

**WARWICK TOWNSHIP**  
Board of Supervisors' Public Meeting Minutes  
**November 15, 2021**

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

Others Present: Kyle Seckinger, MPA, Township Manager  
Mark Goldberg, Chief of Police  
Brandy Mckeever, Director of Planning and Zoning  
Mary Eberle, Esq., Township Solicitor  
Michele Fountain, P.E., Township Engineer  
Skye Sorresso, Assistant to the Manager

**CALL TO ORDER:**

The Warwick Township Board of Supervisors' November 15, 2021, public meeting was called to order at 7:00 p.m., by Judith Algeo, Chair, who then led attendees in the Pledge of Allegiance.

**EXECUTIVE SESSION:**

The Board of Supervisors met to discuss matters of litigation and personnel.

**APPROVAL OF MINUTES:**

→ *Monday, October 18, 2021, Board of Supervisors' Meeting Minutes*

**Motion by Mr. Cox to approve the October 18, 2021, Board of Supervisors' Meeting Minutes.**

**Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

**ANNOUNCEMENTS:**

Mr. Seckinger invited everyone to join the Warwick Township Parks and Recreation Department and the Warwick Township Police Department for "Pack the Police Car" from 10 AM to 2 PM on Saturday, November 20, 2021. The event will be held at the Warwick Fire Company. Come meet our Warwick Township Police Officers and Volunteer Fire Department members and donate a non-perishable item. The food collected will be distributed to people in need throughout Bucks County.

The "Ho Ho Ho Holiday Party" will be held at the Community Park on Saturday, December 4, 2021, from 11 AM to 1 PM, featuring horse-drawn carriage rides, a dance show, and cookies and milk with Santa.

**CITIZEN COMMENT:**

None.

**MANAGER'S REPORT:**

**→1. RES 2021-29: Richard Raab Service Recognition – To Consider Adoption**

Mr. Seckinger presented Resolution 2021-29 in recognition of Mr. Richard Raab's sixty (60) years of service to the Warwick Fire Company. During his service, Mr. Raab served as Fire Chief, President and Board of Directors Member, and recipient of the 1975 Burpee Award.

Mr. Seckinger and the Board of Supervisors thanked Mr. Raab for his dedication and continued service to Warwick Township.

**Motion by Mr. Cox to adopt RES 2021-29: Richard Raab Service Recognition. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

**→2. LD 20-03: Gasper Landscape (Lot 4, Mearns Rd & Camars Dr) – To Consider Preliminary Plan Approval**

Mr. Seckinger provided a brief introduction to the project. The applicant, Gasper Landscapes, proposes to construct a 23,460 square foot building for an H3 Wholesale Business, Storage, Warehousing use, and an H5 Contracting use. Located on 15.1 acres in the LI district, the site will also include storage bins, a display area, and an asphalt pad with a canopy. The applicant came before the Planning Commission and Board of Supervisors for a sketch plan application review in September 2020, of which the Board took no opposition. On February 2, 2021, the Zoning Hearing Board granted the applicant their requested variances on the conditions that all lighting be shielded and directed down, and a vegetative buffer be installed between the subject property and nearby residential uses. On August 4, 2021, the applicant received a recommendation of preliminary approval and all requested waivers from the Planning Commission. A revised preliminary plan was submitted on October 15, 2021.

Mr. Nate Fox, attorney to the applicant, thanked Mr. Seckinger for the introduction. He added that the applicant will comply with all comments in the CKS Engineers review letter dated November 5, 2021. Addressing section two (2), item one (1) of the November 8, 2021, Staff review letter, Mr. Fox stated that the proposed above-ground fuel tanks abutting the storage area will only be utilized under the approved H5 use. He reaffirmed that the tanks will not be utilized under the H3 Wholesale Business use. Regarding section two (2), item two (2), Mr. Fox clarified that the proposed asphalt pad with fabric canopy will be used to shield topsoil from the elements.

Mr. Fox then presented two additional waiver requests: a waiver from Section 163-33.I requiring curbs, sidewalks, and widening along the property frontage of Mearns Road SR 2007 and the access driveway, and a waiver from Section 163-30.C requiring concrete curb, wood, concrete bollards, railroad ties, or concrete tire stops at the parking and driveway areas and allow the use of landscape boulders in paving boundary areas with slopes greater than 3:1.

