



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS  
MINUTES FOR FEBRUARY 27, 2018**

**The written minutes are a summary of the February 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 and Barbara J. Livrone, Executive Assistant to the Township Manager/Board Secretary.

**CALL TO ORDER:** Ms. Yannich called the meeting to order at 7:00 P.M and thanked the audience for attending the meeting and everyone in "cyberspace" for viewing the meeting.

**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 personnel matter.

**PROMOTION OF DANIEL S. DEBRIGIDA TO SERGEANT (*District Judge Jean Seaman officiating*)**

Chief Dan Friel presented background information on Officer DeBrigida, who has been working with the Warrington Township Police Department for twenty years. Officer DeBrigida was promoted to Sergeant and District Judge Jean Seaman officiated the swearing in. Congratulations were extended to Sergeant DeBrigida.

**PUBLIC COMMENT:** There was no public comment.

**PUBLIC HEARING:** None.

**1. APPROVAL OF BILL LIST:**

- a. **2017 Invoices for the Period February 14, 2018 to February 27, 2018 in the amount of \$354,266.34.**

Mr. Gaines moved, seconded by Ms. Baker to approve the 2017 invoices paid for the period from February 14, 2018 to February 27, 2018 in the amount of \$354,266.34. All were in favor.

- b. **2018 Invoices for the Period February 14, 2018 to February 27, 2018 in the amount of \$713,822.42.**

Mr. Gaines moved, seconded by Ms. Baker to approve the 2018 invoices paid for the period from February 14, 2018 to February 27, 2018 in the amount of \$713,822.42. All were in favor.

**2. CONSENT ITEMS:**

Ms. Yannich asked if any clarification was needed for the consent items as presented. (Attachment "A")  
Ms. Yannich questioned Consent Item C and F.

- a. **January 23, 2018 to Approve Minutes for Board meeting.**
- b. **February 13, 2018 to Post Minutes for Board meeting.**
- c. **Consider advertisement of 2018 Road Paving Program.**

Ms. Yannich questioned the 2018 Road Paving Program. Mr. Luber explained the advertisement is to inform contractors that the Road Paving Program is available to bid on. There are nine roads within the township that are slated to be paved in 2018.

Mr. Gaines questioned if coordination has been finalized with PECO and with Verizon. Mr. Gaines doesn't want PECO and/or Verizon to cut into the roads while paving starts or after the paving has been completed. Mr. Zarko will check with PECO and Verizon before the paving starts.

- d. **Consider adoption of Cross Connection Control Program Ordinance.**
- e. **Consider authorization to enter into a Professional Services Agreement with the Pennsylvania Water Services Company (PAWSC).**
- f. **Consider adoption of Ordinance for Street Road at Oak Avenue Water District.**

Ms. Yannich asked if the residents on Street Road and Oak Avenue have been notified of the new water district. Mr. Luber stated the new water district is for new connections not for existing residents. Mr. Clemons stated the Ordinance was properly advertised and a proof of publication was received for both this Ordinance and for the Cross Connection Control Program Ordinance.

- g. **Consider Revised 2018 Fee Schedule by Resolution.**
- h. **Consider appointment of Mark E. Lomax to Historic Commission.**

Mr. Gaines moved, seconded by Ms. Schemm to approve Consent Items A through H. All were in favor and the motion passed 5-0.

### 3. OLD BUSINESS:

- a. **Consider Township Manager Employment Agreement**

Ms. Yannich reported the terms of the managers agreement is effective January 1, 2018 through December 31, 2019. The salary is \$140,067 with a 3% increase which includes an annual review. Ms. Yannich also reported that the manager can use the township vehicle for personal use not to exceed 100 miles from the township building.

#### Public Comment:

Connie Ace (1067 Folly Road) questioned the 100 miles.

Ms. Baker moved, seconded by Ms. Albillar to approve the township manager's employment agreement. All were in favor.

