

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
August 22, 2016

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

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

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' August 22, 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:**

⇒ Monday July 11, 2016

Motion by Mr. Cox to approve the July 11, 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 a potential conservation easement on Dark Hollow Road, final clarifications of police contract language, and legal language in Zimmer Lingenbuhl tri-party agreement.

■ **ANNOUNCEMENTS:**

1. The Township Administration offices will resume regular hours of 8am – 4pm Monday thru Thursday and 7am – 3pm Fridays on Tuesday September 6th.

■ **CITIZEN COMMENT:**

Michael Ellenbogen, 2372 Phlox Court – is here tonight to bring awareness to Dementia/Alzheimer's through the "Dementia Friendly America" program. This program requires someone to drive it, to get churches, doctors, business's and people together and he is hoping it can start here. Ms. Algeo thanked him for bringing this to the Townships attention.

August 23, 2016
Page 2 of 7

Diane Sebald, 1732 Lafayette Dr. – is here tonight as she needs help regarding her neighbor located at 1863 Heritage Dr. who has trash and debris that is cleaned up and reappears. She described unsafe conditions and was directed to Kyle Seckinger, assistant manager, who was present at the meeting and met with her at that time.

■ **MANAGER'S REPORT:**

⇒ Final Fire Study – Adoption/Implementation of recommendations

Ms. Weniger explained that, VFIS was commissioned to do a study of the fire services in Warwick Township to assess sustainability and make recommendations. The Study has been completed and incorporates the comments from the local providers, Warwick Township Fire Company and Hartsville Fire Company, both of which reviewed the final draft. At this time Ms. Weniger is asking the Board to consider adoption of the study and authorization to meet with the stakeholders to work on the appropriate recommendations.

Motion by Mr. Cox to Adopt the Final Fire Study conducted by VFIS and authorize meeting to work on appropriate recommendations.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Labor Attorney – Change of appointed firm

Patrick Harvey, the Townships Labor Attorney, formerly of Ballard and Spahr will be leaving Ballard Spahr to join Campbell, Durrant, Beatty, Palombo, and Miller. You specifically appoint a labor attorney at reorganization and the approval tonight would be to appoint the same attorney and authorize the transfer of our records to the new firm.

Motion by Mr. Cox to authorize the continued appointment of Patrick Harvey and the transfer of our records to his new firm, Campbell, Durrant, Beatty, Palombo and Miller.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Outback Steakhouse – COD approval for exterior renovation

Ms. Weniger explained that, Outback Steakhouse, located at 2520 York Road, in the corridor overlay district, has submitted renderings of the renovation plans and materials for the façade of the building for your approval this evening.

Motion by Mr. Cox Approve the Submitted renovation plans and materials for Outback Steak House.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Police CBA for Approval

Ms. Weniger stated that they have been working through the police collective bargaining agreement process for several months and are presenting the five year contract for your approval. The contract does not feature many substantive changes. The proposed CBA:

- a) Provides increases ranging from 3.25-3.5% each of the upcoming five years;
- b) Eliminates the sign on bonus given in the last contract;
- c) Provides for an ACA Cadillac tax reopener if there is money owed by the PBA;
- d) Clarifies compensation for training time greater than ten hours;
- e) Adds language allowing police employees to donate sick leave to other police employees;
- f) Changing of details of requesting vacation time;
- g) Adding additional Leave of Absence requirements;
- h) Increasing employees medical benefit buy out to \$4,000 for those eligible; and
- i) Provides for the continuance of Post retirement health buy out from the previous contract.

**Motion by Mr. Cox to Approve the Police CBA as presented.
Second to motion by Chair Algeo**

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

Motion passed unanimously

⇒ Treasurers Report for June 2016

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

| | | |
|-----------------------------------|----|-------------------|
| General Fund | \$ | 10,859,608 |
| Firehouse and Equipment | \$ | 739,605 |
| Road Machinery Fund | \$ | 87,164 |
| General Obligation / Sinking Fund | \$ | 674,313 |
| Open Space Fund | \$ | 17,139 |
| Capital Projects Fund | \$ | 86,619 |
| Highway Aid Fund | \$ | 603,252 |
| Parks and Recreation | \$ | 796,432 |
| Parks and Recreation Capital Fund | \$ | 1,072,929 |
| Capital Reserve | \$ | <u>403,238</u> |
| Total | \$ | <u>15,340,299</u> |

**Motion by Mr. Cox to approve the June 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

August 22, 2016
Page 4 of 7

⇒ Treasurers Report for July 2016

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

| | | |
|-----------------------------------|----|-------------------|
| General Fund | \$ | 10,509,464 |
| Firehouse and Equipment | \$ | 741,323 |
| Road Machinery Fund | \$ | 88,331 |
| General Obligation / Sinking Fund | \$ | 687,804 |
| Open Space Fund | \$ | 10,696 |
| Capital Projects Fund | \$ | 106,493 |
| Highway Aid Fund | \$ | 603,431 |
| Parks and Recreation | \$ | 771,619 |
| Parks and Recreation Capital Fund | \$ | 1,073,247 |
| Capital Reserve | \$ | <u>403,288</u> |
| Total | \$ | <u>14,995,696</u> |

Motion by Mr. Cox to approve the July 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

⇒ Bill Payments for 7/18/16, 8/1/16 and 8/15/16

Ms. Weniger requested approval to pay the bills for July 18, 2016 totaling \$223,280.67, August 1, 2016 totaling 223,635.17 and August 15, 2016 totaling \$219,952.84 as listed in the Bill Payment registers, subject to audit.

