



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR NOVEMBER 12, 2019 - 7:00 PM**

**The written minutes are a summary of the November 12, 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; Shirley A. Yannich, member; Carol T. Baker, member and Eileen Albillar, member.

Staff present was Barry P. Luber, Township Manager; Terry Clemons, Esq., Clemons Richter and Reiss, Township Solicitor; Thomas Zarko, P.E., CKS Engineers, Township Engineer; Barbara J. Livrone, Executive Assistant to the Township Manager/Board Secretary.

CALL TO ORDER: Mr. Gaines called the meeting to order at 7:05 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 a personnel matter.

ANNOUNCEMENTS:

Mr. Gaines announced the Conditional Use application for Cardamone and agenda item 5D "Discussion of proposed settlement of WAWA Zoning Hearing Board Appeal" will be postponed to a future meeting.

RECOGNITION OF 2019 PLATINUM SPONSORS FOR WARRINGTON COMMUNITY DAY.

The Board of Supervisors recognized and thanked the following 2019 Platinum sponsors for Warrington Community Day and presented each with a Certificate of Recognition. Platinum sponsors each donated \$2500 towards the event:

- North Wales Water Authority – Joseph Murphy, Director of Operations
- The Shops at Valley Square – not present was Tony Black, Manager
- Toll Brothers - Greg Ciliberto, Project Manager
- Walmart – Christine Facenda, Warrington Store Manager and Michael Hendryx, People Lead

PUBLIC COMMENT: None.

PUBLIC HEARING: None

1. APPROVAL OF BILL LIST:

- a. 2019 Invoices for the Period October 23, 2019 to November 12, 2019 in the amount of \$3,986,841.07.

Ms. Schemm motioned, seconded by Ms. Yannich to approve the 2019 invoices paid for the period October 23, 2019 to November 12, 2019 in the amount of \$3,986,841.07. All were in favor and the motion passed 5-0.

2. CONSENT ITEMS:

Mr. Gaines asked if any clarification was needed for the consent items as presented.

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

- a. October 8, 2019 to Approve Minutes for Board of Supervisors meeting.
- b. October 22, 2019 to Post Minutes for Board of Supervisors meeting.
- c. Consider approval of Resolution for Homestead Property Exclusion Program Act.
- d. Consider Revised Separation Agreements with former WTWSD Employees transferred to NWWA.
- e. Consider Release of Maintenance Bond for Lamplighter Village, Phase IV (Sanitary Sewer & Water Distribution Systems).
- f. Consider Certificate of Completion # 2 for Premier A-2 Warrington PA, LLC in the amount of \$127,704.00.
- g. Consider Certificate of Completion # 2 (Final) for MM Storage in the amount of \$232,374.88.
- h. Consider settlement with NWWA regarding cell towers not on water tanks.
- i. Consider acceptance of Land-Tech Enterprises, Inc. proposal for Site Grading/Stabilization at Oak Creek development in the amount of \$15,750.00.
- j. Consider acceptance of Passerini & Sons, Inc proposal for Sanitary Lateral and Water Service Repairs at Oak Creek development in the amount of \$5,950.00.
- k. Consider acceptance of dedication of public improvements for MM Storage.
- l. Consider authorization to advertise revisions to Grinder Pump Ordinance.
- m. Consider authorization to forward the CBD zoning ordinance text amendment to the Bucks County Planning Commission and the Warrington Township Planning Commission for review and comment.

3. CORRESPONDENCE: None.

4. OLD BUSINESS:

a. Continue discussion of parking situation on Stump Road.

Mr. Zarko reviewed and evaluated the on-street parking along the Stump Road and Pickertown Road frontages of the Greenbrier Preserve development. (Attachment "B").

After Mr. Zarko gave his report the following residents presented public comment:

Melody Eble (926 Stump Road) expressed concern about cars parking on the Stump Road. Cars park across from her driveway which is causing a safety issue.

Susan Nordeman (909 Stump Road) said Stump Road is not a rural road and there is a need for parking on Stump Road.

Ray Clements (907 Stump Road) commented that Stump Road meets state requirements for curbside parking.

Ray George (903 Stump Road) is in favor of curbside parking.

Mary Fox (1022 Stump Road) said the builder for Greenbrier Preserve should have notified new owners there was no parking on Stump Road.

Joe Morrissey, Fox Lane Homes (1243 Easton Road) stated Fox Lane Homes did not disclose the parking situation along Stump Road. Mr. Morrissey agreed to work with the Mr. Zarko, the township's engineer. Mr. Morrissey also agreed to widen Dr. Eble's driveway. Mr. Morrissey also agreed to paint lines between Lots 1 and 2.

Ms. Baker motioned, seconded by Ms. Albillar to accept the parking recommendations stated by Mr. Zarko. By roll call vote, the motion passed 4-1 with Ms. Schemm voting no.

Ms. Baker asked the residents not to park across from Dr. and Mrs. Eble's two property exits.