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

- a. **Consider Conflict of Interest Policy.**

Mr. Clemons stated that the Finance Director, Cassandra Williams and Vicki Kushto, Esquire worked together to create this policy. This policy was brought forth by the auditors to enact. Mr. Clemons explained the policy.

Ms. Yannich noted that no public officials or public employees shall accept an honorarium.

Ms. Baker asked if a friend was doing business with the township and received no benefit, would this be in conflict. Mr. Clemons said this would not present a conflict of interest. If there was a vote, the supervisor could recuse oneself.

Public Comment:

Connie Ace (1067 Folly Road) asked if this policy should be extended to the volunteer boards and commissions. Mr. Clemons stated all elected officials, public employees; public appointees who spend township funds (i.e., Park & Recreation Board and Environmental Advisory Council) will be required to follow the policy. It was requested to forward all the boards and commissions a copy of this policy.

Mr. Gaines moved, seconded by Ms. Schemm to approve the Conflict of Interest Policy. All were in favor.

b. **Discuss 2436 W. Street Road Minor Subdivision.**

Ms. Yannich stated the historic home on this property that juts out into the public right-of-way will be demolished. This property is two parcels from the first synagogue that was built in Bucks County on the Cohen property.

Design Engineer for the applicant (Horizon Custom Builders), Kyle Fink commented on the proposed minor subdivision plan by stating TMP # 50-020-041 is a 1.9 acre lot located in the R2 District. The applicant did not require any variances from zoning. Two new dwellings will be built. The applicant will comply with the February 8, 2018 final review letter from CKS Engineers, Inc. On February 15, 2018 the Planning Commission granted approval upon the conditions set forth in the CKS Engineers, Inc. letter dated February 8, 2018. The Planning Commission added a second stormwater facility on Lot #2.

The applicant will replace all trees that have to be removed. The applicant is seeking relief from sidewalks.

Ms. Schemm questioned the trail system proposed along Street Road. Mr. Clemons said there is a fifty foot right of way dedicated to the township and there would be available room for a trail.

Ms. Albillar questioned the waiver. Mr. Zarko stated there is no sidewalk currently on either side of the site. Mr. Clemons stated the consideration of a sidewalk and a walkway trail for each property owner could be noted on the plan, if one or both were extended in the future.

Mr. Gaines stated he is in favor of sidewalks and also in favor of curbing, which extends the life of a roadway.

Ms. Yannich stated the trail goes in now. Mr. Zarko suggested a fee in lieu of construction of a trail which was a decision for the Sandstone development.

The applicant, Jim Case from Horizon Custom Builders commented on both a trail and sidewalks.

Mr. Fink stated that .175 acres of open space will be satisfied but would become deed restricted having no public access. Mr. Zarko said the conservation easement could be incorporated into the resolution.

Mr. Clemons stated to place a condition per lot; the development will place a conservation easement on the area for the protection (i.e., trees) will be added to the Resolution, Disclosure Statement and the record plan. Ms. Schemm said that it is important for the homeowners to be aware and have knowledge of the conservation easement.

Mr. Clemons said curbing will be the responsibility of the homeowners.

Ms. Schemm questioned the rain garden and the work involved by the homeowners. It was suggested to provide a manual of operations and maintenance for rain gardens to the homeowners.

The applicant agreed for the Historic Commission to take pictures of the current historic home and take artifacts for the 10 Folly Road museum.

The Board of Supervisors directed the solicitor to prepare a Resolution noting the following items:

- Establish a trail in the Right-of-Way
- The Historic Commission can access the property, take pictures and remove an artifacts deemed saving;
- Comply with CKS Engineers, Inc., February 8, 2018 review letter
- Comply with the Planning Commission February 15, 2018 draft minutes
- Comply with a rain garden on both lots
- Comply with a conservation easement
- Curbing will be deferred
- Protection of specimen trees

Mr. Gaines moved, seconded by Ms. Schemm for the Solicitor to prepare a Resolution with the above stated items for the minor subdivision plan for 2436 W. Street Road. All were in favor.

c. **Discussion of New Pennsylvania Fireworks Law, Act 43 of 2017.**

Ms. Yannich stated the Pennsylvania legislature enacted Act 43 of 2017 on October 30, 2017.

