

WARWICK TOWNSHIP
Board of Supervisors' Public Meeting Minutes
February 21, 2022

Members Present: John W. Cox, Vice Chair
Edward P. Thompson, Jr., Member

Members Absent: Judith A. Algeo, Esq., Chair

Others Present: Kyle Seckinger, MPA, Township Manager
Becki Wilhelm, Assistant Township Manager/Director of Finance
Brandy Mckeever, Director of Planning and Zoning
Mark Goldberg, Chief of Police
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' February 21, 2022, public meeting was called to order at 7:04 p.m., by John Cox, Vice 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, January 17, 2022, Board of Supervisors' Meeting Minutes*

Motion by Mr. Thompson to approve the January 17, 2022, Board of Supervisors' Meeting Minutes.
Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.
Motion passed unanimously.

ANNOUNCEMENTS:

None.

CITIZEN COMMENT:

None.

MANAGER'S REPORT:

→1. *Police Department Recognition*

Chief Mark Goldberg presented commendations for bravery to several members of the Warwick Township Police Department. On November 30, 2021, the Pennsylvania State Police issued information regarding a burglary suspect considered armed and dangerous. The Warwick Township Police Department received information that the suspect may have been patronizing a business in the Warwick Business Campus on Campus Drive. The hard work and bravery of Sergeant Freas, Officer Hogan, Officer Szamboti, and Lieutenant Ogborn led to the successful apprehension of the suspect.

→ 2. *Police Lieutenant Promotion, Appointment of Deputy Emergency Management Coordinator, and Emergency Communications Committee Staff Liaison*

Chief Goldberg recognized Lieutenant Jon Ogborn. Lieutenant Ogborn has served with the Warwick Police Department since January 2000. In his twenty-two years, he has served with honor and distinction as a patrol officer, detective, patrol corporal, detective sergeant, platoon sergeant, administrative sergeant, field training officer, SWAT officer, SWAT assistant team leader, SWAT team leader, and SWAT deputy commander. Lieutenant Ogborn graduated from Neumann University and is currently finishing his coursework at the Northwestern University School of Police Staff and Command. Jon Ogborn was promoted to Lieutenant on January 18, 2022. Chief Goldberg, the Board of Supervisors, and Mr. Seckinger congratulated Lieutenant Ogborn on his promotion.

Along with Lieutenant Ogborn's promotion, Mr. Seckinger asked the Board to consider his appointment as Deputy Emergency Management Coordinator and Staff Liaison to the Emergency Communications Committee.

Motion by Mr. Thompson to appoint Lieutenant Jon Ogborn as Deputy Emergency Management Coordinator and Emergency Communications Committee Staff Liaison. Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→ 3. *LD 15-01: York Road BLADCO, LP (2029 York Road) – To Consider Revised Final Plan Approval*

Mr. Seckinger provided a brief introduction to the project. On March 16, 2020, the Board of Supervisors granted conditional final approval to LD 15-01: York Road BLADCO, LP (2029 York Road). In mid-2021, the developer submitted revised final plans, architectural renderings, and street names for the September 2021 Board of Supervisors meeting. The architectural renderings, clubhouse amenities and street names were approved. The revised final plan grading changes were tabled to allow staff recommendation regarding the newly added berm in active open space. Subsequently, the developer submitted a second version of revised plans removing the berm. The proposed active open space meets the grades of the original approval. The applicant is before the Board of Supervisors seeking revised final plan approval.

Mr. VanLuvanee, attorney to the applicant, thanked Mr. Seckinger for his introduction. He informed the Board that all items on the January 5, 2022, CKS review letter were 'will comply'.

Ms. Eberle asked Mr. VanLuvanee if the applicant intends to resolve the small area of berm still located within the active open space on the plan. Mr. VanLuvanee confirmed that they do.

Mr. VanLuvanee also noted that the applicant submitted extension requests for the project HOP permits.

