



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

The written minutes are a summary of the March 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 7:04 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 held and a summary will be presented under Solicitors report.

RECOGNITION OF 2018 SPONSORS OF WARRINGTON COMMUNITY DAY.

Ms. Yannich announced the sponsors for the 2018 Warrington Community Day who could not attend a prior meeting. Ms. Yannich read a Certificate of Recognition and presented one to each of the following recipients: Toll Brothers – Parkview at Warrington – Courtney Falbo, Sales Manager and Matt Homka, Project Manager; Waste Management of PA – Chuck Raudenbush, Jr., Public Sector Services; Elbow Lane Day Camp – Adrian Hazell, Director and Christian Lester; and Max Consulting and Premier Technology Solutions, LLC – Bob Matlack, VP Sales and Marketing.

Ms. Yannich thanked the 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.

INTRODUCTION OF DAVID LEACH

Mr. Gaines introduced Mr. David Leach, part-time Park and Recreation Manager. Mr. Leach gave a brief background of his work experience.

MS4 PERMIT APPLICATION AMENDMENT UPDATE

Mr. Zarko stated CKS has been working with DEP to prepare an amendment update for the MS4 permit application.

Mary Stover, P.E., CKS Engineers, Inc. submitted a summary of the update required sediment load reductions. All projects are being implemented by the Environmental Advisory Council, which is saving taxpayer money.

Ms. Baker motioned, seconded by Ms. Schemm to accept the MS4 permit application amendment update. All were in favor and the motion passed 5-0.

PRESENTATION OF BID RESULTS FROM \$10 MILLION BOND ISSUE.

Chris Gibbons, Concord Public Financial Advisors, Inc. presented the General Obligation Bond Series of 2019; Moodys Aa2 Credit Rating for Warrington Township and a listing of underwriters. Seventeen bids were received. Ms. Albillar asked for an explanation of a five year term.

The winning bid was Janney Montgomery Scott, LLC at 3.134%.

Ernest Closser, Esquire, Curtin and Heefner presented the Ordinance which was advertised March 13, 2019.

Ms. Yannich motioned, seconded by Ms. Albillar to approve the Ordinance authorizing the issuance of general obligation bonds in the aggregate principal amount of \$9,930,000. All were in favor and the motion passed 5-0.

PRESENTATION OF 2018 ANNUAL REPORT FROM HISTORIC COMMISSION.

Dr. Ace presented the Board with the Historic Commission's 2018 Annual Report.

Representing the Historic Commission were members, Mark Lomax and Shu-I Tu. Mary Doyle Roth was present representing the Historic Society. Their annual report will be posted to the website.

Mark Lomax (644 Woodspring Dr) announced on behalf of the Open Space and Land Preservation Committee seven experts will be presenting ways to protect the Millcreek Preserve. Deer Management will be a topic discussed May 8th. The OSLPC meets the second Wednesday of each month starting at 7:00 p.m.

UPDATE AND DISCUSSION OF THE PROPOSED POLICE/MUNICIPAL BUILDINGS.

Mr. Zarko reported the bidding of site work construction is still on-going. Mid-May the contract is scheduled to be awarded.

Mr. Luber stated there was a meeting with the architect and a final review was made before it goes out to bid. A meeting was also held with the new security company, CSI.

PUBLIC COMMENT: None

PUBLIC HEARING: None

1. APPROVAL OF BILL LIST:

- a. **2019 Invoices for the Period March 13, 2019 to March 26, 2019 in the amount of \$845,346.18.**

Ms. Albillar motioned, seconded by Ms. Schemm to approve the 2019 invoices paid for the period March 13, 2019 to March 26, 2019 in the amount of \$845,346.18. All were in favor 5-0.