Mr. Gaines said Pennsylvania changed the law so that fireworks can be sold and used in the State of Pennsylvania. This use will create a problem for the police department. Guidance and regulations need to be provided.

Mr. Clemons reported this new law creates different levels of fireworks to be sold. The Township can adopt a zoning ordinance amendment as to where these fireworks can be sold.

Ms. Baker questioned if certain standards can be adopted, what kind of fireworks to be sold, would a permit and license be required. Could these items be incorporated into the Ordinance?

Ms. Schemm asked if the Township's current noise Ordinance covers the noise of the fireworks.

Mr. Clemons was asked by the Board to follow up with the Fireworks Law and prepare an Ordinance. The proposed Ordinance is to be forwarded to Emergency Services, which includes the Fire Company for review.

d. **Discussion of Gun Regulations.**

Mr. Gaines moved, seconded by Ms. Yannich to direct the Township Manager to write a letter to the legislators serving Warrington Township urging them to introduce and pass legislation providing the authority to judges to order taking possession of any guns from individuals that they deem are a threat to themselves or others. All were in favor.



**5. MANAGER'S REPORT:****a. 2018 Volunteer Incentive Program – Swim Club Memberships**

Ms. Yannich read the Volunteer Incentive Program for consideration which offers a discount to volunteers for membership to the swim club based on established criteria. It was requested to forward this program to all the volunteer boards and committees and ask their respective Chair to add this program to their meeting agenda.

Mr. Gaines moved, seconded by Ms. Schemm to approve the 2018 Volunteer Incentive Program for Swim Club Memberships. All were in favor.

**b. Consider Resolution for PSATS for Mercantile/Business Privilege Tax**

Mr. Luber reported the mercantile/business privilege tax came off the books in the early 1980's. A resolution was prepared supporting the striking of the prohibition upon municipal taxation of mercantile or business privilege tax on gross receipts. Mr. Gaines requested the solicitor to forward this Resolution to PSATS.

Mr. Gaines moved, seconded by Ms. Baker to approve the Resolution for the Mercantile/Business Privilege Tax and forward to PSATS. All were in favor.

**c. Consider approval of Warrington Youth Baseball (WYB) to install a shed at King Park.**

Mr. Luber reported the WYB has requested to install a shed at King Park that measures 8 feet x 16 feet. The installation will be made by the WYB and will obtain the necessary permits. The WYB will also be responsible for maintaining the shed.

Ms. Schemm moved, seconded by Mr. Gaines to approve Warrington Youth Baseball to install a shed at King Park. All were in favor.

**6. ENGINEER'S REPORT:****a. General Update:**

The engineering activities report was included in the Board packets.

**b. Fairways Townhouse Water and Sewer Dedication Update.**

Mr. Zarko reported that he met with the representatives of the homeowners association to discuss the townships current proposals and hopes that this issue will come to a conclusion.

**c. Penn VEST Grant Update.**

At the last Board meeting, by request from State Representative Watson, the township filed a basic application for the carbon filter infiltration system to be installed on four of the townships wells. More information has been requested and Representative Watson is working hard on the grant. It is recommended that the Board authorizes the final information. State Representative Watson's office has already approved the information to be completed for the August deadline.

In order to complete the grant information, the engineering costs will be approximately \$60,000 for the \$8.8 million grant.

Mr. Gaines moved, seconded by Ms. Baker to authorize CKS Engineers, Inc. to proceed with the grant information and meet the August deadline. All were in favor.

## 7. SOLICITOR'S REPORT:

### a. Update on Victory Gardens.

Mr. Clemons stated the Victory Gardens "mulch" case is being continued.

