



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR MAY 14, 2019

The written minutes are a summary of the May 14, 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. Lubber, Township Manager; Vicki Kushto, 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 relating to Human Resource issues.

PROMOTIONAL CEREMONY FOR LT. GLEN GOTTENBERG (District Judge Jean Seaman officiating)

Chief Friel thanked the Board of Supervisors for hosting a promotional ceremony for Sergeant Glen Gottenberg who is being promoted to Lieutenant. Lt. Gottenberg is the ninth lieutenant in Warrington Township police history. Chief Friel read the Oath of Office and District Judge Jean Seaman administered the Oath of Office to Lieutenant Gottenberg.

PRESENTATION WARRINGTON CARES EMPLOYEE CHARITY AWARDS

Mr. Lubber stated the Warrington Cares Employee Charity (WCEC) was founded in 2015. WCEC, through fundraisers and donations, give to families in need, charitable organizations, and scholarships to high school seniors and to a college fund for Ian Bennett, son of Police Officer Tim Bennett, who passed away. Ms. Schemm presented the WCEC donation checks to the following charitable organizations:

- National Alliance on Mental Illness - \$ 1500.00 - Debbie Moritz (Presented by Leah Brown)
- Safe Harbor - \$1500 - Heide Marcelis (Presented by Bill McCann)
- Anonymous Aid Association - \$1000 – Laura Ladley & Raquel Riad (Presented by Ivy Ross)
- Lions Pride - \$1000 – Jim Furlong & Russ Diamond (Presented by Barry Lubber)
- The Twilight Wish Foundation - \$1000 - Michelle Bowren (Presented by Cassandra Williams)

Mr. Lubber presented Kathy Bennett with a one thousand dollar check from WCEC to Ian Bennett's college fund.

PRESENTATION OF 2019 WARRINGTON CARES SCHOLARSHIP AWARD WINNERS

- Lauren Charlton - \$2500 presented by Vivian Bell (Bell Family Scholarship)
- Sung Joo Kim - \$2500 presented by Kathy Bennett (Timothy J. Bennett Scholarship)

RECOGNITION OF EAGLE SCOUT DANIEL RAYMOND STROBEL – TROOP # 71

Mr. Gaines recognized Warrington resident Daniel Raymond Strobel from Troop # 71 for achieving the rank of Eagle Scout. Mr. Gaines read Proclamation Resolution 2019-R-29 and presented the Proclamation Resolution to Eagle Scout Strobel.

PRESENTATION OF 2018 ANNUAL REPORT FROM BIKE AND HIKE TRAILS COMMITTEE

Bike and Hike Trails Committee Chairman Aaron Mulder presented the 2018 Annual Report to the Board. Mr. Mulder noted ongoing and upcoming trail projects, along with events that took place in 2018 and also recognizing the committee membership. Also representing the Bike and Hike Trails Committee was member Scott Vogin.

UPDATE AND DISCUSSION OF THE PROPOSED POLICE/MUNICIPAL BUILDINGS.Consider Bid Award for new Police Station Site Work (advertised April 4 & 11, 2019)

Mr. Zarko reported on the site work base bid contract work and after a review of four contractors bid, recommended Land Tech Enterprises to the Board of Supervisors. The base contract is \$1,348,784 from Land Tech Enterprises with a budgeted amount of \$1.5 million. Three alternates were discussed.

Ms. Yannich motioned, seconded by Ms. Baker to accept the bid and alternates.

Mr. Gaines questioned the fence location and asked if Public Works could install a privacy fence. Ms. Baker suggested a vinyl fence as opposed to a wooden fence would be less maintenance.

Public Comment:

Michael Sellecchia (2340 Lower Barness Rd) was asking for a six foot fence to provide a barrier between the Township and the residential property.

Mr. Zarko stated upon completion of the site work, the fence will be the last item to be installed. This will be projected for the end of August or beginning of September.

Mr. Gaines amended the motion, seconded by Ms. Yannich to eliminate Alternate # 3 from the bid contract in the amount of \$26,000 and have Public Works install a six foot vinyl privacy fence. All were in favor and the motion passed 5-0.

Consider change in Scope of Work for Police Station Security system in the amount of \$15,500.

Mr. Luber reported on the change order for the security system for the new police station. The change order includes adding a license plate reader camera to the main public driveway; camera upgrade in the processing room and additional voice communication equipment.

Ms. Yannich motioned, seconded by Ms. Albillar to approve the change order for the scope of work to the Police Station Security System in the amount of \$15,500. All were in favor and the motion passed 5-0.

