



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR JUNE 11, 2019

The written minutes are a summary of the June 11, 2019 Board of Supervisors meeting. For a complete dialog visit the Township's website, www.warringtontownship.org.

ATTENDANCE

Fred R. Gaines, Chair; Ruth L. Schemm, Vice Chair; Carol T. Baker, Member; Eileen Albillar, Member and Shirley A. Yannich, 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; Chief Dan Friel; Karen Palmer, Acting Finance Director; Leslie Frescatore, Human Resource Manager; and Amy Organek, Assistant Finance Director.

CALL TO ORDER: Mr. Gaines called the meeting to order at 7:05 P.M. Mr. Gaines welcomed the residents who came to the meeting and the people watching the meeting live.

PLEDGE OF ALLEGIANCE

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

EXECUTIVE SESSION REPORT

Mr. Gaines stated there was not an executive session this evening.

PRESENTATION OF 2018 ANNUAL REPORT FROM PENSION ADVISORY BOARD

Kevin Peacock and Joe Kirby from the Pension Advisory Board reviewed the annual report for the Pension Board including the status of the two plans and potential changes that may be recommended to keep these plans healthy for the future.

SWEARING IN OF TWO NEW POLICE OFFICERS (District Judge Jean Seaman officiating)

Chief Friel introduced Officer Timothy Rihl and Officer Adrienne Rodriguez and gave background information on both officers. District Judge Jean Seaman swore them in individually.

INTERVIEWS FOR TOWNSHIP ELECTED AUDITOR

Seth Gansman was the only applicant for the Auditor position. Mr. Gansman reviewed his background and reasons for applying for auditor.

Ms. Yannich made a motion to appoint Mr. Gansman to complete the elected auditor remaining term that was vacated. Ms. Schemm seconded. There was a roll call vote. All were in favor 5-0.

Ms. Albillar – Yes

Ms. Baker – Yes

Ms. Schemm – Yes

Ms. Yannich – Yes

Mr. Gaines - Yes

INTRODUCTION OF KAREN PALMER, ACTING FINANCE DIRECTOR

Mr. Luber officially introduced Ms. Karen Palmer as acting finance director.

PRESENTATION BY GKO ARCHITECTS, LLC

- **Police Station Construction Cost Estimate**
- **Consider authorization to advertise for bids for new police station**

Sandy Sabo reviewed the presentation on the status of the costs and progress for the police station. The sitework bid came in under what was expected and will be commencing shortly. Ms. Sabo also reviewed the anticipated timeline for bidding and construction. At this time, they are ready to solicit bids for the building construction.

Ms. Albillar made a motion to approve the building construction package for the Police Station to be put out for bid. Ms. Yannich seconded. All were in favor 5-0.

PUBLIC COMMENT:

Warrington Township was requested by Doylestown Township to review their revisions to their comprehensive plan. The Warrington Township Planning Commission had no comments.

Ms. Yannich made a motion to have the Township Manager advise Doylestown Township's manager that we did not have any comments for their revisions for their comprehensive plan. Ms. Baker seconded. All were in favor 5-0.

DISCUSSION OF POTENTIAL SALE OF WATER AND/OR SEWER SYSTEMS OF WARRINGTON TOWNSHIP – 7:03 recess time

No decision has been made and this is a listening session for the public's concerns.

Millie Seliga, 934 Longwood Ct.

A comparison/contrast for selling vs retaining should be done. Mr. Jones reviewed Ms. Seliga's question. A rate projection for the next 20 years has been done for retention but could not be done for selling since we do not have their financials. Bucks County Water & Sewer have agreed to a 3-year rate lock if the sale goes forward. At that time, they will have a bond that will be paid off which in theory will help maintain a lower cost. We cannot guarantee their rates, but we can anticipate gradual increases in rates if we retain these departments.

The water quality will not differ from what is currently being provided. We are currently using North Wales Water for the entire township. At the end of the existing contract, we cannot currently guarantee that the water will be available to purchase the necessary water if we do not sell.

