



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR JULY 23, 2019**

The written minutes are a summary of the July 23, 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 7:03 P.M.

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 to discuss potential sale of the water and sewer systems and personnel issues.

ANNOUNCEMENTS: None.

SWEARING IN OF POLICE OFFICER NATHAN COIA. (District Judge Jean Seaman officiating)

Chief Dan Friel introduced Police Officer Nathan Coia as Warrington Township's 34th officer. Chief Friel presented background information on Officer Coia and District Judge Jean Seaman officiated the swearing in.

The Board of Supervisors welcomed Officer Coia to Warrington Township's Police Department.

SWEARING IN OF WARRINGTON TOWNSHIP FIREFIGHTERS, KEVIN CRAIG AND JUSTIN FAUST. (District Judge Jean Seaman officiating)

Director of Emergency Services and Code Enforcement, Lee Greenberg presented background information and introduced two new full-time firefighters to Warrington Township, Kevin Craig and Justin Faust. Kevin Craig replaced Keith Miller, who resigned in April. Justin Faust was hired to replace one part-time position.

SWEARING IN OF WARRINGTON TOWNSHIP FIREFIGHTER BILL MCCANN AS BATTALION CHIEF (District Judge Jean Seaman officiating).

Director of Emergency Services and Code Enforcement, Lee Greenberg introduced Bill McCann. Mr. McCann was promoted to Battalion Chief for Warrington Township Department of Emergency Services.

PRESENTATION OF 2018 ANNUAL REPORT FROM WARRINGTON AMBULANCE CORPS.

Chief of Warrington Ambulance Corps, Mark Scholl presented the Ambulance's 2018 Annual Report to the Board of Supervisors. This report will be posted to the website and will appear in the next edition of the

township's newsletter, *the Link*. Chief Scholl introduced Captain Lebaratore and Board of Directors, Jen Lewchick.

Tawny Jackson, from the American Heart Association presented Warrington Ambulance Corps with the "2019 Mission: Lifeline EMS Bronze Plus Quality Achievement Award". This achievement illustrates a commitment to provide guidelines based care while meeting high standards of performance.

The Board of Supervisors complimented the Ambulance Corps for their commitment and service to Warrington Township.

PRESENTATION OF OSPREY NEST

Mr. Gaines requested Ms. Ivy Ross, Vice Chair of Environmental Advisory Council (EAC) go present the recognition of the township's Osprey nest.

Ms. Ross thanked Warrington Township resident, Mark Ruckno for initiating the contacts with the PA Game Commission and PECO. The EAC coordinated their efforts with the Bucks County Parks Department to find a suitable location to place the pole for the osprey nest. PECO donated the 80 foot pole and the PA Game Commission donated a constructed platform. This was a 2 year long combination effort on the part of all of these 4 agencies.

Ms. Baker, liaison to the EAC read Proclamation Resolution 2019-R-40 and handed each of the agencies the Resolution. All were present except for Bill Mitchell, Director of the Bucks County Parks Department.

PUBLIC COMMENT:

Mary Bachman (2196 Buckboard Circle) requested the need for crosswalks at Barclay Elementary School.

Mr. Lubber stated sewer work is being planned for this area and after the work is completed, the crosswalks will be considered.

Mr. Clemons stated that the conditional use hearing for Cardamone will be continued to the August 13th Board of Supervisors meeting. A presentation will be made to the Planning Commission on August 1st.

Scott Gordon (126 Kings Court) asked if the Board of Supervisors receives compensation.

Ms. Yannich stated their salaries are established by the Commonwealth of Pennsylvania.

PUBLIC HEARING:

- Consider Inter-Municipal Transfer of Liquor License for KC Restaurant Group, LLC located at The Shops at Valley Square, 1501 North Main Street, Unit 602, TMP # 50-031-034-001.

Mr. Clemons reported that an application and request for an inter-municipal liquor license transfer was requested by KC Restaurant Group, LLC. KC is planning to open a restaurant/bar located at the Shops at Valley Square, 1501 Main Street, Unit # 602. Paul A. Namey, is the attorney representing the applicant. A legal notice was placed in the Intelligencer on July 8 and July 15, 2019.

Mr. Clemons presented the following exhibits:

T1: Application

T2: Notice of hearing

T3: Affidavit executed by Barbara Livrone mailing the notification letters on June 24, 2019.

Mr. Namey summarized the application noting the new restaurant/bar is going in where Melting Pot was located in the Shops at Valley Square. The liquor license number to be transferred is R-11347 from E.K.P., Inc., Bristol Township, Bucks County.