The airport property has been forwarded to the Planning Commission for review.

## SUPERVISOR COMMENTS:

Ms. Yannich reported that a joint meeting with the Planning Commission has been scheduled for March 1, 2018 to implement the comprehensive plan and zoning requests.

Ms. Albillar reported the Public Works Department has received final approval for State Inspections to be conducted "in-house", thus saving taxpayer money.

Ms. Baker reported the elections for the Historic Commission were as follows:

- Dr. Connie Ace – Chair
- Stu Cohen – Vice Chair
- Shu-I Tu – Secretary

Ms. Baker also welcomed new appointed member, Mark Lomax to the Historic Commission.

Ms. Schemm, Emergency Services liaison, reported that ES is working on obtaining grants to receive new equipment and also to hire three new part-time firefighters.

Mr. Gaines, liaison to Veteran Affairs Committee reported on the following elections:

- Ollie Groman – Chair
- Peter Scott – Vice Chair

Mr. Gaines reported on the investigation at CBHS South and noted that Warrington Township is paying for a School Resource Officer (SRO) to be at the high school. The SRO has been an asset between the Township and the School District. Mr. Gaines noted that Central Bucks School District has elected not to contribute towards the funding of the SRO and the funding is coming from the Township. Mr. Gaines stated that all of Warrington Township's police officers have visited all of the schools, both public and private in Warrington Township.

Ms. Yannich attended the Zoning Hearing Board meeting and is recommending streamlining the application process that goes to the Zoning Hearing Board. Ms. Yannich is requesting to invite the Zoning Hearing Board to attend meetings when a consultant is scheduled to discuss updating the zoning ordinance.

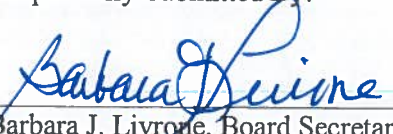
Ms. Yannich thanked Ms. Baker for providing information on the gun issue.

Ms. Yannich received a thank you from a resident who had requested for a crosswalk near the Barclay Elementary School but now one is needed on Blackhorse Drive.

**ADJOURNMENT**

There being no further business, Mr. Gaines moved, seconded by Ms. Yannich to adjourn the meeting at 9:08 PM.

Respectfully Submitted By:

  
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Barbara J. Livrone, Board Secretary

**ATTACHMENT "A"**

**Consent Agenda – February 27, 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. January 23, 2018 to Post Minutes for Board meeting.
- b. February 13, 2018 to Post Minutes for Board meeting.
- c. Consider advertisement of 2018 Road Paving Program.

**This advertisement will let contractors know that the Road Paving Program for 2018 is available to be bid on. The following roads are scheduled to be paved this year:**

<b>Poplar Rd</b>	<b>Welsh Road</b>
<b>Columbia Avenue</b>	<b>Green Ridge Drive</b>
<b>Greensward North (portion)</b>	<b>Robin Drive</b>
<b>Golf Drive</b>	<b>Peach Tree Lane</b>
<b>Bellflower Boulevard</b>	

- d. Consider adoption of Cross Connection Control Program Ordinance.

This ordinance establishes a cross-connection control program in accordance with DEP requirements, facilitated by our pending contract with PAWSC.

- e. Consider authorization to enter into a Professional Services Agreement with the Pennsylvania Water Services Company (PAWSC).

This agreement is to hire PAWSC coordinate the inspections of commercial businesses to ensure that they are in compliance with EPA guidelines and to ensure that no non-potable or non-drinkable water sources can be introduced into the public water supply.

- f. Consider adoption of Ordinance for Street Road at Oak Avenue Water District.

This special district was created to give residents the ability to connect to public water and proposes a fee to do so.

- g. Consider Revised 2018 Fee Schedule by Resolution.

The fee schedule is being adjusted to add the Street Road at Oak Avenue Water District as described above.

- h. Consider appointment of Mark E. Lomax to Historic Commission.

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