2. CONSENT ITEMS:

Mr. Gaines asked if any clarification was needed for the consent items as presented and asked that Agenda Item H be placed under Solicitors Report. (Attachment "A")

- a. **February 26, 2019 to Approve Minutes for Board of Supervisors meeting.**
- b. **March 12, 2019 to Post Minutes for 2:00 PM Board of Supervisors meeting.**

- c. March 12, 2019 to Post Minutes for Regular Scheduled Board of Supervisors meeting.
- d. Consider authorization to approve Pickertown Road Trail Feasibility Study.
- e. Consideration to award bid for 2019 Lawn Maintenance Contract (advertised February 15 & February 19, 2019)
- f. Consider approval of Resolution for a DCNR Grant for Kids' Mountain Lion's Pride Phase II's Ecological Restoration of Native Wetland Habitat.
- g. Consider Revision to 2019 Fee Schedule (add Pavilion Electric Fee & Swim Lesson Hours).
- h. Consider bid award to Eureka Stone Quarry for 2019/2020 Highway Material.
- i. Consider authorization to advertise Costner Well No. 2 Upgrade.
- j. Consider authorization to approve the purchase of a 2019 Ford Explorer (mid-sized SUV) for Police Department.
- k. Authorization to advertise for bids; Bradley Road-DSA Grant Project (Oil & Chip Alternative).
- l. Authorization to advertise for bids; 2019 Roadway Improvement Program.
- m. Consider appointment of Sethu Manickavel to Bike and Hike Trails Committee.

Ms. Yannich motioned, seconded by Ms. Baker to approve Consent Items A through M. All were in favor and the motion passed 5-0.

3. CORRESPONDENCE: None.

4. OLD BUSINESS:

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

Mr. Lubert stated there have been no updates regarding the potential sale.

Mr. Lubert announced that Aqua of Pennsylvania is tentatively scheduled for April 9th to present their proposal.

Mr. Lubert reported that three grants have been received. One grant in the amount of \$3,000,000 was secured from the State and was just announced by Governor Wolf. It will be used for the GAC wells and to reduce the PennVest loan.

Public Comment:

Seth Gansman (903 Bentley) asked if the water department is sold, what happens to the \$3M grant.

Mr. Lubert said the grant was just awarded March 26 and this hasn't been discussed.

Mr. Gaines asked each supervisor to contact a municipality that has sold their water and/or sewer utilities to NWWA/BCWSA to find out what type of service they are receiving.

Ms. Albillar questioned the savings of expenses from the sale.

Mr. Luber said there will be a gap from the General Fund and some administration costs from the water and sewer department but there will not be any saving of expenses because those costs are absorbed by the water and sewer rates.

Ms. Schemm thanked former State Representative Kathy Watson, State Representative Bernie O'Neill; Governor Wolf and Tom Zarko, PE, CKS Engineers for securing the grant.

Mr. Luber also noted that the Township received \$491,000 in grant monies for a trail on Pickertown Road. The Growing Greener Grant was awarded to the Township in the amount of \$10,000.

b. **Consider approval of extension letter for Farabee II Minor subdivision plan Oak Avenue and Evergreen Avenue.**

Mr. Clemons explained the extension letter as written by Steve Harris, Esquire.

Ms. Yannich motioned, seconded by Ms. Baker to accept the extension for Farabee II Minor subdivision plan Oak Avenue and Evergreen Avenue. All were in favor and the motion passed 5-0.

c. **Consider approval of extension letter for JP Orleans – Pileggi Tract located at 3494 Limekiln Pike, TMP's 50-004-053-004, 50-004-054-001, 50-004-053 and 50-004-053-001.**

Mr. Clemons explained the extension letter as written by Ed Murphy, Esquire.

Ms. Yannich motioned, seconded by Ms. Baker to accept the extension for JP Orleans – Pileggi Tract located at 3494 Limekiln Pike, TMP's 50-004-053-004, 50-004-054-001, 50-004-063 and 50-004-053-001. All were in favor and the motion passed 5-0.

d. **Consider approval to circulate the amendment for the Conservation Easement Ordinance to the Planning Commission for review.**

Mr. Clemons prepared the Ordinance and stated the Ordinance will be forwarded to both the Warrington Township and Bucks County Planning Commission for further review. The Bucks County Planning Commission has a thirty day review period. After both reviews, the Ordinance will be authorized for advertisement and brought back to the Board of Supervisors.

Ms. Schemm questioned if public sewer will be extended to this deed restricted parcel.

Public Comment:

Bob Showalter, P.E., and Joe Cardamone questioned the 100' setback and cap on density. They presented the Cardamone plan consisting of twenty acres as a cluster development but cannot develop under this proposed Ordinance because it is less than twenty five acres.

Mr. Gaines suggested for the Cardamone plan be submitted to the Planning Commission.