Ms. Fountain asked Mr. Gasper to identify each of the proposed storage locations and their uses. Mr. Gasper explained that the first storage area will contain bins of bulk material including stone and sand, a second storage area will contain topsoil, and a third area will hold different types of mulch. He added that the display area will house display boards for different types of pavers and the porch area will contain wholesale items such as pottery and benches.

Mr. Cox requested clarification on the applicant's request for a waiver from the installation of curb stops. Mr. Larry Byrne, engineer for the applicant, stated that the requested waiver is for the access driveway, which will be paved. The remainder of the facility perimeter will be defined with landscape boulders. Mr. Gasper noted that the remainder of Camars Drive does not have curbs.

**Motion by Mr. Cox to grant preliminary plan approval for LD 20-03 Gasper Landscape (Lot 4, Mearns Rd & Camars Dr), subject to the following conditions:**

1. Compliance with the CKS Engineers Review Letter dated 11.5.21.
2. Compliance with the Staff Review Letter dated 11.8.21.
3. Approval of the waivers as requested in the Eastern Chadrow Associates, Inc. letter dated November 15, 2021:
  - a. Section 163-13 – requiring educational impact study, transportation impact study, and impact assessment.
  - b. Section 163-24.B(2)(c)[2] – requiring features within 400 feet of the site to be shown on the plan.
    - i. Aerial photo provided.
  - c. Section 163-33.I - requiring curbs, sidewalks, and road widening along the frontage of Mearns Road SR 2007 or the access driveway.
    - i. Fee-in-lieu of to be provided.
  - d. Section 157-16.B(2)(h)I – requiring an eighteen (18) inch diameter storm pipe.
    - i. A fifteen (15) inch diameter storm pipe will be used.
  - e. Section 163-39.C – requiring concrete curb, wood, concrete bollards, railroad ties, or concrete tire stops at the parking & driveway area.
    - i. A portion of the paved boundary to be delineated with landscape boulders.
4. Recording of a Declaration of Covenants on fuel sales.

**Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→ 3. *ZHB 21-10: CNKA, LP (Lot 22 & 23, Warwick Business Campus) – For Zoning Review*

Mr. Seckinger provided a brief overview of the project. CNKA, LP proposes to construct a 21,600 square foot building to be used as an H16 Flex Space. The applicant seeks relief from lighting, the required number of required parking spaces, the parking location, and the location of the trash enclosure.

Ms. Carrie Nase, attorney to the applicant, thanked Mr. Seckinger for the introduction. She reiterated that the parcels are zoned limited-industrial (LI) and once consolidated, would total two (2) acres. The applicant proposes to construct the single-story building with sixty-eight (68) of the required eighty (80) parking spaces.

Ms. Nase added that the property is unique due to its location on Campus Drive. It has three sides of frontage with the front of the building facing the interior of the property. This fact has necessitated the applicant's requests for parking and trash-related relief.

The applicant also requests relief to allow light to extend onto an adjacent property. Ms. Nase explained that the proposed lighting plan results in a minimal amount of light extending onto the property to the rear of the applicant.

Mr. Cox asked if there was any space on the property that could be reserved for additional parking should the need arise. Ms. Nase said there was not due to the excessive frontage of the property.

Mr. Thompson inquired about the adjacent property on which the light extends. Mr. Larry Byrnes, engineer to the applicant, explained that it is an existing parking lot with lighting.

**Motion by Mr. Cox for the Board of Supervisors to remain neutral to Zoning Hearing Board Application 21-10 CNKA, LP (Lot 22 & Lot 23, Warwick Business Campus), and recommend that any form of relief granted by the Zoning Hearing Board regarding the front yard setback be in the form of a variance.**

**Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→ 4. *ZHB 21-11: Lovett Industrial, LLC (Lots 1-5, Ivyland Industrial Park) – For Zoning Review*

Mr. Seckinger provided a brief overview of the project. The applicant, Lovett Industrial, LLC, proposes to demolish the existing farmhouse on the property and redevelop with a conforming H3 Warehouse use. The applicant is seeking relief from the maximum building height and the number of required parking spaces.

Mr. Nate Fox, attorney to the applicant, thanked Mr. Seckinger for the introduction. He explained that Lovett Industrial, an industrial development company based out of Texas, proposes to construct a 243,000 square foot warehouse on the twenty-three (23) acre property. The applicant seeks a variance to construct a building with a height of fifty (50) feet where thirty-five (35) is permitted and a variance to permit 204 parking spaces where 488 are required. Mr. Fox also noted that the proposed property would have on-site stormwater management that may improve existing stormwater issues on Mearns Road.

