



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR NOVEMBER 26, 2019 - 7:00 PM**

**The written minutes are a summary of the November 26, 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 not held.

ANNOUNCEMENTS:

Mr. Gaines announced the GFOA Distinguished Budget Presentation Award. Mr. Luber showed the award to the public and stated the distinguished budget presentation award from the Government Finance Officers Association was awarded to Warrington Township. This award represents the highest principal in government budgeting.

Mr. Gaines announced a fundraiser for Warrington Cares will be held on Thursday, December 5, 2019 at Warrington Pizza.

Mr. Gaines announced Park and Recreation is hosting Lunch with Santa on Saturday, December 7, 2019 at Giuseppe's Restaurant from noon to 2:00 pm.

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:

- Earthborne Trucks & Equipment – Doug and Maggie Taylor, Owners
- Univest Bank and Trust Co – David R. Ohman, Senior Vice President
- US Realty – Michele Grasso, not in attendance.

RECOGNITION OF 2019 GOLD SPONSORS FOR WARRINGTON COMMUNITY DAY

- Markham Orthodontics – Ceceilia M. Markham, DMD

- Lindy Communities – Alison Snyder CAM, NALP Community Manager

Mr. Gaines thanked all of these businesses for their support and sponsorship of Warrington Community Day. Without their sponsorships, Warrington Community Day could not provide free activities for the community.

Mr. Luber announced a very generous donation of \$100,000 from Lindy Communities for Lions Pride Park.

PUBLIC COMMENT: None.

PUBLIC HEARING:

Mr. Gaines announced the continuance of the following conditional use hearing until January 28, 2020:

- Consider continuance of Conditional Use Hearing concerning application of Joseph & Rosemarie Cardamone for property located at the intersection of Stump and Pickertown Rds., TMP#50-004-071; 50-004-071-001 & 50-004-071-002 to January 28, 2020.

Ms. Yannich motioned, seconded by Ms. Albillar to continue the conditional use hearing application for Joseph and Rosemarie Cardamone for property located at the intersection of Stump and Pickertown Roads, TMP # 50-004-071; 50—04-071-001 and 50-0040071-002 to January 28, 2020. All were favor and the motion passed 5-0.

1. APPROVAL OF BILL LIST:

- a. **2019 Invoices for the Period November 13, 2019 to November 26, 2019 in the amount of \$1,202,489.64.**

Ms. Schemm motioned, seconded by Ms. Baker to approve the 2019 invoices paid for the period November 13, 2019 to November 26, 2019 in the amount of \$1,202,489.64. All were in favor and the motion passed 5-0.

2. CONSENT ITEMS:

Mr. Gaines tabled items 2C and 2E asked if any clarification was needed for the consent items as presented. Agenda Items 2D, F and L were to be discussed as requested by Ms. Baker and Ms. Albillar.

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

- a. October 22, 2019 to Approve Minutes for Board of Supervisors meeting.
- b. November 12, 2019 to Post Minutes for Board of Supervisors meeting.
- c. Consider agreement with Corbett and Diversified for design of furniture and equipment for new Police Station.

Ms. Baker motioned, seconded by Ms. Schemm to table agreement with Corbett and Diversified for design of furniture and equipment for new Police Station.

- d. Consider Change Event: #017: Additional Bituminous Driveway and Parking Area Pavement.

Ms. Baker questioned the quantity amount of 4,110 square feet for the bituminous driveway and parking area. Mr. Zarko said the accounted amount is 3,940 square feet and based on this amount, the Change Order price is \$14,440.00 for the new police station.

Ms. Baker motioned, seconded by Ms. Yannich to approve Change Event # 017 in the amount of \$14,440 for additional bituminous driveway and parking area pavement for the new police station. All were in favor and the motion passed 5-0.

- e. Consider authorization to advertise an amendment to the Zoning Ordinance for the CBD Zoning District.

Mr. Gaines requested tabling the advertisement until feedback was received from the Warrington Township and Bucks County Planning Commissions.