PUBLIC COMMENT:

Ms. Crescendo (213 Township Line Road) works for EMT Property. Ms. Crescendo manages property and stated one of her tenants received a very high water and sewer bill. She is requesting a further reduction for her tenant's water and sewer bill. Mr. Luber suggested entering into a payment plan. Mr. Luber suggested that the tenant request financial need from Warrington Cares Employee Charity. Mr. Gaines was in agreement with Mr. Luber, possibly extending the payment plan so that the tenant can pay the bill.

Scott Vogin (2150 Lisa Drive) thanked the Board of Supervisors for creating a parking plan for the residents at Willow Knoll. He commented that the fence abutting the High Grove Manor development is in need of repair. Mr. Zarko will reach out to the developer to repair the fence. Mr. Vogin also stated the registration form for the Fishing Derby taking place at Warrington Community Day has been uploaded by Park and Recreation Coordinator, Jeanine Winslow.

PUBLIC HEARING:

Continuation of Conditional Use Application of JP Orleans for the Pileggi Tract located at 3494 Limekiln Pike, TMP # 50-004-053, 50-004-053-001, 50-004-053-004 and 50-004-054-001.

Mr. Gaines closed the regular meeting and opened the hearing at 8:35 pm.

Ed Murphy, attorney for applicant received the possible conditions from the township solicitor and agreed to the conditions discussed at the April 23rd Board of Supervisors meeting.

Ms. Kushto stated the action of the Board of Supervisors is to deliberate and make a decision on the conditional use application.

Mr. Gaines discussed the conditions.

Mr. Zarko summarized each of the fifteen items.

Ms. Yannich motioned, seconded by Ms. Albillar to authorize the township solicitor to prepare a Resolution for the Conditional Use application and state the conditions.

Public Comment:

Anthony Visco (3468 Limekiln Pike) expressed concern about the number of homes being proposed and the water run-off.

Betty Hejna (3506 Limekiln Pike) requested that the construction vehicles are limited to the main entrance off of Limekiln Pike.

Louise Davidson (159 Stump Road) also expressed concern about the development.

Connie Ace, Chair of the Historic Commission stated they did not have the opportunity to review the revised plan regarding the barn and historic home.

Mr. Gaines stated the developer must comply with the current township ordinance.

Mr. Zarko stated the developer is maintaining sixty six percent of land for open space. He is working with the applicant's engineer to address stormwater issues and to provide proper buffering.

By roll call vote, the motion passed 5-0 to approve the Conditional Use Application of JP Orleans for the Pileggi Tract located at 3494 Limekiln Pike, TMP # 50-004-053, 50-004-053-001, 50-004-053-004 and 50-004-054-001.

The public hearing ended at 9:00 pm.

1. APPROVAL OF BILL LIST:

a. 2019 Invoices for the Period April 24, 2019 to May 14, 2019 in the amount of \$1,983,013.18.

Ms. Baker motioned, seconded by Ms. Albillar to approve the 2019 invoices paid for the period April 24, 2019 to May 14, 2019 in the amount of \$1,983,013.18. All were in favor 5-0.

2. CONSENT ITEMS:

Mr. Gaines asked if any clarification was needed for the consent items as presented. Ms. Schemm noted a correction to the April 23rd meeting minutes. Item H. was questioned by resident Louise Davidson (159 Stump Road). Ms. Yannich motioned, seconded by Ms. Baker to approve Consent Items A through L, excluding H. All were in favor and the motion passed 5-0. (Attachment "A")

- a. April 9, 2019 to Approve Minutes for Board of Supervisors meeting.
- b. April 23, 2019 to Post Minutes for 2:00 PM Water and Sewer Board of Supervisors meeting.
- c. April 23, 2019 to Post Minutes for Board of Supervisors meeting.
- d. Consider advertisement to bid for Water Main Improvements Project @ Barness Park.
- e. Consider approval for Certificate of Completion # 2 in the amount of \$100,000 for Walgreens/Commerce Bank.
- f. Consider Bid Award for Costner Well No. 2 Upgrade (advertised April 1 & 5, 2019)
- g. Consider authorizing the Township Engineer to prepare bid documents for construction of a trail segment from Stump Road to the intersection of Mill Creek Road and Pickertown Road to utilize a grant from DVRPC for trail construction.
- h. Consider approval of an Ordinance to amend the Township Zoning Ordinance by amending the provisions governing Conservation Residential Subdivision (advertised April 29 & May 6, 2019)
- i. Consider revision to 2019 Fee Schedule to add Peddlers License.
- j. Consider authorization to advertise Request for Bids to replace five (5) Overhead Doors at Station #78, 3351 Pickertown Road.
- k. Consider Rick Weiss as a volunteer member of the Park and Recreation Board.
- l. Consider resignation from Township Elected Auditor, Kim Carter.

