

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
March 21, 2016

Members Present: Judith A. Algeo, Esq., Chair
John W. Cox, Vice Chairman
Edward P. Thompson, Member

Others Present: Gail V. Weniger, Township Manager
Mary Eberle, Township Solicitor
Michele Fountain, Township Engineer
Catherine Topley, Recording Secretary

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' March 21, 2016 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:00 p.m., by Judith Algeo, Chair, who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

⇒ Tuesday February 16, 2016

Motion by Mr. Cox to approve the February 16, 2016 Board of Supervisors' Meeting Minutes as submitted.
Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

■ **EXECUTIVE SESSION**

The Board of Supervisors' met in executive session prior to this evenings meeting to discuss matters of personnel and litigation.

■ **ANNOUNCEMENTS:**

- Friday, March 25th the Administrative, Park and Recreation and Public Works offices are open but half staffed.
- Voting places:

Warwick District #1: Votes on the first floor of the Township Building
(multi-purpose room)

March 21, 2016

2 of 10

Warwick District #2: Votes at St. Cyril

Warwick District #3: Votes at the Warwick Township Fire Company (moved from MBIT due to scheduling conflict) – proposed change the commissioners are considering

Warwick District #4: Votes on the second floor of the Warwick Township Building (main meeting room)

Warwick District #5: Votes at St. Cyril

■ **CITIZEN COMMENT:**

None

■ **MANAGER'S REPORT:**

⇒ TCE Project Ordinance – Authorization to Advertise

Ms. Weniger explained that this Ordinance is related to the DEP TCE "Trichloroethylene" contamination on 19 residential parcels on Creek Road, the Township is required to adopt an ordinance which does the following:

- Requires properties identified by the DEP to sign an agreement to hook up to the newly installed public water;
- Requires residences to give access to install public water and cap well;
- Requires all wells to be permanently abandoned and forbids the installation of new wells;
- If the property owner does not agree to hook up to public water, they would be required to do so at their own cost at the change of ownership.

This ordinance draft has been provided to these residents along with the appropriate agreement. At this time I am asking the Board of Supervisors to authorize advertisement of the ordinance which would then be scheduled for adoption at the April Meeting.

Motion by Mr. Cox to authorize the TCE Project Ordinance for Advertisement

Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

⇒ LD 14-04: Sailor Subdivision – Preliminary Plan Approval

Ms. Weniger gave a brief over view of the project:

The Sailor subdivision is 6.772 acres located at 2195 and 2199 Warwick Road that is proposed to become 7 residential building lots. The lots would be served by public water and sewer. The plan is the result of several revisions and was finally recommended for preliminary/final approval by the Planning Commission at their

March 21, 2016
3 of 10

February 2016 meeting. In addition, in September of 2015, the plan received the Zoning Hearing Board variances requested by the applicant with the exception of tree replacement. The plan has undergone a number of reviews by CKS, staff, and Warwick Township Water and Sewer Authority. There are also a number of waiver requests.

Kristin Holmes of Holmes Cunningham Engineering was present on behalf of the applicant. She stated that they have been before the Planning Commission and the Board of Supervisors a few times, as well as before the Zoning Hearing Board regarding the revised Land Development application. Ms. Holmes stated that the applicant is willing to comply with most items in the letters (CKS, Staff review, WTWSA) but indicated that there were two comments in the CKS letter that required discussion, and the applicant has requested a number of waivers.

Ms. Holmes started with the CKS Letter:

Under section II – Subdivision and Land and Development Ordinance Issues

Item 1: The applicant moved the grading back as to not affect the trees and noted that if any trees were to be removed during construction they would be replaced. Instead of replacing all trees along the internal road that are removed or die, the applicant asked that a note remain on the plans requiring replacement only of those trees which have a diameter of 8 inches or more measured at breast height.

A discussion ensued with the following questions regarding the trees along the northwest property boundary line:

1. Is there anything covering the trees during a maintenance period after the construction? Ms. Holmes stated that at this time there is not. The Board noted they would like to see something covering this during the maintenance period.
2. How many trees is there that are 8 inches or greater measured at breast height? Ms. Holmes responded that the majority of trees are smaller than 8" diameter.

Ms. Fountain, Township Engineer stated that the Board should decide if a 2.5 in. caliper tree should replace these 30 foot arborvitae trees. The Board rejected the proposed language and required that all trees which are removed or die during construction or the maintenance period be replaced with trees at least 3" diameter.

