



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS  
MINUTES FOR SEPTEMBER 22, 2020 - 6:00 PM**

The written minutes are a summary of the September 22, 2020 Board of Supervisors meeting. For a complete dialog visit the Township's website, [www.warringtontownship.org](http://www.warringtontownship.org).

Due to the increase in COVID-19 cases, this meeting and all future meetings will only be available to the public by video conferencing (Zoom). The recorded meeting can be viewed the day after through the Township's website, [www.warringtontownship.org](http://www.warringtontownship.org)

**ATTENDANCE VIA VIDEO CONFERENCING (ZOOM)**

Fred R. Gaines, Chair; Ruth Schemm, Vice Chair, Eileen Albillar, Member, Carol T. Baker, Member and Mark E. Lomax, Member.

Staff present was Barry P. Luber, Township Manager; Terry W. Clemons, Esq., Clemons Richter and Reiss, Township Solicitor; Tom Zarko, P.E., CKS Engineers, Township Engineer; Christian Jones, Assistant Township Manager; John Marcarelli, Director of Finance; Dan Friel, Police Chief ; Lee Greenberg, Director of Emergency Services and Barbara J. Livrone, Executive Assistant to the Township Manager/Board Secretary.

**BUDGET WORK SESSION**

Mr. Luber began the budget work session at 6:03 P.M. The first item of discussion was departmental personnel requests. Three departments are requesting additional personnel. They are the Police, Emergency Services and Code/Communications Departments.

Mr. Greenberg is waiting for the fire study report from the State before Emergency Services Department is presented. The Emergency Services Department request for personnel will be placed on the October 13, 2020 Board of Supervisors agenda.

A part-time administration clerk is being proposed for the Codes Department. This additional help will expand the role in the Communications Department.

Chief Dan Friel requested the hiring of one police officer in 2021. Chief Friel presented a ten year hiring plan (2016-2026); hiring history; staffing studies and planning and the future of the department. Due to a recent change by the District Attorney, more video is requested to be stored. Therefore, Chief Friel recommended changing the current part-time evidence clerk to a full-time status.

The Board was in agreement to hire a full-time police officer for 2021 and work with Bucks County for a social worker position.

The second item of discussion was the 5-year outlook for General Fund Revenue, Expenditures and Fund Balance.

Mr. Marcarelli presented the 5 year projections. The largest revenue for the township is real estate and earned income taxes. The Fund Balance policy equals ten percent of the expenditures. The township will be budgeting conservatively.

**CALL TO ORDER:** Mr. Gaines called the meeting to order at 7:04 P.M. Mr. Gaines welcomed everyone to the meeting.

**PLEDGE OF ALLEGIANCE**

Mr. Gaines followed the Call to Order with a pledge to the flag.

**PUBLIC COMMENT:** There was no public comment.

Following is a listing of people who attended the September 22nd Board of Supervisors meeting via Zoom:

- Debbie Bacon, Principal, Zelenkofske Axelrod LLC
- Matthew Beinhauer, Senior Auditor, Zelenkofske Axelrod LLC
- Shirley Yannich
- Brian Donley
- William Benner, Esquire
- Doug Taylor

### **EXECUTIVE SESSION REPORT**

Mr. Gaines stated an executive session was not held.

### **ANNOUNCEMENTS:**

**Discuss Township Goals at Upcoming Meeting:** Mr. Luber requested to defer the discussion of township goals until the October 13, 2020 Board of Supervisors meeting. An update to the 2020 and 2021 goals will be presented.

**Folly Road Culvert Replacement Schedule:** Mr. Gaines stated the water problem at Folly Road will be addressed. Folly and Street Roads will be closed to traffic starting October 5, 2020 until November, 2020, weather permitting. Mr. Zarko reported the detour will be Street Road to Lower State Road to County Line Road then to Folly Road.

