



## **WARRINGTON TOWNSHIP BOARD OF SUPERVISORS MINUTES FOR NOVEMBER 27, 2018**

**The written minutes are a summary of the November 27, 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; Carol T. Baker, Member; Eileen Albillar, Member and Ruth L. Schemm, 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; Cassandra Williams, Finance Director; Christian Jones, Director of Water & Sewer; Chief Dan Friel; Lee Greenberg, Director of Codes and Inspections; Leslie Frescatore, Human Resource Manager; and Amy Organek, Assistant Finance Director.

**CALL TO ORDER:** Ms. Yannich called the meeting to order at 7:05 P.M. Ms. Yannich welcomed the residents who came to the meeting and the people watching the meeting live. Ms. Yannich stated the meeting followed a budget work session and no actions or decisions were made during the work session.

### **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 prior for informational purposes only.

Mr. Clemons stated that the discussion pertained to water & sewer issues. No decisions were made in this session.

### **DISCUSSION OF FUNDING OPPORTUNITIES FOR WATER CONTAMINATION (State Representative Katharine M. Watson).**

Rep. Watson reviewed the water contamination from the air base history in relation to the water issues in the area and her office's work towards a resolution. Mr. Jones then reviewed the activities the township has taken and is taking to remediate the contamination in the wells not addressed by the Air National Guard. Ms. Byers gave an update on the information from the Air National Guard and the Navy on the water contamination and the remediation efforts being taken. She encouraged the audience to attend the informational meetings being held and to help get the information out. The source has not yet been located and the contamination has not been contained.

Ms. Yannich asked Mr. Gaines to read Proclamation Resolution 2018-R-76 recognizing State Rep. Ms. Kathy Watson dedication and service to Warrington Township.

**RECOGNITION OF STATE SENATOR STEWART J. GREENLEAF. - Postponed to a later agenda**

**RECOGNITION OF FRED BEANS AUTOMOTIVE GROUP FOR THEIR DONATION OF A 2019 POLICE HARLEY DAVIDSON ELTRA GLIDE MOTORCYCLE.**

Chief Friel recognized Fred Beans Automotive Group for the donation of the motorcycle and presented them with a certificate of appreciation.

**RECOGNITION OF BOY SCOUT TROOPS # 137 AND # 172.**

Ms. Yannich asked Ms. Baker to read the Resolution 2018-R-75 recognizing Boy Scout Troup #137 for their commitment to Warrington Township.

Ms. Yannich asked Ms. Albillar to read the Resolution 2018-R-74 recognizing Boy Scout Troup #172 for their commitment to Warrington Township.

**PRESENTATION BY MIKE FEHRLE RELATING TO A RESPONSIBLE CONTRACTOR ORDINANCE.**

Ms. Schemm had suggested that this presentation come before the Warrington Township Board of Supervisors. Mr. Fehrle reviewed the premise of this ordinance. This is not a union or non union issue, but a means to insure the contractors working for the township are qualified. Present this evening to make this presentation were: Mike Fehrle, business representative of the Operating Engineers; Bernard Griggs, business agent from the Building Trades Council; and Edward Lounsberry, Monitor for the Foundation for Fair Contracting

The basic premise of the ordinance is to:

1. Determine a dollar threshold that would fall under this ordinance
2. Set the qualifications for a responsible contractor
3. 30 day review the application

Mr. Graves reviewed the benefits of having this ordinance in place in obtaining skilled labor and tradesmen to do the job efficiently.

Mr. Lounsberry reviewed the potential financial losses of not having the ordinance in place to ensure the best skilled contractors are used for all public jobs.

Michael Lamond, 829 Warrington Ave

Mr. Lamond reviewed the issues that have been found in a project in a local municipality that did not have this ordinance in place. They have had numerous problems and issues with their building.

Ms. Yannich said after is it reviewed by the solicitor, it could go to the Ad Hoc Committee for review and be reviewed at the supervisor level as well.

John Heenan, 1202 Quinton Ct

Mr. Heenan spoke to the high caliber of contractors being produced from the Operating Engineers apprenticeship program today. He felt this would benefit the township.

**2019 BUDGET WORK SESSION**

This is our 4<sup>th</sup> budget meeting for the supervisors.

