31 percent. All other zoning requirements conform.
- WT ZHB Application 18-16, Farabee, Evergreen Avenue, TMP 50-023-089
  - The applicant is seeking a variance to allow two lots to front on a street that is not a public street with a minimum right of way width of 50 feet. The applicant proposes to create two new lots fronting on a paper street with a width of 45 feet.
- WT ZBH Application 18-17, Sanford, 3643 Meadow Lane, TMP 50-50-013

- The applicants seek a special exception to construct an accessory apartment for a family member; in addition, the applicant seeks a special exception for structural alterations for an existing structure on a legal, non-conforming lot as well as a special exception to construct a new accessory structure on a legal non-conforming lot.

Mr. Clemons reported that he received an executed Deed from Eureka Stone Quarry, Inc.

Mr. Clemons reported Cardamone's attorney resubmitted an application for a zoning amendment.

#### **SUPERVISOR COMMENTS:**

Ms. Schemm requested a complete breakdown of expenditures for the Swim Club, including a list of Public Works costs. This request is to be presented under Managers Report at the July 24<sup>th</sup> meeting.

Mr. Gaines expressed interest in the Homestead Tax Program. Currently, Warrington Township does not receive any tax from businesses. If this program was implemented, it may help fund the new police station. Hatfield Township institutes this tax.

Mr. Gaines reported Warrington Township called Middletown Township K-9 unit to help with a potential bomb at Lowe's in Warrington. Warrington Township is pursuing a patrol division of a K-9 unit. Grants and fundraisers may help fund the K-9 unit.

Mr. Gaines stated there is a lack of communication between the Supervisors and the residents. Mr. Gaines suggests hosting a series of informal meetings with the Supervisors beginning in the first week of September on a Saturday from 8:00 am to 10:00 am. Each supervisor can take a turn meeting at different locations (i.e., Village Bagel, Wegmans, etc.)

Mr. Gaines congratulated Mr. Luber and his staff for resolving issues with residents. Mr. Gaines suggests establishing a policy, if the issue cannot be resolved within 90 days, the matter will be brought forth to the Supervisors. Mr. Luber explained the response on-line system where the complaint is logged and the progress of the complaint can be tracked.

Mr. Gaines reported on July 25<sup>th</sup>, the EAC is hosting a clean-up with AmeriCorps to weed and work at the John Paul Park @ Lower Nike.

Ms. Schemm commended the Public Works Department for the fine job that they are doing to demolish the buildings at the Twin Oaks Park.

Ms. Baker stated the Park and Recreation meeting scheduled for June 28<sup>th</sup> was cancelled.

Ms. Baker stated the Historic Commission/Historical Society will be scheduling interviews with architects to perform work at 10 Folly Road.

Ms. Albillar reported that two phases out of four phases have been completed at Twin Oaks for demolition.

Ms. Albillar stated the 4<sup>th</sup> of July celebration at the Swim Club was great.

Ms. Albillar stated free summer box lunches are available at Warminster Community Park, based on income. Ms. Yannich reported that there were no findings from the Liquid Fuels audit.



**ADJOURNMENT**

There being no further business, Mr. Gaines moved, seconded by Ms. Yannich to adjourn the meeting at 10:36 PM.

Respectfully Submitted By:



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Barbara J. Livrone, Board Secretary

# Attachment "A"



## Warrington Township Water and Sewer Department

**Christian R. Jones**

Director of Water and Sewer/  
Assistant to the Manager

# 2019 Capital Projects

- Sanitary Sewer Main Rehab
- Water Main Rehab/Extension
- Sewage Pump Station Diesel Pumps
- Meter Replacement/FlexNet

# Sanitary Sewer Main Rehab

- Palomino Farms- \$2.4 Million
- Alou Village- \$1.7 Million
- Costner- \$600,000
- Total- \$4.7 Million

## Water Main Rehab/Extension

- Lower/Upper Barness Road - \$450,000
- Barness Park/Fox Subacute - \$90,000
- Total - \$540,000

## Sewage Pump Station Diesel Pumps

- 2 Diesel Pumps - \$250,000

# Meter Replacement/FLEXNET

- 6,785 Meters- \$1.1 Million
- 6,785 Smartpoints - \$1.1 Million
- Installation - \$1 Million
- 4 Collectors - \$250,000
- Software/Training - \$22,000
- Total - \$3.5 Million

## Total Cost

- Projects Cost - \$9 Million
- Remaining 2014 Bond Issue - \$500,000
- Additional Funds Required - \$8.5 Million
- Source of Funds
  - W&S Capital Fund- \$1.35 Million
  - Prospective \$7.15 Million Bond Issue



## W&S Capital Fund- 06

- Costner- \$600,000
- Upper/Lower Barness- \$450,000
- Barness Park/Fox Subacute- \$90,000
- 2 Diesel Pumps- \$250,000
- TOTAL- \$1.35 Million

## Prospective \$7.15 Million Bond

- Palomino Farms
  - \$2.4 Million
- Alou Village
  - \$1.7 Million
- Meter Replacement/FLEXNET
  - \$3.5 Million
- Total
  - \$7.6 Million (-\$500,000 from 2014 Bond Issue)

