



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS  
MINUTES FOR MARCH 13, 2018**

**The written minutes are a summary of the March 13, 2018 Board of Supervisors meeting. For a complete dialog visit the Township's website, [www.warringtontownship.org](http://www.warringtontownship.org).**

**ATTENDANCE**

Shirley A. Yannich, Chair; Fred R. Gaines, Vice Chair; Eileen Albillar, Member and Ruth L. Schemm, Member. Staff present was Barry P. Lubber, 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:** Ms. Yannich called the meeting to order at 7:04 P.M and thanked the audience for attending the meeting and everyone in "cyberspace" for viewing the meeting. Carol T. Baker, Member was ill and not in attendance.

**PLEDGE OF ALLEGIANCE**

Ms. Yannich followed the Call to Order with a pledge to the flag.

**EXECUTIVE SESSION REPORT**

Ms. Yannich stated an executive session was held to discuss a litigation matter which will be presented by the Solicitor.

**PRESENTATION OF ZONING HEARING BOARD 2017 ANNUAL REPORT**

Zoning Hearing Board Chair, Frank Shelly presented the 2017 annual report. The Zoning Hearing Board had fourteen meetings and heard twenty one residential matters; five non-residential matters and four appeals. The major issues of the hearings were for impervious surfaces, non-conforming lots; and dimensional requests for variances.

Ms. Yannich stated staff is speaking with consultants to repeal the current zoning ordinance and rewrite the zoning ordinance. This process will take approximately one year to one and half years to complete. The Board of Supervisors would like to choose a consultant at their April 17, 2018 Board meeting.

The Zoning Hearing Board 2017 Annual Report will be posted to the website.

**PRESENTATION BY PRINCETON HYDRO FOR THE CONVERSION OF THE TWIN OAKS POND TO WETLANDS**

Fred S. Lubnow, Ph.D., Director of Aquatics Program, Princeton Hydro presented a slide show of examples of design and construction from different projects his company has worked on. He is also knowledgeable in storm water management and wetlands.

Ms. Yannich stated the pond at Twin Oaks is now filled with algae and water chestnuts.

Mr. Lubber stated Kids Mountain will be part of Phase I in the front part of Twin Oaks. The trail around the pond area and turning the pond into wetlands will be part of Phase II. The deadline for the grant is April 11, 2018. The amount of the grant is approximately \$185,000 with fifty percent cash and in-kind match. DCNR is considering this grant application as a restoration project.

**PUBLIC COMMENT:**

Barbara Kristiansen (2569 Bristol Road) inquired about the Board's opinion to operate a daycare in her home to care for six children.

Ms. Yannich had requested a copy of the Zoning Hearing Board's decision.

Mr. Clemons has requested the Zoning Officer to inspect the property to be used for a day care facility which will be for only six children. The Board of Supervisors does not need to take action.

**PUBLIC HEARING:** None.

**1. APPROVAL OF BILL LIST:**

- a. **Invoices for the Period February 28, 2018 to March 13, 2018 in the amount of \$859,518.24.**

Mr. Gaines moved, seconded by Ms. Albillar to approve the invoices paid for the period February 28, 2018 to March 13, 2018 in the amount of \$859,518.24. All were in favor 4-0.

**2. CONSENT ITEMS:**

Ms. Yannich read each consent item asked if any clarification was needed for the consent items as presented. (Attachment "A")

Mr. Gaines and Ms. Albillar questioned Consent Item D and G.

Mr. Gaines moved, seconded by Ms. Albillar to approve Consent Items A through C, E, F and H through J. All were in favor 4-0.

- a. **February 13, 2018 to Approve Minutes for Board meeting.**
- b. **February 27, 2018 to Post Minutes for Board meeting.**
- c. **March 13, 2018 to Post Minutes from Joint Meeting with Planning Commission.**

- d. **Consider approval for electricity contract.**

Mr. Luber explained that electric rates change daily. A quote was received from broker, Commercial Utility on March 13, 2018. Mr. Luber recommended a thirty six month contract with Constellation Energy at a price of \$0.5401 (including taxes).

