



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR DECEMBER 10, 2019 - 7:00 PM**

**The written minutes are a summary of the December 10, 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; and Eileen Albillar, member. Carol T. Baker was not present.

Staff present was Barry P. Lubber, 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 7:03 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 not held.

ANNOUNCEMENTS:

Mr. Gaines announced the advertised December 17, 2019 Board of Supervisors meeting is cancelled.

Mr. Gaines announced a special meeting by the Board of Supervisors will be scheduled and advertised for Friday, December 27, 2019 at 10:30 am.

Mr. Gaines announced a reorganizational meeting held by the Board of Supervisors is scheduled for Monday, January 6, 2020. The reorganizational meeting is mandated by State Law.

Assistant Township Manager: Mr. Gaines announced Christian Jones was promoted to Assistant Township Manager by the Board of Supervisors. Mr. Lubber read and presented an accommodation to Mr. Jones.

Consider Conditional Use Hearing for Innovation and Exploration LLC for approval of an early childhood development and education center at Valley Road Church of Christ, 970 Valley Road, TMP # 50-052-055 to be rescheduled until February 11, 2020: Mr. Gaines reported the conditional use hearing for Innovation and Exploration LLC will be held on February 11, 2020.

SWEARING IN OF DANIEL S. SADOWSKI TO THE RANK OF SERGEANT

Chief Friel read a Proclamation promoting Officer Sadowski to the rank of Sergeant. Chief Friel gave background information on Sergeant Sadowski. Sergeant Sadowski was sworn in by District Judge Jean Seaman.

SWEARING IN OF NEW POLICE OFFICER TAYLOR OSTRICH

Chief Friel gave background information on the township's newest police officer. District Judge Jean Seaman swore in Officer Taylor Ostrich.

RECOGNITION OF SHIRLEY A. YANNICH

The Board of Supervisors recognized Shirley A. Yannich as a member of the Planning Commission for six years and eight years as a supervisor which included three years as Chair. With some family members present, the Board of Supervisors named the large meeting room at the Warrington Township Administration Building as the "Shirley A Yannich Public Meeting Room".

District Judge Jean Seaman presented a citation from the judges to Ms. Yannich.

Kyle Melander, Director of Constituent Services representing Congressman Brian Fitzpatrick presented Ms. Yannich with an accommodation and also the US Flag, which had flown over the Capital on December 10, 2019.

Correne Kristiansen, Chief of Staff from State Senator Marie Collett's office was in attendance and recognized Ms. Yannich's years of service to the Commonwealth.

State Representative Todd Polinchock could not attend the meeting.

RECOGNITION OF 2019 GOLD SPONSOR FOR WARRINGTON COMMUNITY DAY.

On behalf of the Board of Supervisors, Ms. Albillar recognized and thanked Ted Dorand, External Affairs Manager, Bucks County for being a 2019 Gold sponsor for Warrington Community Day. PECO was presented with a Certificate of Recognition. Gold sponsors donate \$1500 towards the event.

Mr. Gaines stated PECO provided equipment for the installation of the osprey nest and thanked them for their community service.

RECOGNITION OF 2019 SILVER SPONSORS FOR WARRINGTON COMMUNITY DAY

Ms. Albillar thanked the following 2019 Silver sponsors for their support and sponsorship of Warrington Community Day.

- **CKS ENGINEERS, INC. (Tom Zarko, PE)**
- **CLEMONS RICHTER & REISS PC (Terry Clemons, Esq.)**
- **DAVINCI EYE CARE (Steve Hess, OD)**
- **HATBORO FEDERAL SAVINGS (Linda Roehner, President & Carly Moritz, Warrington Branch Manager)**
- **LIZZI GRAPHICS (Dave & Natalya Lizzi)**
- **WASTE MANAGEMENT OF PA (Patty Barthel, Public Affairs)**

Without their sponsorships, Warrington Community Day could not provide free activities for the community.

RECOGNITION OF 2019 WARRINGTON COMMUNITY DAY VOLUNTEERS

Mr. Gaines complimented the volunteers who helped out at Warrington Community Day. Mr. Gaines read the names of the Warrington Community Day volunteers (see Attachment "A").

