



WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR AUGUST 13, 2019

The written minutes are a summary of the August 13, 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 7:07 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 wastewater system.

ANNOUNCEMENTS:

- **Redevelopment Assistant Capital Program Grant Award**

Mr. Luber announced that Warrington Township was awarded a one million dollar grant from the Redevelopment Assistant Capital Program which is being allocated towards the funding of the new police station. Mr. Luber thanked State Representative Todd Polinchock and State Senator Maria Collett for choosing Warrington Township to receive the grant. Mr. Luber also thanked Warrington Township's grant writer, Ivy Ross for all of the hard work she completed for the application of the grant.

- **Warrington Township Police Department – Save A Life – Get Narcan**

Mr. Gaines reported that Bucks County residents may now come to the Warrington Township Police Department and receive Narcan, free of charge. Information and handouts are available to describe its usage. Funding of Narcan is made possible by the Bucks County Drug & Alcohol Commission, Inc.

- **Warrington Cares Employee Charity Triathlon Update**

Mr. Luber reported on the triathlon which is a fundraiser for Warrington Cares Employee Charity. Mr. Luber explained the three events that are occurring on Sunday, September 8, 2019. The event is starting at the Mary Barness Tennis and Swim Club.

- **Warrington Community Day Update**

Mr. Luber gave an update on Warrington Community Day which has been scheduled for Saturday, September 28, 2019. This annual event is taking place at John Paul Park @ Lower Nike, 301 Folly

Road from noon until 6:00 PM. At the Upper Nike Park, from 6:00 PM on, food vendors and a live band will be performing before the start of the fireworks. As of date, the Township has received \$18,800 in sponsorship funds.

Ms. Yannich, liaison to the committee, announced the new activities for 2019. The activities are free to children and their families except for the Zip Line. The proceeds of the Zip Line will be allocated for Lions Pride Park.

PRESENTATION OF 2018 ANNUAL REPORT FROM OPEN SPACE AND LAND PRESERVATION COMMITTEE.

Ivy Ross, Chair of the Open Space and Land Preservation Committee gave a slide show presentation reflecting on the activities for 2018. The Board thanked Ms. Ross for the work the Committee has accomplished for the Township.

PRESENTATION OF 2018 ANNUAL REPORT FROM VETERAN AFFAIRS COMMITTEE.

Oliver Groman, Chair of the Veteran Affairs Committee (VAC) reported on the accomplishments of the VAC during 2018. Mr. Groman recognized the committee members, Mr. Gaines who was the liaison to the committee and Ms. Yannich who is the current liaison. Mr. Groman also thanked Jeanine Winslow for all the hard work she has completed for the VAC. Ms. Yannich complimented the VAC and their members for their service.

PUBLIC COMMENT: None.

PUBLIC HEARING:

- Announce continuance of Conditional Use Hearing for Joseph & Rosemarie Cardamone for property located at the intersection of Stump and Pickertown Roads, TMP # 50-004-071; 50-004-071-001 & 50-004-071-002 to Tuesday, September 24, 2019.

Mr. Gaines opened the hearing at 8:00 PM. Mr. Clemons reported on the background of the continuance from the applicant's counsel. Counsel is requesting a continuance to Tuesday, September 24, 2019. Notification letters will be mailed to the residents and advertisement will be posted to the township's website. The Planning Commission is meeting on September 5, 2019 to discuss the application.

Ms. Yannich motioned, seconded by Ms. Baker to extend the conditional use hearing for Joseph & Rosemarie Cardamone for property located at the intersection of Stump and Pickertown Roads, TMP # 50-004-071; 50-004-071-001 and 50-004-071-002 to September 24, 2019. All were in favor and the motion passed 5-0.

1. APPROVAL OF BILL LIST:

- a. 2019 Invoices for the Period July 24, 2019 to August 13, 2019 in the amount of \$1,676,855.06.

Ms. Albillar motioned, seconded by Ms. Yannich to approve the 2019 invoices paid for the period July 24, 2019 to August 13, 2019 in the amount of \$1,676,855.06. All were in favor 5-0.

