

**WARWICK TOWNSHIP**  
**Board of Supervisors' Public Meeting Minutes**  
**July 17, 2023**

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

Others Present: Kyle Seckinger, MPA, Township Manager  
Jon Ogborn, Police Lieutenant  
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' July 17, 2023, 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, June 19, 2023, Board of Supervisors' Meeting Minutes*

**Motion by Mr. Cox to approve the June 19, 2023, 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 announced the continuation of the Summer Movies in the Park Series with *Turning Red* on Wednesday, July 19th. All movies are held on the field behind the large pavilion at Community Park and start at 8:45 p.m. For more information, please visit [warwickrec.com](http://warwickrec.com).

**CITIZEN COMMENT:**

None.

**MANAGER'S REPORT:**

→1. *Central Bucks School District School Bus Safety Initiative Presentation*

Mr. Seckinger introduced the Central Bucks School District School Bus Safety Initiative. He explained that a Central Bucks School District representative was in attendance to present a school bus safety initiative program they are hoping to institute in the future. Mr. Seckinger explained that if the Township wished to participate, the Warwick Township Police Department would have to review and certify violations generated by the school bus camera

system for violators that pass stopped school buses with flashing red lights. He then introduced Ms. Tara Houser, Chief Operating Officer of the Central Bucks School District.

Ms. Houser thanked Mr. Seckinger for the introduction. She explained that the Central Bucks School District's bus cameras were rapidly approaching end of life and would cost an estimated \$500,000 to replace. By participating in the proposed program, Ms. Houser explained that the replacement of the cameras would be entirely violator funded.

Mr. Thompson inquired about the violation certification process. Ms. Houser explained that the Bus Patrol organization would send a video and six (6) still images of a violation via portal to the Police Department. At that time, an officer would have to review the images and certify that a violation occurred.

Mr. Cox asked if the new cameras would be geographically tracked to determine which department would be responsible for review. Ms. Houser confirmed they would be to not only determine in which jurisdiction the violation occurred, but to provide insight into high-violation areas.

Ms. Houser also explained the fee structure for the violations. Violators would be fined \$300, of which \$250 would be given to Central Bucks School District to pay the Bus Patrol organization, \$25 would go to the certifying Police Department, and \$25 would go to the State's School Bus Safety Grant Program Account.

Mr. Seckinger inquired about next steps. Ms. Houser said that per state statute, the Township would have to enter into an Intergovernmental Agreement with the School District to authorize the Police Department to certify the violations. Mr. Seckinger requested that Ms. Houser send over a draft agreement for review.

## → 2. *ZHB 23-05: Mega Supply Pro (Lots 2 & 3, Stover Industrial Park) – For Zoning Review*

Mr. Seckinger provided a brief introduction to the project. The applicant, Mega Supply Store LLC, the equitable owner of the property, submitted a revised Zoning Hearing Board application for Lots Two (2) and Three (3) of the Stover Industrial Park. He explained that the applicant intends to consolidate the lots, located in the LI Zoning District, to construct a single-story 65,000 square feet warehousing building. A sketch plan of the project was reviewed by the Board of Supervisors at their May meeting and a zoning review was requested prior to their appearance before the Zoning Hearing Board on August 1.

Mr. Seckinger explained that the applicant had requested the following variances:

- Article III, Section 195-16.H(3)(c) of the Warwick Township Zoning Ordinance, to permit less than the minimum number of off-street parking spaces.
- Article III, Section 195-16.H(13)(3) of the Warwick Township Zoning Ordinance, to permit less than the minimum open space required.
- Article III, Section 195-16.H(13)(20)(III) of the Warwick Township Zoning Ordinance, to permit parking within the front of the building.
- Article III, Section 195-57.C of the Warwick Township Zoning Ordinance, to permit less than the minimum side yard setback.
- Article III, Section 195-60.C of the Warwick Township Zoning Ordinance, to permit more disturbance of steep slopes than permitted.
- Article III, Section 195-60.D of the Warwick Township to permit more disturbance of woodlands than permitted.

Ms. Carrie Nace, attorney for the applicant, thanked Mr. Seckinger for the introduction. She added that the applicant currently had a facility in Bensalem which they hope to relocate to the proposed warehouse. The warehouse would be located on two (2) consolidated lots and have a single user.