Mr. Gaines moved, seconded by Ms. Schemm to approve the electricity contract with Constellation Energy for three years at \$0.5401 (including taxes). All were in favor 4-0.

- e. **Consider appointment of Fred R. Gaines as an alternate member from full member to the Planning Commission.**
- f. **Consider appointment of Herb Rubenstein to a full member from alternate member to the Planning Commission.**
- g. **Consider Certificate of Completion #1 in the amount of \$470,775.15 for Bhakta Assisted Living Facility.**

Mr. Gaines asked if sidewalks were to be installed in front of the property and if handicapped ramps were going along the side of the driveway.

Mr. Zarko stated he will find out if the sidewalks will tie into Forest Ridge development.

Mr. Gaines moved, seconded by Ms. Albillar to approve Certificate of Completion #1 in the amount of \$470,775.15 for Bhakta Assisted Living Facility. All were in favor 4-0.

- h. **Consider authorization to advertise establishing stop signs at intersections and speed limit signs on certain roads.**
- i. **Consider Denial of Dedication for Anderson Way.**
- j. **Consider award of Fire Service installation at 3400 Pickertown Road to Passerini and Sons, Inc., in the amount of \$14,900.**

### 3. OLD BUSINESS:

- a. **Consider authorization to approve Resolution for minor subdivision plan for 2436 W. Street Road (Case/Horizon Bldrs.)**

Mr. Clemons reviewed the Resolution relating to the historic site; open space, conservation easement; waivers relating to the asphalt walking trail; water and sewer tapping fees to be paid; financial security released when improvements have been completed and compliance with CKS letter dated February 8, 2018.

Ms. Yannich stated the Historic Commission/Historical Society has requested access to remove items of interest from the historic home. Dr. Connie Ace, Chair of the Historic Commission has been granted access to the property and will save any items for the 10 Folly Road building.

Mr. Gaines moved, seconded by Ms. Albillar to approve the final plans of minor subdivision of Horizon Custom Builders, 2436 W. Street Road, TMP # 50-020-041. All were in favor 4-0.

### 4. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

- a. **Consider Inter-Municipal Agreement with Warwick Township (Maintenance of Warwick Road and Guinea Lane).**

Mr. Luber commented this agreement was included in the township's "list of goals". It is a cooperative agreement stating that Warrington Township is responsible for one hundred percent of Warwick Road and Warwick Township is responsible for one hundred percent of Guinea Lane. This includes snow plowing and maintaining the roads (i.e., potholes, paving, storm sewer).

This agreement does not affect Emergency Services.

Mr. Gaines moved, seconded by Ms. Albillar to approve the inter-municipal agreement with Warwick Township (maintenance of Warwick Road and Guinea Lane). All were in favor 4-0.

- b. **Consider approval of contract with Princeton Hydro to submit a grant application for the conversion of Twin Oaks Plan.**

If the township is awarded the grant and puts the engineering/environmental design/permitting services out to bid and Princeton Hydro receives the bid then the Township will not pay the flat fee of \$1500 to Princeton Hydro for grant preparation. Princeton Hydro will be paid through the grant.

Mr. Gaines moved, seconded by Ms. Schemm for Princeton Hydro to move forward with the grant application and approved Resolution 2018-R-23. All were in favor 4-0.

Mr. Luber thanked Ivy Ross for all of her hard work on this project.

c. **Discussion of Volunteer Appreciation Luncheon.**

Ms. Yannich stated the Township's annual Volunteer Appreciation luncheon for 2018 is being planned by Barbara Livrone. The suggested venue is to go back to Giuseppe's in Warminster which does not charge the Township a room fee and can accommodate a large gathering. After reviewing available dates, it was suggested to host the luncheon on Sunday, May 20<sup>th</sup>. If this date is acceptable to Supervisor Carol Baker, then a Save the Date announcement will be sent to all the volunteers on various boards and commissions.