Ms. Schemm motioned, seconded by Ms. Baker to table the authorization of advertisement to the Zoning Ordinance for the CBD Zoning District. All were in favor and the motion passed 5-0.

- f. Consider authorization to advertise an amendment to the Ordinance allowing parking on portions of Stump Road.

Mr. Gaines noted this item was discussed at the November 12, 2019 Board of Supervisors meeting.

Ms. Baker motioned, seconded by Ms. Albillar to authorize the advertisement to the Ordinance allowing parking on portions of Stump Road. All were in favor and the motion passed 4-1, with Ms. Schemm voting no.

- g. Consider approval to amend Chapter 257 Code of Ordinances and adopt Article V Fat, Oil and Grease Interceptors and/or Traps (advertised November 18, 2019).
- h. Consider approval to amend Chapter 257 Code of Ordinances and adopt Article III regulations for grinder pumps and to include regulations for deduct meters (advertised November 18, 2019).
- i. Consider bid award for 2020-21 Trash Hauler.
- j. Consider approval of letter supporting Coalition Against Bigger Trucks (CABT).
- k. Consider authorization of separation agreements with former Warrington Township Sewer employees.
- l. Consider Resolution for Destruction of Municipal Records.

Ms. Albillar asked if records are electronically saved. Mr. Luber stated old records that do not need to be permanently saved will be shredded.

Ms. Schemm motioned, seconded by Ms. Albillar to approve the Resolution for destruction of municipal records. All were in favor and the motion passed 5-0.

- m. Consider Resolution to appoint Kevin Lawlor as an alternate to the Zoning Hearing Board.
- n. Consider Resolution to appoint Richard Alsdorf as a full member to the Zoning Hearing Board.
- o. Consider Letter of Extension for PF Warrington, LLC, TMP # 50-024-048 & 50-033-011, Easton Rd, Georges Lane, Crestwald Terrace, Roland Avenue and Valley Square Boulevard.

3. CORRESPONDENCE: None.

4. OLD BUSINESS:**a. Consider approval of Alternate # 2 for Lions Pride Park.**

Mr. Lubber described the original bid and Alternate # 2 is for Phase II of Kids Mountain. The contractor is already on site and it would be beneficial to have the contractor complete the work while he is there. Alternate # 2 will provide labor and equipment to complete the construction and installation of Alternate # 2.

Mr. Gaines expressed concern about security for the new equipment. Mr. Lubber stated security was not included in Alternate # 2. Mr. Lubber will work on getting cameras installed at Lions Pride Park; request the police to patrol the area more frequently and the additional equipment will be insured.

Mr. Gaines noted the funds will be loaned from the Open Space Fund and will be paid back to this fund.

Mr. Lubber said Lindy Communities will be donating \$100,000 towards Lion Pride Park.

Ms. Schemm motioned, seconded by Ms. Albillar to approve Alternate #2 and award Phase II contract to Think Green, LLC in the amount of \$225,000. By roll call vote, the motion passed 5-0.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):**a. Discussion of proposed settlement of WAWA Zoning Hearing Board Appeal.**

The applicant's attorney, Julie Von Spreckelsen was present to discuss the proposed settlement for zoning issues relating to the existing WAWA on 611.

Mr. Clemons stated the Zoning Hearing Board denied the applicant's requested variances. The applicant appealed to the Court of Common Pleas and this appeal is currently pending.

The Conditional Use and Land Development Application will have to be submitted.

Mr. Zarko submitted a review letter dated November 22, 2019 and noted some issues have not been addressed.

Mr. Gaines asked for comments from Planning Commission members, Vince Evans, Ted Cicci and Bob Watts, who were in attendance.

- Mr. Evans stated the lot is not sufficient in size.
- Mr. Cicci stated he needs more information.
- Mr. Watts stated he is requesting a cleaner plan before moving forward.