Mr. Cox felt that the proposed project vastly overdevelops a lot directly adjacent to a residential area. He explained that he could not support variances for smaller side yards, woodland disturbance, or minimum parking.

**Motion by Mr. Cox to oppose ZHB 23-05: Mega Supply Pro (Lots 2 & 3, Stover Industrial Park) and authorize the Township Solicitor to represent the Board of Supervisors in opposition of ZHB 23-05: Mega Supply Pro (Lots 2 & 3, Stover Industrial Park). Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→ 3. *Venture Solar (1261 W. Bristol Road) – Conditional Use Hearing*

Mr. Seckinger provided a brief introduction to the project. On June 9, 2023, the Township received a conditional use application to install twenty-three (23) roof-mounted 9.2-kilowatt solar modules on the front portion of the roof associated with a single-family dwelling located in the RR Zoning District. The applicant requested conditional use approval due to the significant loss of production if the panels were to be installed on the rear-facing roof. On July 12th, 2023, the applicant presented their request to the Planning Commission and received a recommendation of approval.

Chair Algeo opened the hearing on the conditional use application of Venture Solar on behalf of Jose Luis Flores Salas to put solar panels on the front portion of his roof at 1261 Bristol Road.

Chair Algeo reminded everyone that the hearing was being stenographically recorded and that all speakers must be recognized by the Board. She then asked if anyone wished to take party status to the application. Hearing none, Chair Algeo asked the Township Solicitor, Ms. Eberle, to put any necessary documents on the record.

Ms. Eberle requested the following documents be made part of the record:

- B-1: Application with Attachments
- B-2: Notice to Property Owners
- B-3: Legal Notice
- B-4: Proof of Publication
- B-5: CKS review of Conditional Use Application date July 5, 2023
- B-6: Memo from Brandy Mckeever to Planning Commission
- B-7: Letter from Tom Peterson to Warwick Code Official Regarding Compliance with Code

Chair Algeo invited the applicant to proceed. Ms. Daisy Tatum, Senior Project Manager for Venture Solar, thanked Chair Algeo. She explained that the applicant recognized that the Township's Zoning Ordinance does not allow for panels on the front-facing roof. A shade report was completed by a professional engineer which indicated that placement of the proposed panels on the permitted rear roof would not generate the necessary amount of energy. Ms. Tatum noted that any panels installed would be black-on-black to absorb light and reduce glare on adjacent properties.

Mr. Cox inquired about additional zoning requirements. Mr. Seckinger replied that all other conditions would need to be met or the applicant would be required to go before the Zoning Hearing Board to request a variance.

Mr. Thompson asked about the lot size of the property. Mr. Seckinger stated the property was .374 acres.

Mr. Thompson also inquired about the setback from the street. Ms. Tatum replied that she was unsure but could have the setback added to the plans by a site accessor.

Chair Algeo invited further comment or discussion. Hearing none, the hearing was closed. Chair Algeo informed the applicant that a decision would be issued within 45 days.

→ 4. *Bucks County Consortium 2023-2024 Fuel Bid – To Consider Award*

Mr. Seckinger presented the 2023-2024 Fuel Bid, administered again by the Bucks County Consortium.

He explained that Riggins, Inc. was the lowest bidder in the 5,999 or less gallons per delivery category for both ultra-low sulfur diesel fuel and unleaded regular gasoline. Mr. Seckinger recommended awarding the bid to Riggins, Inc. at the price of \$0.189 per gallon for unleaded regular gasoline and \$0.329 per gallon for ultra-low sulfur diesel delivered plus the rolling market average.

**Motion by Mr. Cox to award the 2023-2024 Fuel Bid to Riggins, Inc. at &\$0.189/gallon for unleaded regular gasoline and \$0.329/gallon for ultra-low sulfur diesel delivered plus the rolling market average. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.  
**Motion passed unanimously.**

→ 5. *Treasurer's Report: June 2023*

For the month of June 2023, expenditures outpaced revenues by \$447,425.

Real Estate Transfers posted \$35,947 and Building Permits posted \$9,186. Earned Income Tax posted \$369,660 and Local Service Tax posted \$5,007.