5. **MANAGER'S REPORT:**

a. **Trail through King Park**

Mr. Luber stated a proposed trail through King Park is currently in the design stage. The approximate date of completion will be 2020. The County of Bucks will install a trail from Kelly Road to Turk Road and through Doylestown Township's Turk Park. The County is providing this trail to the residents of Warrington and Doylestown Township at no cost to Warrington Township.

b. **Update on Storms**

Mr. Luber reported on the two Nor'easters that occurred during the month of March. During the March 2<sup>nd</sup> storm, instead of posting a police officer at each major intersection to direct traffic because of the heavy snow covering the lights, Warrington Township Fire Company sprayed the street lights to clear them thus making visibility clearer thus providing safer driving conditions.

Mr. Luber commended the Public Works and Water and Sewer Department for the fine jobs they performed and services provided during both the March 2<sup>nd</sup> and March 6<sup>th</sup> Nor'easters. Mr. Luber also thanked the Township staff.

6. **ENGINEER'S REPORT:**

a. **General Update:**

Mr. Zarko reported that he met with the representatives of the Fairways Homeowners Association and stated that the Township and the Homeowners Association is close to a conclusion.

7. **SOLICITOR'S REPORT:**

a. **Geerlings Update.**

Mr. Clemons reported the Court ruled against the Township concerning the appeal Geerlings took from the Board of Supervisors determination as to how the number of TDRs must be calculated for a TDR subdivision. The Board has thirty days to appeal this decision to the Commonwealth Court. Mr.



Clemons recommended for the Board to defer their decision to appeal to the Commonwealth Court until the March 27, 2018 meeting.

b. **Report on Zoning Ordinance amendment for conservation subdivision.**

Mr. Clemons prepared a draft amendment to the zoning ordinance that incorporates the conservation subdivision amendment prepared by the Planning Commission; residential use permitted by right must be used for the base density in future TDR subdivision; eliminates the creation of TDRs in the future and addressed the use of current TDRs; deletes provisions that deal with court settlement TDRs that have already been developed and creates a table of dimensional requirements.

Mr. Clemons recommended sending the draft amendment to both Warrington Township and Bucks County Planning Commissions for review and advertise for adoption.

Mr. Gaines questioned the 35 TRDs in the Ordinance and how to place into them into the market. Mr. Clemons state the draft amendment clearly states how the TDRs are to be used.

Ms. Schemm moved, seconded by Mr. Gaines to advertise the zoning ordinance amendment for conservation subdivision and send the draft Ordinance to both Planning Commissions. All were in favor 4-0.

Ms. Yannich suggested sending a copy of the draft Ordinance to John Pileggi.

c. **Zoning Hearing Board amended WT 18-01 – Webb (901 Truman Court)**

Mr. Clemons reported the applicant is requesting a special exception and the construction of an addition. Mr. Clemons suggested that the Board of Supervisors not take a position on this Zoning Hearing Board application.

**SUPERVISOR COMMENTS:**

Mr. Gaines announced the Environmental Advisory Council is hosting a Backyard Design Workshop on April 3, 2018. The workshop will emphasize native plants is at no cost to the residents.

Mr. Gaines announced a plant sale by the Environmental Advisory Council will take place on April 22, 2018. April 22, 2018 is also Earth Day.

Mr. Gaines reported that the Environmental Advisory Council is conducting their annual Community Day of Service on Saturday, April 28, 2018.

Mr. Gaines stated there will be a large police presence at Central Bucks High School South and Tamanend Middle School on March 14, 2018. This day has been marked as a walk out from students protesting guns and the recent shooting in Florida.

Mr. Gaines was pleased to report that Governor Wolf and State Senator Greenleaf responded to the Township's letter regarding a "Red Flag" statute and gun control legislation.