Under section IV – General

Item 3: Regarding removing the driveway access to Warwick Road for Lot No. 1. Ms. Holmes explained that currently this lot has two access points onto Warwick Road and they would like to keep the one. Mr. Cox asked Ms. Fountain if she saw any real issue with this. Ms. Fountain stated that in leaving the driveway it would be one more point that people would have to watch for traffic coming out. The Board will not require removal of the driveway access on Warwick Road.

Ms. Holmes stated that everything else in the CKS letter dated March 10, 2016 is a will comply.

2016 Warwick Township Board of Supervisors' Public Meeting Minutes 26

March 21, 2016
4 of 10

Ms. Holmes explained that the applicant is asking for 8 waivers as listed in the CKS letter dated March 10, 2016.

A – SWMO Section 157.17.A(6), requiring a minimum of five (5) feet from property right-of-way lines in order to permit the normal rounding of the edge without encroaching onto the abutting property

B – Section 163.33.I requiring roadway widening and curbing along Township streets. The Applicant is requesting to not provide widening or curbing of Warwick Road. Warwick Road is classified as a primary street with a required roadway half width of 18 ft.; the current half width is approximately 11 ft. The plan proposes sidewalk along the Warwick Road frontage.

CKS notes that sidewalk and curbing exist at the Wynne Way/Warwick Road intersection. Township staff notes that a fee-in-lieu of improvements may be required.

C – Section 163.33.I, requiring sidewalk along both sides of a street. The plan proposes sidewalk on one side of the street.

Ms. Holmes stated that because they are connecting to a pedestrian path at the request of the Township and because they are providing a wider width and longer path is there the possibility to waive the fee-in-lieu of.

The Board is ok with waving the fee-in-lieu of under item "C" but will not waive under item "B".

D – Sections 163-33.f. and 163-36.b, requiring the maximum length of a cul-de-sac to not exceed 500 ft. The proposed cul-de-sac is in excess of 775 ft. Ms. Holmes stated that this is so that they may connect with the water and sewer.

E – Sections 163.43.A and 163.43.B, requiring residential streets to have a minimum average illumination of 0.4 fc and an average minimum uniformity ratio of 6:1. Ms. Holmes stated that the original plan showed street lamps at the edge of each property but the Planning Commission was worried about the lights being on dusk to dawn so they are proposing 3 street lights.

F – Section 163.46.F, requiring a lot width to depth ratio to not exceed 2.5. Lot 7 proposes a lot width to depth ratio of 3.5. Ms. Holmes stated that this is because of the odd shape of the lot.

G – Section 163-51.A.1, requiring street trees to be placed immediately outside the rights-of-way of both sides of streets where suitable trees do not exist. The plan proposes two trees within the right-of-way abutting the properties in Warrington Township. CKS does not believe that there is enough room to plant all the required street trees between the proposed end of road and existing trees. The Township may want to consider requesting the required street trees be planted offsite.

Mr. Cox confirmed with Ms. Holmes that this is just for the Northern side. If there is not enough room for them to be planted the Board would like to see them planted somewhere offsite.

March 21, 2016
5 of 10

H – Section 163.51.1.A (1), requiring a tree protection zone of twenty (20) feet from the trunk of tree, or the dripline, whichever is greater. The Applicant is proposing grading and tree protection fencing closer than 20 feet.

Mr. Thompson stated that he thought the walking path continued through on the easement with Water & Sewer, the plan at this time does not show this. The Board agreed that the walking path would need to extend through the easement on the Water and Sewer Authority property.

The Board of Supervisors approved all waivers, but will require extension of the walking trail through the Water and Sewer Authority property, and will require a fee-in-lieu of street improvement along Warwick Road.

Mr. Thompson also brought up item 30 under the Zoning Hearing Board decision right now the plan only shows the trees on lot 7 as deed restricted. The Zoning Hearing Board decision states that all trees on the lots will be deed restricted. A discussion ensued and Ms. Holmes agreed the change would be made to the plan.

At this time Ms. Holmes asked the Board for Preliminary/Final approval as they have been in front of the Board a few times.

Mr. Schneider of Buckingham Dr. – asked if there was a better plan showing the grading and where the water will be pushed to as he is worried about this as that area is already marshy. He also asked about trees being taken down and replaced. Ms. Holmes and Ms. Fountain explained that the water will be collected and sent down to the pond so that it is not draining on top of the land making it marshy. Ms. Holmes stated that they will be taking down trees on lot 7 and where the basin will be. They will be replanting approximately 112 new trees.