Mr. Clemons will prepare an amendment to Article IV Parking Requirements of the township's current Vehicles and Traffic Ordinance.

b. **Consider façade renovations for proposed grocery store building located at Creekview Plaza Shopping Center, TMP # 50-031-030-002-0PR.**

Applicant's attorney, Rob Gundlach was present to report on the proposed façade renovations to the grocery store building in accordance with the corridor overlay district for Route 611. The building has been vacant since 2016. Mr. Gundlach stated the Planning Commission recommended support of the revised renderings and this was verified by Planning Commission member, Vince Evans who was in the audience. Mr. Gundlach further stated that the applicant will apply for land development.

Ms. Baker motioned, seconded by Ms. Schemm to approve the façade renovations in accordance with plans submitted and Mr. Gundlach's letter dated November 7, 2019. All were in favor and the motion passed 5-0.

5. **NEW BUSINESS (ACTION/DISCUSSION ITEMS):**

a. **Discuss the structure and overlapping goals of Warrington Township's Advisory Committees, Boards, and Councils.**

The Board discussed creating an Ad Hoc Committee consisting of the supervisors and staff to review each volunteer committee's by-laws, rules and regulations.

The Board agreed for a supervisor to meet with the Park and Recreation Director and work with each volunteer committee to create a check list of by-laws, rules and regulations.

b. **Consider whether to opt out of Opioid Litigation Negotiating Class.**

Mr. Clemons reported on the opioid litigation negotiating class and the deadline to opt out is November 22, 2019.

Ms. Albillar motioned, seconded by Ms. Yannich not to opt out of the opioid litigation negotiating class. All were in favor and the motion passed 5-0.

c. **Consider approval of Outstanding Volunteer of the Year Program.**

Mr. Luber requested to establish a policy to recognize an outstanding volunteer on an annual basis. The volunteer would be recognized at the township's annual volunteer appreciation luncheon.

Ms. Albillar motioned, seconded by Ms. Yannich to approve the Outstanding Volunteer of the Year Program. All were in favor and the motion passed 5-0.

d. **Discussion of proposed settlement of WAWA Zoning Hearing Board Appeal.**

Mr. Gaines reported this agenda item has been postponed, as requested by the applicant's attorney.

6. MANAGER'S REPORT:

Mr. Luber reported that the township received the following two (2) grant awards:

- \$188,000 for the pond to wetland conversion at Lions Pride Park.
- \$223,000 to provide access through the township and Homestarr Realty to Route 611.

Mr. Gaines asked Mr. Luber to relay the Board's compliments to the Public Works Department and Emergency Services for their outstanding efforts during the October 31st storm.

7. DEDICATION REQUEST: None.

8. ENGINEER'S REPORT:

a. **General Update:**

Mr. Zarko reported the speed humps on Bradley Road have been completed.

Mr. Zarko reported the inlet adjustment at Lamplighter Village is complete.

9. SOLICITOR'S REPORT:

- a. WT ZHB 19-17 Bell, 112 Sovereign Drive, variance to allow a building encroachment into the rear yard setback.
- b. WT ZHB 19-18, PF Warrington LLC, variance to reduce the minimum number of required parking spaces.
- c. Status Report: Easement for Tradesville Plant Sewer Facilities.

Mr. Clemons reported the settlement for the sewer system sale is scheduled for November 14, 2019. DEP permits have been applied for and will be transferred to Bucks County Water and Sewer Authority and Act 537 will be amended. Mr. Zarko is preparing a sketch plan to show the township area.

- d. Settlement agreement with Warrington Pointe.

Mr. Clemons met with the homeowners association, their attorney and engineer to discuss the plans.

- e. Ordinance to regulate fats, oil and grease traps for sewer sale settlement with Bucks County Water and Sewer Authority.

Ms. Yannich motioned, seconded by Ms. Albillar to authorize the solicitor to prepare an Ordinance to regulate the fats, oil and grease traps. All were in favor and the motion passed 5-0.

SUPERVISOR COMMENTS:

Ms. Baker stated the Park and Recreation Board have started to advertise for a vacancy.

Ms. Baker reported that Shop Rite donated \$25,000 towards Lion Pride Park.

Ms. Baker announced the Environmental Advisory Board will celebrate the 50th year anniversary of Earth Day.

Ms. Yannich welcomed Mark Lomax as Supervisor for a two year term. Mr. Lomax introduced himself to the public and gave background information. Mr. Lomax is currently a volunteer on the Open Space and Land Preservation Committee and Historic Commission.

Ms. Yannich reported on the 4th Annual Veteran Affairs Committee Ceremony that took place on November 11, 2019 at the township building.

Ms. Yannich announced the American Flag will be flown on the back of the township's fire truck each year at Warrington Community Day. Ms. Yannich stated that all American Flags are flown at each park except for John Paul Park @ Lower Nike. A flag will be installed at John Paul Park @ Lower Nike.

Ms. Yannich stated the Bradley plaque will be installed at the Memorial Park.

Ms. Schemm stated police contract negotiations are still on-going.

Ms. Albillar reported that the Historic Commission and Historical Society are working on the Old Schoolhouse.