2. CONSENT ITEMS:

Mr. Gaines asked if any clarification was needed for the consent items as presented. Ms. Albillar requested explanation of Agenda Items D, F and I.

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

- a. July 9, 2019 to Approve Minutes for Board of Supervisors meeting.
- b. July 23, 2019 to Post Minutes for Board of Supervisors meeting.
- c. July 30, 2019 to Post Minutes for Board of Supervisors Special Water System Meeting.
- d. Consider authorization to advertise adopting a new re-codified Code of Ordinances.

Mr. Clemons explained that General Code collects all Ordinances and incorporates them into a codified Code of Ordinances that is reviewed under state law.

Mr. Gaines stated the result will be that a new Code of Ordinances will be adopted for Warrington Township. The Ordinances are available through Code 360 which is posted to the Township's website.

Mr. Gaines stated an Ad Hoc Committee along with the Bucks County Planning Commission has been meeting for over a year, reviewing Chapter 22 and Chapter 27 of the Zoning Ordinance.

Mr. Lubber commended Roy Rieder and department heads for working on the Ordinances.

- e. Consider authorization to advertise a request for bids for the 2019-2020 Salt Application and Snow Removal Contract.
- f. Consider Bid Award for construction of new police building (advertised June 24 and June 27, 2019).

Mr. Lubber reported on the background of the contract and the bids. Mr. Lubber stated there was a bid overage of \$320,000 and with the RACP grant award of \$1,000,000, this will help to offset the overage plus pay for the furnishings (\$250,000) and a garage with an out-building (\$245,000). The balance could be allocated for additional upgraded fencing.

Mr. Zarko stated the bid for the general, mechanical, electrical, plumbing and fire protection construction was \$6,342,329.00. The Bid alternate for the garage building is \$245,130 for a grand total of \$6,587,459.00.

Ms. Yannich motioned, seconded by Ms. Baker to award the bids to five contractors for the construction of the new police station. All were in favor and the motion passed 5-0.

- g. Consider Memorandum of Understanding for Street Road Corridor.
- h. Consider Bid Rejection for IPW Park – Parking Lot Rehabilitation Project.
- i. Consider approval of Certificate of Completion #2 for 1800 West Street Road in the amount of \$671,863.75.

Ms. Albillar questioned this item and the dedication request for 1800 Street Road. These are two separate agenda items.

- j. Consider approval of Certificate of Completion # 2 (Final) for Valley Gate – Residential (Warrington Pointe) in the amount of \$24,963.52.
- k. Consider Release of Maintenance Bond # 019038426M for Warrington Meadows.

3. CORRESPONDENCE:

a. Letter of Support reducing waste and single-use plastics.

Ms. Yannich received correspondence from PennEnvironment, a statewide, citizen-based environmental advocacy organization requesting the Township's support to reduce waste and single-use plastics in the fight for a cleaner and healthier environment.

Mr. Clemons noted this organization is requesting townships to urge elected officials to support legislation to keep plastic out of the waste stream.

Mr. Gaines reported the township's Environmental Advisory Council (EAC) is reaching out to community businesses to voluntarily cut back on the use of plastics. The EAC is using donated funds to purchase and hand out bags with the EAC logo in place of plastic.

Ms. Baker motioned, seconded by Ms. Yannich to send a letter to the legislators in support of Zero Waste in Pennsylvania. All were in favor and the motion passed 5-0.

4. OLD BUSINESS:

a. Discuss Sewer Asset Purchase Agreement.

Special counsel, Dave Nasatir, Esquire and Michael Thom, Esquire with Obermayer were present to discuss the agreement. Mr. Nasatir and Mr. Thom specialize in the sewer system.

Mr. Nasatir summarized the business terms of the Asset Purchase Agreement with Bucks County Water and Sewer Authority (BCWSA). (Attachment "B").

