

WARWICK TOWNSHIP
Board of Supervisors Meeting Agenda
June 17, 2019

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

Others Present: Kyle W. Seckinger, MPA, 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' June 17, 2019 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, May 20, 2019 Board of Supervisor Meeting Minutes

Motion by Chair Algeo to approve The Board of Supervisors Meeting Minutes for Monday, May 20, 2019.

Second to motion by Mr. Thompson

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

Motion passed

■ **EXECUTIVE SESSION**

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

■ **ANNOUNCEMENTS:**

1. The Summer Movie in the Park series begins this Saturday, June 22nd with Jumanji...Welcome to The Jungle
2. The Township Administrative and Public Works Offices will be closed Thursday, July 4th in observance of the holiday.
3. The grand opening of Warwick Memorial Park will be Saturday July 6th. We are in the process of putting on the final touches.

■ **CITIZEN'S COMMENT:**

No citizen comments.

■ **MANAGER'S REPORT:**

⇒ Pawn Shop Ordinance: 2019-02 – To Consider for Adoption

Mr. Seckinger explained that: At the request of the police department, we looked into the creation of a Pawn Shop Ordinance which would provide some regulations to this type of business. The Ordinance creates a registration process, maintains a record of all transactions, photos of items and sellers, provided details in reference to the Bucks County Department of Weights and Measures, seller identification, stolen property procedures, electronic filing requirements, a holding period and inspection procedures, and a prohibition of business with minors. The township does not currently have any pawn shop businesses in Warwick Township. Any businesses interested in locating in Warwick Township would be provided with this Ordinance, assuming it's adopted. The draft Ordinance was discussed at the last Board of Supervisors meeting, received authorization for advertisement, and has, subsequently, been advertised.

Chair Algeo called for any questions. There being none she called for a motion.

**Motion by Vice Chair Cox to approve Ordinance 2019-02 – Regarding Pawn Shops
Second to motion by Mr. Thompson**

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

Motion passed unanimously

⇒ WLD 01-2019: CBSD – Bridge Valley Elementary Open Pavilion

Mr. Seckinger stated that on April 29, 2019, Warwick Township received a request for waiver of land development by Central Bucks School District for Bridge Valley Elementary School. The request is to construct an 864 square foot open air pavilion on a concrete pad as an accessory use to the school for outdoor teaching activities. The plan reviewed was prepared by Gilmore & Associates Inc., dated 4/29/2019. This application was presented to the Planning Commission on June 5th and received their recommendation for approval. It should be noted that this project will place this property at its maximum allowable impervious coverage. The application is before the Board of Supervisors seeking approval of their land development waiver request.

Chair Algeo called for any questions. There being none she called for a motion.

Motion by Vice Chair Cox to approve WLD for 01-2019: CBSD – Bridge Valley Elementary Open Pavilion.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ ZHB 19-02: Joseph J. Solana, Jr. 1700 Almshouse Road – For Zoning Review

Mr. Seckinger stated that the applicant is requesting six variances in connection with an existing land development application for a proposed F3 Office use at 1700 Almshouse Road, Jamison, PA 18929. This is the property of the former Jamison Chiropractic office. To permit the construction of 5 additional parking spaces (9 total), when 10 parking spaces is required; to allow the existing natural buffer to act as a parking screen; From the buffer requirement by utilizing the existing natural buffer and supplementing with 3 additional trees; to allow the parking spaces within the buffer yard; and to permit a disturbance of .014 acres of steep slopes in order to construct the parking spaces.

Todd Savarese, attorney for the applicant, agreed with Mr. Seckinger's statement and discussed the parking variance and buffer variance the applicant is requesting. At the request of Mr. Thompson, he listed all variances:

1. ZO §195-16.F(3)(b): Applicant requests a variance from the off-street parking requirements of ZO §195-16.F(3)(b). This section requires one (1) off-street parking space for each 200 square feet of total floor area and adequate screening where, as here, the adjoining parcel is zoned residential. As more fully described by the plans submitted with this application, there are four (4) existing off-street parking spaces and a total often (10) spaces is required. The applicant proposes to improve the property by extending the existing parking area to add five (5) additional off-street parking spaces, one less than the required number and to allow the existing natural buffer to provide the screening otherwise required by this section. This reasonable adjustment from the literal terms of the zoning ordinance is requested to mitigate disturbance of steep slopes based upon the existing parking area, and physical features/topography of the land.

