



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR FEBRUARY 26, 2019**

The written minutes are a summary of the February 26, 2019 Board of Supervisors meeting. For a complete dialog visit the Township's website, www.warringtontownship.org.

ATTENDANCE

Fred R. Gaines, Chairman; Ruth L. Schemm, Vice Chair; Shirley A. Yannich, Member; Carol T. Baker, Member; and Eileen Albillar, 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: Mr. Gaines called the meeting to order at 7:01 P.M and thanked everyone in attendance and also viewing the meeting live stream through the township's website.

PLEDGE OF ALLEGIANCE

Mr. Gaines followed the Call to Order with a pledge to the flag.

EXECUTIVE SESSION REPORT

Mr. Gaines stated an executive session was not held.

RECOGNITION OF SHIRLEY A. YANNICH FOR RECEIVING THE BUCKS COUNTY ASSOCIATION OF TOWNSHIP OFFICIALS 2018 GEORGE METZGER SERVICE AWARD.

Mr. Gaines announced the award recognizing Ms. Yannich as the recipient at BCATO's annual meeting on February 16, 2019. Ms. Schemm paraphrased BCATO's prestigious award emphasizing Ms. Yannich's strength by promoting liaisons to each volunteer boards and committees. Additionally, Ms. Yannich's knowledge and expertise as a land use planner.

Ms. Yannich thanked the Board of Supervisors for the nomination and the confidence they displayed.

RECOGNITION OF 2018 SILVER SPONSORS OF WARRINGTON COMMUNITY DAY.

Ms. Yannich announced the Silver sponsors for the 2018 Warrington Community Day. Silver sponsors donate \$1000.00 each to the event. Ms. Yannich read a Certificate of Recognition and presented one to each of the following recipients: Thomas F. Zarko, P.E., Executive Vice President of CKS Engineers, Inc.; Terry W. Clemons, Esquire, Clemons Richter & Reiss PC; Steve Hess, OD; Mary Kate Bockhorn (Office Manager) and Heather Jordan (Optician) DaVinci Eye Care; Frank Craig, Financial Center Manager, Fulton Bank; Linda Roehner, President & CEO of Hatboro Federal Savings; and Dave and Natalya Lizzi, Proprietors, Lizzi Graphics. Not present was Waste Management of PA. They will be recognized at a future meeting.

Ms. Yannich thanked the seven silver sponsors for supporting the township's annual event.

Mr. Luber stated without sponsorships, the township would not be able to hold a free event for its residents.

PRESENTATION OF FINANCING OPTIONS FOR POLICE STATION AND OTHER CAPITAL PROJECTS.

Chris Gibbons, Concord Public Financial Advisors, Inc. submitted a summary of bank proposals received as of February 20, 2019. Penn Community Bank had the lowest interest rate from seven banks. Given the current bond market conditions, Mr. Gibbons stated that the Township will be able to obtain lower borrowing costs through the bond market.

Ms. Albillar asked Mr. Gibbons to explain the risk of bond vs bank loan.

Mr. Gaines asked Mr. Gibbons about revenue vs general obligation bonds. Mr. Gibbons said bonds have more security credit and provides the lowest interest rate.

Mr. Gaines asked if the water and sewer facilities are sold, can these bonds be liquidated and if so, what is the penalty. Mr. Gibbons stated there is a possibility of a penalty; however, older debt could be paid off.

Ms. Yannich motioned, seconded by Ms. Albillar to continue the process to move forward with bond financing, however, upon the advice of Mr. Gibbons, if the market conditions warrant bank financing, then the Township will pursue bank financing.

By roll call vote, the motion passed 5-0.

PRESENTATION BY VETERAN AFFAIRS COMMITTEE (VAC) TO LAUNCH A NEW PROJECT "THE HELPING HANDS PROGRAM".

VAC Chairman, Ollie Groman and Vice Chairman, Peter Scott presented a new project to the Board called "The Helping Hands Program". They are seeking approval from the Board of Supervisors to assist Veterans and their families in the community. The Boy and Girl Scouts will assist the VAC with the program. Ms. Yannich, liaison to the VAC reported on the background to this program. Mr. Gaines stated that Jeanine Winslow is instrumental to this committee as a staff employee.