Mr. Nasatir stated the base purchase price is \$16,150,000. A customer relations group will be formed which will include representatives of the township and the authority. The group will meet on as needed basis to address concerns. A four year rate lock will be in effect for the residents. The township will have the right of first refusal, if BCWSA sells. The Township will be able to buy back its assets.

The supervisors discussed holding a special meeting to obtain public comments. The meeting will be advertised in the newspaper and all social media. The meeting will also be announced through the Township's "Notify System".

Public Comment:

A reporter from the Bucks County Herald inquired about the communication strategies to the residents.

Jeremy Victor, Warrington Soccer asked if the Board was making a decision at the current meeting.

Ms. Yannich motioned, seconded by Ms. Albillar to hold a public meeting on August 20, 2019 at 7:00 pm to discuss the BCWSA agreement and receive public comment. Additional parking will be available at Titus Elementary School. A roll call was taken and the motion passed 5-0.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

a. **Consider temporary lighting for Warrington Soccer at IPW Field #6.**

Vice Chair Schemm recused herself from the Board and sat in the audience as a resident because she resides next to the park.

Jeremy Victor, President of Warrington Soccer Club was seeking approval from the Board of Supervisors to use temporary lighting at the Upper Nike Park from October 1, 2019 to November 30, 2019. He stated the reasons for the proposal and cited the background for the request. Mr. Victor reported the Park and Recreation Board gave approval for the temporary lighting.

Ms. Albillar asked if the lights would affect the residents on Bradley Road. Mr. Victor said the lights would be partially blocked by the tall trees and the lights will be placed farther back in the park.

Public Comment:

Ms. Schemm (390 Folly Road) stated Igoe Porter Wellings was donated by a citizen to the Township. Sports were not to be played on Sunday mornings and the fields were not to be lit. Ms. Schemm said an agreement is in place. Ms. Schemm is opposed to the lighting and noise.

Ms. Ross, an employee of the Township has applied for a grant from DCNR to convert the pond to wetlands. If lighting goes in, the grant may not be approved because the lighting will affect the migrant birds.

Nick Weremeychick (138 Morning Walk Drive) is opposed to lighting at the IPW field.

Ms. Yannich suggested locating the document. Ms. Yannich also suggested seeking the addition of soccer fields at Lower Nike Park.

Ms. Yannich motioned, seconded by Ms. Baker to table this item until the August 27th Board of Supervisors meeting. All were in favor and the motion passed 4-0.

6. MANAGER'S REPORT: None.

7. DEDICATION REQUEST:

a. Consider Resolution Denying Dedication for EZ Storage – 1800 Street Road.

Mr. Zarko explained the denial of dedication for EZ Storage – 1800 Street Road due to deficient items outlined in the engineer's report of July 19, 2019 has not been satisfactorily addressed by the applicant.

Ms. Baker motioned, seconded by Ms. Albillar to deny dedication of EZ Storage – 1800 Street Road by Resolution. All were in favor and the motion passed 5-0.

8. ENGINEER'S REPORT:

a. **General Update:**

Mr. Zarko gave an update to on Lions Pride Park. A pre-construction meeting was held and the proposed date to break ground is September 9, 2019.

9. SOLICITOR'S REPORT:**a. Authorize Solicitor to appeal alleged deemed approval for Prime Development Group, LP**

Mr. Clemons stated the appeal, if approved by the Board for the solicitor to file, is for one lot owned by Prime Development Group, LP.

Ms. Albillar motioned, seconded by Ms. Schemm to authorize the Solicitor to appeal the alleged deemed approval for Prime Development Group, LLP. All were in favor and the motion passed 5-0.

b. WT ZHB # 19-13, Krysko, 992 Hickory Ridge Drive, TMP # 50-044-198, request for a special exception to allow construction of an accessory apartment, request for a special exception to make structural alterations on a non-conforming structure, and dimensional variances for setbacks and impervious cover.

Mr. Clemons explained the ZHB case and the Board of Supervisors agreed not to take a position.

SUPERVISOR COMMENTS:

Ms. Baker announced the Eagle Scouts were making screech owl boxes and planted shrubs at Upper Nike Park.