**Ribbon Cutting Ceremony for Lions Pride Park:** Mr. Luber announced a ribbon cutting ceremony will take place on Friday, October 2 for Lions Pride Park, 3129 Bradley Road. The website is: [lionspridepark@warringtontownship.org](mailto:lionspridepark@warringtontownship.org).

### **PRESENTATION OF 2019 FINANCIAL AUDIT**

Debbie Bacon, Principal, Zelenkofske Axelrod LLC reported the township has a “clean” audit. Matthew Beinhauer, Senior Auditor, Zelenkofske Axelrod LLC submitted the financial results for year-end December 31, 2019.

### **PRESENTATION OF 2019 ANNUAL REPORT FROM WARRINGTON VETERAN AFFAIRS COMMITTEE**

Peter Scott, Vice Chair of the Veteran Affairs Committee presented the 2019 Annual Report, highlighting the following events in 2019: Memorial Day Ceremony; Warrington Community Day and Shops at Valley Square Tree Lighting event. Mr. Scott also reported on the Helping Hands Project and the Daniel P. Bradley Marker. Mr. Scott stated membership is down. An article, requesting members, will be placed in the monthly E-Link and also in the quarterly Link. A ceremony honoring veterans will take place on November 11, 2020.

The Board of Supervisors thanked Mr. Scott for the work the Veteran Affairs Committee has achieved.

**PUBLIC HEARINGS:** None.

**1. APPROVAL OF BILL LIST:**

- a. **2020 Invoices for the Period September 9, 2020 to September 22, 2020 in the amount of \$1,945,968.98.**

Ms. Baker motioned, seconded by Ms. Albillar to approve the 2020 invoices paid for the period September 9, 2020 to September 22, 2020 in the amount of \$1,945,968.98. All were in favor and the motion passed 5-0.

**2. CONSENT ITEMS:**

Mr. Gaines asked if any clarification was needed for the consent items as presented.

Ms. Schemm motioned, seconded by Ms. Albillar to approve Consent Items A through H. All were in favor and the motion passed 5-0. (Attachment "A")

- a. **August 25, 2020 to Approve Minutes for Board of Supervisors meeting.**
- b. **September 8, 2020 to Post Minutes for Board of Supervisors meeting.**
- c. **Consider approval of 2020/2021 Bucks County Consortium Joint Rock Salt Bids.**
- d. **Consider Certificate of Completion # 3 for Parkview at Warrington (Phase 1) in the amount of \$31,750.00.**
- e. **Consider Certificate of Completion # 2 for Parkview at Warrington (Phase 2) in the amount of \$106,441.32.**
- f. **Consider Certificate of Completion # 2 for Aspen Mill located at 2436 W. Street Road in the amount of \$22,098.00.**
- g. **Consider approval of Resolution for a Minor Subdivision in the R2 zoning district known as Foxlane @ Stuckert (1520 Stuckert Road, TMP 50-026-103-001) for Preliminary/Final approval.**
- h. **Consider amendment to 2020 Fee Schedule to include water/sewer service application review fee for \$165 per EDU.**

**3. CORRESPONDENCE:**

- a. **Letter from Swim Club Member.**

Mr. Luber read a letter from a resident complimenting the 2020 Warrington's Mary Barness Community Pool season. The resident also gave a three hundred dollar donation to the township.

- b. **Pennsylvania Chapter of the American Planning Association selected Shirley A. Yannich as 2020 Award for Leaders: Elected Official.**

Mr. Gaines announced that former supervisor; Shirley Yannich was selected to receive the Pennsylvania Chapter of the American Planning Association Award for her professionalism as a planner. A virtual ceremony will be held in October.

William Connolly, Vice Chair, Warrington Planning Commission gave background information relating to Ms. Yannich. Mr. Connolly emphasized her sound planning and leadership skills.

The Board of Supervisors stated Ms. Yannich was a mentor and a valuable resource during her term as supervisor.

Mr. Clemons complimented Ms. Yannich as an outstanding planner and an asset to the township.