Ms. Yannich reported that a meeting took place with the Bucks County Industrial Development Authority (BCIDA) regarding the cemetery parcel on County Line Road. The County would like to move forward to propose a private/public partnership with a developer to acquire 100 acres from the cemetery. The County would co-partner with the developer and create a Life Sciences Building to conduct research, etc. This parcel would need to be re-zoned. Ms. Yannich stated the County will develop a concept plan and present it to the Board at a future meeting. Ms. Schemm stated it is important to receive public comment. Mr. Gaines stated the height ordinance should be noted.

Mr. Gaines moved, seconded by Ms. Albillar to authorize the township manager to forward a letter to BCIDA indicating an interest by the Board relating to this parcel. All were in favor 4-0.

Ms. Yannich announced the following supervisors are liaisons to the following volunteer boards/commissions:

- Eileen Albillar, liaison to Bike and Hike Trails Committee
- Fred Gaines liaison to Communications Advisory Board
- Ruth Schemm, liaison to Planning Commission

Mr. Luber will forward the PennDOT letter to the Historic Commission showing the map acquiring a few feet from 10 Folly Road.

Ms. Yannich stated the township received notification from Doylestown Township that a 130 townhome subdivision is being proposed at the intersection of Bristol and Lower State Roads. A meeting will be held on March 26<sup>th</sup> at Lenape Middle School to discuss the proposed plan. Mr. Gaines expressed concerns about traffic and also about the two homes located right at this intersection. Mr. Luber will contact Doylestown Township Stephanie Mason and will suggest that Ms. Mason contact the township engineer, Tom Zarko for any meetings concerning traffic.

Mr. Luber stated according to the National Council for Home Safety and Security report, Warrington Township came in 79<sup>th</sup> in the top 100 safest cities in PA.

Mr. Luber reported Warrington Township Police are hosting round 2 of an informational meeting on March 20<sup>th</sup> at 10:00 AM at the Township Meeting room on Threats to Houses of Worship.

Ms. Yannich suggested that a pot hole on 611 and Valley Square Boulevard be reported.

Ms. Albillar stated that she received compliments from residents that the Public Works Department did an excellent job keeping the roads clear during all 13 storms this year. In addition, the Public Works Department received compliments on their customer service.

Ms. Schemm highlighted the important work of the Emergency Services during all of the storms.

Ms. Schemm reported the Township is applying for grant to clean up the goose droppings at the Twin Oaks Park.

Mr. Clemons stated he is reworking the lease for the Equestrian Center.

## ADJOURNMENT

There being no further business, Mr. Gaines moved, seconded by Ms. Yannich to adjourn the meeting at 8:53 PM.

Respectfully Submitted By:

  
Barbara J. Livrone, Board Secretary

## ATTACHMENT "A"

### Consent Agenda – March 13, 2018

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. February 13, 2018 to Approve Minutes for Board meeting.
- b. February 27, 2018 to Post Minutes for Board meeting.
- c. March 1, 2018 Joint Meeting with Planning Commission minutes.
- d. Consider approval for electricity contract.

**This contract is to provide electricity to all township facilities/parks/street lights and traffic lights. The price quotes are provided today (March 13<sup>th</sup>) – so the pricing information will be available at the meeting.**

- e. Consider appointment of Fred R. Gaines as an alternate member from full member to the Planning Commission.
- f. Consider appointment of Herb Rubenstein to a full member from alternate member to the Planning Commission.
- g. Consider Certificate of Completion #1 in the amount of \$470,775.15 for Bhakta Assisted Living Facility.

**This is to reduce the amount of financial security held for this project. The township engineer is satisfied with the site improvements made and has recommended this reduction.**

- h. Consider authorization to advertise establishing stop signs at intersections and speed limit signs on certain roads.

**All stop signs on Public Roads must be established by ordinance.**

- i. Consider Denial of Dedication for Anderson Way.

**This is to deny the dedication of Anderson Way from the Developer to the Township. All of the requirements of accepting dedication have not been met.**

- j. Consider award of Fire Service installation at 3400 Pickertown Rd to Passerini and Sons, Inc., in the amount of \$14,900.

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