Patrice Tisdale, 620 Meehan Dr

Prior to being approached on the sale of the Water & Sewer Department, what was the plan for this department? The water and sewer department was not actively for sale prior to that time. There was an assessment done of the water and sewer facilities in 2009, but it was not pursued at that time.

Ms. Tisdale asked if the comparisons are available for the residents to review. Mr. Jones noted where the links on the township website for the information and meetings that have taken place and been completed so far.

Connie Ace, 1067 Folly Rd

How will the potential sale affect homes that currently have private wells, but may want to connect to the public system? The residents will now need to contact the purchasing entity. Would these connections still be mandatory and what will the costs be? The residents will need to contact North Wales for any connection questions if the sale is completed. North Wales has their tapping fees in their fee schedule posted on their website.

Katie Kulicki, 2167 Longview Rd

Is the only choice North Wales/ Bucks County Water & Sewer or not selling? Mr. Gaines said the supervisors had eliminated the options of selling to a publicly traded entity.

David Nonnenman, 2158 Longview Rd.

Mr. Nonnenman questioned why we connected up to North Wales Water in 1996. This was due to insufficient volume in the western part of the township at that time to service the demand. The connection in 2000s was as a backup to supplement in the demand for the eastern part of the township.

Mr. Jones reviewed the PFOS/PFOA contamination timeline and what improvements have been done or are being done.

Mr. Luber reviewed the status of the offers and the dispensation of the profit from the sale if it goes forward. All financial information will be conveyed when it is available and prior to any decision.

Seth Gansman, 903 Bentley Ct

Mr. Gansman inquired about the grants/loans. We are looking into the assumption/transference of these funding sources. Both bidders have expressed agreement to complete these projects as set forth in the original agreements

Are we guaranteed to only receive Forest Park water? Hydraulically this is the most realistic and feasible.

Jailan Elsarha, 955 Easton Rd, Apt H89

Ms. Elsarha expressed concerned of the loss of control of the local utility. If the sale goes through, the residents would deal directly with North Wales Water Authority. She asked why we cannot just renegotiate to continue these contracts. We are not guaranteed they will re-sign these contracts. She feels that it is the township's responsibility to maintain control of the utility.

Kayma Sherman, 102 Lyric Way

Ms. Sherman was looking for documentation of an analysis of what it would cost the residents to do the necessary improvements and maintenance rather than sell the department. She would like an explanation in layman's terms for the average resident to understand what it would cost for us not to sell. She would like to see the due diligence on keeping the systems, not just to sell the systems.

Chris Nonnemen, 2158 Longview Rd

Ms. Nonneman had a question on the cost of the special counsel.

Mike Wagner, 2167 Longview Rd.

Mr. Wagner asked regarding the revenue that comes into the township due to the water and sewer department. Is there a breakdown of the revenue shortfall recouping? There is about \$500,000 of revenue that will need to be compensated for with the loss of the water and sewer revenues to the township.

Patrice Tisdale, 620 Meehan Dr

Ms. Tisdale asked if there has been a long term contract discussion rather than sale discussion. There has not. North Wales is looking to acquire several other systems and may not have the capacity available after the other systems are acquired. The rate analysis shown on the website incorporates the \$140 million needed for infrastructure improvements.

Will this sale be presented to the public again before the decision is made or will it be more of an administrative decision? Will there be a vote? Are there any other options for water sources? No decisions are made in private, but there will not be a public ballot vote for this sale. It is not allowed/required by the Second Class Township Code.

Kayma Sherman, 102 Lyric Way

Could the process/steps be posted on the website so the public will know what is going to be happening and where we are in the negotiations and the process? This will be looked into.

Mike Hanichak, 1294 Red Oak Ct

Mr. Hanichak asked about the details with Bucks County. There has been a lot of conversation with North Wales Water, but not much said regarding the sewer. Mr. Jones specified that the treatment plant is coming close to its capacity and there will be concerns with the necessary expansion needed for the future. The majority of the infrastructure costs are in the sewer system.

Nelson Klein, 1065 Gelding Cir

Mr. Klein asked why it could not be on the ballot. It is due to the electoral code and is the same for all second class townships.