Mr. Namey presented the following exhibits:

- A-1: Proposed Floor Plan
- A-2: Renderings

The new restaurant/bar is Ardana and will serve a Mediterranean cuisine and will be open presently from 4:00 pm to 10:00 pm, dinner only.

Ms. Albillar questioned Section L of the lease and was assured that the restaurant will not stay open past midnight.

Ms. Albillar also questioned a cap on the number of liquor licenses the township can acquire. Mr. Clemons stated new licenses are by population and the Board of Supervisor controls the number of liquor license transfers. Mr. Namey explained the license transfer process.

Mr. Gaines asked about the precaution steps taken for an employee not to serve a minor and/or intoxicated person. Mr. Namey stated there is extensive training and a system is in place.

Ms. Schemm motioned, seconded by Ms. Yannich to approve the inter-municipal transfer of liquor license for KC Restaurant Group, LLC located at the Shops at Valley Square, 1501 Main Street, Unit # 602, TMP # 50-031-034-001 and to accept the Resolution. All were in favor and the motion passed 5-0.

- Consider extension of Conditional Use hearing concerning 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.

Mr. Clemons reported an extension was granted to continue the hearing to the August 13, 2019 Board of Supervisors meeting. This will be advertised on the website.

Mr. Gaines motioned, seconded by Ms. Schemm to close the hearings at 9:10 P.M. All were in favor and the motion passed 5-0.

1. APPROVAL OF BILL LIST:

- a. 2019 Invoices for the Period July 10, 2019 to July 23, 2019 in the amount of \$1,190,186.97.

Ms. Schemm motioned, seconded by Ms. Baker to approve the 2019 invoices paid for the period July 10, 2019 to July 23, 2019 in the amount of \$1,190,186.97. All were in favor 5-0.

2. CONSENT ITEMS:

Mr. Gaines asked if any clarification was needed for the consent items as presented. Ms. Yannich requested to table item 2C and recused herself from item 2G. Ms. Yannich submitted a letter to the secretary to attach to the minutes (Attachment "B").

Ms. Baker motioned, seconded by Ms. Albillar to approve Consent Items A through G excluding C. All were in favor and the motion passed 5-0. (Attachment "A")

- a. June 25, 2019 to Approve Minutes for Board of Supervisors meeting.

- b. July 9, 2019 to Post Minutes for Board of Supervisors meeting.
- c. Consider approval of Acting Assistant Township Manager Position.

Ms. Yannich motioned, seconded by Ms. Baker to table the approval of acting assistant township manager position. All were in favor and the motion passed 5-0.

Ms. Baker motioned, seconded by Ms. Yannich to approve maintaining the current employee for managerial duties for the feasible future. All were in favor and the motion passed 5-0.

- d. Consider Re-Bid Award for construction of Lions Pride Park Project (advertised June 24 and July 1, 2019).
 - e. Consider authorization to advertise bids for the IPW Parking Lot Rehab Project.
 - f. Consider recommendation to award Greensward South Storm Drainage Repairs.
 - g. Consider Resolution for Multimodal Transportation Fund Grant.
3. **CORRESPONDENCE:** None.
4. **OLD BUSINESS:**
- a. Consider Asset Purchase Agreement with North Wales Water Authority for Water System.

Special counsel, Tom Wyatt, Partner with Obermayer and Dave Nasatir, Esquire with Obermayer were present to discuss the agreement. Mr. Wyatt specializes in the water system and Mr. Nasatir specializes in the sewer system.

Mr. Wyatt summarized the business terms of the Asset Purchase Agreement with North Wales Water System. (Attachment "C").

Mr. Nasatir stated negotiations are being pursued with third parties, including without limitation, Bucks County Water and Sewer Authority regarding the sale of the township's sewer system.

Ms. Yannich requested the document made available to the public for review.

Mr. Gaines stated a public meeting will be held on July 30, 2019 at 7:00 PM and authorized the Solicitor to prepare a Resolution.

Public Comments:

Scott Gordon (126 Kings Court) expressed concerns about holding a special meeting on July 30th to discuss the potential sale of the water and sewer systems. Mr. Gordon felt it was not enough time to notify the residents.

Mr. Gaines announced a public meeting was held at CB South High School on February 20th and fourteen (14) public meetings have been held which included discussion on this topic. Public notification regarding the potential sale of both systems has been made through Board of Supervisors meetings, township website, social media and newspaper. The Board of Supervisor meetings are broadcasted live.

Ms. Schemm stated two of the Board of Supervisors advertised meetings to discuss this subject were made during the day (2:00 pm) and also in the evening (7:00 pm).