Ms. Baker motioned, seconded by Ms. Yannich to forward the amendment for the Conservation Easement Ordinance to the Warrington Township and Bucks County Planning Commission for review. All were in favor and the motion passed 5-0.

e. **Consider approval of adding additional banks to the list of available depositories.**

Mr. Luber requested to add two more banks to the list of depositories to ensure all deposits are collateralized.

Ms. Schemm motioned, seconded by Ms. Baker to add two more banks to the list of available depositories. All were in favor and the motion passed 5-0.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

a. **Consider Resource Management Plan for Mill Creek properties.**

Ms. Schemm prepared a summary Mill Creek parcel resource management plan. The objective of this plan is to present options for protecting and enhancing the conservation priorities for the Mill Creek site. This plan will be brought up to the Open Space and Land Preservation Committee to discuss as part of their lecture series.

b. **Discussion of Mill Creek/Open Space Lecture Series.**

Ms. Schemm stated there will be a total of seven lecture series brought before each of the Open Space and Land Preservation Committee meetings.

6. MANAGER'S REPORT:

a. **Consider Resolution recognizing Local Government Week April 8-12, 2019.**

Mr. Luber read a resolution recognizing Local Government Week April 8-12th and stated the Township will reach out to Titus Elementary School to ask them to participate in local government week and bring over some of their classes for a visit to the township building.

b. **Shredding Event May 18, 2019 @ CBHS South.**

Mr. Luber announced State Representative Todd Polinchock and Warrington Township will host a shredding event at Central Bucks South High School on Saturday, May 18th from 9:00 to 11:00 am.

7. DEDICATION REQUEST: None.

8. ENGINEER'S REPORT:

a. **General Update:**

Mr. Zarko stated the parking lot at Creekside Shopping Center and LA Fitness is sinking. A plan to remediate the parking lot was submitted and work should begin in the Spring.

A general project update was submitted to the Board for the month of March, 2019.

9. SOLICITOR'S REPORT:

a. **Consider review of WAWA zoning application.**

Julie Von Spreckelsen, Esquire for the applicant stated a zoning application will be submitted to the zoning hearing board.

Mr. Clemons listed a summary of zoning relief variances requested by the applicant.

Mike Gallagher, PE handed out a revised zoning plan noting the changes based on Board of Supervisors comments.

Mr. Zarko stated the plan is located in the Corridor Overlay. Ms. Von Spreckelsen said the applicant will comply with the Corridor Overlay.

Ms. Yannich questioned if a fence would help with visibility from the neighbors. Ms. Yannich said the plan does not impact the homes across the street.

Mr. Gallagher said a privacy fence will be installed.

There are no issues with fire trucks and semi-tractor trailers entering and exiting the premises.

The Board of Supervisors decided no action was needed.

b. **Consider authorization to pursue suit against PNC Bank regarding Oak Creek Development security.**

Mr. Clemons stated a letter was sent to PNC Bank and the bank did not respond. Mr. Clemons said another letter will be mailed to notify the bank that a suit will be filed if funds are not received by the Township.

Ms. Baker motioned, seconded by Ms. Albillar to pursue a suit against PNC Bank regarding the Oak Creek Development security if funds are not received. All were in favor and the motion passed 5-0.

Mr. Clemons reported on the following items:

- The Zoning Hearing Board granted a variance to allow two apartments and connect to Water and Sewer relating to the Gaits case.
- The Zoning Hearing Board voted to execute a settlement agreement for the signage at 1800 Street Road.
- A variance application was filed April 22nd to allow for a roof deck.
- A hearing for the KTMT property is scheduled for April 22nd.
- The brief for Victory Gardens was filed. Warrington Township's brief is due April 19th.
- Toll Brothers application for a subdivision at the intersection of Lower State and Bristol Roads in Doylestown Township was filed.
- The executive session discussed the law firm of Scott and Scott to handle the opioid litigation for Bucks County and possibly include Warrington Township. A meeting will be scheduled with Chief Friel to recover damages.

Ms. Schemm motioned, seconded by Ms. Baker to authorize the filing of a lawsuit against the pharmaceutical companies and distributors. All were in favor and the motion passed 5-0.

SUPERVISOR COMMENTS:

Ms. Baker reported the Environmental Advisory Council is hosting a Native Plant Sale on April 27th.