Mr. Klein asked how the usage for non-residential customers is accounted for and how it affects the costs for the residents. We purchase water in bulk from North Wales Water Authority and there is a single cost per thousand gallons.

Dr. Mike Diorka, 2651 Fawn Ln

What is our timeline for the completion of this sale? We would like to have this completed by the end of the year.

Jailan Elsarha, 955 Easton Rd, Apt H89

Ms. Elsarha asked if the soil has been tested for PFOS/PFAS? No, we have not tested the soil.

The public was thanked for their attendance and participation in the discussion.

Break – 8:50pm

PUBLIC HEARING:

- **Consider Conditional Use Application of Joseph & Rosemarie Cardamone for property located at the intersection of Stump and Pickertown Rds., TMP#50-004-071; 50-004-071-001 & 50-004-071-002. (advertised May 27 & June 3, 2019)**

This was continued to the July 23, 2019 agenda at the applicant's request.

Ms. Yannich motioned to continue this application to the meeting on July 23, 2019. Ms. Baker seconded. All were in favor, except for Ms. Schemm who was not present during the vote, 4-0-1.

4. OLD BUSINESS:

- b. Consider Minor Subdivision Plan of Farabee Construction, Inc., creating 2 lots fronting on Evergreen Ave. and authorize Solicitor to prepare a Resolution. (Letters sent to residents per Steve Harris 5/23)**

Mr. John VanLuvanee, Esq. and Doug Rossino, Gilmore and Associates Engineers, were present for the application. Mr. VanLuvanee reviewed the history of the plan and the current status. Mr. Zarko said that he could not recommend approval for this plan at this time. They have not received revised plans that show compliance with the review letter. There were various solutions discussed to resolve this issue concerning storm water and impervious surface. If a plan with access and storm water revisions acceptable to the township engineer is submitted along with a 15 ft. wide driveway with bump outs and a stormwater management plan and the appeals board grants a waiver of the 20 ft wide cart way. Also, fire marshal approval would be required.

Michael Vile, 529 Oak Ave

Mr. Vile shared a video of his property in a rain storm and the water that flows onto his property from the two houses already built. He is very concerned with the potential homes to be built. Mr. Zarko said the concept that they have been given should help this situation, but CKS does not have plans showing this yet.

Ryan and Alexis Richardson, 551 Oak Ave

Mr. Richardson asked about the water absorption capacity because he was concerned with the removal of mature trees for the installation of the drive for the new lots.

They also asked how much property is owned by the applicant in relation to the paper street. They are concerned that their front yard will now become the new driveway and part of their property will be incorporated as part of this application.

Ms. Richardson asked that the codes be upheld because they were established for a reason.

Gina Novak, 542 Oak Ave

Ms. Novak thanked Mr. Zarko for taking the time to look into their water issues. She was concerned that the area is very wet and asked if anyone had done a wetland study.

Mr. VanLuvanee agreed to grant an extension and they will revise their plans.

Mr. Zarko said he would work with the applicants engineer to gather more environmental information on the property.

CONSIDER PROPOSAL FOR JOINT SPECIAL COUNSEL FOR WATER/SEWER NEGOTIATIONS

The final proposal was not to exceed \$70,000 for each service for the legal counsel. They will get us to an asset analysis, including all the details – employees, vehicles, infrastructure, etc. They have a fee of \$375/ hour up to \$140,000. For any circumstances causing the costs to go above that amount would be discussed as they arise.

Ms. Yannich made a motion to engage a joint special counsel for the Water/Sewer Negotiations. Ms. Schemm seconded. There was a roll call vote. All were in favor 5-0.

Ms. Albillar – Yes

Ms. Baker – Yes

Ms. Schemm – Yes

Ms. Yannich – Yes

Mr. Gaines - Yes

1. APPROVAL OF BILL LIST:

- a. 2019 Invoices for the period May 29, 2019 to June 11, 2019 in the amount of \$779,004.44.
Ms. Yannich moved, seconded by Ms. Albillar to approve the invoices paid for the period May 29, 2019 to June 11, 2019 in the amount of \$779,004.44. All were in favor 5-0.