Louise Davidson (159 Stump Road) requested an explanation of the Ordinance being proposed in Item H. Ms. Yannich explained the first Ordinance that was passed had density bonuses that needed to be revised. Additionally, the lot size for one acre per one dwelling for the RA district, as stated in Section 4 of the zoning ordinance needed to be eliminated.

Betty Hejna (3506 Limekiln Pike) expressed concerned about driving on Pickertown Road when the Morrissey property is developed.

Mr. Gaines stated the developer for the Morrissey property is making road improvements to the area.

Ms. Yannich motioned, seconded by Ms. Baker to approve the Ordinance to amend the Township Zoning Ordinance by amending the provisions governing Conservation Residential Subdivision. 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. Luber reported that he received a term sheet from both North Wales Water Authority and Bucks County Water and Sewer Authority. He also received an offer from Aqua. Pa America submitted a letter to present an offer.

Mr. Luber submitted the three proposals and summary to the Board.

Mr. Gaines commented on the offer by Aqua. He stated the rates to the residents would change but Aqua could not supply the rates. Mr. Gaines stated his preference to consider a utility authority and not a public traded utility.

Ms. Yannich suggested not moving forward with the public traded utility but requested to obtain more information from the municipal authorities.

Ms. Baker opined that a municipal authority is for the public.

Ms. Albillar stated it is not in the best interest for the taxpayers to go with a public traded utility.

Public Comment:

Keith E. Gabage, Sr. Mgr., Business Development for Pennsylvania American Water Company expressed an interest to submit a proposal to the Board.

Ms. Yannich motioned, seconded by Ms. Albillar to instruct the township solicitor, engineer and staff to move forward and acquire more information on municipal authorities and exclude consideration for a public traded utility. All were in favor and the motion passed 5-0.

Mr. Luber reported that a support letter was mailed from Chair Gaines regarding the PFOS issue expressing the Township's support for the Pennsylvania Department of Health and its partners in their grant application to the Agency for Toxic Substances and Disease Registry for inclusion in the cooperative agreement titled Multi-Site Study of the Health Implications of Exposure to PFAS-Contaminated Drinking Water.

Ms. Baker stated the Pentagon is currently fighting to increase the health advisory limit. She suggested for the residents to call their Congressman and go onto the EPA website to submit comments.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS): None.

6. MANAGER'S REPORT:

- a. PA Department of Health PFAS testing. Referenced in Agenda Item 4.A.
- b. Millcreek Grant Fund.

Mr. Luber thanked Ms. Schemm, the Open Space and Land Preservation Committee, Roy Rieder, Terry Clemons, Esquire, Vicki Kushto, Esquire and Tom Zarko, P.E., for helping to acquire the Millcreek property consisting of sixty six acres. A check was received from the PA Conservation and Natural Resources for \$1,011,650.00 to acquire this property.

- c. Homestead Exemption.

Mr. Luber reported that the Finance Director is working with the Township Solicitor and a timetable was prepared. The proposed homestead exemption is only for owner occupied single family residential units. The proposed reduction will be effective for the 2020 tax year.

Public Comment:

Betty Hejna (3506 Limekiln Pike) suggested adding the tax revenue to the open space fund to purchase more open space within the Township.

Mr. Gaines stated a Resolution to implement the Homestead Exemption rebate will be presented to the Board of Supervisors on June 11th.

Mr. Luber met with a media consultant, Goetz Media to obtain more press coverage for the Township.

Ms. Schemm motioned, seconded by Ms. Yannich to hire a Press Release Consultant capped at \$1,000 per month for six months. All were in favor and the motion passed 5-0.

Public Comment:

Scott Vogin (2150 Lisa Drive) was in favor of the investment.

7. DEDICATION REQUEST: None.**8. ENGINEER'S REPORT:**

- a. General Update:

Mr. Zarko stated bids were due for Lions Pride Park and will be awarded at the May 28th Board of Supervisors meeting.

The 2019 Road Improvement bids are due May 23rd.

The Bucks County Conservation District has extended the grant to September 2019 and the project for the Bradley Road oil and chip project will be re-bid.

