

**WARWICK TOWNSHIP**  
**Board of Supervisors' Public Meeting Minutes**  
**May 20, 2024**

Members Present: Judith A. Algeo, Esq., Chair  
John W. Cox, Vice Chair  
Michael A. Riotto, Member

Others Present: Kyle Seckinger, MPA, Township Manager  
Mark Goldberg, Chief of Police  
Mary Eberle, Esq., Township Solicitor  
Skye Sorresso, Recording Secretary

**CALL TO ORDER:**

The Warwick Township Board of Supervisors' May 20, 2024, public meeting was called to order at 7:01 p.m. by Ms. Judith Algeo, Chair, who then led attendees in the Pledge of Allegiance.

**EXECUTIVE SESSION:**

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

**APPROVAL OF MINUTES:**

→ *Monday, April 24, 2024, Board of Supervisors' Meeting Minutes*

**Motion by Mr. Cox to approve the April 24, 2024, Board of Supervisors' Meeting Minutes.**

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

**Motion passed unanimously.**

**ANNOUNCEMENTS:**

Mr. Seckinger made the following announcements:

The Summer Movies in the Park Series will kick off with the movie *Migration* at dusk on June 19th in the Community Park. For additional information or more dates, please visit [warwickrec.com](http://warwickrec.com).

**CITIZEN COMMENT:**

Mr. Theodore Kosin of Sand Trap Road inquired about the minute approval process and why minutes could not be approved until the following meeting. Ms. Eberle explained that the minutes should be reviewed by the board prior to their approval during a public meeting. As such, the soonest they can be approved is during the following meeting.

Mr. Kosin also felt that the owner of the vacant property at the corner of York and Almshouse Roads was not maintaining the landscaping well enough. He felt the Township should fine the property owner more. Mr. Seckinger explained that the Township Code Enforcement Officer had reached out to the property owner several times and was able to get the landscaping completed; however, should the owner not comply, a fine is the worst penalty the Township has. Mr. Kosin asked if the Township could fine the owner more in the future.

**MANAGER'S REPORT:**

**→1. ZHB 24-06: Deluca Construction at Glengarry, LLC (1520 Meetinghouse Road) – For Zoning Review**

Mr. Seckinger introduced ZHB 24-06: Deluca Construction at Glengarry, LLC. He explained that on April 16, 2024, the Township received a Zoning Hearing Board Application submission by Deluca Construction requesting relief from the Zoning Ordinance to allow a 50-foot setback for a proposed on-site sewage treatment system where a 300-foot setback from a body of water is required. He noted that the application is scheduled for the June 4, 2024, ZHB Meeting and is before the Board of Supervisors seeking review.

Mr. Edward Murphy, applicant attorney, thanked Mr. Seckinger for the introduction. He explained that he was before the Board four (4) months ago when presenting a sketch plan for the property. During that meeting, the Board supported the staff's recommendation for on-lot septic for the proposed development. Mr. Murphy explained that the 300-foot setback requirement would make proposed lots virtually unusable and noted that all other aspects of the plan complied.

Ms. Fountain asked if the applicant planned to construct sand mound septic systems. Mr. Murphy confirmed. Ms. Fountain explained that DEP required a minimum 50-foot setback between the mound and any body of water to allow for proper filtration. Mr. Seckinger asked Ms. Fountain if a different type of septic system would require a greater setback distance. Ms. Fountain stated that a spray field would have a different setback; however, it would still be less than 300 feet.

Mr. Riotto asked if the setback would only pose an issue for Lot 2. Mr. Murphy stated that it would be an issue for all the proposed lots.

The Board chose to remain neutral to the application.

**→2. ZHB 24-07: WarwickCom 1, LLC (1770 Kendarbren Drive) – For Zoning Review**

Mr. Seckinger presented ZHB 24-07: WarwickCom 1, LLC. He explained that on April 25, 2024, the Township received a Zoning Hearing Board Application submission by WarwickCom 1 seeking to appeal the determination of the Zoning Officer stating that the Zoning Officer erred as a matter of law in denying the Zoning Permit Application for reasons as outlined within their addendum. He noted that the applicant was also seeking relief from the Zoning Ordinance to allow deferred confirmation of compliance with the Department of Public Welfare conditioned on no use and occupancy, decreased non-impervious play area conditioned on a limitation of users, a Daycare Center that does not meet the area and dimensional requirements of the Daycare Center within the Warwick Office Park, to permit a Daycare Center in the Warwick Office Park without complying with the buffer requirements and, lastly, to allow the business to utilize shared parking rather than establishing separate parking facilities. Mr. Seckinger explained that the application was scheduled for the June 4, 2024, ZHB Meeting and was before the Board of Supervisors seeking review.

Mr. John VanLuvanee, attorney for the applicant, thanked Mr. Seckinger for the introduction. He explained that this was the second Zoning Hearing Board Application in four (4) years regarding this property. The previous tenant received approval from the Zoning Hearing Board for similar variances. Mr. VanLuvanee also expressed confusion regarding the Township's Use and Occupancy requirements. Ms. Eberle felt any Use and Occupancy-related issues could be resolved between the applicant and Staff.

The Board chose to remain neutral to the application.