Ms. Yannich said for insurance purposes, the Township has to establish this program so that volunteers can be covered.

Mr. Clemons stated the VAC's Ordinance needs to be amended to include this activity.

PRESENTATION OF LIONS PRIDE PARK & CONSIDER AUTHORIZATION TO ADVERTISE TO BID PROJECT.

Warrington Lions Club members, Jim Furlong and Russ Diamond reported this is the Warrington Lions Club legacy to the Township and thanked the Board of Supervisors for their support. The Lions Club has committed \$187,000 thus far towards the project.

Mr. Luber presented the Lions' Pride Playground construction document update by power point. The overall budget is \$1.2 million, with the Township contributing \$250,000. A grant from Andrews Friends Fund of \$25,000 was received for this inter-generational playground.

Mr. Zarko stated the project will be bid out in April, construction to begin May/June and Phase I will be completed in the Fall of 2019.

Mr. Luber stated a groundbreaking event has been scheduled for March 29th at 2:00 PM. For more information on this project, view the website, Lionspridepark.org.

PRESENTATION BY ENVIRONMENTAL ADVISORY COUNCIL (EAC) ON THE SPOTTED LANTERNFLY.

Ivy Ross and Lynn Laurelli, members of the EAC presented a power point relating to the threat of the Spotted Lanternfly. They presented the different stages, the potential economic impact; the damage they do to trees and plants; the life cycle; how to spot this lanternfly and means of disposal. Bucks County is a current quarantined county and Warrington Township is part of the quarantine.

UPDATE AND DISCUSSION OF THE PROPOSED POLICE/MUNICIPAL BUILDINGS.

Mr. Zarko reported on the installation of solar panels; fire alarm system and the bid schedule.

Suicide Prevention: Ms. Albillar reported that Warrington Police Department has already responded to two suicides in 2019. Ms. Albillar wants the public to be aware that help is provided through a hotline. The hotline number is: 1-800-273-8255.

PUBLIC COMMENT: None

The meeting closed at 8:29 PM for Public Hearing.

PUBLIC HEARING:

Consider adoption of an Ordinance for a proposed text amendment to the Warrington Township Code of Ordinances, Chapter 27, Zoning, Part 22 Signs. (Advertised February 11 and February 18, 2019).

Mr. Clemons stated the proposed Ordinance permits commercial signs in a residential district. An application was filed by Nolan Capital, LLC for signs to be placed at 1800 Street Road. The notice of the public hearing was advertised both February 11 and 18, 2019.

Mr. Matthew J. McHugh, attorney for the applicant and William Nolan, applicant stated the Preliminary/Final Plan was approved by the Board of Supervisors in 2018 and presented renderings of the signs at the site. The Zoning Hearing Board denied the signage. An amendment to the Ordinance has been prepared to have signage on the arterial road and amend the PRD (Planned Residential District).

After discussion, Ms. Yannich suggested making an application for a portable sign.

Mr. McHugh stated this would be an added expense for the applicant to install temporary signs and then have the temporary signs replaced with signs in accordance to the new zoning ordinance revisions.

Mr. Gaines will ask the Ad Hoc Zoning/SALDO committee to start focusing on the review of the sign section of the zoning ordinance.

Public Comment:

Janice DeVito (1881 Walnut Avenue) stated the building was vacant for almost ten years and is glad that a business is moving in.

Ann Grochowiak, President of Hampton Greens recognizes that signage is required for this business.

Ms. Yannich motioned, seconded by Ms. Baker to authorize the township solicitor to enter into a settlement stipulation agreement with the Zoning Hearing Board for a signage package. All were in favor and the motion passed 5-0.

The Public Hearing ended at 9:40 PM.

1. APPROVAL OF BILL LIST:

- a. **2018 Invoices for the Period February 13, 2019 to February 26, 2019 in the amount of \$126,991.20.**

Ms. Yannich motioned, seconded by Ms. Schemm to approve the 2018 invoices paid for the period February 13, 2019 to February 26, 2019 in the amount of \$126,991.20. All were in favor 5-0.