2. ZO §195-16.F(3)(a): Applicant requests a variance from the buffer yard requirements of ZO §195-63. The purpose of the otherwise required buffer yard ("to soften the outline of buildings, screen glare and noise, and create a visual and/or physical barrier between conflicting land uses") is achieved by the existing natural buffer comprised of trees, shrubs and evergreen screening as more fully depicted by the plans submitted with this application. Additionally, applicant proposes to reinforce the existing buffer by adding a "parking area tree" and two "replacement trees" between the right-of-way of Almshouse Road and the existing building.

3. ZO §195-45.C: This section requires a 50 ft Class B buffer for a side yard next to a residential use. A variance is being requested to allow the proposed additional five parking spaces within the otherwise prohibited buffer yard. There are currently 4 existing parking spaces and an access drive in the non-conforming buffer.

4. ZO §195-60.C(2) & 195-61.B(2): Applicant requests a variance to permit disturbance of up to .0140 of "steep slopes" as more fully depicted in the plans submitted.

5. ZO §195-63.D(3): Applicant requests a variance from this section to create the proposed additional five (5) parking spaces by extending the existing non-conforming parking area within the otherwise prohibited buffer yard as more fully depicted by the plans.

Mr. Thompson asked what the square footage of the building is., Mr. Savarese responded that it is 2,050 s/f. They did not include the utility room or "unusable" space. The parking calculation is based on one parking space per 200 sq. ft.

Mr. Thompson asked Ms. Eberle if it is common to not include "unusable" space, she responded that it is not uncommon.

The Board stated that they will not be opposing the Zoning Hearing Board Application.

⇒ Resolution 2019-17 Work Policy Admin-03: Credit Card Processing – To Consider for Approval

Mr. Seckinger explained that this is a revision to an existing work policy. The notable changes include: removing the \$1,000 maximum transaction limit, including credit card transactions in the police department, and updating procedures to reflect the new financial software being used.

Chair Algeo called for any questions. There being none she called for a motion.

Motion by Vice Chair Cox to approve Resolution 2019-17 Work Policy Admin-03: Credit Card Processing

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ Treasurers Report May 2019

Fund balances for May 2019 are as follows, subject to audit:

| | | |
|-----------------------------------|----|----------------|
| General Fund | \$ | 12,095,078 |
| Firehouse and Equipment | \$ | 688,316 |
| Road Machinery Fund | \$ | 2,587 |
| General Obligation / Sinking Fund | \$ | 671,590 |
| Capital Projects Fund | \$ | 30,266 |
| Highway Aid Fund | \$ | 328,339 |
| Parks and Recreation | \$ | 830,761 |
| Parks and Recreation Capital Fund | \$ | 539,092 |
| Capital Reserve | \$ | <u>242,541</u> |

Total \$ 15,428,570

Motion by Vice Chair Cox to approve the Treasurer's Report for May 2019 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

⇒ Bill Payments: 6-3-19 and 6-17-19

Mr. Seckinger requested approval of the bill payments June 3rd, 2019 totaling \$389,508.43, and for June 17th, 2019 totaling \$267,609.12, subject to audit.

Motion by Vice Chair Cox to approve the June 3, 2019 and June 17, 2019 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 17-03: Robins Nest (2153 Almshouse Rd) – Legal agreements to consider for approval

Ms. Eberle noted that she has the holding tank agreement for the board's approval this evening. Ms. Eberle explained that to capture and dispose of some of the product that will be generated while making beer, they need a holding tank. This process has taken longer than expected due to the DEP and Bucks County Health Department. This will allow the business to begin operations.