#### 4. OLD BUSINESS:

a. **Consider approval of Findings of Fact, Conclusion of Law and Decision for Conditional Use Hearing for former TGIF at Creekview Shopping Center (Chipolte and Aspen Dental).**

Mr. Clemons reported on the conditional use hearing that took place on August 25, 2020 for approval of a pick-up window in connection with a proposed Chipolte restaurant. Mr. Clemons approached the developer relating to improving the site distance at LA Fitness onto Street Road within the Creekview Shopping Center and presented an agreement. Brian Donley, Development Director of Shopcore was present. Mr. Donley stated all conditions would be met in the agreement.

Ms. Baker motioned, seconded by Mr. Lomax to approve the Findings of Fact, Conclusion of Law and Decision for Conditional Use Hearing for former TGIF at Creekview Shopping Center (Chipolte and Aspen Dental) and the Agreement between the Township and Shopcore Properties, LP. All were in favor and the motion passed 5-0.

b. **Consider variance requests for open space and signs for Earthborne, 2001 County Line Road, TMP # 50-031-028-004.**

The attorney for the applicant, William and owner, Doug Taylor were present.

Mr. Zarko gave a summary of the open space. The steep slope issue has been resolved; open space will be provided as part of the required 1.93 acres; a 6 foot wide access easement will be installed to the open space from the proposed walking path along County Line Road for public access. Maintenance of the easement will be the obligation of the property owner.

Mr. Benner said the plan has been revised and is in compliance. The variance requests will be removed from the Zoning Hearing Board.

There was discussion designating the area adjoining the open space as a side yard. Mr. Gaines stated this is open space in an industrial area.

Mr. Benner discussed the signs for the outdoor display. Mr. Benner stated the monument sign will be compliant with CBD sign requirements.

The Board of Supervisors agreed to defer the signs to the Zoning Hearing Board.

The Board discussed the special exception to allow outdoor equipment to be on display.

Mr. Gaines motioned, seconded by Mr. Lomax to approve the outdoor display of equipment as proposed by Earthborne and to allow the Zoning Hearing Board to hear the facts in all the matters. Ms. Baker and Ms. Albillar were neutral and Ms. Schemm abstained.

Mr. Clemons stated the motion was 2 to 2, with one abstention; therefore the motion did not pass.

#### 5. NEW BUSINESS (ACTION/DISCUSSION ITEMS): None.

**6. MANAGER'S REPORT:****a. 2021 Minimum Municipal Obligation (MMO).**

Mr. Marcarelli presented the 2021 Minimum Municipal Obligation reviewing the MMO calculations for each of the three pension plans.

Ms. Schemm motioned, seconded by Ms. Albillar to acknowledge for all of the Board of Supervisors the receipt of the 2021 MMO. All were in favor and the motion passed 5-0.

**b. Volunteer Appreciation Program.**

Mr. Luber presented a drawing of a mask with the Warrington Township logo. This mask will be mailed to all volunteer board and committee members along with a thank you letter for their service to their respective board and/or committee.

Mr. Lomax motioned, seconded by Ms. Schemm to purchase masks. All were in favor and the motion passed 5-0.

**7. DEDICATION REQUEST: None.****8. ENGINEER'S REPORT:****a. General Update (refer to item b.)****b. Punch List for Gloria Dei Communities/Pathways at Warrington based on final inspection.**

Mr. Zarko updated the Board stating a final inspection request was received from Gloria Dei.

Ms. Schemm asked for an update to the Valley Gate Homeowners Association. Mr. Zarko stated they are working through the groundwater issues.

**9. SOLICITOR'S REPORT:****a. Update on Hedenus vs. Warrington Township Zoning Hearing Board.**

Mr. Clemons reported this is a land use appeal relating to the construction of a pole barn near the floodplain. The Board of Supervisors gave approval for Mr. Clemons to enter an appearance in the appeal.