PUBLIC COMMENT:

Scott Vogin (2150 Lisa Drive) thanked Ms. Yannich for her years of service to the township. Mr. Vogin also extended his congratulations to Ms. Schemm and Mark Lomax for being elected as township supervisors.

Mr. Vogin expressed his concerns about the volunteer boards and commissions being micro-managed.

Mr. Vogin reported that election procedures have changed and noted new hand ballot machines.

Mr. Gaines stated Mr. Vogin has been an active volunteer for Warrington Community Day. Mr. Vogin is in charge of the Fishing Derby which was a very successful event.

Tony Cimino (Largo Theater Construction Inc) asked the Board for relief for a penalty imposed on the Regal Theatre. Mr. Luber gave the background information regarding the building permit. Mr. Luber noted that the Board will review a sliding fine schedule for the 2020 Fee Schedule presented at the Reorganizational meeting.

Mr. Gaines motioned, seconded by Ms. Yannich to reduce the fine to \$10,000. By roll call vote, the motion passed 3-1, with Ms. Albillar voting no.

PUBLIC HEARING: None.

1. APPROVAL OF BILL LIST:

- a. **2019 Invoices for the Period November 27, 2019 to December 10, 2019 in the amount of \$2,275,773.73.**

Ms. Yannich motioned, seconded by Ms. Albillar to approve the 2019 invoices paid for the period November 27, 2019 to December 10, 2019 in the amount of \$2,275,773.73. All were in favor and the motion passed 4-0.

2. CONSENT ITEMS:

Mr. Gaines stated Item E is to be postponed until February 11, 2020. Mr. Gaines asked if any clarification was needed for the consent items as presented. Ms. Schemm questioned item F.

Ms. Albillar motioned, seconded by Ms. Yannich to approve Consent Items A through M, with the exception of Item E. All were in favor and the motion passed 4-0. (Attachment "B")

- a. November 12, 2019 to Approve Minutes for Board of Supervisors meeting.
- b. November 26, 2019 to Post Minutes for Board of Supervisors meeting.
- c. Consider the adoption of the 2020 Operating and Capital Budgets (advertised November 7, 2019).
- d. Consider negotiated settlement of \$18,000 for significant work put in on implementing Water/Sewer Billing Software.
- e. Consider authorization to advertise an amendment to the Zoning Ordinance for the CBD Zoning District (The Shops at Valley Square).
- f. Consider authorization of Agreement with Scantek for new Document Management system in the amount of \$14,328.00.

Ms. Schemm questioned the security system for the new system. Mr. Luber stated Scantek is working with the Township's IT company.

- g. Consider authorization to submit letter of support for NWWA's DCED H2O PA Water Grant Application.
- h. Consider Certificate of Completion # 3 for Bhakta Assisted Living Facility in the amount of \$14,073.55.
- i. Consider authorization of PennDOT Traffic Signal Application Flashing Beacon on Pickertown Road.
- j. Consider approval of Street Road right-of-way conveyance to PennDOT (Emerson Farm).
- k. Consider ADA, FMLA and Personal Leave Policy.
- l. Consider appointment of Shirley A. Yannich as a full member to the Planning Commission and Sean McGuigan as an alternate member effective January 1, 2020.
- m. Consider Escrow Release # 5 for Highgrove Manor in the amount of \$187,123.71.

3. CORRESPONDENCE: None.

4. OLD BUSINESS:

- a. **Consider authorization for Solicitor to prepare a Resolution for Preliminary/Final Land Development for Barclay Elementary School, 2015 Palomino Drive, TMP # 50-051-018-001.**

The applicant's attorney, Jeff Garton was present and stated the application for Conditional Use was approved by the Board of Supervisors at their October 22, 2019 meeting. During a November meeting, the Planning Commission approved the conditional use. Mr. Garton stated the applicant will comply with CKS Engineers' reports.

Mr. Clemons noted the storm sewer waiver and the open space is to be preserved and shown on the plan.

Mr. Gaines and Ms. Schemm discussed the open space and will work with the school district to preserve the open space for an educational use.