Mr. Cox informed the applicant that the Township would be unable to provide fire protection services because it does not possess the equipment necessary to access a building with a height of fifty (50) feet.

Chair Algeo asked if the applicant had considered the traffic implications to the Mearns and Almshouse Road intersection. Mr. Corey Chase, traffic engineer for the applicant, said a PennDOT scoping application had been submitted and the intersection would be further reviewed during the land development process. Chair Algeo expressed concern about the safety of the intersection with increased truck traffic. Mr. Chase indicated that the expected traffic would be about ten trucks per hour.

Ms. Eberle inquired about the possibility of the facility being used as a distribution center. Mr. Chase stated that the facility would not have enough trailer parking, loading docks, or employee parking and could not accommodate a distribution use.

Ms. Fountain added that CKS Engineers has not been notified of any PennDOT scoping meetings and asked that they be included in any such meetings. Mr. Chase confirmed that CKS Engineers would be invited.

Mr. Thompson also expressed concern regarding the height of the building, increased truck traffic, and traffic safety on Mearns Road.

Chair Algeo, Mr. Cox, and Mr. Thompson expressed their desire to have a township representative attend the Zoning Hearing Board meeting on behalf of the Board of Supervisors to oppose the application 21-11: Lovett Industrial, LLC.

**Motion by Mr. Cox for the Board of Supervisors to oppose Zoning Hearing Board Application 21-11: Lovett Industrial, LLC (Lots 1-5, Ivyland Industrial Park).**

**Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→ 5. *Corridor Overlay District Approval for Signage (McDonald's, 2395 York Rd) – To Consider Approval*

Mr. Seckinger introduced the project. McDonald's, of 2395 York Road, has a pending Zoning Hearing Board application for digital menu signage in the drive-thru area. They are before the Board seeking Corridor Overlay District approval for static wall signage.

Mr. Mike Bargo, attorney to the applicant, thanked Mr. Seckinger for the introduction. He added that the proposed signs would replace the two existing golden arches on the building and would attempt to utilize the existing brackets. If approved, the new signs would be fourteen (14) square feet and illuminated.

**Motion by Mr. Cox to grant Corridor Overlay District Approval for Signage (McDonald's, 2395 York Rd). Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

→ 6. *2022 Proposed Fee Schedule Presentation – To Consider Approval*

Ms. Brandy McKeever presented the proposed 2022 fee schedule for consideration. She explained that new fees have been proposed for woodland disturbance/reforestation zoning permits and subdivision/land development concept plan meetings. Ms. McKeever also noted several fee increases for professional consultants, Fire Police services, and Police Officers with vehicles at events.

**Motion by Mr. Cox to approve the 2022 Fee Schedule. Second by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

→ 7. *2022 Township Budget – To Consider Adoption*

Mr. Seckinger presented the 2022 Township Budget for adoption. He noted two small changes made to the advertised budget. If approved, the purchase of a Public Works Ford F-250 would be added to replace a rapidly deteriorating 2001 mini-dump truck. The budgeted fuel amounts would also be increased due to continually rising gas and diesel prices. Mr. Seckinger added that both budget categories would be changed less than twenty-five (25) percent and would not require re-advertisement.

**Motion by Mr. Cox to adopt the 2022 Township Budget as presented. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

→ 8. *CBEMS Station Management Agreement – To Consider Approval*

Mr. Seckinger presented the Central Bucks EMS Station Management Agreement. To ensure premier and sustained emergency medical service in the township, a six (6) year agreement with CBEMS has been proposed which outlines service standards, building maintenance responsibility, and an annual \$49,000 payment to be used towards EMS operations.

**Motion by Mr. Cox to approve the Central Bucks EMS 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.**

→ 9. *RES 2021-30: FEMA Designation of Agent for Disaster Relief Funding – To Consider Adoption*

Mr. Seckinger introduced RES 2021-30: FEMA Designation of Agent for Disaster Relief Funding. The resolution must accompany an application for reimbursement of expenses incurred as a result of Tropical Depression Ida.