**b. Update on Geerling Florist Inc. vs Warrington Township.**

Mr. Clemons reported the Pennsylvania Supreme Court denied the appeal filed by Mr. McBride concerning the number of TDRs required to develop the Geerling tract. The Township can retire the 16 additional TDRs by recording them at the Bucks County Recorder of Deeds office. The remaining balance of TDRs is 8 and the extinguishment will end the TDR program in Warrington Township.

**c. Mr. Clemons spoke about the peddling of temporary tents set up to sell products.****SUPERVISOR COMMENTS:**

Ms. Baker reported Warrington's Mary Barness Community Pool was winterized by the Public Works Department. Ms. Baker stated questionnaires were mailed to obtain feedback regarding the 2020 season. Tennis courts at Lions Pride Park were repaired. The Veteran Affairs Committee will hold a ceremony on November 11, outside at the township building, weather permitting.

Ms. Schemm reported the Environmental Advisory Council is working on the rain garden at IPW. The Bike and Hike Trails Committee is working with a Boy Scout to obtain his Eagle Scout Award. The Boy Scout will be installing a bike repair station.

Mr. Gaines suggested the 15 acres the township owns at Bristol and Kelly Roads should be converted to a solar farm which will generate electricity for the park and will be a benefit for the environment. Ms. Schemm would like to consider a sports complex with athletic fields.

**ADJOURNMENT**

There being no further business, Mr. Lomax motioned, seconded by Ms. Schemm to adjourn the meeting at 9:20 PM.

Respectfully Submitted By:

  
Barbara J. Livrone, Board Secretary

Attachment "A"

Consent Agenda – September 22, 2020

Attached to the agenda and on the Township's website is a supplement to the agenda which contains a heading and brief description for each item listed under the Consent agenda. As in the past, any Board member can ask to remove an item from consent and have it discussed independently.

I would now ask for a motion to approve items **A through H** on the Consent agenda.

a. **August 25, 2020 to Approve Minutes for Board of Supervisors meeting.**

b. **September 8, 2020 to Post Minutes for Board of Supervisors meeting.**

c. **Consider approval of 2020/2021 Bucks County Consortium Joint Rock Salt Bids.**

Four bids were presented and the lowest bidder was Morton Salt, Inc. at a delivered price per ton at \$47.75 per ton.

d. **Consider Certificate of Completion # 3 for Parkview at Warrington (Phase 1) in the amount of \$31,750.00.**

CKS Engineers confirmed all items included within the current reduction, in accordance with the provisions in the Development Agreement, have been satisfactorily completed by the project developer.

e. **Consider Certificate of Completion # 2 for Parkview at Warrington (Phase 2) in the amount of \$106,441.32.**

CKS Engineers confirmed all items included within the current reduction, in accordance with the provisions in the Development Agreement, have been satisfactorily completed by the project developer with the exception of five items.

f. **Consider Certificate of Completion # 2 for Aspen Mill located at 2436 W. Street Road in the amount of \$22,098.00.**

CKS Engineers confirmed all items included within the current reduction, in accordance with the provisions in the Development Agreement, have been satisfactorily completed by the project developer.

- g. Consider approval of Resolution for a Minor Subdivision in the R2 zoning district known as Foxlane @ Stuckert (1520 Stuckert Road, TMP 50-026-103-001) for Preliminary/Final approval.**

Foxlane @ Stuckert Road is a 2-lot minor subdivision which will create one lot and maintain the existing dwelling. The Board of Supervisors authorized the Solicitor to prepare a Resolution for this minor subdivision at 1520 Stuckert Road, during their September 8, 2020 meeting approving the 2-lot minor subdivision.

- h. Consider amendment to 2020 Fee Schedule to include water/sewer service application review fee for \$165 per EDU.**

In addition to adding a water/sewer service application review fee for \$165 per EDU, the water/sewer inspection fees are increased to \$165 per EDU. Courthouse recording fees for fence agreements will be \$120; all Courthouse recording fees for documents will be the actual cost plus 10%. Open Record fees will be directed to the Open Records Officer for the Township.