- b. **2019 Invoices for the Period February 13, 2019 to February 26, 2019 in the amount of \$1,474,455.44.**

Mr. Gaines motioned, seconded by Ms. Baker to approve the 2019 invoices paid for the period February 13, 2019 to February 26, 2019 in the amount of \$1,474,455.44. All were in favor 5-0.

Ms. Schemm questioned the Franc Environmental invoice. This invoice is for sludge removal from the Tradesville Sewage Treatment Plant.

2. CONSENT ITEMS:

Mr. Gaines asked if any clarification was needed for the consent items as presented. (Attachment "A")

Ms. Albillar questioned Items E and G. Ms. Baker questioned Item D.

- a. **January 22, 2019 to Approve Minutes for Board of Supervisors meeting.**
- b. **February 5, 2019 to Approve Minutes for Board of Supervisors (W/S) meeting.**
- c. **February 12, 2019 to Post Minutes for Board of Supervisors meeting.**
- d. **Consider approval to execute CSI Security Agreement and Proposal for new police station's security system.**

Ms. Baker questioned the retainage of the security video.

- e. **Consider approval to execute Agreement between Warrington Township and Warrington Swim Team.**

Ms. Albillar questioned the time that the Swim Team would be at the Swim Club versus the opening of the Swim Club at noon.

- f. **Consider approval of Resolution for changes to 2019 Fee Schedule (Swim Club Fees).**
- g. **Consider approval of Resolution to establish a special purpose tapping fee for the County Line Road Lower Pressure Sewer System.**

Ms. Albillar asked if the property owners have been notified of the special purpose tapping fee.

- h. **Consider authorization to advertise Ordinance for a Bond Issue Financing.**

Ms. Yannich motioned, seconded by Ms. Albillar to authorize the advertisement of an Ordinance for the bond issue financing. By roll call vote, the motion passed 5-0.

Ms. Yannich motioned, seconded by Ms. Schemm to approve Consent Items 2 E and 2 G. All were in favor and the motion passed 5-0.

Ms. Albillar motioned, seconded by Ms. Schemm to approve Consent Items A through D and F. All were in favor and the motion passed 5-0.

3. CORRESPONDENCE: None.

4. OLD BUSINESS:

a. Update on the potential Sale of the Water and/or Sewer Departments of Warrington Township and PFOS Update.

Mr. Luber reported that Aqua of PA has presented a letter to the Board of Supervisors to hear their proposal. This proposal will be scheduled at a future Board meeting.

Mr. Gaines noted an action plan for the PFOS.

b. Consider approval of written Findings of Fact, Conclusions of Law and Decision for Conditional Use Application for Lands of Eureka Stone Quarry (Morrissey Conservation Subdivision) Pickertown Road, TMP # 50-004-138; 50-004-139; 50-004-140 and 50-004-141.

Mr. Clemons prepared the written Findings of Fact, Conclusions of Law and Decision noting all conditions. 68.8 acres will be conveyed to the Township in fee. 27 acres will be developed; a 10 foot wide trail extension will be paid by the developer; a 4 way access at Buttercup Blvd and an alignment on Pickertown Road will be made to make the road safer. The developer will install sewer lines on Pickertown Road and noted the tax parcels involved. Mr. Clemons also stated the developer will comply with the January 11, 2019 CKS review letter.

Ms. Yannich said all of this addresses the amendment to the RA zoning and complimented Mr. Clemons on his comprehensive written Findings of Fact, Conclusions of Law and Decision. Ms. Yannich also stated the positive aspects of the development that more than 66 acres of open space will be next to this developments open space; sewer connections for residents on septic systems and fixing the curve on Pickertown Road.