**Motion by Mr. Cox to adopt RES 2021-30: FEMA Designation of Agent for Disaster Relief Funding. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

→10. *RES 2021-31: 2022 Tax Millage Rates – To Consider Adoption*

Mr. Seckinger introduced RES 2021-31, establishing tax millage rates for 2022. The resolution proposes the following millage rates: 11.75 mills for General Fund, .75 mills for Fire Protection Services, 1 mill for Parks and Recreation Operations, 1 mill for Parks and Recreation Capital, and .75 mills for Road Machinery.

**Motion by Mr. Cox to adopt RES 2021-31: 2022 Tax Millage Rates. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→11. *Verizon Franchise Agreement & Ordinance – To Consider Advertisement*

Mr. Seckinger presented the Verizon Franchise Agreement and Ordinance. In 2017, the Bucks County Consortium hired the Dan Cohen Law Group to negotiate a new Verizon Franchise Agreement. If approved, the new agreement gives the township five (5) percent of gross revenue, the ability to conduct a franchise fee audit, twelve (12) months' notice of unilateral termination, customer service standards, \$7,152 PEG channel contribution, and a five (5) year term. He noted that revenues from all franchise agreements are expected to decline as more residents switch to streaming platforms, a process that has been accelerated by the pandemic.

**Motion by Mr. Cox to authorize advertisement of ORD 2021-03: Verizon Franchise Agreement Ordinance. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→12. *2021-2022 Snow Removal Bid – To Consider Award*

Mr. Seckinger presented the 2021-2022 Snow Removal Bid as authorized for advertisement at the October Board of Supervisors meeting and recommended award of the snow plowing portion of the bid to all four (4) contractors.

Due to a typo by the contractor in the lone snow blowing bid, Mr. Seckinger also requested authorization to readvertise the snow blowing portion of the bid.

**Motion by Mr. Cox to award the Snow Plowing Portion of the 2021-2022 Snow Removal Bid to A.H. Cornell and Sons, James Sankey & Associates, Rockett Bros. Landscaping, and Control Dynamics Corporation and to authorize re-advertisement of the 2021-2022 Snow Removal Bid – Sidewalk Snow Removal Portion. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→13. *Sale of 2001 Chevy 2500 Mini Dump Truck with Spreader on Municibid – To Consider Authorization*

Mr. Seckinger requested authorization to sell a 2001 Chevy 2500 Mini Dump Truck with spreader on Municibid. He added that the recommendation to sell was made by Township Staff due to the trucks' need for extensive repairs and inability to pass inspection.

**Motion by Mr. Cox to authorize sale of a 2001 Chevy 2500 Mini Dump Truck with Spreader on Municibid. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→ *Treasurer's Report: October 2021*

For the month of October 2021, expenditures outpaced revenues by \$525,946.

Real Estate Transfers posted \$72,995, Earned Income Taxes posted \$132,930, Local Service Tax posted \$5,185 and Building Permits posted \$17,669.

Fund balances for October 2021 are as follows, subject to audit:

General Fund	\$	11,636,307
Firehouse and Equipment	\$	674,900
Road Machinery	\$	125,189
Federal Grant- ARPA	\$	769,393
General Obligation / Sinking Fund	\$	1,084
Capital Projects Fund	\$	16,306
Highway Aid Fund	\$	169,546
Parks and Recreation	\$	543,140
Parks and Recreation Capital Fund	\$	597,553
Capital Reserve	\$	<u>223,553</u>

Total      \$ 14,756,971

**Motion by Mr. Cox to approve the Treasurer's Report for October 2021, 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 11-1-2021 & 11-15-2021*

Mr. Seckinger requested a motion to approve the bill payments for November 1<sup>st</sup>, totaling \$263,915.46, and November 15<sup>th</sup>, totaling \$158,212.75, subject to audit.

**Motion by Mr. Cox to approve the Bill Payments for November 1, 2021, and November 15, 2021, 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:**

None.

■ **ENGINEER'S REPORT:**

→ 1. *LD 11-02: Warwick Mill – To Consider Authorization to Create a Punch List*

Ms. Fountain requested authorization to create a punch list for LD 11-02: Warwick Mill.

**Motion by Mr. Cox to authorize the creation of a punch list for LD 11-02: Warwick Mill. 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 November 15, 2021, Warwick Township Board of Supervisors' public meeting was adjourned at 8:04 p.m.

Respectfully submitted,



Kyle W. Seckinger, MPA  
Township Manager

These minutes were approved at the  
Board of Supervisors' meeting held 12/6