



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR OCTOBER 27, 2020 - 6:00 PM**

The written minutes are a summary of the October 27, 2020 Board of Supervisors meeting. For a complete dialog visit the Township's website, 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

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; and Barbara J. Livrone, Executive Assistant to the Township Manager/Board Secretary.

BUDGET WORK SESSION

Mr. Gaines began the budget work session at 6:00 P.M. The first item of discussion was the Proposed Operating and Capital Budgets.

Mr. Marcarelli presented the Proposed Operating and Capital Budgets for 2021. Mr. Marcarelli submitted the following highlights for 2021:

- No tax increase. Taxes for Warrington Township is 9.8% of all three taxing authorities (School, County and Township)
- Transfer of \$800,000 from Water and Sewer Fund to General Fund to balance the budget.
- Water and Sewer Fund to be closed out.
- Homestead Rebate
- One (1) new police officer
- 2021 is being prepared for a "normal" year

The largest revenue for 2021 is the Earned Income Tax, followed by Real Estate taxes.

Mr. Marcarelli presented a description and total amount of the following funds:

- Revenue
- General
- Utilities Proceeds
- Fire
- 2016 Bond
- 2019 Bond
- Open Space
- Capital Improvement
- Debt Service
- Highway Aid
- Internal Services

The 2021 Budget is tentatively scheduled to be voted on during the November 24, 2020 Board of Supervisors meeting.

Ms. Schemm stated the need to emphasize the effect of COVID-19 to the 2021 budget. If the economy is shut down, staff and Board of Supervisors will need to re-evaluate revenues and expenditures.

Mr. Gaines requested preparing a Press Release for the 2021 Budget, i.e., millage rate comparison and amount of tax being paid by Warrington residents for School, County and Township.

CALL TO ORDER: Mr. Gaines called the meeting to order at 7:01 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 October 27th Board of Supervisors meeting via Zoom:

- Chris Anderson
- Maura Fry
- Joe Kirby
- Michael Simone
- Seth Gansman
- Mike Kelly

EXECUTIVE SESSION REPORT

Mr. Gaines stated an executive session was not held.

ANNOUNCEMENTS:

202 Trail Ribbon Cutting Ceremony: Mr. Gaines announced the opening of a new section of the 202 to Bradford Dam trail identified as "Segment A". A ribbon cutting ceremony will take place on October 28th at 1:00 PM, located behind 3400 Pickertown Road.

Police Station Ribbon Cutting Ceremony: Mr. Gaines announced a ribbon cutting ceremony will take place on November 13, 2020 for the new police station.

PRESENTATION OF 2019 PENSION ADVISORY BOARD ANNUAL REPORT

Pension Board citizens members, Joe Kirby and Michael Simone presented the 2019 Annual Report. Members of the 2019 Pension Board were listed. Chair Gaines and Board of Supervisors member Ms. Albillar are members of the Pension Board. Performances for both the police and non-uniform plans were presented.

PUBLIC HEARING: None.

1. APPROVAL OF BILL LIST:

- a. **2020 Invoices for the Period October 14, 2020 to October 27, 2020 in the amount of \$2,329,169.84.**

Ms. Schemm motioned, seconded by Mr. Lomax to approve the 2020 invoices paid for the period October 14, 2020 to October 27, 2020 in the amount of \$2,329,169.84. 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.

Mr. Gaines requested clarification for Agenda Item E.

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

- a. **September 22, 2020 to Approve Minutes for Board of Supervisors meeting.**
- b. **October 13, 2020 to Post Minutes for Board of Supervisors meeting.**
- c. **Consider bid award for 2020-2021 Snow Plowing and Salt Application.**
- d. **Consider Resolution to Authorize the Allocation of \$521,926.32 Grant from the Commonwealth of Pennsylvania for the General Municipal Pension System State Aid Program.**
- e. **Consider Intermunicipal Police Services Agreement between Warrington, Montgomery and New Britain Townships.**

Mr. Luber described the agreement pertaining to three (3) municipalities for a shared police force to monitor traffic violations along County Line Road.

Mr. Kelly (3467 County Line Road), representing the residents along County Line Road, expressed concerns about traffic speeding along County Line Road and the difficulty to enter and exit ones' driveway.

Mr. Gaines stated the agreement is a good use of a police task force consisting of three township's police departments. Mr. Gaines suggested contacting Horsham Township.

Mr. Lomax suggested contacting the State Police Force for assistance.

Ms. Schemm motioned, seconded by Ms. Baker to approve the Intermunicipal Police Services Agreement between Warrington, Montgomery and New Britain Townships. All were in favor and the motion passed 5-0.

- f. **Consider Release of Maintenance Bond # 482539S for Greenbriar Preserve in the amount of \$65,983.45.**
- g. **Consider Release of Maintenance Bond # 483009S for Highgrove Manor in the amount of \$88,125.89.**
- h. **Consider Resolution to amend Resolution # 2020-R-43 extending the deadline for Outdoor Dining to March 31, 2021.**

3. CORRESPONDENCE: None.

4. OLD BUSINESS:

a. **Review Draft Ordinance to amend Chapter 16 of the Township Code relating to Firearms and Hunting and authorize advertisement.**

Mr. Clemons stated the proposed Ordinance is amending Section 223-8 which addresses firearms, shooting and trapping to be prohibited within the limits of any Township owned park, open space and/or recreational area.