9. SOLICITOR'S REPORT:

- a. Victory Gardens Brief

Ms. Kushto reported that a brief was filed with the Commonwealth Court.

b. Oak Creek Development Update

Cutler Group filed for bankruptcy. PNC Bank will pay the full amount requested by the Township to the Township. However, there will be a shortfall to complete all the work that needs to be done.

Ms. Baker motioned, seconded by Ms. Schemm to execute the Settlement Agreement between Warrington Township and PNC Bank in the amount of \$184,623.55. All were in favor and the motion passed 5-0.

c. Consider Cardamone letter to Zoning Hearing Board.

Ms. Kushto will prepare a letter on behalf of the Board of Supervisors and submit the letter to the Zoning Hearing Board.

SUPERVISOR COMMENTS:

Ms. Baker stated the Mary Barness Tennis and Swim Club are hosting an open house on Friday, May 31st from 4:00 to 7:00 pm.

Ms. Baker stated the Environmental Advisory Council is hosting Community Service Day on May 18th at the former Twin Oaks Day Camp.

Ms. Yannich stated she will be meeting with the Police Chief.

Ms. Yannich reported on the Bike and Hike Trails Committee meeting.

Ms. Yannich announced the Veteran Affairs Committee is holding their annual Memorial Day Ceremony on Saturday, May 25th at 11:00 am.

Ms. Yannich stated the Environmental Advisory Council was working at the Memorial Garden at IPW Park and thanked residents, John and Eileen McConnell for their hard work.

Ms. Schemm thanked the Open Space and Land Preservation Committee for hosting their first Millcreek Preserve lecture which focused on deer management. On June 12th a lecture will be presented by the same committee on invasive plants.

Ms. Albillar reported the Supervisors are hosting their annual Volunteer Appreciation Luncheon on June 1st at Giuseppe's Restaurant. Ms. Albillar thanked Clemons Richter and Reiss and CKS Engineers for sponsoring the event. Angel Rose Florist is donating the center pieces for the tables. This luncheon is a thank you to all the residents who volunteer on various boards and committees.

Mr. Gaines reported that on Saturday, May 18th, the Township along with State Representative Todd Polinchock are hosting a shredding event at Central Bucks High School South from 9:00 am to noon.

ADJOURNMENT

There being no further business, Ms. Schemm motioned, seconded by Ms. Yannich to adjourn the meeting at 10:06 PM.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary

Attachment "A"

Consent Agenda – May 14, 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. **April 9, 2019 to Approve Minutes for Board of Supervisors meeting.**
- b. **April 23, 2019 to Post Minutes for 2:00 PM Water and Sewer Board of Supervisors meeting.**
- c. **April 23, 2019 to Post Minutes for Board of Supervisors meeting.**
- d. **Consider advertisement to bid for Water Main Improvements Project @ Barness Park.**

The installation of a water loop between Barness Park and Fox Sub-acute to allow for alternate routes in the event of a water main break.

- e. **Consider approval for Certificate of Completion # 2 in the amount of \$100,000 for Walgreens/Commerce Bank.**

This is to release financial security for site improvements that the developer has competed and been approved.

- f. **Consider Bid Award for Costner Well No. 2 Upgrade (advertised April 1 & 5, 2019)**

This contract is for the installation of a Variable frequency drive and to allow better control over flow from Well 2.

- g. **Consider authorizing the Township Engineer to prepare bid documents for construction of a trail segment from Stump Road to the intersection of Mill Creek Road and Pickertown Road to utilize a grant from DVRPC for trail construction.**

This construction will be another step in connecting and extending the Township's trail system. The Township received a grant in the amount of \$491,000 for this purpose.

- h. **Consider approval of an Ordinance to amend the Township Zoning Ordinance by amending the provisions governing Conservation Residential Subdivision (advertised April 29 & May 6, 2019)**

This amendment to the Zoning Ordinance makes changes to the recently adopted Conservation Ordinance in which Developers can get higher density by preserving open space.

- i. **Consider revision to 2019 Fee Schedule to add Peddlers License.**

The township ordinance requires a fee for peddler's license. This action adds the fee to the Board adopted fee schedule.

- j. **Consider authorization to advertise Request for Bids to replace five (5) Overhead Doors at Station #78, 3351 Pickertown Road.**

This bid is to replace five bay doors at Fire Station 78.

- k. **Consider Rick Weiss as a volunteer member of the Park and Recreation Board.**
- l. **Consider resignation from Township Elected Auditor, Kim Carter.**

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