Ms. Cassandra Williams briefly reviewed the current budget that is under consideration for adoption at the next meeting.

Ms. Yannich asked about the details of the Homestead tax exemption. Mr. Luber reviewed the Homestead tax exemption requirements and some potential outcomes. Mr. Gaines reviewed the merits of the homestead exemption.

Mr. Luber reviewed what the increase in taxes would be if they were increased sufficiently so we did not anticipate a tax increase next year to have the homestead exemption go into effect next year.

Mr. Gaines suggested that the full time firefighter position be converted into a full time fire and zoning position and there was discussion on this

Amy Park, Warrington Resident

Ms. Park wanted to make sure the lobby renovations would not be changed in future renovations. Mr. Luber explained that these planned renovations are only to make the lobby more ADA compliant.

John Moran, 2257 Patty Ln

Is there a waste water tax being proposed? Mr. Jones said that our revenues are derived from the water and sewer usage.

Dave Bokeko, 2366 Deer Path Dr.

Asked how was the contract negotiated with North Wales?

**PUBLIC COMMENT:**

Dave Bokeko, 2366 Deer Path Dr.

He expressed concerns regarding the costs for water and sewer. He questioned our efficiency.

John Moran, 2257 Patty Ln

He questioned how we meter sewer. It was explained that we meter the water used to determine the amount of sewer going out.

Trish Sheehan, 2467 Greensward S

Ms. Sheehan questioned the timing of billing. Mr. Jones read the statement that was posted on the township's website in response for the timing issues.

Lindsay Wall, 147 Upper State Rd

She questioned the letter she had received regarding installing a meter for her non metered sewer.

**PUBLIC HEARING:**

- Consider Inter-Municipal License Application for PATS SELECT of Warrington, LLC located at 865 Easton Road, TMP # 50-010-125, (former Bertucci's Restaurant) (advertised November 19, 2018).

Mr. Clemons swore in the applicant, Mr. Bascilios Schujas. Mr. Taraskus, P.C., lawyer for the applicant, then summarized the application to transfer the liquor license from out of the township (Perkasie Borough).

Exhibits marked:

A1 floor plan

A2 Restaurant Menu

Restaurant amenities and details

- Full service restaurant serving lunch and dinner, 7 days a week
- S- TH 10am – 10 pm
- F – S 10am – 11pm
- 153 capacity inside
- 10 seat bar and 26 seat outside dining area
- 20 full time and 40 part time employees
- 95% food to 5-7% liquor sales
- Takeout are anticipated to be 65% of the food sales
- No live music or entertainment

Mr. Schujas affirmed that that was his testimony.

Ms. Schemm asked regarding the ADA compliance of the bathrooms and the applicant stated that he was working with Gary Toth of the Warrington Township's Code Department to meet all code requirements.

Ms. Yannich asked for some clarification on the amusement permit. They are going to apply for the Sunday service permit at the time they get the main permit.

Ms. Yannich asked regarding the parking for the takeout business. Mr. Schujas clarified that there is a separate takeout entrance and that some of that percentage included delivery order.

Mr. Gaines moved, seconded by Ms. Albillar, to approve Inter-Municipal License Application for PATS SELECT of Warrington, LLC located at 865 Easton Road, TMP # 50-010-125. All were in favor 5-0.

### **Recess 9:30-9:40pm**

#### **1. APPROVAL OF BILL LIST:**

- a. Invoices for the period November 14, 2018 to November 27, 2018 in the amount of \$ 899,856.61.

Mr. Gaines moved, seconded by Ms. Albillar to approve the invoices paid for the period November 14, 2018 to November 27, 2018 in the amount of \$899,856.61. All were in favor 5-0.

Ms. Albillar asked on the status of the GKO Architects. They will be involved throughout the project.

Ms. Albillar asked on the tracking of Canine expenses and donations.

Ms. Schemm asked regarding the Warminster Sewer bill.