Ms. Yannich motioned, seconded by Ms. Baker to approve the written Findings of Fact, Conclusions of Law and Decision for Conditional Use Application for Lands of Eureka Stone Quarry (Morrissey Conservation Subdivision) Pickertown Road, TMP # 50-004-138; 50-004-139; 50-004-140 and 50-004-141. All were in favor and the motion passed 5-0.

c. Consider approval of a Resolution for Waiver of Land Development for former O.P. Schuman building located at 2001 County Line Road, TMP # 50-031-028-004.

Mr. Clemons stated at the February 12, 2019 Board of Supervisors meeting, he was authorized to prepare a Resolution with certain conditions. Mr. Clemons read the conditions to the Board.

Ms. Schemm was concerned about drainage. Mr. Zarko said that the applicant will have to comply with the conditions as stated about stormwater addressed in the Resolution.

Ms. Yannich motioned, seconded by Ms. Albillar to approve the Resolution for waiver of land development for the former O.P. Schuman building located at 2001 County Line Road, TMP # 50-031-028-004. All were in favor and the motion passed 5-0.

d. Discussion of Responsible Contracting (Bid Specs).

Mr. Gaines noted the changes to the bidders' qualifications statement.

Ms. Albillar asked if the contractor is providing a list and/or verification of employees. Mr. Zarko stated the contractor is responsible to provide a Certification on all of their employees and verified that they are all legal residents of the United States.

Ms. Schemm said the goal is to get qualified people to work on township projects.

Mr. Zarko stated a draft of the bidders qualifications statement was prepared not to be too stringent and not to discourage contractors to bid.

Ms. Schemm recommended using the revised bidders' qualifications statement for the next bid and if there is a problem, to revise said statement.

Ms. Albillar motioned, seconded by Ms. Schemm to accept the Bidders Qualifications Statement as presented. All were in favor and the motion passed 5-0.

e. **Discussion of Bus Shelters project.**

Mr. Gaines stated the proposed bus shelters will be located in the highway right-of-way and advertising will be on both sides of the bus shelters.

Ms. Baker commented that bus shelters are needed along Route 611 and they will not hinder the "street scape".

Ms. Yannich stated the advertisements should be addressed in the zoning ordinance. An agreement with the Planning Commission and the applicant (Clear Channel) should provide site specific plans for each shelter showing the layout and identify any potential site obstructions. Ms. Yannich questioned if the township is allowed to receive revenue from a company that has bus shelters that are not in the municipal right-of-way. Ms. Yannich also questioned if a land development plan is needed. Mr. Clemons said a land development plan can be waived.

Mr. Luber stated Clear Channel will provide a sketch plan and location of each bus shelter.

Ms. Schemm motioned, seconded by Ms. Baker to contact Clear Channel and require more specifics for 8-15 bus shelters and their locations. The Board of Supervisors is amiable to ads on both sides of the bus shelters.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

a. **Consider Request for Waiver of Land Development for Flexible Circuits, 222 Valley Road, TMP # 50-033-031-009.**

Mr. Zarko reported that there was no representative at this meeting from Flexible Circuits and they have not submitted a revised plan.

Ms. Albillar motioned, seconded by Ms. Schemm to table the request for a waiver of land development for Flexible Circuits, 222 Valley Road, TMP # 50-033-031-009. All were in favor and the motion passed 5-0.

b. **Consider amended and restated Resolution for Premier A-2 Warrington PA LLC, (Self-Storage) located at 2071 County Line Road, TMP # 50-031-028-003.**

Steve Harris, Esquire, representing Premier A-2 Warrington PA LLC stated the applicant will comply with CKS Engineer's review letter dated February 11, 2019. Mr. Harris also stated that the applicant agrees to the revised Resolution.

Ms. Baker motioned, seconded by Ms. Albillar to the amended and restated Resolution for Premier A-2 Warrington PA LLC (Self-Storage) located at 2071 County Line Road, TMP # 50-031-028-003. All were in favor and the motion passed 5-0.

c. **Consider approval of the Farabee II Minor Subdivision Plan Oak Avenue and Evergreen Avenue and authorize Solicitor to prepare a Resolution.**

Steve Harris, attorney for application and Doug Rossino, P.E., Gilmore and Associates gave background information on the original subdivision plan in Neshaminy Gardens.