2. CONSENT ITEMS:

- a. May 14, 2019 to Approve Minutes for Board of Supervisors Meeting
- b. May 28, 2019 to Post Minutes for Board of Supervisors meeting
- c. Consider revision to Change Order 01 – Security System changes for new Police Station for an additional amount of \$2,300.00.
- d. Consider proposal for sound system for police radio in the amount of \$5,850.00.

Ms. Yannich moved, and Ms. Baker seconded, approval for consent items a through d. All approved 5-0. (Attachment “A”).

3. CORRESPONDENCE: None.**4. OLD BUSINESS:****a. Consider approval of a Resolution for Eureka Stone Quarry, Inc. Tract Sewage Facilities Planning Module**

There was discussion regarding what this was approving. The resolution is specifically to improve the facilities for the 123 homes in this particular development as stated in the letter from Mr. McBride, Esquire on June 10, 2019. The letter specifies that if further study is deemed necessary, the developer will pay for it.

Ms. Yannich made a motion to adopt a resolution for Eureka Stone Quarry, Inc Tract Sewage Facilities Planning Module in accordance with the letter from attorney Richard McBride dated June 10, 2019. Ms. Albillar seconded. All were in favor, 5-0.

- b. Farabee Subdivision – included with the Public Hearings.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

- a. **Consider Resolution to establish Homestead Exemption (advertised June 4, 2019)**

Mr. Luber reviewed the Homestead Exemption and the impact to the residents. The resolution proposed is to establish the exemption, but the amount would need to be set each year.

Ms. Yannich made a motion to adopt a resolution to establish a homestead tax exemption with the amount to be determined later. Ms. Albillar seconded. All were in favor, 5-0.

6. MANAGER'S REPORT: None

7. DEDICATION REQUEST: None

8. ENGINEER'S REPORT:

General Update

a) Lions Pride Park

Landscape architect bids were excessive, and some changes were made to reduce costs. This project will need to be rebid. There will be pre-bid meetings for the playground equipment. Mr. Zarko stated DCNR said there may be additional funds available.

9. SOLICITOR'S REPORT:

Mr. Clemons presented a resolution for approval to participate in the Houston Galveston Cooperative authority which will aid in the acquisition of the playground equipment for Lions Pride Park.

Ms. Albillar made a motion to approve a resolution to participate in the Inter-governmental agreement for the playground equipment. Ms. Baker seconded. All were in favor, 5-0.

- a. WT 19-06, WaWa, Easton Rd and Maple Avenue, Continuation of April 22, 2019 hearing is continued to June 24th, 2019 meeting.
- b. WT 19-11, 1428 Easton Rd, LLC, request for special exception to expand and existing building on a non-conforming lot. They want to add onto the building; Andrew Stall was present for the applicant.
- c. WT 19-12, Gross, 840 Valley Rd, request for variance for excessive impervious cover to construct a swimming pool – Going to the Zoning Hearing Board.
- d. Report on Prime Property Zoning Hearing Board – Executive session.

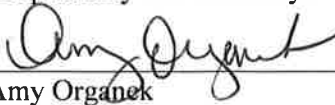
SUPERVISOR COMMENTS

Ground breaking for the police station is Thursday, June 13th at 11am, rain or shine.

ADJOURNMENT

There being no further business, Ms. Yannich adjourned the meeting at 11:00 PM.

Respectfully Submitted By:



Amy Organek

ATTACHMENT "A"

Consent Agenda – June 11, 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. **May 14, 2019 to Approve Minutes for Board of Supervisors meeting.**
- b. **May 28, 2019 to Post Minutes for Board of Supervisors meeting.**
- c. **Consider revision to Change Order 01 – Security System Changes for new Police Station for an additional amount of \$2,300.00.**

An additional network switch and different solution for the cell-area call system will be required to expand the security system for the new police station.

- d. **Consider proposal for sound system for police radio in the amount of \$5,850.00.**

The sound system will allow the new police station to hear the police radio through ceiling speakers.

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