Mr. Gaines requested the applicant to satisfy the following three items before approving a settlement:

- Area needs to comply with Ordinance
- Confirm parking
- Truck turning radius

Mr. Zarko requested metes and bounds and descriptions based on the plan. Additionally, provide a buffer plan along Kansas Road.

Mr. Clemons stated a decision could be made at the next meeting providing CKS Engineers receives sufficient information relating to the above issues.

Ms. Yannich motioned, seconded by Ms. Albillar to postpone the proposed settlement of WAWA Zoning Hearing Board Appeal. All were in favor and the motion passed 5-0.

b. **Consider Resolution for 2020 COLA for Police.**

Mr. Luber reported the Pension Advisory Board recommended to the Board of Supervisors a one percent (1%) cost of living increase for the police for 2020.

Ms. Albillar motioned, seconded by Ms. Yannich to approve the Resolution for 2020 COLA for Police. All were in favor and the motion passed 5-0.

c. **Consider Resolution for 2019-2020 Non-Uniform Pension Plans.**

Mr. Luber reported the Pension Advisory Board recommended to the Board of Supervisors a one percent (1%) increase for non-uniform employees for 2020.

Mr. Luber also reported the Pension Advisory Board recommended to the Board of Supervisors .8 percent increase for non-uniform employees for 2019.

Mr. Luber stated a Defined Contribution Plan is in effect for all employees hired after January 1, 2014.

Ms. Albillar motioned, seconded by Ms. Yannich to approve the Resolution for 2019-2020 Non-Uniform Pension Plans. All were in favor and the motion passed 5-0.

d. **Consider Resolution to appoint an Ad-Hoc Committee to address provisions of conservation easements on Mill Creek and Eureka Tracts.**

Mr. Clemons addressed the Resolution to establish a conservation easement Ad-Hoc Committee, noting its membership and terms of office.

Ms. Schemm motioned, seconded by Ms. Albillar to approve the Resolution appointing an Ad-Hoc Committee to address provisions of conservation easements on the Mill Creek and Eureka tracts. All were in favor and the motion passed 5-0.

6. MANAGER'S REPORT:

Mr. Luber requested authorization to advertise a bid package to replace the roof at 3400 Pickertown Road. The flat roof does not affect the historic building. The roof repair was budgeted in the Capital Fund.

Ms. Baker motioned, seconded by Ms. Albillar to authorize advertisement for a bid package to replace the roof at 3400 Pickertown Road. All were in favor and the motion passed 5-0.

7. DEDICATION REQUEST: None.

8. ENGINEER'S REPORT:

a. **General Update:**

Mr. Zarko gave an update to the Oak Creek Development financial security default. As a result of Oak Creek's default, CKS Engineers, Inc. reviewed 22 development agreements and it was found that potential financial security updates were required for 8 active developments. Letters were sent to the affected developers and CKS will continue to monitor the status of active development agreements to ensure adequate funds will be available to complete remaining public site improvements.

Mr. Gaines noted this is a protection for residents moving into new homes.

9. SOLICITOR'S REPORT:

- a. Update on Victory Gardens Court Hearing (11/14/19).

Mr. Clemons was present at the hearing and submitted a brief.

- b. Update on Prime Development Group, LLC.

Mr. Clemons reported the Zoning Hearing Board ruled in favor of Township concerning Prime Development Group, LLC appeal of denial of land development.

SUPERVISOR COMMENTS:

Ms. Baker reported Public Works Department cut down dead trees at John Paul Park @ Lower Nike.

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

Ms. Schemm requested for the 2020 Township and Board of Supervisors goals to be added to the next Board meeting for discussion.

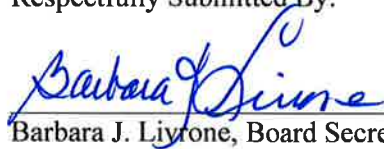
Ms. Schemm requested to discuss the Traffic Impact Study at the next Board meeting and asked Mr. Zarko to prepare a report.