Mr. Luber stated that the July 30th special meeting will be advertised in the newspaper, website, Facebook, Twitter and an email notification will be sent.

Bob Bender, Executive Director of North Wales Water Authority stated the terms for the potential sale of the water system has not changed since their first presentation.

Ms. Albillar stated the township hired a special counsel to review the terms and they viewed all of the public hearings.

Ms. Schemm stated that the meeting can be viewed live through the township website and that comments can be emailed to the Board of Supervisors.

Ms. Yannich motioned, seconded by Mr. Gaines to hold a public meeting on July 30, 2019 at 7:00 pm to discuss the NWWA agreement, receive public comment and authorize the Solicitor to prepare a Resolution. Additional parking will be available at Titus Elementary School. All were in favor and the motion passed 5-0.

b. **Update on status of Bucks County Water and Sewer Authority negotiations for purchase of Sewer System.**

Mr. Nasatir stated negotiations are continuing with Bucks County Water and Sewer Authority for the purchase of the sewer system. Other authorities will be pursued.

Mr. Gaines stated that public entities are not to be pursued.

Ms. Yannich motioned, seconded by Ms. Baker to approved special counsel to seek other authorities for the purchase of the township's sewer system. All were in favor and the motion passed 5-0.

Public Comment:

Nancy Cataldo (1508 Turk Road) stated as a result of two failures at the pump station, sewage backed up into her home. An alarm system needs to be installed to notify the water and sewer department.

Christian Jones, Director of the Water and Sewer Department commented that multiple issues can cause a failure. Instead of using an electric pump, a diesel pump has been installed. However, it has been brought to the department's attention that sump pumps are being discharged into the sewer system illegally. Letters will be mailed to the residents. A power outage could cause an alarm failure. Mr. Zarko recommends a backup generator and alarm system at this pump station.

Mr. Gaines requested the engineer to check on the cost for an alarm system and have this cost included in the budget for all pump stations. Mr. Jones stated there are 26 pump stations in the township but the majority is gravity.

c. **Update on PFOS Contamination.**

Mr. Jones stated a lawsuit against manufacturers will be filed with a judge.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

a. **Discussion concerning amendment governing Township Boards and Commissions.**

Mr. Gaines recommended that all volunteer boards and commissions follow the same rules:

When a recommendation is being made to the Board of Supervisors, the volunteer board/committee needs to put it in writing. The written document should be placed on the Board of Supervisors agenda and the township manager should be copied.

Every committee should have a description of their activities; number of members; duties. Administrative procedures or bylaws should be formalized.

An agenda for each meeting is to be posted to the website. They are to be forwarded to the Board secretary.

The approved minutes from each meeting are to be posted to the website. They are to be forwarded to the Board secretary.

Mr. Gaines asked if the Zoning Hearing Board need to publish their agendas and minutes. Mr. Clemons stated it is the discretion of the Board of Supervisors to ask the Zoning Hearing Board to produce a copy of their agendas and approved minutes.

Mr. Gaines asked about televising additional board/committee meetings. Mr. Jones stated there is a limit on recording meetings annually, by contract. Anything above the contract would be an additional fee through the company, Swagit.

Mr. Gaines requested for the auxiliary police to help direct traffic for the special meeting scheduled on July 30, 2019. Mr. Gaines also requested for the township manager to contact the principal at Titus Elementary to obtain permission for residents to park at the school in the evening.

6. MANAGER'S REPORT: None.

7. DEDICATION REQUEST: None.

8. ENGINEER'S REPORT:

a. **General Update:**

Mr. Zarko gave an update to the police station project; the Oak Creek development and the water and sewer project.

9. SOLICITOR'S REPORT:

a. **Zoning Hearing Board Report concerning Prime Developers**

Prime Developers is scheduled to appear before the Zoning Hearing Board on August 26, 2019.

b. **Report on Farabee**

The engineer has not submitted the updated plans to the Township. Notification from the applicant's attorney to extend the time to take action on the subdivision plan was stated through December 31, 2019.

SUPERVISOR COMMENTS:

Ms. Baker announced the 80th Birthday celebration for the Mary Barness Tennis and Swim Club has been scheduled for Sunday, July 28, 2019.

Ms. Baker reported on the following updates for the Swim Club:

- Daily Fees as of July 14, 2019: \$34,931.
Last year they were: \$27,529
- Rental Fees are down \$1,000 from last year.
- 2019 Membership Fees: \$116,749
2108 Membership Fees: \$109,152
- Lesson fees are down from 2018.

Ms. Baker reported that the American Red Cross Association completed their inspection of the pool.

Ms. Baker stated the next meeting for the Environmental Advisory Council is scheduled for August 7, 2019.

