

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
November 19, 2018

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

Others Present: Kyle Seckinger, Township Manager
Mary Eberle, Esq., Township Solicitor
Michele Fountain, P.E., Township Engineer
Catherine Topley, Recording Secretary

■ **CALL TO ORDER:**

The Warwick Township Board of Supervisors' November 19, 2018 public meeting, held at Warwick Township Administration Office, 1733 Township Greene, Jamison, PA., was called to order at 7:00 p.m., by Judith A. Algeo Chair, who then led attendees in the pledge of allegiance.

■ **APPROVAL OF MINUTES:**

- ⇒ Monday, August 20, 2018 Board of Supervisor Meeting Minutes
- ⇒ Monday, September 17, 2018 Board of Supervisor Meeting Minutes
- ⇒ Monday, October 15, 2018 Board of Supervisor Meeting Minutes

Ms. Algeo explained that the reason three (3) months of minutes are being adopted this evening is that they were waiting for all three supervisors to be in attendance.

Motion by Mr. Cox to approve The Board of Supervisors Meeting Minutes for Monday August 20, 2018, September 17, 2018 and October 15, 2018.

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 an executive session prior to this evenings meeting to discuss matters of litigation.

■ **ANNOUNCEMENTS:**

1. The December Board of Supervisors Meeting will be held on the first Monday of the Month, Monday, December 3, 2018.
2. Warwick just received notice that we were awarded the 2019 DVRPC Municipal Bridge Grant in the amount of \$322,247. The grant funds will be used to repair Fairway Dr. and Dark Hollow Rd. bridges.

■ **CITIZEN COMMENT:**

Greg Mester, 1776 Fairway Drive – His car was egged Saturday night, he wasn't sure if anyone else in the community had the same issue but wanted to bring it to the townships attention. Ms. Algeo asked if he had called the police and he stated he wasn't going to bother them for eggs. Mr. Mester also wanted to compliment the township on their plowing efforts.

Mark Zaslavsky, 2602 Dark Hollow Road – He is here tonight regarding the permit fees for installing a flag pole. He is a retired colonel and wanted to install a flag pole in his front yard. Not only was he told how far from the street it had to be placed but the township also required that it be placed further into the ground than the instructions stated.

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This was a 20 ft. flag pole, not a commercial one. He ended up paying roughly \$125 and feels that that is an outrageous amount, especially for a veteran.

■ **MANAGER'S REPORT:**

⇒ 2019 Township Budget – To Consider for Adoption

Mr. Seckinger stated that there has been only one change to the budget since its advertisement and that is that the \$50,000 DCED grant income for the Memorial Park Safety Town project was added. Mr. Seckinger is requesting that you consider the budget for adoption.

Motion by Mr. Cox to approve for adoption the 2019 Township Budget with the addition of the DCED grant income.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Resolution 2018-29: Establishing Real Estate Taxes for 2019

Mr. Seckinger stated that this resolution establishes that real estate taxes for 2019. The millage rates are unchanged from last year.

Motion by Mr. Cox to approve Resolution 2018-29: Establishing Real Estate Taxes for 2019

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Resolution 2018-30: Authorization to Execute the PennDOT RAS Agreement for the Headquarters Trail Project

Mr. Seckinger stated that the PennDOT Transportations Alternatives Grant, this is the \$500,000 for Headquarters' Trail, requires this resolution to execute the reimbursement agreement in PennDOT's online system.

Motion by Mr. Cox to approve Resolution 2018-30: Authorization to Execute the PennDOT RAS Agreement for the Headquarters Trail Project

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Resolution 2018-31: Authorization to Apply for the DCED Grant for Safety Town in Memorial Park

Mr. Seckinger stated that The DCED grant for Safety Town requires this resolution for submission. They permitted us to already apply for the grant and delay submission of the resolution because of the timing of our meeting dates.

Motion by Mr. Cox to approve Resolution 2018-31: Authorization to Apply for the DCED Grant for Safety Town in Memorial Park

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ ZHB 18-07: Bravo Dance Studio (1540 B Campus Dr.) – For zoning review

Mr. Seckinger stated that the applicant proposes to conduct a G1 commercial School in an H16 Flex Space located at 403-404 Camars Dr. The G1 Commercial School requires a special exemption within the LI – Limited Industrial zoning district. The applicant has already received similar relief from the Zoning Hearing Board for its current location and is requesting variances from the requirements of both the H16 Flex Space and G1 Commercial School use for the proposed new location at 403-404 Camars Dr.

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Lauren Kulp, one of the owners was here to answer any questions. She stated that they are in their 7th year of business and have outgrown the space they currently occupy. Their hours are after 4:00 so it should not be a problem for the area.

The Board has no opposition

⇒ Wine & Spirits Shoppe (2395 York Road) – Request for COD Signage Approval

Mr. Seckinger stated that the Wine & Spirits Shoppe, is requesting to replace their existing wall sign and existing shopping center directory sign. Signs installed in this shopping center fall under a stipulation agreement from 1999. The new signs are shown in the packet.