A minor subdivision plan is presented for two new lots at the rear of TMP # 50-023-089. A traffic impact study is not needed. Fifty percent of the woods will be preserved by a conservation easement. A 15' wide driveway is being proposed. Mr. Harris further stated that the applicant will comply with all items in the CKS review letter dated September 14, 2018 except for proposed grading is required to be a minimum of 5 feet from property lines. The applicant is requesting a waiver of six items.

Mr. Zarko stated the roadway width for two lots needs to be able to provide fire truck access. Mr. Zarko also requested the applicant to provide a fee to the Township in lieu of a traffic impact study in the amount of \$2500.

Ms. Baker expressed concern about run-off. Mr. Zarko said the drainage will run into a seepage bed, berms will be installed and the road will be re-graded.

Ms. Yannich stated this plan is very similar to the Shihadeh plan whereas the 24 feet versus a 15 foot driveway.

Both Ms. Schemm and Ms. Albillar are concerned about stormwater management.

Mr. Harris reported that the applicant will satisfy CKS requirements of the Stormwater Management Ordinance and is proposing drainage along the side of the road. These are infill vacant lots as per the Ordinance.

Mr. Rossino stated there will be an underground seepage bed on each lot and another underground seepage bed at the end of the driveway.

Mr. Gaines asked for public comment.

Public Comment:

Susanne and Mike Vile (529 Oak Avenue) concerned about more run-off from the development and that these homes are large on a small parcel.

Brenda Glessner (555 Oak Avenue) is concerned about run-off and that the trash trucks are too large for the road.

The applicant, Ken Farabee addressed the driveway and that the water comes from the road.

Mile Vile (529 Oak Avenue) asked who is responsible for the roadway.

Ryan Richardson (551 Oak Avenue) stated the current seepage bed overflows and floods the neighbor's yard.

Alexa Richardson (551 Oak Avenue) concerned about grading, water run-off, will the road be wide enough for two cars to pass in each direction and questioned the removal of trees.

Regina Novak (542 Oak Avenue) said the Planning Commission recommended denial of this plan and asked about soil testing.

Mr. Harris said that revisions will be made to accommodate drainage and will discuss 15 foot roadway width with the Fire Marshall. If the Fire Marshall is not in agreement, then Mr. Harris will file an appeal with the Building Codes Appeal Board.

Mr. Rossino reported that the soil testing was acceptable to Township standards.

Mr. Zarko was asked by the Board to review stormwater and drainage problems in the Neshaminy Gardens area.

Karen Dorsett (2338 Evergreen Avenue) was concerned about water run-off.

Ms. Schemm thanked the residents for expressing their concerns regarding this minor subdivision plan.

Mr. Harris stated that he will send the Township an extension letter for the Farabee II Final Minor Subdivision and Land Development Plan.

d. **Discussion of Board of Supervisors schedule**

This item was tabled to the next meeting.

6. MANAGER'S REPORT: None.

7. DEDICATION REQUEST:

a. **Consider accepting dedication of public improvements for Greenbriar Preserve (Lingo Subdivision) MDG 3, LLC. TMP # 50-004-100.**

Mr. Clemons reported that all requirements for dedication have been met.

Ms. Albillar motioned, seconded by Ms. Yannich to accept dedication of public improvements for Greenbriar Preserve (Lingo Subdivision) MDG 3, LLC. TMP # 50-004-100. All were in favor and the motion passed 5-0.

8. ENGINEER'S REPORT:

a. **General Update:**

Mr. Zarko did not give an update.

b. **Bradley Road Improvements**

Mr. Zarko reported on the DSA project. Instead of DSA, oil and chip will be used on Bradley Road. It is the same price as DSA, approximately \$15,000 – 20,000 to apply to Bradley Road. Dust suppressant is not needed by using oil and chip.

Ms. Schemm motioned, seconded by Ms. Albillar to approve the application of oil and chip on Bradley Road. All were in favor and the motion passed 5-0.

9. SOLICITOR'S REPORT:

a. Willow Knoll Parking Update.