Motion by Mr. Thompson to grant revised final plan approval to LD 15-01: York Road BLADCO, LP (2029 York Road), subject to the following conditions:

- 1. Compliance with the CKS Engineers Review Letter dated 1.5.22.**
- 2. Compliance with the Bohler Engineering Letter dated 12.9.21.**
- 3. Revised plan set dated 12.8.21.**

Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→4. *LD 21-03: CNKA, LP (Lot 22 & 23, Warwick Business Campus) – To Consider Preliminary Plan Approval*

Mr. Seckinger provided a brief introduction to the project. On January 10, 2021, the Township received a revised preliminary plan submission by CNKA, LP. The applicant proposes to construct a 21,600 square foot flex space building on lots 22 and 23 within the Warwick Business Campus development. In September 2021, the Planning Commission recommended conditional preliminary plan approval and granting of the waivers as requested. The application is before the Board of Supervisors seeking preliminary plan approval.

Ms. Carrie Nace, attorney for the applicant, thanked Mr. Seckinger for his introduction of her. Ms. Nace reiterated that the project proposes to combine and develop lots 22 and 23 in the Warwick Business Campus as flex space. She added that relief was granted by the Zoning Hearing Board regarding the required number of parking spaces, parking within the front of the building, and the location of the trash enclosure.

Mr. Cox asked Ms. Fountain if she had any objection to the applicant's requested relief. Ms. Fountain had no objections but recommended the following waiver conditions:

- Waiver from Section 163.66.E.1 conditioned upon the replacement of any curb along the frontage of the property requiring repair or replacement.
- Waiver from Section 157-17.A.6 conditioned upon the acquisition of temporary grading easements from the adjacent property owners.

Motion by Mr. Thompson to grant preliminary plan approval to LD 21-03 CNKA, LP (Lot 22 & 23), subject to the following conditions:

1. **Compliance with the CKS Engineers Review Letter dated 2.11.22**
2. **Compliance with the Staff Review Letter dated 2.14.22.**
3. **Compliance with the Bucks County Planning Commission Letter dated 9.27.21.**
4. **Approval of waivers as listed in the Eastern Chadrow Associates, Inc. Letter dated 1.5.22:**
 - a. **Section 163-13 Statements, studies and assessments - To not require educational impact study, transportation impact study and impact assessment.**
 - b. **Section 163-24.C.2 - To not be required to show features within 400 feet of the site. Aerial photo provided.**
 - c. **Section 163-24.B.2.a.1- to permit the plan to be drawn at scale of 1"=30'.**
 - d. **Section 163-66.E.1 – To allow the proposed curbing in the parking area to be Belgium block curbing.**
 - i. **Applicant must replace any curbing along frontage of property requiring repair or replacement.**
 - e. **Section 163-33.I -Curbs and Sidewalks - To not require curbs and sidewalks along the property frontage of Campus Drive.**
 - f. **Section 163-24.B.2.b.8 -To not require a landscape architect to prepare the landscape plan.**
 - g. **Section 163-65 –To not require sidewalks along the property frontage of Campus Drive.**
 - h. **Section 157-17.A.6 –To permit grading within 5 feet of the property line.**
 - i. **A temporary grading easement shall be obtained from the adjacent property owners.**

Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.
Motion passed unanimously.

→5. *LD 21-06: Neshaminy Valley Golf Club (440 Almshouse Road) – To Consider Preliminary Plan Approval*

Mr. Seckinger provided a brief overview of the project. On December 2, 2021, the Township received a preliminary plan submission from the Neshaminy Valley Golf Club. The applicant is proposing to construct a 2,400 square foot accessory pole barn and associated stormwater management improvements. In January 2022, the Planning

Commission recommended granting conditional preliminary/final plan approval and granting of the waivers requested. The application is before the Board of Supervisors seeking preliminary plan approval.

Mr. Koutsouros, applicant engineer, thanked Mr. Seckinger for the introduction. Regarding item twelve (12) of the CKS Engineers review letter dated December 21, 2022, Mr. Koutsouros noted that the required infiltration testing had been completed and that the plans would be revised once the results were received. He added that item fourteen (14) regarding the pop-up emitter had been resolved via phone call with CKS engineers.