Jim Brett of Foreman signs was here to answer any questions.

Motion by Mr. Cox to approve The COD Signage Change for the Wine & Spirits Shoppe located at 2395 York Road.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Tanner's Sports Center (2301 York Road) – Request for COD Signage Approval

Mr. Seckinger stated that Tanner's Sport Center, is requesting to replace their existing freestanding ground sign. As you probably know, the sign was already replaced without first obtaining permits. The frame of the sign was not replaced; only the existing sign panels. The sign is nonconforming in size and location. The new sign is shown in the packet.

Raymond Tanner was here to answer any questions.

Motion by Mr. Cox to approve The COD Signage Change for Tanner's Sports Center located at 2301 York Road

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Fresh Farms Market (2291 York Road) – Request for COD Signage Approval

Mr. Seckinger stated that Fresh Farms Market, is requesting to install signage for their new business. The existing wall and ground signs are nonconforming in size. The new signs are shown in the packet.

Vladimir Gerus was here to answer any questions.

Motion by Chair Algeo to approve he COD Signage Change for Tanner's Sports Center located at 2301 York Road

Second to motion by Mr. Thompson

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

Mr. Cox Abstained. Motion passed 2-0

⇒ LD 15-01: York Road BLADCO (2029 York Road) – Request for Preliminary Plan Approval

Mr. Seckinger stated that on September 5th, 2018, the applicant presented the original preliminary plan to the Planning Commission. The Planning Commission recommended preliminary plan approval contingent upon submission of revised plan addressing the comments outlined in the CKS review letter dated August 29, 2018, the Township Staff review letter dated August 6, 2018, Meetinghouse Road access being a right in and a right out, extension of the sidewalk to the active open space, and additional trail on North side of the development.

On October 16th, 2018, Warwick Township received a revised preliminary plan, submitted by York Road BLADCO L.P., proposing a variation of a B3 performance standard subdivision. The "Preliminary Land Development Plans" propose

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to develop 2029 & 2059 York Road into 78 townhouses. The properties are located within the Commercial/Multifamily (C3/MF) zoning district. The properties collectively are referred to as the "Fetzer tract" and are currently occupied by over 10 abandoned greenhouses as well as a smoke stack with an existing wireless communication facility which is to remain. The plans reviewed were prepared by Bohler Engineering dated June 22, 2018, last revised October 12, 2018.

The application is before the Board of Supervisors seeking preliminary plan approval.

John VanLuvanee was here on behalf of the applicant. Mr. VanLuvanee stated that the Planning Commission had recommended that Meetinghouse Road be a "right-in" and "right-out". This change was not made on the plan as it went against what the board had asked for the last time the applicant was before them. The board discussed the Meetinghouse Road access and concluded that it would make sense to have this be "right-in" and "right-out".

Mr. VanLuvanee then went through the staff letter dated November 6, 2018. Below are the items that were discussed, the other items were all "will comply" except for requested waivers.

I.5. – The last environmental study was done approx 10 years ago. The applicant has ordered another and will submit a copy as soon as it is complete.

I.8. - As the School District has not yet decided what school the children will attend, the applicant will submit once they have the information.

II.4. – The equipment shown on the ground is currently fenced in and will remain so. The maintenance of the smoke stack was discussed and the applicant stated that the Homeowners Association will be in charge of the maintenance and will receive the proceeds from the cell tower. Mr. Seckinger stated that the smoke stack is inspected approximately every two years and the township is supplied with the inspection report.

II.6. – The applicant does not want to show the recreational facilities that will be provided in the active open space at this time as it is hard to speculate what the residents will actually want. Ms. Eberle felt that it would be a mistake not to show something on the plan now. They could show the facilities on the plan now, come up with a budget of what it would cost and place that money in escrow and come back at a later date if they wish to make changes. It was stated that the pool and clubhouse are not included in this discussion and will be built without waiting.

Mr. Thompson asked about who will have access to the trails and open space? Mr. Seckinger stated that there had been a discussion at an earlier meeting that there would be a blanket easement regarding the trails giving access to the public. The open space will be just for the residents. The applicant agreed.

II.10. – After a discussion it was agreed that the applicant would provide the requested zoning table.

III.9. – After discussion this applicant agreed this is a "will comply" as a condition to final plan approval as the builder is not yet known.

Mr. VanLuvanee then went through the CKS letter dated November 9, 2018. Below are the items that were discussed, the other items were all "will comply" except for requested waivers.

I.c. – The applicant "will comply" with clarification.

I.6. – The applicant will get the parking spaces to 314

Mr. Thompson asked where the Mailbox drop will be. The applicant stated that it will be in the main parking lot, its exact location in the parking will need to be decided by the post office.

I.8 & 9. – The applicant feels that this was already covered in the staff letter. They "will comply", by showing on plan and putting money in escrow for facilities. If applicant or homeowners association were to come back at a later date and want passive open space, the township would want to keep the money aside in case it were to change in the future.