Ms. Baker stated eighty trees were donated from Bucks Beautiful to the EAC and the trees will be planted on each side of the Buttercup basin.

Ms. Baker said on May 18th an Eagle Scout candidate will plant one hundred trees and shrubs.

Ms. Baker reported that the Barness Tennis and Swim Club Advisory Council will open on Memorial Day. The Shops at Valley Square are donating advertising space for the Swim Club. The Township is offering a discount up until April 15th.

Ms. Yannich reported on the work at the detention basin.

Ms. Yannich stated the Veteran Affairs Committee is working to amend their Ordinance for insurance and membership revisions.

Ms. Yannich said at the Warrington Day Committee meeting, a new activity will be presented called "Bike Safety Rodeo". Bicycles will be checked along with helmets and safety will be addressed.

Ms. Yannich stated the US Census Bureau is kicking off their 2020 Census Program, April 1st.

Ms. Schemm reported on the \$3,000,000 grant that was awarded by Governor Wolf to Warrington Township.

Ms. Albillar thanked Dr. Connie Ace for her presentation of the Historic Commission's 2018 Annual Report.

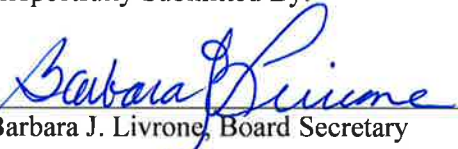
Ms. Albillar announced the annual Easter Egg Hunt is scheduled for Saturday, April 13th at 11:00 AM.

Mr. Gaines discussed offering a discount to Board/Commission volunteers to become members at the Swim Club. This would acknowledge their participation, generate additional revenue and provide communication between active Township volunteers and members. A recommendation will be brought to the Barness Tennis and Swim Club Advisory Council.

ADJOURNMENT

There being no further business, Ms. Schemm motioned, seconded by Ms. Albillar to adjourn the meeting at 9:53 PM.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary

ATTACHMENT "A"

Consent Agenda – March 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. **February 26, 2019 to Approve Minutes for Board of Supervisors Meeting.**
- b. **March 12, 2019 to Post Minutes for 2:00 PM Board of Supervisors meeting.**
- c. **March 12, 2019 to Post Minutes for Regular Scheduled Board of Supervisors meeting.**
- d. **Consider authorization to approve Pickertown Road Trail Feasibility Study.**

If approved, the Township will hire Natural Lands Trust to do a feasibility study for a trail segment on Pickertown Rd.

- e. **Consideration to award bid for 2019 Lawn Maintenance Contract (advertised February 15 & February 19, 2019)**

This contract provides for lawn cutting of various parks, Township facilities and open space within the Township.

- f. **Consider approval of Resolution for a DCNR Grant for Kids' Mountain Lion's Pride Phase II's Ecological Restoration of Native Wetland Habitat.**

This resolution allows the Township to apply for a grant for the 2nd phase of Lions Pride Park.

- g. **Consider Revision to 2019 Fee Schedule (add Pavilion Electric Fee & Swim Lesson Hours).**

This change to the fee schedule will add a fee to for the use of electricity for people renting pavilion. Also changes morning swim lessons from 11:00 am to 11:45 am to 10:00 am to 10:45 am.

- h. **Consider bid award to Eureka Stone Quarry for 2019/2020 Highway Material.**

This contract enables the Public Works Department to buy the necessary materials used in their daily operations.

- i. **Consider authorization to advertise Costner Well No. 2 Upgrade.**

This is to advertise to contractors that the Township will be accepting bids for upgrades to be made to Well #2.

- j. **Consider authorization to approve the purchase of a 2019 Ford Explorer (mid-sized SUV) for Police Department.**

This authorized the purchase of 1 new Police Administration vehicle.

- k. **Authorization to advertise for bids; Bradley Road-DSA Grant Project (Oil & Chip Alternative).**

This is to advertise to contractors that the Township will be accepting bids for the chipping and tarring of the gravel portion of Bradley Rd.

- l. **Authorization to advertise for bids; 2019 Roadway Improvement Program.**

This is to advertise to contractors that the township will be accepting bids for the paving of Township roads – to be paved this summer.

- m. **Consider appointment of Sethu Manickavel to Bike and Hike Trails Committee.**

The Bike and Hike Trails Committee is recommending this appointment to their Committee.

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