Motion by Mr. Cox to approve the July 18, 2016, August 1, 2016 and August 15, 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

■ **SOLICITOR'S REPORT:**

⇒ LD 14-06: Randazzo Legal Agreements

Mr. Nelson, Township Solicitor stated that these are the legal agreements prepared by Mary Eberle based on the discussions in past meetings. He is looking for authorization from the Board at this time.

Mr. Thompson brought up the issue of trees that were supposed to be planted or maintained. He understands that some trees were waived but what happened to the ones that were not?

August 22, 2016
Page 5 of 7

Ms. Fountain stated that she would look into whether or not they were shown on the plans.

Motion by Mr. Cox to Approve the Randazzo legal agreements with a stipulation that the tree issue be addressed first by CKS.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ LD 04-07: Zimmer/Luginbuhl

a. Remove Declarations restriction

Mr. Nelson explained that this is an old subdivision at the corner of Almshouse road and Valley Dr. It is a 4-lot subdivision. The remaining 3 lots have been sold to a developer that will be building 3 homes. The old owner had a declaration with many restrictions as to what can be done on the property and tonight they are asking for the board authorization to remove the declarations.

Motion by Mr. Cox to approve the removal of declarations restrictions.

Second to motion by Mr. Thompson

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

Motion passed unanimously

b. Re-assignment of Development Agreement

Mr. Nelson stated that his office is asking for authorization to prepare an assumption by the new owner/developer.

Motion by Mr. Cox to approve Mary Eberle's office to prepare an assumption by the new owner/developer.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Prime Builders – Stipulation to Zoning Hearing Board Decision

At this time Chair Algeo turned the meeting over to Vice Chair Cox noting her conflict due to employment.

Mr. Nelson explained that there are 3 lots in Germinal Colony, two owned by Prime Builders and one by Mr. Atkins. All three lots have gone to the Zoning Hearing Board regarding tree removal and replacement. The Zoning Hearing Board granted some relief as the lots are not big enough to replant all trees required. Instead they will be donating \$10,000 dollars to the township in lieu of trees. Tonight they are looking for the Board's approval to move forward with this.

Mr. Cox asked if the contribution will take place before the issuing of permits. Mr. Nelson stated that it would.

August 22, 2016
Page 6 of 7

Motion by Mr. Thompson to approve the stipulation to the Zoning Hearing Board decision

Second to motion by Vice Chair Cox

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

Motion passed unanimously

Vice Chair Cox then turned the meeting back over to Chair Algeo

■ **ENGINEER'S REPORT:**

⇒ LD 14-04: Sailor Subdivision – SPM Resolution 2016-23

Ms. Fountain explained that CKS Engineers is recommending approval for Resolution 2016-23 regarding the sewage facilities planning module.

Motion by Mr. Cox to approve the Sailor Subdivision Sewage Planning Module Resolution 2016-23

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ LD 05-11 Warwick Village Commons – Escrow Release #11

Ms. Fountain, Township Engineer stated that she is asking the Board for escrow release #11 in the amount of \$866,835.00 for work completed.

Motion by Mr. Cox to approve escrow release #11 in the amount of \$866,835.00

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ LD 14-01: KTC Properties – Escrow Release #1

Ms. Fountain, Township Engineer stated that she is asking the Board for escrow release #1 in the amount of \$116,405.00 for work completed.

Motion by Mr. Cox to approve escrow release #1 in the amount of \$116,405.00

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ LD 14-05: Stony View – Escrow Release #4

Ms. Fountain, Township Engineer stated that she is asking the Board for escrow release #4 in the amount of \$19,255.00 for work completed.

August 22, 2016
Page 7 of 7

Mr. Cox asked why part of the sidewalk was not complete when we were releasing money for sidewalks. Ms. Fountain stated that the Township is still holding \$5,200 for sidewalks. She is not sure why they have not yet completed the sidewalk.

**Motion by Mr. Cox to approve escrow release #4 in the amount of \$19,255.00
Second to motion by Mr. Thompson**

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

Motion passed unanimously

■ **OLD BUSINESS:**

Ms. Weniger stated that Northampton Township is asking for a contribution to the Senior Center Association as 15 Warwick Residents use the facility. The Board stated they would not as they have a policy that does not allow for tax dollars to fund outside organizations or programs that provide optional services to specific residents.

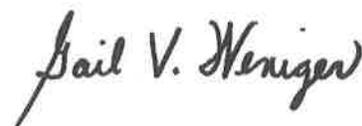
■ **NEW BUSINESS:** None

■ **PUBLIC COMMENT:** None

■ **ADJOURNMENT:**

The August 22, 2016 Warwick Township Board of Supervisors' public meeting was adjourned at 7:34 p.m.

Respectfully submitted,



These minutes were approved at the
Board of Supervisors' meeting held: 9-19-16

Gail V. Weniger