Mr. Clemons requested authorization to prepare a license agreement between the Township and the Willow Knoll Homeowners Association to license 24 spaces to the Association and authorize the Association to assign them to residents in the Willow Knoll Development. These 24 spaces surround the detention basin which is owned by the Township.

This agreement would be prepared as part of the solicitors pro bono services to the Association.

Ms. Baker motioned, seconded by Ms. Albillar to authorize the solicitor to prepare a license agreement between the Township and the Association for 24 spaces within the Willow Knoll Development. All were in favor and the motion passed 5-0.

b. Extension Request for 1594 Stuckert Road (TMP # 50-027-107-001).

Mr. Clemons stated Mr. Holbert sent in an extension letter for 1594 Stuckert Road. Mr. Clemons reported that under the Permit Extension Act, this extension will be granted to 2021. Mr. Clemons will send a letter to Mr. Holbert advising him that the extension is granted. Therefore, this extension request does not need Board action.

SUPERVISOR COMMENTS:

Ms. Baker stated the Special Equestrian Board has scheduled a meeting in late spring and she has requested a tour of their facility. Ms. Albillar also requested to attend the tour.

Ms. Baker said the Swim Club is moving forward to promote swim parties through the schools.

Ms. Yannich stated there are some good suggestions posted on Facebook from members of the Swim Club that should be considered by the Barnes Tennis and Swim Club Advisory Council.

Ms. Yannich reported from Chief Friel that officers were at CBHS South regarding opioid and vaping.

Ms. Yannich reported that congratulations are being extended to Sergeant Glen Gottenberg who recently became an adjunct instruct with Temple University.

Ms. Yannich gave an update to the K9 initiative. In 2019, \$4500 has been received in donations. Redstone Woods Homeowners Association donated \$600. Mr. Luber is working with Officer John Blanchard on an idea for a training and agility course.

Ms. Schemm thanked the Thompson family for advocating the opioid crises. Eric Thompson's father recently appeared on 60 minutes regarding this crisis.


Mr. Gaines commended Public Works employee, Trevor Dane for helping an elderly man during a snowstorm.

Mr. Gaines is asking the Township to consider litigation against the pharmaceutical companies relating to the opioid crises.

ADJOURNMENT

There being no further business, Ms. Schemm motioned, seconded by Ms. Baker to adjourn the meeting at 12:15 AM (Wednesday, February 27, 2019)

Respectfully Submitted By:



Barbara J. Livrone, Board Secretary

Attachment "A"

Consent Agenda – February 26, 2019

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. **January 22, 2019 to Approve Minutes for Board of Supervisors Organization Meeting.**
- b. **February 5, 2019 to Approve Minutes for Board of Supervisors (W/S) meeting.**
- c. **February 12, 2019 to Post Minutes for Board of Supervisors meeting.**
- d. **Consider approval for Veteran Affairs Committee to launch a new project "The Helping Hands Program".**

The Helping Hand program will match volunteers with veterans to provide free services such as lawn care, snow removal and minor home repairs.

- e. **Consider approval to execute CSI Security Agreement and Proposal for the new police station's security system.**

This contract is to provide all security features to the new Police Station including video cameras, door access systems, alarms, panic buttons, gates.

- f. **Consider approval to execute Agreement between Warrington Township and Warrington Swim Team.**

This agreement contains the requirements of the Warrington Swim Team and the Township as it relates to the Swim Teams use of the Mary Barness Tennis & Swim Club.

- g. **Consider approval of Resolution for changes to 2019 Fee Schedule (Swim Club Fees).**

The fee charged to each swim team member is being raised by \$5 - \$30 for Swim Club Members: \$45 non-members.

- h. **Consider approval of a Resolution to establish a special purpose tapping fee for the County Line Road Lower Pressure Sewer System.**

Establishes a fee to connect property owner to a Low Pressure Sewer System. This is addition to the Standard Tapping Fee.

- i. **Consider authorization to advertise Ordinance for a Bond Issue Financing.**

This ordinance will allow the township to issue \$10 in bonds to raise capital for the new Police Station and other projects

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