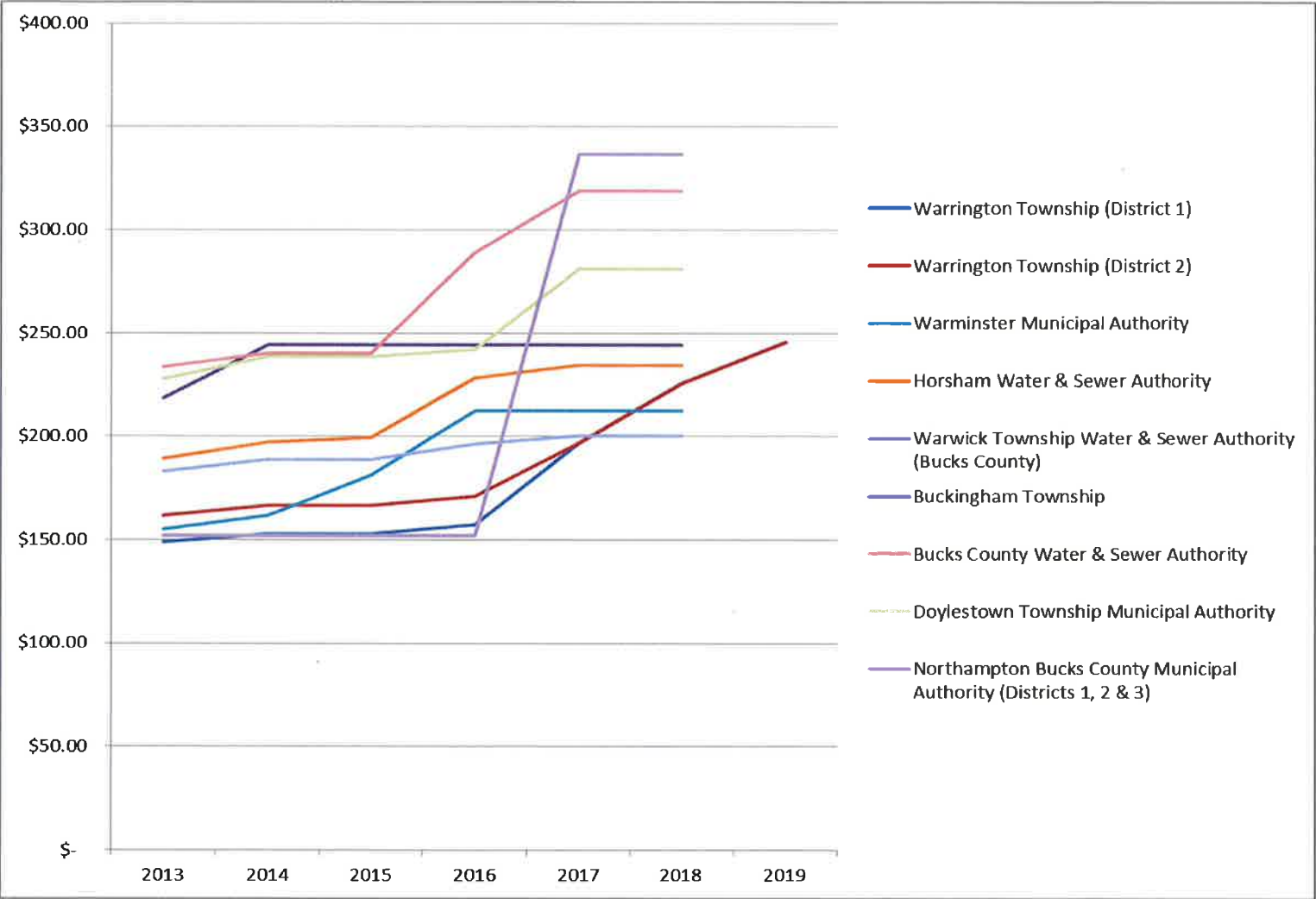
## Impact on Rates

- 2018 Rate Per 1,000 Gallons
  - Water: \$5.17
  - Sewer: \$6.67
- Estimated Water Rate Per 1,000 Gallons
  - 2019: \$6.59
- Estimated Sewer Rate Per 1,000 Gallons
  - 2019: \$6.65
- Annual Extra Cost to Average Customer
  - \$84.32

# History of Warrington Bill Increases

<b>District</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
1	\$ 148.80	\$ 152.90	\$ 152.90	\$ 157.25	\$ 196.68	\$ 217.60	\$ 238.60
2	\$ 161.90	\$ 166.55	\$ 166.55	\$ 171.25	\$ 196.68	\$ 217.60	\$ 238.60

# History of Regional Bill Increases



Questions



**ATTACHMENT "B"**

**Consent Agenda – July 10, 2018**

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. June 12, 2018 to Approve Minutes for Board meeting.
- b. June 19, 2018 to Post Minutes for Special Board meeting.
- c. June 26, 2018 to Post Minutes for Board meeting.
- d. June 28, 2018 to Post Minutes for Special Board meeting.
- e. Consider Change Order # 1 to Electrical Contract in the amount of \$2,405.00 for Mary Barness Swim Club Restroom Renovations.

This additional work was to re-located occupancy sensors and install additional emergency lighting in both restrooms.

- f. Consider Change Order # 2 to Plumbing Contract in the amount of \$1,374.98 for Mary Barness Swim Club Restroom Renovations.

This additional work was to add venting for both restrooms as required by building Code Official.

- g. Consider approval for Warrington Springs; Phases 1, 2 & 3 Post Dedication Punch List Escrow Release in the amount of \$16,109.60.

This releases escrow because developer has completed outstanding punch list items.

- h. Consider bid award for 2018/2019 Bucks County Consortium Fuel Bids.

This bid awards contracts for gasoline, diesel fuel and heating fuel. The contracts will be awarded to:

- Papo Inc. for gasoline and diesel fuel
- Suburban Propane, Inc. for heating oil

- i. Consider Resolution to support North Wales Water Authority (NWWA) in opposition to HB 2533.

- j. Consider Change Order #1 for electric work at 3400 Pickertown for new HVAC work in the amount of \$10,916.00.

Contractor to provide additional power to exterior HVAC unit.

- k. Consider appointment of Vinobha K. Pannerselvam as a member of the Bike and Hike Trails Committee.

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