Ms. Yannich reported that the Bike and Hike Trails Committee is hosting a family walk and fishing derby to be held on Warrington Community Day, September 28, 2019.

Ms. Yannich stated that the Lions Club wishes to hold a duck race, as a fundraiser, at Warrington Community Day. His event will be coordinated with the Bike and Hike Trails Committee.

Ms. Yannich stated the Planning Commission is reviewing four different applications for multi-family housing. The Planning Commission wants to study these greater densities. The Planning Commission is also working on the definitions for the Zoning Ordinance. The Planning Commission is also reviewing the rezoning of 611 and Street Road.

Ms. Yannich also noted an article in Governing that the County is spending money to bury people that don't have family and are homeless. This may have an impact on the County granting funds to municipalities.

Ms. Yannich mentioned that non-gender designation will be printed on PA driver licenses.

Ms. Schemm stated a police contract meeting has not been scheduled.

Ms. Schemm reported that the Open Space and Land Preservation Committee are concerned about the Cardamone subdivision proposed plan.

Ms. Albillar reported that the Code Enforcement Department found a vent pipe missing from a restaurant's water heater which was a safety issue. Ms. Albillar commended the department for using best practices and good procedures and interacting with other agencies to solve the problem.

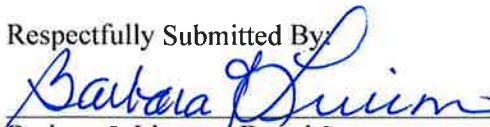
Ms. Albillar announced the American Red Cross is holding a blood drive at the township building on Monday, August 19 from 2:00 to 7:00 pm.

Ms. Albillar stated the Communications Advisory Board and the Pension Board will be holding meetings within the next two weeks.

ADJOURNMENT

There being no further business, Ms. Yannich motioned, seconded by Ms. Schemm to adjourn the meeting at 9:50 PM.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary

ATTACHMENT "A"

Consent Agenda – July 23, 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. **June 25, 2019 to Approve Minutes for Board of Supervisors meeting.**
- b. **July 9, 2019 to Post Minutes for Board of Supervisors meeting.**
- c. **Consider approval of Acting Assistant Township Manager Position.**

This is for authorization to create the Position of Acting Assistant Township Manager. This position would only be created if the sale of the water or sewer system was completed. Funding for this position would be paid for by NWWA if the sale of the water system was completed.

- d. **Consider Re-Bid Award for construction of Lions Pride Park Project (advertised June 24 and July 1, 2019).**

This item awards the contract for Phase I of Lions Pride Park to Think Green LLC for the construction of Kids Mountain and the Grove at Lions Pride Park.

- e. **Consider authorization to advertise bids for the IPW Parking Lot Rehab Project.**

This advertises the availability of bidding for the oil and tar of the parking lot at Upper Nike Park.

- f. **Consider recommendation to award Greensward South Storm Drainage Repairs.**

This will replace damaged components of the storm drainage systems at various locations in along Greensward South.

- g. **Consider Resolution for Multimodal Transportation Fund Grant.**

This grant, if awarded, will allow the Township to install a driveway from the Township Building through Homestar Realty to exit onto Rt. 611.

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

Attachment "B"

Warrington Insp
Board of Supervisor Meeting
July 23, 2019

Agenda item 2g
Resolution for Multimodal Transportation
Fund Grant

I, Shih YANNICH, recuse myself from
discussion and vote on the Grant Fund
application - My daughter, DINA YANNICH, has
a real estate sales license active at the
Home Star Realty Company wherein she receives
compensation on real estate transactions

Shih Yannich
Supervisor

July 23, 2019

Attachment "C"



Warrington Township Water System Asset Purchase Agreement Review July 23, 2019

NWWA Business Terms

- Base Purchase Price- \$14,525,000
- Cellular Lease Buyout- \$2,000,000
- Lion's Pride Informational Kiosk- \$150,000
- Legal and Engineering Expenses- \$70,000
- Transition Staffing Needs- \$355,000

NWWA Business Terms Cont'd

- ROW & Easement Conveyance- \$25,000
- 5-Year Pension Purchase- \$86,000
- 5-Year Health Insurance Differential- \$120,000
- Future Land Development- \$50,000
- Advisory Committee
- 3-Year Rate Lock w/ Additional 3-Year Rate Lock not to exceed 10% Increase

Summary

- Total Price- \$17,381,000
- Restricted Funds- \$631,000
- Remaining Funds- \$16,750,000
- Reserved for Debt- \$8,500,000
- Available Proceeds- \$8,250,000

Public Comment