Mr. Clemons stated he will prepare a draft declaration of covenants to protect the natural resources.

Ms. Yannich motioned, seconded by Ms. Schemm for the applicant to comply with CKS letter dated December 2, 2019; Waivers 1 through 5; the Open Space covenant; Fire Marshal approval for fire service and hydrants; water and sewer modifications and \$2500 fee in lieu of. All were in favor and the motion passed 4-0.

- b. **Discuss and review 2020 Township Goals.**

Mr. Gaines requested the Board to identify their goals for 2020 and provide them to the secretary. Ms. Schemm requested a work session. Mr. Gaines stated a work session will be held at 6:00 PM on January 28, 2020. The work session will be advertised in the newspaper along with all of the other advertised meetings for 2020.

c. **Discuss WAWA Zoning Hearing Board appeal.**

Julie L. Von Spreckelsen, attorney for the applicant discussed the buffer area, parking calculation based on seating and traffic relating to the proposed development for WAWA located on Easton Road, Kansas Road and Maple Avenue.

Mr. Zarko expressed concern about the parking on site.

Mr. Clemons noted during the land development process, the parking requirements can be established.

Ms. Yannich stated the settlement agreement needs to be settled, followed by a conditional use hearing, then land development approval.

Ms. Yannich motioned, seconded by Ms. Albillar to approve the modified variance stipulation with WAWA and address the parking during conditional use and land development. By roll call vote, the motion passed 3-1 with Ms. Schemm voting no.

d. **Consider settlement agreement for Valley Gate stormwater issues.**

Mr. Clemons presented and explained the settlement agreement relating to the basins.

Ms. Yannich noted that the developer, WP II agrees to pay Warrington Township for costs of reviewing the plans for the proposed drive-thru ATM lane.

Ms. Yannich motioned, seconded by Ms. Schemm to settle the agreement for the Valley Gate stormwater issues. All were in favor and the motion passed 4-0.

e. **Discuss lighting at Upper Nike Park.**

The Board discussed lighting at the Upper Nike Park. Ms. Albillar noted that the Board had approved temporary lighting. The Environmental Advisory Board had applied for a grant that may affect the migration of birds if the lighting continues.

Ms. Schemm (as a resident) stated that there are currently two lights being used for safety reasons.

Ms. Yannich stated the Park and Recreation Director should provide advice to the Board of Supervisors before the Board authorizes the Solicitor to prepare an Ordinance.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

a. **Consider authorization to advertise an Ordinance vacating a portion of Roland Avenue and a portion of Crestwald Terrace.**

Mr. Clemons stated this Ordinance relates to Patient First and the vacating of two streets.

Ms. Yannich motioned, seconded by Ms. Albillar to authorize the advertisement of an Ordinance to vacate a portion of Roland Avenue and a portion of Crestwald Terrace. All were in favor and the motion passed 4-0.

6. MANAGER'S REPORT: None.

7. DEDICATION REQUEST:

- a. **Consider Resolution denying Bristol House (Bhakta) Personal Care Facility public improvements dedication request.**

Mr. Zarko reported that the punch list items are still outstanding and recommended denial of dedication of public improvements for the Bristol House land development located at 2527 Bristol Road.

Ms. Schemm motioned, seconded by Ms. Albillar to deny Bristol House (Bhakta) Personal Care Facility Public Improvements Dedication Request. All were in favor and the motion passed 4-0.

8. ENGINEER'S REPORT:

- a. **General Update:** None.

9. SOLICITOR'S REPORT:

- a. **WT ZHB 19-19 Warrington Equities, LLC, 2050 Street Road, dimensional variances for existing parking buffers.**

Mr. Clemons recommended for the Board of Supervisors not to take action.

- b. **Shihadeh Building Code Appeals Board.**

Mr. Clemons stated the appeal before the Building Code Appeals Board has been continued to mid-February 2020.

Mr. Clemons stated that it has been a pleasure working with Ms. Yannich and her commitment to the Township.

SUPERVISOR COMMENTS:

Ms. Yannich thanked everyone for their confidence and thanked the Board of Supervisors, professionals and staff for all working together to create a better quality of life for the residents. Ms. Yannich encouraged everyone to keep working for the environment.