Mr. Cox and Mr. Thompson wished to waive the required sidewalk, street trees, and curb improvements along the frontage of Almshouse Road, as well as the fee-in-lieu of. They also agreed with the Planning Commission's recommendation to grant preliminary/final plan approval to the applicant.

Mr. Seckinger asked the Board if they would like to condition the approval on the repair of the access driveway due to its current state of disrepair. Ms. McKeever noted that the applicant, Mr. Jim Schnieder, had been actively repairing the access driveway in sections, with the portion of the driveway closest to Almshouse Road already complete.

Motion by Mr. Thompson to grant preliminary/final plan approval to LD 21-06: Neshaminy Valley Golf Club (440 Almshouse Road), subject to the following conditions:

1. **Compliance with the CKS Engineers Review Letter dated 12.21.21.**
2. **Compliance with the Staff Review Letter dated 12.31.21.**
3. **Compliance with the Bucks County Planning Commission Letter dated 12.20.21.**
4. **Approval of waivers as listed in the Carroll Engineering Corporation Letter dated 1.5.22:**
 - a. **Section 163-13 Statements, studies and assessments - To not require educational impact study, transportation impact study and impact assessment.**
 - b. **Section 163-51.A – To not require street trees be shown along Almshouse Road.**
 - c. **Section 163-51.B – To not require parking area plantings be shown in the vicinity of the proposed pole barn and existing parking lot.**
 - d. **Section 163-65 – To not require sidewalks along Almshouse Road.**
 - e. **Section 163-66 – To not require curbs along Almshouse Road.**
5. **To require the repair of the existing entrance driveway and parking lot to the satisfaction of the Township.**

Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→6. ZHB 22-04: Quality Landscapes (363 W. Bristol Road) – For Zoning Review

Mr. Seckinger provided a brief introduction to the project. The application was submitted to the Zoning Hearing Board to permit a H5 Contracting Use in conjunction with an existing B1 Single-Family Dwelling at 363 W. Bristol Road. Per the 2003 Zoning Hearing Board decision, the property is permitted to have three (3) principal uses; namely a single-family detached dwelling, a service business in fifty percent (50%) of the pole barn, and a storage use in the remaining fifty percent (50%) of the pole barn. The applicant proposes to reduce the number of uses on the property from three (3) to two (2); namely a single-family detached dwelling and an H5 contracting business, which is permitted by right in the Limited Industrial Zoning District. The application is before the Board of Supervisors for zoning review.

Mr. Cox asked Ms. Nace, applicant attorney, if the applicant expects to have any external storage. Ms. Nace replied that if they did, the applicant would comply with the H5 use requirements for outside storage, which include shielding the storage from view.

Mr. Seckinger inquired about further improvements on the property. Ms. Nace replied that there were no further proposed improvements and that she understood any further improvements could trigger the land development process.

Motion by Mr. Thompson to remain neutral to Zoning Hearing Board application ZHB 22-04: Quality Landscapes (353 W Bristol Road). Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→7. *ZHB 22-05: TE Construction (1547 & 1549 Campus Drive) – For Zoning Review*

Mr. Seckinger provided a brief overview of the project. The applicant proposes to construct a warehouse with associated driveway and parking lot areas, stormwater management features, and site landscaping and lighting. Since the site is located on a corner lot with two front yards and there is an existing gas pipeline easement, the applicant is requesting a variance for the eastern access driveway, parking requirements, and buffer yard requirements. The application is before the Board of Supervisors for zoning review.

Mr. Dillon, applicant attorney, thanked Mr. Seckinger for his introduction. He reiterated that the applicant is seeking variances to permit a driveway less than two hundred (200) feet from the intersection, parking at the front of the property due to the double front yard, less than the required number of parking spaces, and a front yard buffer less than the required fifty (50) feet.

Mr. Cox asked if the property would be utilized by a single occupant or as a flex space. Mr. Dillon confirmed it would be used as a flex space, with half of the proposed building utilized by the applicant and the remaining half occupied by tenants.

Mr. Cox asked the applicant about the current parking needs for his business. Mr. Hilbert stated that he had six (6) in-office employees. The remainder of his employees are contractors that go directly to their respective job locations.