Ms. Yannich requested the Traffic Impact Study report should be distributed to the Planning Commission.

ADJOURNMENT

There being no further business, Ms. Baker motioned, seconded by Ms. Yannich to adjourn the meeting at 8:37 PM.

Respectfully Submitted By:



Barbara J. Livone, Board Secretary

Attachment "A"

Consent Agenda – November 26, 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 22, 2019 to Approve Minutes for Board of Supervisors meeting.**
- b. **November 12, 2019 to Post Minutes for Board of Supervisors meeting.**
- c. **Consider agreement with Corbett and Diversified for design of furniture and equipment for new Police Station.**
- d. **Consider Change Event: #017: Additional Bituminous Driveway and Parking Area Pavement**

This is to approve the additional cost of \$14,440 for 380 additional square yards of Bituminous Driveway and Parking Area Pavement in conjunction with the Police Station Project.

- e. **Consider authorization to advertise an amendment to the Zoning Ordinance for the CBD Zoning District.**

This is to advertise an Amendment to the Zoning Ordinance to all the "Town Center Apartment" Use in the Central Business District Zoning District.

- f. **Consider authorization to advertise an amendment to the Ordinance allowing parking on portions of Stump Road.**

Input was received from the Township Engineer and the Chief of Police that it is in the best interest of public safety to amend the parking restrictions to allow parking along the southerly side of Stump Road, measured 215 feet of east of Pickertown Road-Stump Road intersection to a point 740 feet from the aforementioned intersection.

- g. **Consider approval to amend Chapter 257 Code of Ordinances and adopt Article V Fat, Oil and Grease Interceptors and/or Traps (advertised November 18, 2019).**

This is to set standards acceptable to the Bucks County Water and Sewer Authority for Fat, Oil and Grease Interceptors and/or Traps by Ordinance to safeguard the operations and integrity of the public sewer system.

- h. **Consider approval to amend Chapter 257 Code of Ordinances and adopt Article III regulations for grinder pumps and to include regulations for deduct meters (advertised November 18, 2019).**

This is to set standards acceptable to the Bucks County Water and Sewer Authority for grinder pumps and deduct meters by Ordinance to safeguard the operations and integrity of the public sewer system.

i. Consider bid award for 2020-21 Trash Hauler.

This is to award the 2020-2021 Trash Hauler contract to apparent low bidder Waste Management for both the base bid and alternate bids covering years 2020 and 2021 in the amount of \$364,299.78.

j. Consider approval of letter supporting Coalition Against Bigger Trucks (CABT).

This is to authorize the signature and sending of letters in support of the CABT's efforts to prevent larger heavier trucks from traversing local and state roads.

k. Consider authorization of separation agreements with former Sewer employees.

This is to authorize separation agreements with former sewer employees who transitioned over to Bucks County Water and Sewer Authority with the sale of the public sewer system.

l. Consider Resolution for Destruction of Municipal Records.

Warrington Township desires to dispose of records according to statutory requirements; and is scheduling the destruction of municipal records for 2019.

m. Consider Resolution to appoint Kevin Lawlor as an alternate to the Zoning Hearing Board.

Kevin Lawlor's term on the Zoning Hearing Board will expire on 12.31.19, as a full member. Mr. Lawlor is seeking an alternate position on the Zoning Hearing Board.

n. Consider Resolution to appoint Richard Alsdorf as a full member to the Zoning Hearing Board.

Richard Alsdorf's term on the Zoning Hearing Board will expire on 12.31.19, as an alternate member. Mr. Alsdorf is seeking to be a full member to the Zoning Hearing Board.

o. Consider Letter of Extension for PF Warrington, LLC, TMP # 50-024-048 & 50-033-011, Easton Rd, Georges Lane, Crestwald Terrace, Roland Avenue and Valley Square Boulevard.

The 90-day review period for PF Warrington expires on December 2. A letter of extension from the applicant will be provided for the review period.

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