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

Ms. Albillar thanked Ms. Yannich for her support and mentorship.

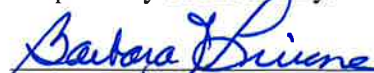
Ms. Gaines thanked Ms. Yannich for bringing him to the Board and will follow in her footsteps.

Mr. Lubert thanked Ms. Yannich for appointing him as township manager.

ADJOURNMENT

There being no further business, Ms. Schemm motioned, seconded by Ms. Albillar to adjourn the meeting at 9:40 PM.

Respectfully Submitted By:



Barbara J. Livrone, Board Secretary

Attachment "A"

December 10, 2019

2019 Warrington Community Day Volunteers

Vivian Bell

Eddie Conte

Michael DeMaria

Mariah Drenth-Cormick

Tony Marinelli

Maryann Scarpill

Gwyn Walton

Scouts BSA Troop 172 Jennifer Painter

Troop 137 Scouts of America Vince Caimi

Walmart Volunteers

Christine Facenda, Manager

Volunteers for Upper Nike Park

Michael Hendrix

Crystal Pitt

Gene Pitt

Koran Johnson

Tracey Johnson

Christopher Facenda-Torres

Warrington Community Ambulance Corps

Mark A. Scholl, Chief of Operations

Warrington Fire Co #1

Chief Mike Bean

Attachment "B"

Consent Agenda – December 10, 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. **November 12, 2019 to Approve Minutes for Board of Supervisors meeting.**

- b. **November 26, 2019 to Post Minutes for Board of Supervisors meeting.**

- c. **Consider the adoption of the 2020 Operating and Capital Budgets (advertised November 7, 2019).**

The thirty (30) day public review period to inspect the budget expired December 7, 2019.

- d. **Consider negotiated settlement of \$18,000 for significant work put in on implementing Water/Sewer Billing Software.**

This is to pay the Financial Software Vendor for work performed in preparation for the implementation of the Utility Billing component of their software.

- e. **Consider authorization to advertise an amendment to the Zoning Ordinance for the CBD Zoning District (The Shops at Valley Square).**

This is to advertise an Amendment to the Zoning Ordinance to include the "Town Center Apartment" Use in the CBD District of the Township.

- f. **Consider authorization of Agreement with Scantek for new Document Management system in the amount of \$14,328.00.**

This is an upgraded system for the Township's Document Management program.

- g. **Consider authorization to submit letter of support for NWWA's DCED H2O PA Water Grant Application.**

This is to provide a letter of support to NWWA in their effort of obtaining a grant to extend water mains and provide connections to properties with private wells that are contaminated with PFAS chemicals.

- h. **Consider Certificate of Completion # 3 for Bhakta Assisted Living Facility in the amount of \$14,073.55.**

The items included within this reduction request have been satisfactorily completed by the project developer with the exception of trash enclosure and as-built drawings.

i. Consider authorization of PennDOT Traffic Signal Application Flashing Beacon on Pickertown Road.

An application and Resolution has been prepared for the PennDOT Traffic Signal Flashing Beacon on Pickertown Road near Buttercup Boulevard.

j. Consider approval of Street Road right-of-way conveyance to PennDOT (Emerson Farm).

A Deed Fee Simple and legal descriptions have been prepared for the right-of-way to be deeded to the Commonwealth relating to the Reserve at Emerson Farm.

k. Consider ADA, FMLA and Personal Leave Policy.

This is to adopt Human Resources policies related to Township personnel services and rights.

l. Consider appointment of Shirley A. Yannich as a full member to the Planning Commission and Sean McGuigan as an alternate member effective January 1, 2020.

The Planning Commission, during their December 5, 2019 meeting, agreed to appoint Shirley A. Yannich as a full time member to the Planning Commission and Sean McGuigan, currently a full time member to an alternate effective January 1, 2020.

m. Consider Escrow Release # 5 for Highgrove Manor in the amount of \$187,123.71.

CKS Engineers, Inc. confirmed all items have been completed with the exception of eight items in the amount of \$19,695.76. The escrow release amount to be approved is \$187,123.71.

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