Fund balances for June 2023 are as follows, subject to audit:

General Fund	\$	14,297,433
Firehouse and Equipment	\$	745,136
Road Machinery	\$	117,859
Federal Grant- ARPA	\$	794,159
Capital Projects Fund	\$	85,860
Highway Aid Fund	\$	584,467
Parks and Recreation	\$	828,492
Parks and Recreation Capital Fund	\$	630,544
Capital Reserve	\$	<u>225,876</u>
Total	\$	<u>18,309,826</u>

**Motion by Mr. Cox to approve the Treasurer's Report for June 2023, 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 7-3-2023 & 7-17-2023*

Mr. Seckinger requested approval of the bill payments for July 3<sup>rd</sup> in the amount of \$196,631.79, and for July 17<sup>th</sup> in the amount of \$683,876.47, subject to audit.

**Motion by Mr. Cox to approve the Bill Payments for July 3, 2023, and July 17, 2023, 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:**

→1. *LD 04-04: Warwick Office Park (Kendarbren Dr) – Default Update*

Ms. Eberle updated the Board on LD 04-04: Warwick Office Park Default as initiated at their previous meeting. Since then, Ms. Eberle explained that she had met with the applicant and Township Staff, and Ms. Fountain had met with the developer and contractor in the field. She added that As-Built plans had been prepared and would be

delivered to the Township shortly. She requested the Board continue the agenda item until the next meeting and agreed to deliver further updates shortly.

**Motion by Mr. Cox to table LD 04-04: Warwick Office Park (Kendarbren Dr) – Default Update. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

→2. *UCC 22-01: Schenk Brothers & Sons Settlement Agreement*

Ms. Eberle introduced UCC 22-01: Schenk Brothers & Sons Settlement Agreement. She explained that the agreement was a result of an appeal made to the Township's Uniform Construction Code Board regarding fire prevention requirements in several units on Railroad Drive. The settlement agreement allows Schenk Brothers & Sons to install fire-activated doors in place of several existing wall openings.

**Motion by Mr. Cox to authorize the execution of UCC 22-01: Schenk Brothers & Sons Settlement Agreement. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, the vote was called.

**Motion passed unanimously.**

■ **ENGINEER'S REPORT:**

→1. *LD 11-02: Warwick Mill (1612 School Ln) – To Consider Escrow Release #8*

Ms. Fountain recommended a reduction in the financial security for LD 11-02: Warwick Mill (1612 School Ln) in the amount of \$302,915.

**Motion by Mr. Cox to approve LD 11-02: Warwick Mill (1612 School Ln) – To Consider Escrow Release #8. Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, a vote was called.

**Motion passed unanimously.**

→2. *LD 03-08: Heritage Creek IIB (Woodlands at Warwick) – Authorization to Create a Punch List*

Ms. Fountain requested authorization to create a punch list for LD 03-08: Heritage Creek IIB (Woodlands at Warwick).

**Motion by Mr. Cox to authorize the creation of a Punch List for LD 03-08: Heritage Creek IIB (Woodlands at Warwick). Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, a vote was called.

**Motion passed unanimously.**

→3. *LD 03-08: Heritage Creek IIB (Woodlands at Warwick) – Consider Acceptance of Punch List*

Ms. Fountain requested acceptance of the punch list for LD 03-08: Heritage Creek IIB (Woodlands at Warwick), dated July 10, 2023.

Mr. Cox inquired about the outstanding Notice of Termination from the Bucks County Conservation District. Ms. Fountain explained that the Notice of Termination was included as a requirement on the punch list and will still need to be satisfied.

**Motion by Mr. Cox to accept the Punch List for LD 03-08: Heritage Creek IIB (Woodlands at Warwick). Second to motion by Mr. Thompson.** Chair Algeo invited comment or discussion. There being none, a vote was called.

**Motion passed unanimously.**

→4. *MS4 Update and Progress Report*

Ms. Fountain presented an MS4 Update and Progress Report. She explained that the Township is required to present information to the public regarding the Township MS4 program including a summary of progress, activities, and accomplishments with the implementation of the program. The Township's MS4 NPDES Permit was issued on September 1, 2019, and will expire on August 31, 2024.