Ms. Baker stated a meeting was held with the Special Equestrians and will continue negotiations.

Ms. Schemm stated a contract with the police department is on-going.

Ms. Albillar reported a blood drive will be held at the Township Building on August 19, 2019.

Ms. Albillar stated Emergency Services Rescue 78 responded to Horsham Township and Willow Grove.

Ms. Albillar said a Girl Scout presented the Historic Commission with her Gold Award. Her project related to historic preservation.

Ms. Albillar stated the Pension Board held a meeting and accepted the resignation of Kevin Peacock. Mr. Peacock served the Pension Board for twenty years. Currently, there are two vacancies which include the resignation of Vince Formica.

ADJOURNMENT

There being no further business, Ms. Schemm motioned, seconded by Ms. Albillar to adjourn the meeting at 9:15 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. **July 9, 2019 to Approve Minutes for Board of Supervisors meeting.**
- b. **July 23, 2019 to Post Minutes for Board of Supervisors meeting.**
- c. **July 30, 2019 to Post Minutes for Board of Supervisors special water system meeting.**
- d. **Consider authorization to advertise adopting a new re-codified Code of Ordinances.**

An Ad Hoc Committee has revised the SALDO and Zoning Ordinances for Warrington Township. The Ordinance to adopt the changes must be advertised in accordance with the Municipalities Planning Code.

- e. **Consider authorization to advertise a request for bids for the 2019-2020 Salt Application and Snow Removal Contract.**

Warrington Township will be accepting proposals for the Snow Plow and Salt Application for the 2019/2020 winter season. Bids must be submitted to the Township on or before September 27, 2019. The proposed dates to advertise in the Intelligencer are August 19 and August 26, 2019.

- f. **Consider Bid Award for construction of new police building (advertised June 24 and June 27, 2019)**

Bids were received by the Township and will be considered to be awarded for the following contracts: General Construction; Mechanical Construction; Electrical Construction; Plumbing Construction and Fire Protection Construction.

- g. **Consider Memorandum of Understanding for Street Road corridor.**

PennDOT and the following municipalities share a common interest in facilitating the safe and efficient management of traffic flow along state and locally owned roadways which include the Street Road corridor: Warrington Township; Warminster Township; Upper Southampton Township and Lower Southampton Township.

- h. **Consider Bid Rejection for IPW Park-Parking Lot Rehabilitation Project.**

This work involves oil and tar treatment for the parking lot to prolong its life. The cost proposal submitted by the lowest bidder significantly exceeds the construction cost. The scope of work will be modified and the project will be rebid in early 2020.

- i. Consider approval of Certificate of Completion #2 for 1800 West Street Road in the amount of \$671,863.75.**

Work relative to the construction and installation of certain improvements have been completed for 1800 West Street Road.

- j. Consider approval of Certificate of Completion # 2 (Final) for Valley Gate-Residential (Warrington Pointe) in the amount of \$24,963.52.**

All public/site improvements have been satisfactorily completed by the project developer for Warrington Pointe.

- k. Consider Release of Maintenance Bond # 019038426M for Warrington Meadows.**

All of the obligations under the 18-month Maintenance Bond have been completed for Warrington Meadows.

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

Attachment "B"



Warrington Township
Sewer System
Asset Purchase Agreement Review
August 13, 2019

BCWSA Business Terms

- Base Purchase Price- \$16,150,000
- Legal and Engineering Expenses- \$70,000
- ROW & Easement Conveyance- \$25,000
- 5-Year Pension Purchase- \$67,000
- Future Land Development- \$150,000

BCWSA Business Terms Cont'd

- 3 Equivalent Dwelling Units for Township
- Customer Relations Group
- 4-Year Rate Lock at Township 2019 Rates

Summary

- Total Price- \$16,462,000
- Restricted Funds- \$217,000
- Remaining Funds- \$16,245,000
- Estimated Debt Payment- \$8,500,000
- Available Proceeds- \$7,745,000

Public Comment