Frank of 2241 Buckingham Dr. asked about the large tree on the edge of his property that has roots that extend onto the applicants property and if it will be protected. Ms. Holmes stated that she would take a look at the tree he is talking about.

Motion by Mr. Cox to approve for Preliminary/Final Approval the Sailor Land Development pursuant to the following:

- 1. Compliance with the CKS letter dated March 10, 2016 except for General comment 3 regarding driveway access. They may keep the driveway access to Warwick Road for the current house.**
- 2. Fees-in-lieu of common and active open space**
- 3. Approval of the waivers listed in the CKS letter dated March 10, 2016 with the following:**
 - a) Under item (b) fee-in-lieu of is required**
 - b) Under item (c) fee-in-lieu of is waived**
 - c) Under item (g) if the street trees do not fit in the right-of-way the 4 trees will need to be planted at a different township owned site.**

March 21, 2016
6 of 10

4. **Declaration of covenant regarding trees:**
 - a) **To preserve trees along the internal street, trees on lot 7, and all other trees on the property at the conclusion of construction.**
 - b) **This includes the trees between cul-de-sac and Warrington Township. If these trees die or are removed at any time, they must be replaced with 3 inch caliper trees of same type.**
5. **Development, Financial Security and Water & Sewer Service Agreements.**
6. **Completion of the walking path beginning at lot 7 through the Warwick Township Water and Sewer Authority property**
7. **Easement with the Warwick Township Water and Sewer Authority**
8. **Compliance with the Township Staff review letter except for fee-in-lieu of regarding waiver item (c) in the CKS letter dated March 10, 2016**
9. **Compliance with the Ebert Engineering letter dated January 22, 2016**

Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

⇒ Consortium Stone Bid – For Approval

Ms. Weniger stated that the 2016-2017 Stone & Asphalt bids compiled by the Bucks County Consortium have been received and reviewed. As advertised as part of the bid, an analysis of typical scenarios including the Township's labor and equipment cost as well as the tonnage cost of the materials purchased is considered before recommending the award. Kevin Laverty, Director of Public Works, recommends that the Asphalt contract should be awarded to Miller Materials and the Stone contract should be awarded to Eureka Stone Quarry. We are asking for you to award the bid as recommended.

Motion by Mr. Cox to approve recommendation of the contract of Asphalt to Miller Materials and Stone to Eureka Stone Quarry.

Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

⇒ LD 16-02: DeGroot – Sketch Plan

Ms. Weniger explained that the applicant is proposing to subdivide 2584 Valley Road into two parcels to allow for the construction of an additional single family dwelling. The dwelling would have on-lot septic and well. The plan does not propose any public improvements. The sketch plan was reviewed by the Planning Commission, Staff, CKS

March 21, 2016
7 of 10

and the Bucks County Planning Commission. Those comments are in your electronic packets.

Mr. DeGroot stated that in doing this they tried to keep as much of the farm as possible but because of the septic for the new house they had to make that lot more than the 2 acres they had wished. He does not see this going to the final stages in the near future but does understand the waivers and fee-in-lieu of and has no issue with either.

⇒ Ambulance Station Management Agreement – For Approval

Ms. Weniger explained that the proposed agreement is between Warwick Township and Warminster Ambulance Company for the provision of 24/7 ambulance service in the new permanent station which is bid out and expected to be presented for final award at the April Board of Supervisors meeting.

The agreement spells out the details of the provision of service, as well as agreements on the details of the responsibility of the facility which will continue to be owned by Warwick Township and leased per agreement to Warwick Volunteer ambulance corps.

Mr. Thompson asked if the Township would be responsible for maintenance on the property such as the removal of snow and maintenance of the lawn. Ms. Weniger stated the Township would be.

Motion by Mr. Cox to approve the Ambulance Station Management Agreement.

Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

⇒ Bill Payments for 3/7/16 and 3/21/16

Ms. Weniger requested approval to pay the bills for March 7, 2016 totaling \$97,698.50 and for March 21, 2016 totaling \$287,381.51 as listed in the Bill Payment register, subject to audit.

Motion by Mr. Cox to approve the March 7, 2016 and the March 21, 2016 Bill Payments, subject to audit.

Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

2016 Warwick Township Board of Supervisors' Public Meeting Minutes 30

March 21, 2016
8 of 10

⇒ Treasurers Report for January 2016

Fund balances for January 2016 are as follows, subject to audit:

General Fund	\$	8,854,115
Firehouse and Equipment	\$	697,357
Road Machinery Fund	\$	62,281
General Obligation / Sinking Fund	\$	442,599
Open Space Fund	\$	24,388
Capital Projects Fund	\$	103,924
Highway Aid Fund	\$	195,719
Parks and Recreation	\$	507,464
Parks and Recreation Capital Fund	\$	1,071,641
Capital Reserve	\$	<u>418,448</u>

Total \$ 12,377,936

Motion by Mr. Cox to approve the January 2016 Treasurers Report as prepared by Barbara Weinstein, Finance Director, subject to audit. Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

⇒ Treasurers Report for February 2016

Fund balances for February 2016 are as follows, subject to audit:

General Fund	\$	9,071,669
Firehouse and Equipment	\$	690,343
Road Machinery Fund	\$	33,886
General Obligation / Sinking Fund	\$	436,107
Open Space Fund	\$	24,119
Capital Projects Fund	\$	103,950
Highway Aid Fund	\$	173,265
Parks and Recreation	\$	490,691
Parks and Recreation Capital Fund	\$	1,071,914
Capital Reserve	\$	<u>418,501</u>

Total \$ 12,514,445

Motion by Mr. Cox to approve the February 2016 Treasurers Report as prepared by Barbara Weinstein, Finance Director, subject to audit. Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

March 21, 2016
9 of 10

■ **SOLICITOR'S REPORT:**

⇒ LD 15-02: Guardian Academy – Legal Agreements for Approval

Ms. Eberle stated that at this time we do not have a signed Financial Security Agreement because the banks attorney wanted us to change it to read that invoices would be paid within thirty (30) days. Ms. Eberle has suggested that it read to be paid within 45 days of the authorization of the Township Engineer being received by the Township. If this is okay with the Board, Ms. Eberle is asking that you approve the legal agreements with this change.

Motion by Mr. Cox to approve the Development and Financial Agreements with the above stated change.

Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

■ **ENGINEER'S REPORT:**

⇒ LD 09-07: Loria – Final Punch List Request/Certify Complete

Ms. Fountain, Township Engineer, stated that they received a request for a final punch list and to certify this project complete. After going out to look at the project, she noted that all items have been completed and she would like approval to certify the project as complete.

Motion by Mr. Cox to Certify Land Development 09-07: Loria as complete
Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

⇒ 13-02: Bridges at Warwick – Escrow Release #4

Ms. Fountain, Township Engineer stated that she is asking the Board for escrow release #4 in the amount of \$435,489.83 for work completed.

Motion by Mr. Cox to approve escrow release #4 in the amount of \$435,489.83

Second to motion by Mr. Thompson

Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

⇒ 2016 Road Program – Authorization to Advertise Bid

Ms. Fountain, Township Engineer stated that she is requesting that the Board give authorization to advertise the bid for the 2016 Road Improvement Program. The following roads are to be included: Clearview Dr., Highwoods Dr., Land Rd., East Rockspray Rd., Virginia Ln., Meetinghouse Rd., Tulip Dr., and Creek Rd. at a cost of

2016 Warwick Township Board of Supervisors' Public Meeting Minutes 32

March 21, 2016
10 of 10

\$592,155.00. She noted that this is approximately \$30,000 more than what was budgeted.

Ms. Weniger stated that the overage was due to not knowing what would be covered by Water and Sewer in regards to Creek Rd. which the Board was aware of.

**Motion by Mr. Cox to approve Authorization to Advertise the Road Program Bid at a cost of \$592,155.00 to include the above mentioned roads.
Second to motion by Mr. Thompson**

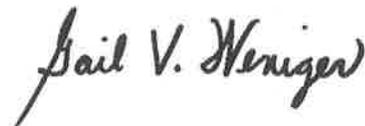
Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

- **OLD BUSINESS:** None
- **NEW BUSINESS:** None
- **PUBLIC COMMENT:** None
- **ADJOURNMENT:**

The March 21, 2016 Warwick Township Board of Supervisors' public meeting was adjourned at 8:12 p.m.

Respectfully submitted,



These minutes were approved at the Board of Supervisors' meeting held:

Gail V. Weniger