→ 3. *ZHB 24-08: 2583 State Road Realty Associates, LLC – Elliott-Lewis (1707 Stout Drive) – For Zoning Review*

Mr. Seckinger presented ZHB 24-08: 2583 State Road Realty Associates, LLC. He explained that on April 29, 2024, the Township received a Zoning Hearing Board Application submission by 2583 State Road Realty Associates, LLC (Elliott-Lewis) seeking relief from the Zoning Ordinance to allow less than the required number of parking spaces for an H3 use at the property. Specifically, the applicant planned to seek approval for thirty (30) existing parking spaces where fifty (50) are required. He noted that the application was scheduled for the June 4, 2024, ZHB Meeting and was before the Board of Supervisors seeking review.

Mr. Seckinger invited any representatives for the applicant to step forward. None were identified.

Mr. Cox requested more information on the proposed use of the space and expressed concern about parking along Stout Drive as experienced with previous tenants.

The Board chose to remain neutral to the application, conditioned upon the applicant granting an extension and their attendance at the June 17, 2024, Board of Supervisors meeting to address the Board's questions.

→ 4. *RES 2024-25: Destruction of Records – To Consider Adoption*

Mr. Seckinger presented RES 2024-26: Destruction of Records for the Board's consideration. The resolution, typically adopted annually, would authorize the destruction of financial records 2016 and older, employment applications older than two (2) years, Statements of Financial Interests older than five (5) years, and administrative email correspondence older than 2019. The proposed destruction aligns with the adopted Municipal Records Manual guidelines.

**Motion by Mr. Cox to adopt RES 2024-26: Destruction of Records.**

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

**Motion passed unanimously.**

→ 5. *Duty Tow: Elsner Towing – To Consider Appointment*

Mr. Seckinger presented Duty Tow: Elsner Towing for the Board's consideration. He explained that the Township had recently updated its Duty Tow Ordinance to allow for the appointment of a duty tow outside of the Township but within an acceptable response time. Mr. Seckinger recommended the appointment of Elsner Towing, in addition to the Township's single existing duty tow, for the remainder of 2024.

**Motion by Mr. Cox to appoint Elsner Towing as Duty Tow.**

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

**Motion passed unanimously.**

→ *Treasurer's Report: April 2024*

For the month of April 2024, revenues outpaced expenditures by \$2,184,399.

Real Estate Transfers posted \$25,947 and Building Permits posted \$19,120. Earned Income Tax posted \$335,078 and Local Service Tax posted \$3,792.

Fund balances for April 2024 are as follows, subject to audit:

General Fund	\$	15,243,315
Firehouse and Equipment	\$	816,399
Road Machinery	\$	264,260
Capital Projects Fund	\$	519,742
Highway Aid Fund	\$	475,500
Parks and Recreation	\$	907,255
Parks and Recreation Capital Fund	\$	345,754
Capital Reserve	\$	<u>299,679</u>
Total	\$	<u>18,871,904</u>

**Motion by Mr. Cox to approve the Treasurer’s Report for April 2024, subject to audit. Second to motion by Mr. Riotto. Chair Algeo invited comment or discussion. There being none, the vote was called.  
Motion passed unanimously.**

→ *Bill Payments 5-6-2024 & 5-20-2024*

Mr. Seckinger requested approval of the bill payments May 6th, in the amount of \$284,271.58, and for May 20th, in the amount of \$144,209.38, subject to audit.

**Motion by Mr. Cox to approve the Bill Payments for May 6, 2024, and May 20, 2024, subject to audit. Second to motion by Mr. Riotto. Chair Algeo invited comment or discussion. There being none, the vote was called.  
Motion passed unanimously.**

■ **SOLICITOR’S REPORT:**

→1. *ORD 24-03: Manager’s Ordinance Amendment – To Consider Adoption*

Ms. Eberle presented ORD 24-03: Manager’s Ordinance Amendment for consideration. She explained that the Board had authorized the advertisement of the ordinance at their last meeting. If adopted, the amendment would update the existing 1987 ordinance, to reflect the tasks of a Township Manager in 2024. She listed several updates including current hiring practices, electronic records storage and network server security, capital projects and financial planning, and drafting standard operating procedures.

**Motion by Mr. Cox to adopt ORD 24-03: Manager’s Ordinance Amendment.  
Second to motion by Mr. Riotto.** Chair Algeo opened the hearing and invited comment or discussion.

Mr. Theodore Kosin of Sand Trap Road asked if the amendment only modernized the existing ordinance. Ms. Eberle confirmed that it modernized the existing ordinance and updated the tasks of the Manager to reflect current practice.

Chair Algeo invited any further comment or discussion. There being none, the hearing was closed, and the vote was called.

**Motion passed unanimously.**

■ **ENGINEER’S REPORT:**

None.

■ **OLD BUSINESS:**

Mr. Seckinger provided an update on the York Road Meyer Way Signal Upgrade Project. He explained that the project, which was listed as a budgeted capital improvement for 2024, had been submitted to PennDOT, revised per their request, and resubmitted the previous week. He explained that the signal could not be scheduled for upgrades until the PennDOT permit was issued.

■ **NEW BUSINESS:**

None.

■ **PUBLIC COMMENT:**

None.

■ **ADJOURNMENT:**

The May 20, 2024, Warwick Township Board of Supervisors' public meeting was adjourned at 7:31 p.m.

Respectfully submitted,



Kyle W. Seckinger, MPA  
Township Manager

These minutes were approved at the  
Board of Supervisors' meeting held 6/17