She detailed the three (3) components to the MS4 permit for Warwick Township:

Six Minimum Control Measures

- 1) Public Education and Outreach:
  - To address this requirement, Warwick Township provides information regarding water quality and stormwater management in their Newsletters, on the website, at the Township building, at public meetings, and on their Facebook page.
- 2) Public Participation and Involvement
  - Warwick Township encourages public participation in various events including recycling and Earth Day events. The public is given the opportunity to discuss stormwater-related issues at the Board of Supervisors meetings. In addition, any revisions to the Township's Stormwater Ordinance or Pollution Reduction Plan are advertised for public comment, as required. This discussion regarding the Township's MS4 program is required as part of the permit to provide information and allow for the Board and the residents to ask questions or make comments regarding the program.
- 3) Illicit Discharge Detection and Elimination
  - As part of this requirement, the Township has developed a written program to identify and address discharges of pollutants to the storm sewer system and streams within the Township. The storm sewer system has been mapped to identify discharge locations and drainage areas to these locations.
  - As part of the requirement, the Township is required to inspect all outfalls or discharge locations to the stream from the Township's storm sewer system at least once during the 5-year permit term. There are 124 outfalls in the Township, and they have all been inspected at least once for this permit period.
- 4) Construction Site Stormwater Runoff Control
  - As part of these requirements, the Township may not issue building permits, or final approval prior to an applicant obtaining an NPDES Permit from PADEP and/or the Conservation District if this permit is required.
  - The Township is also required to enact, implement, and enforce an ordinance requiring erosion control measures at construction sites within the Township consistent with the 2022 PADEP Model Ordinance. Warwick Township recently updated their Stormwater Ordinance to be consistent with the model ordinance.
- 5) Post-Construction Stormwater Management
  - The Township is required to enact, implement, and enforce an ordinance to require the implementation of PCSM BMPs consistent with the 2022 PADEP Model Ordinance. As noted previously, Warwick Township recently updated their ordinance as required. In addition, the Township is required to keep an inventory of all BMPs that were constructed as part of an NPDES permit since 2003 and monitor the maintenance of these facilities. This inventory is provided in the Annual Report to PADEP.
- 6) Pollution Prevention/Good Housekeeping
  - The Township is required to develop and implement an O&M program that has the goal of preventing and reducing pollutant runoff from operations, facilities, and activities under the control of the Township. The program includes an employee training program for officials, staff, and consultants on the MS4 program.

Pollution Reduction Plan



Warwick Township was required to provide a Pollution Reduction Plan as part of the MS4 Permit application that proposed various BMPs to address sediment and nutrient impairments in the Neshaminy Creek and Little Neshaminy Creek within the Township. The Township was required to propose BMPs that would provide a 10% sediment reduction and a 5% total phosphorus reduction in the runoff entering the streams from the Township's storm sewer system. The Pollution Reduction Plan included three basin retrofit projects for the stormwater basins at the Community Park, adjacent to Fairmount Drive and adjacent to Stover Road. The Community Park and Fairmount Drive basin retrofits have been completed. The Stover Road basin is currently under design. These projects must be completed by the end of the permit term which is August 31, 2024.

Pollution Control Measures

In addition to the sediment and nutrient impairments, the Neshaminy Creek and Little Neshaminy Creek are also impaired for Pathogens and the Little Neshaminy Creek has been listed for impairment by Priority Organic Compounds such as polychlorinated biphenyls (PCBs). The Township was required to identify possible sources of these pollutants from the Township's storm sewer system in the 2022 Annual Report. There were areas identified that may contribute to the pathogen impairments. However, no potential sites contributing PCBs were identified within the drainage area to the Township's storm sewer system. For the Annual Report due in September 2023, an investigation of the potential sources of pathogens is required. A report will be prepared to document the findings and any enforcement or remediation actions taken.

■ OLD BUSINESS:

None.

■ NEW BUSINESS:

None.

PUBLIC COMMENT:

Mr. Craig Cornell of Creek Road thanked the Supervisors for considering the residential areas around the proposed Mega Supply Pro land development.

■ ADJOURNMENT:

The July 17, 2023, Warwick Township Board of Supervisors' public meeting was adjourned at 7:39 p.m.

These minutes were approved at the  
Board of Supervisors' meeting held 8/21/23

Respectfully submitted,

  
Kyle W. Seckinger, MPA  
Township Manager