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II.6. – The applicant “will comply”

II.8. – The applicant will go with the Planning Commissions suggestion of Revolutionary Road names. Ms. Algeo suggested they speak with Dave Mullen of the Historical Society.

II.11 – Mr. Thompson asked about the lighting as the plan is showing two types. The applicant explained that they have one type in the parking lot in front of the club house and decorative lighting throughout the development. Mr. Thompson stated that he would like to see decorative lighting throughout all. The applicant will look into the feasibility of all decorative lighting.

II.12. – There was a discussion regarding the monumentation of each lot adjacent to open space. It was agreed that monuments will be installed at each change in direction.

The following waivers are being requested:

1. A waiver from §157-16.B(8)(f) to allow the volume of stone voids to be included in the underground basin volume.
2. A waiver from §163-38(B) to allow driveways to be located closer than 40 feet from any intersection
3. A waiver from §163-51.3(d).(6)(C)[2] to permit the use of a decorative metal pole in lieu of the required wooden pole at the request of the township.
4. A waiver from Section 163-35.A to permit a minimum centerline radius for curves on residential streets of 40 feet in lieu of the required 150 feet.
5. A waiver from Section 163-39.B to permit parallel parking along a Private Road.

Ms. Eberle suggested that the Board table the preliminary plan approval until the next meeting and allow her to write up a resolution or action letter to cover all items discussed this evening as it has been a lengthy discussion. The Board of Supervisors and Applicant were in agreement with this.

⇒ 2019 Warwick Fire Company Budget – For Review

Mr. Seckinger stated that the 2019 Warwick Fire Company budget has a total income of \$291,785 and total expenses of \$281,940, for a net income of \$9,845. Of the 291,785 in income, \$161,085 comes from the township in the form of tax millage and \$10,000 comes from the township in the form of a new member incentive/retention program. The Warwick Fire Company President, Seth Rivkin, is here to discuss the budget.

Ms. Algeo asked if the rental income is from the fire relief. Mr. Rivkin stated that it was. She asked if there were any questions. As there were not she thanked him for coming in.

⇒ Bill Payments 11-5-18 and 11-19-18

Mr. Seckinger requests approval for bill payments for November 5th, 2018 totaling \$109,251.36 and bill payments for November 19th, 2018 totaling \$394,226.76, (due to Memorial Park expenses) subject to audit.

Motion by Mr. Cox to approve the November 5, 2018 and November 19, 2018 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

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⇒ Treasurer's Report for October 2018

For the month of October 2018, expenditures outpaced revenues by \$331,124.

Real Estate Transfers posted \$50,403, Earned Income Taxes posted \$104,985, Local Service Tax posted \$6,152, and Building Permits posted \$6,514.

Fund balances for October 2018 are as follows, subject to audit:

General Fund	\$	11,446,627
Firehouse and Equipment	\$	677,900
Road Machinery Fund	\$	4,197
General Obligation / Sinking Fund	\$	575,109
Capital Projects Fund	\$	557
Highway Aid Fund	\$	3,379
Parks and Recreation	\$	707,181
Parks and Recreation Capital Fund	\$	860,109
Capital Reserve	\$	<u>267,151</u>
Total		<u>\$ 14,542,210</u>

Motion by Mr. Cox to approve the October 2018 Treasurers Report as prepared by Becki Wilhelm, 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

■ **SOLICITOR'S REPORT:**

■ **ENGINEER'S REPORT:**

⇒ LD 16-04 RGB ADN Ent. (Lot 17 Campus Dr.) – Request to Accept Final Punch List

Ms. Fountain explained that she is requesting authorization to accept final punch list.

Motion by Mr. Cox to Approve the Request to Accept the Final Punch List. Second to motion by Mr. Thompson. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

⇒ LD 14-06: Randazzo (Tapas Restaurant/Jamison Carpet @2242 York Road)
Escrow Release #2
Request to certify complete
Request to enter into Maintenance Period

Ms. Fountain stated that based on the \$8,169.15 remaining in the account as of this date, she is recommending that the final escrow release in the amount of \$131.75 be approved and the remaining \$8,037.40 be held from this account for 18 months to satisfy the maintenance security requirements.

Motion by Mr. Cox to Approve for LD 14-06: Randazzo (Tapas Restaurant/Jamison Carpet) the Escrow Release #2 in the amount of \$131.75, certify complete and to enter into the Maintenance Period. Chair Algeo invited comment or discussion. There being none, the vote was called.

Motion passed unanimously

■ **OLD BUSINESS:** None

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■ **NEW BUSINESS:**

Ms. Algeo asked Mr. Seckinger to please look into Mr. Zaslavsky's complaint regarding the permit fees he was charged in regard to the installation of his flag pole.

■ **PUBLIC COMMENT:**

■ **ADJOURNMENT:**

The November 19, 2018 Warwick Township Board of Supervisors' public meeting was adjourned at 8:36 p.m.

Respectfully submitted,



Kyle W. Seckinger
Township Manager

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