#### **2. CONSENT ITEMS:**

- a. October 23, 2018 to Approve Budget Work Session meeting.
- b. October 23, 2018 to Approve Minutes for Board of Supervisors meeting.
- c. November 13, 2018 to Post Minutes for Budget Work Session meeting.
- d. November 13, 2018 to Post Minutes for Board of Supervisors meeting.  
Ms. Schemm noted a minor typographical error
- e. Consider proposal from Clear Channel Communications. - REMOVED

- f. Consider Escrow Release # 24 for Valley Gate in the amount of \$10,059.34.
- g. Consider Escrow Release # 7 (Final) for Meridian at Valley Square in the amount of \$322,768.76.

Ms. Yannich Recused herself from this portion of the vote because she owns property there

- h. Consider Resolution to amend No. 2018-R-51 Ad Hoc Police Building Committee.
- i. Consider Resolution to draw down financial security for the Oak Creek Development. - REMOVED
- j. Consider Resolution for Year of the Bird Proclamation for Warrington Township.

Ms. Schemm moved, and Ms. Baker seconded, to approve consent items except items (e.) and (j.) that were removed for further discussion. All were in favor 5-0, with the exception of item (g). Ms. Yannich recused herself from the vote on this item due to being a property owner. Item (g) was approved 4-0-1.

Mr. Clemons detailed the developing situation with Cutler and Oak Creek Development (item i.). They have at this time filed for chapter 7 bankruptcy. Mr. Clemons then reviewed the options and his recommended course of action.

Mr. Gaines moved, and Ms. Schemm seconded, approval for the solicitor to approach the bank and take step to recover those funds due the township. All approved 5-0

A couple of residents from Oak Creek were present and asking about the escrow funds and how much is required to be kept for improvements. They are concerned that the improvements needed for their development to be completed and safe will not have the needed funding.

3. **CORRESPONDENCE:** None.

4. **OLD BUSINESS:**

- a. Consider adoption of a Resolution for Preliminary/Final Land Development approval for Pathways at Warrington, TMP 50-010-014-001, located on Street Road.

Mr. Clemons reviewed the draft resolution that has been prepared for this applicant.

Mr. Gaines moved, and Ms. Baker seconded, to approve the adoption of the resolution for preliminary/final development approval for Pathways at Warrington, TMP 50-010-014-001, located on Street Rd. All were in favor 5-0.

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

- a. Consider for approval contract with Boyle Construction for Construction Management Services for the new Police Station.

Mr. Clemons reviewed the process that was used to select this contractor.

Mr. Zarko noted that the fee is a lump sum contract.

Mr. Gaines moved, and Ms. Albillar seconded, to hire the Boyle Construction for Construction Management Services for the new Police Station. All were in favor 5-0.

b. Discussion of Street Light.

As a result of recent accidents and injuries, Mr. Gaines felt that it could benefit the township to evaluate sections of the township roadways that could use additional lighting. A street light district could be created to help this goal. Ms. Schemm added that the environmental committee be consulted as well. Mr. Lubber suggested that some preliminary investigation be conducted by staff and the township's lighting engineer and reported back to the Board.

Connie Ace, 1067 Folly Rd

Ms. Ace noted that not all the township is developed, and the rural character that remains needs to be maintained.

6. **MANAGER'S REPORT:**

a. Discuss resident's request to add water and sewer information on Facebook.

Mr. Lubber said that the items posted on the website could reach many more people in today's society on social media. There was additional discussion on the merits and detriments to posting on social media. It was determined that this was an administrative issue and could be determined by staff.

7. **DEDICATION REQUEST:** None

8. **ENGINEER'S REPORT:**

General Update

a. The signalization at Titus Rd had been finished and is active.

b. Gateway Square, a dormant project, will be moving forward in the near future.

This developer also had earmarked funds for intersection improvements at Bristol Rd and Rt. 611.

9. **SOLICITOR'S REPORT:**

There are two zoning hearing board applicants that will soon be coming before the board.

**SUPERVISOR COMMENTS**

Ms. Schemm moved, and Mr. Gaines seconded to authorize Ms. Yannich as a signature authority for any and all documents as required by PennDOT, during her term as chairperson of the Board of Supervisors. All were in favor 5-0.

**ADJOURNMENT**

There being no further business, Ms. Yannich adjourned the meeting at 10:42 PM.

Respectfully Submitted By:

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Amy Organek