Ms. Albillar complimented the Fire Department and Emergency Services for their work during the October 31 storm and power outages. They both coordinated evaluations and worked with the American Red Cross.

ADJOURNMENT

There being no further business, Ms. Albillar motioned, seconded by Ms. Schemm to adjourn the meeting at 8:50 PM.

Respectfully Submitted By:



Barbara J. Livrone, Board Secretary

Attachment "A"

Consent Agenda – November 12, 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. **October 8, 2019 to Approve Minutes for Board of Supervisors meeting.**

b. **October 22, 2019 to Post Minutes for Board of Supervisors meeting.**

c. **Consider approval of Resolution for Homestead Property Exclusion Program Act.**

This is a Resolution adopting the Homestead Exemption Rate at \$3,000 for fiscal year 2020.

d. **Consider Revised Separation Agreements with former WTWSD Employees transferred to NWWA.**

These are new separation agreements for former WTWSD Employees transferred to NWWA that include additional years of service beyond what was previously adopted within the last version(s).

e. **Consider Release of Maintenance Bond for Lamplighter Village, Phase IV (Sanitary Sewer & Water Distribution Systems).**

This will release the \$27,000 Maintenance Bond for Lamplighter Phase IV to TI McKee Bradford, L.P. as they have met their obligations as determined by the Township Engineer.

f. **Consider Certificate of Completion # 2 for Premier A-2 Warrington PA, LLC in the amount of \$127,704.00.**

This will release \$127,704 of ESCROW funds to Premier A-2 Warrington PA, LLC for work completed as determined by the Township Engineer.

g. **Consider Certificate of Completion # 2 (Final) for MM Storage in the amount of \$232,374.88.**

This will release \$232,374.88 of ESCROW funds to Storage Partners of Warrington for work completed as determined by the Township Engineer.

h. **Consider settlement with NWWA regarding cell towers not on water tanks.**

This will authorize the repayment of \$334,885.20 from the original \$3,000,000 received by the Township from NWWA to NWWA for cell tower leases included in the Water Asset Purchase Agreement that were unable to be assigned to NWWA as they are not located on Water Tanks.

- i. **Consider acceptance of Land-Tech Enterprises, Inc. proposal for Site Grading/Stabilization at Oak Creek development in the amount of \$15,750.00.**

Three (3) grading contractors submitted proposals for the outstanding site grading/stabilization work required at the Oak Creek development. The lowest bidder is Land-Tech Enterprises.

- j. **Consider acceptance of Passerini & Sons, Inc proposal for Sanitary Lateral and Water Service Repairs at Oak Creek development in the amount of \$5,950.00.**

Three (3) utility contractors submitted proposals for sanitary lateral and water service repairs at the Oak Creek development. The lowest bidder is Passerini and Sons, Inc.

- k. **Consider acceptance of dedication of public improvements for MM Storage.**

This accepts dedication of water and sewer facilities located on the MM Storage site.

- l. **Consider authorization to advertise revisions to Grinder Pump Ordinance.**

- m. **Consider authorization to forward the CBD zoning ordinance text amendment to the Bucks County Planning Commission and the Warrington Township Planning Commission for review and comment.**

The proposed zoning text amendment will amend provisions of the CBD (Central Business District) to provide for multi-family dwellings.

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

Attachment "B"

GREENBRIER PRESERVE

STUMP & PICKERTOWN ROADS; ONSTREET PARKING EVALUATION

*As directed by the BOS, we have performed an evaluation of the existing on-street parking restrictions along the Stump Road & Pickertown Road frontages of the Greenbrier Preserve Development Site.

*Our evaluation included a review of traffic volumes along the roadways, evaluation of the available roadway widths, evaluation of the horizontal & vertical geometry of the roadways in the immediate vicinity of the development site, evaluation of the available sight distance at the Pickertown Road/Stump Road intersection, and evaluation of the available sight distances at the driveways at each of the lots within the development (7 lots + basin lot).

*Parking restrictions had previously been established along these roadways due too the limited width of the travel lanes. In conjunction with the improvements that were installed as part of the development, both Pickertown & Stump Roads were widened to a half width of 18 ft, which provides a 10 ft travel lane and 8 ft wide stabilized shoulder.

*The PA Code (Chapter 212) would allow on-street parking on a local road having a minimum width of 18 ft., if traffic volumes along the roadway is not excessive and sight distances are available.

*Due to the present traffic volumes on Pickertown Road, and the existing grade of the roadway at the approach to the Stump Road intersection, we are recommending that the current on-street parking restrictions be maintained.

*Based on the present traffic volumes on Stump Road, which are significantly less than Pickertown Road, we are recommending that the current on-street traffic restrictions be eliminated for a portion of the site frontage along Stump Road. We are recommending that on-street parking continue to be restricted from the Pickertown Road intersection to the easterly side of the existing driveway on lot 2, but permitted from the Lot 2 driveway for a distance of approximately 525 ft. east to the existing painted roadway taper at the easterly side of the existing detention basin.

*If these recommendations are acceptable to the BOS, we would need to prepare an amendment to Section 330-35 of the Township's current Vehicles & Traffic Ordinance.