Motion by Vice Chair Cox to approve LD 17-03: Robins Nest (2153 Almshouse Rd.) Holding Tank Agreement

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ LD 04-13: Ridings at Warwick Phase I & II – Consider Making Demand on Bond

Ms. Eberle noted that she, Mr. Seckinger and Ms. Fountain have been working with the bonding company to get money released to complete the necessary work. At this time, she feels it is in the best interest of the Township to tell them we are no longer interested in working with them. In a year, they have made no progress. She has prepared new resolutions for you to sign this evening making demand on the bond in case the bonding company asks for them. Phase 1 is Resolution 2019-18 and Phase 2 is Resolution 2019-19.

Chair Algeo called for any questions. There being none she called for a motion.

Motion by Vice Chair Cox to approve Resolutions 2019-18 and 2019-19 Making Demand on the bond for Phase I & II of the Ridings at Warwick

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

Motion passed unanimously

■ **ENGINEER'S REPORT:**

⇒ LD 04-04: Warwick Office Park (Kendarbren Dr.)

Ms. Fountain stated that she is asking for authorization to create a final punch list

Chair Algeo called for any questions. There being none she called for a motion.

Motion by Vice Chair Cox to authorize CKS to create a final punch list for LD 04-04: Warwick Office Park

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:**

⇒ Bucks County Tour of Honor

Mr. Seckinger stated that the township has received the annual request from the Bucks County Tour of Honor for a donation for an ad in their book. In the past, we have made a \$500 donation for a ¼ page ad.

Chair Algeo called for any questions. There being none she called for a motion.

Motion by Vice Chair Cox to approve a \$500 donation to Bucks County Tour of Honor for a ¼ page ad in their book.

Second to motion by Mr. Thompson

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

Motion passed unanimously

⇒ House Bill 1400 Resolution 2019-20 – For Approval

Mr. Seckinger stated that he received an email late Friday regarding House Bill 1400. The bill makes the following changes:

1. The bill effectively eliminates local zoning authority over wireless facilities in the public rights-of-way.
2. The bill drastically reduces the fees that municipalities can assess.
3. The bill doubles the size of wireless facilities that are exempt from zoning and allows for poles of unlimited height.
4. The bill fails to provide full indemnification and relaxes companies' repair and replacement obligations.

Resolution 2019-20 was prepared in opposition to House Bill 1400. .

Chair Algeo called for any questions. There being none she called for a motion.

**Motion by Vice Chair Cox to Resolution 2019-20 Opposing House Bill 1400
Second to motion by Mr. Thompson**

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

Motion passed unanimously

■ **PUBLIC COMMENT:**

Matthew Markey, 2201 Devon Ln – he lives in Phase II of the Ridings at Warwick and is here this evening due to the unfinished pipe work that is causing a creek in his backyard and his basement to flood. He is happy to hear that the township is working diligently to get his development finished. He is asking tonight if there is any way to make this a priority when the township can begin work in the Ridings at Warwick.

Ms. Fountain stated that they are aware of this and the solution just needs to be implemented. This repair has been included in the cost breakdown that the board has seen.

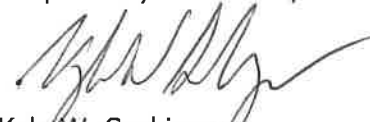
Paul Eiseman, Grame Way – stated that ever since his one neighbor put on an addition and the other neighbor started to build a pool he is taking on large amounts of water in his yard. Due to the water his two other neighbors have diverted off their property, they are getting it from 4 to 5 different properties.

Mr. Seckinger and Ms. Fountain are aware of this issue and Ms. Fountain stated that CKS has been inspecting and is working to get all of the required stormwater management facilities installed. They will also look into the other stormwater issues with his neighbors.

■ **ADJOURNMENT:** The June 17, 2019 Warwick Township Board of Supervisors' public meeting was adjourned at 7:47 pm.

These minutes were approved at the
Board of Supervisors' meeting held: 7/15/19

Respectfully submitted,



Kyle W. Seckinger
Township Manager