Motion by Mr. Thompson to remain neutral to Zoning Hearing Board application ZHB 22-05: TE Construction (1547 & 1549 Campus Drive). Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→8. *RES 2022-12: SB 881 – To Consider Adoption*

Mr. Seckinger provided an overview of RES 2022-12: SB 881. The resolution requests a modification to Senate Bill 881 involving the Establishment of Safe Exchange Zones for child custody disputes. The resolution requests that the bill be modified to not require Safe Exchange Zones to be in public parks or at police departments without 24/7 in-office staffing. The Warwick Township Police Department is located within a public park and is not staffed 24/7.

Motion by Mr. Thompson to approve RES 2022-12: SB 881. Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→9. *2022 Employee Handbook – To Consider Approval*

Mr. Seckinger presented the 2022 Employee Handbook. The handbook was updated to reflect changes made in the recently approved police collective bargaining agreement and an update to the Township drug and alcohol policy.

Motion by Mr. Thompson to approve the 2022 Employee Handbook. Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→10. 2022 Road Program – To Consider Award

Mr. Seckinger presented the results of the 2022 Road Program bid. The Road Program and York Road Sidewalk Project bids were combined in hopes of soliciting lower bids. The lowest bidder was Harris Blacktopping, Inc. at \$1,499,657, approximately \$21,000 lower than budgeted. Mr. Seckinger recommended award of the bid to the lowest bidder, Harris Blacktopping, Inc.

Motion by Mr. Thompson to award the 2022 Road Program and York Road Sidewalk Project bid to Harris Blacktopping, Inc. at \$1,499,657. Second to motion by Mr. Cox. Mr. Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

→ Treasurer's Report: January 2022

For the month of January 2022, revenues outpaced expenditures by \$209,025.

Real Estate Transfers posted \$0, Earned Income Taxes posted \$0, Local Service Tax posted \$0, and Building Permits posted \$13,728.

Fund balances for January 2022 are as follows, subject to audit:

General Fund	\$	12,000,100
Firehouse and Equipment	\$	665,270
Road Machinery	\$	79,573
Federal Grant- ARPA	\$	576,838
General Obligation / Sinking Fund	\$	1,248
Capital Projects Fund	\$	141,328
Highway Aid Fund	\$	149,864
Parks and Recreation	\$	469,290
Parks and Recreation Capital Fund	\$	513,808
Capital Reserve	\$	<u>223,582</u>
Total	\$	<u>14,820,901</u>

Real estate transfer, earned income tax, and local service tax revenue are on a February 28th year-end. Therefore, January and February revenue is placed in the previous year.

Real Estate Transfer Tax	\$80,816.72
Earned Income Tax	\$150,783.16
Local Service Tax	\$4,998.09

Motion by Mr. Cox to approve the Treasurer's Report for January 2022, subject to audit.

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

Motion passed unanimously.

→ *Bill Payments 2-7-2022 & 2-21-2022*

Mr. Seckinger requested approval of the bill payments for February 7th, totaling \$100,774.23, and for February 21st, totaling \$225,437.39.

Motion by Mr. Cox to approve the Bill Payments for February 7, 2022, and February 21, 2022, subject to audit. Second to motion by Mr. Thompson. Vice Chair Cox invited comment or discussion. There being none, the vote was called.

Motion passed unanimously.

■ **SOLICITOR'S REPORT:**

None.

■ **ENGINEER'S REPORT:**

→ 1. *LD 05-11: Warwick Village Commons, Phase II – Authorize Creation of Punch list*

Ms. Fountain requested authorization to create a punch list for LD 05-11: Warwick Village Commons, Phase II.

Motion by Mr. Cox to authorize creation of a punch list for LD 05-11: Warwick Village Commons, Phase II. Second to motion by Mr. Thompson. Vice Chair Cox 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 February 21, 2022, Warwick Township Board of Supervisors' public meeting was adjourned at 7:44 p.m.

Respectfully submitted,



Kyle W. Seckinger, MPA
Township Manager

These minutes were approved at the Board of Supervisors' meeting held 4/20/22