Mr. Gaines questioned bow hunting. Mr. Clemons stated the proposed Ordinance bans all hunting in township parks, open space and/or recreational areas. Mr. Clemons said some townships hold scheduled hunts.

Ms. Schemm motioned, seconded by Ms. Albillar to authorize advertisement for enactment of an Ordinance to amend Chapter 16 of the Township Code relating to Firearms and Hunting and authorize its advertisement. All were in favor and the motion passed 5-0.

b. **Discussion of Township Goals.**

Mr. Luber presented the status of existing township goals and new goals for 2021. New goals for 2021 were presented to the Board of Supervisors, as follows:

- Location for new Salt Shed
- Implementation of new Document Management System
- Educate and Public Outreach regarding dangers of consumer fireworks use
- Walkable Community
- Use for 15 acres on Bristol Road, across from Barnes Park
- Open Spaces
- Update on all Financial Policies
- Improve on-line services to residents and contractors
- Research feasibility of a Stormwater Management Authority
- Establish County Public Transportation with Bus Stops

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

a. **Consider abatement of entertainment tax to Regal Cinema's @ Warrington Crossing Shopping Center.**

Mr. Luber reported the township has an agreement with Regal Cinema to pay \$100,000 annually in entertainment tax to the township in perpetuity. Regal Cinema's is seeking to waive this monthly fee for a period of nine (9) months.

Chris Anderson, Principal for Goodman Properties is the landlord for Regal Cinema's. Mr. Anderson stated due to COVID-19, Regal Cinema's has shut down their operation and has been one of the most negatively affected businesses in the retail world.

Maura Fry, Regal Cinema's stated they were forced to shut down in March. The studios are withholding blockbuster films. Goodman Properties has abated and deferred significant rental, real estate tax, operating expense and entertainment tax payments.

Mr. Anderson and Ms. Fry are requesting an abatement of the entertainment tax for a period of nine (9) months. Regal Cinema has paid Warrington Township through July 2020. The 9 month abatement is approximately \$75,000 starting August 2020 through April 2021.

Ms. Albillar motioned, seconded by Ms. Baker to abate the Entertainment Tax effective August 2020 through April 2021 unless there is a further request, the Board of Supervisors would consider this request prior to the expiration of this term. All were in favor and the motion passed 5-0.

b. Presentation of Air National Guard's concept for a new main entrance location.

Mr. Lubber and Mr. Jones met with representatives of the Air National Guard (ANG) and Horsham Township to discuss a new entrance concept off of County Line Road.

Mr. Jones stated the ANG submitted plans and a proposed solution to eliminate two entrances onto 611. The proposed main central entrance and exit will be off of County Line Road. This will involve three real estate acquisitions. The ANG is seeking a letter of support.

Public Comment:

Seth Gansman (903 Bentley Court) stated the entrance should be setback.

Mr. Gaines stated this item is for informational purposes only. No action is required by the Board of Supervisors.

c. Consider Resolution for the Sale of Personal Property pursuant to Section 1504 of the Second Class Township Code.

Mr. Lubber reported the Township is in need of selling personal property. If the item(s) are under \$2,000 fair market value, the Township can donate the item(s). If the fair market value is more than \$2,000 shall be sold to the highest bidder after notice by advertisement.

Mr. Gaines requested for the township manager to keep a record of all sales and report the sales to the Board of Supervisors.

Ms. Schemm motioned, seconded by Ms. Albillar to approve the Resolution for the Sales of Personal Property pursuant to Section 1504 of the Second Class Township Code. All were in favor and the motion passed 5-0.

6. MANAGER'S REPORT:

Mr. Lubber reported an executive session will be held prior to the October 28th Ribbon Cutting Ceremony at the new Route 202 Trail.

Mr. Lomax inquired about security for the November 3 General Election. Mr. Lubber reported all Warrington Township Police will be on duty. Mr. Lubber stated the parking lot in front of the township will be empty for the voters to park; a thorough cleaning will be done after the election volunteers have left the building.

Mike Kelly inquired if temperatures will be taken. Mr. Gaines said everyone has to social distance and wear a mask.

7. DEDICATION REQUEST:

a. Consider Resolution Denying Request to Dedicate Public Improvements constructed in conjunction with Murphy Tract Subdivision.

Mr. Zarko reported the developer for the Murphy Tract subdivision requested final dedication. Mr. Zarko stated there a number of items that need to be addressed on the Punch List.

Mr. Schemm motioned, seconded by Ms. Albillar to approve the Resolution denying the developer's request to dedicate public improvements constructed in conjunction with the Murphy Tract subdivision. All were in favor and the motion passed 5-0.

8. ENGINEER'S REPORT:

a. General Update

Mr. Zarko updated the Board on the Gloria Dei development, stating several punch list items needs to be completed.

Ms. Schemm inquired about 2436 Street Road. Mr. Zarko said they are working towards a settlement on the second lot. The path will be completed.

Ms. Schemm requested an update to Warrington Walk and Emerson stream buffer. Mr. Zarko stated all the lots have been sold in Warrington Walk. There is protective fencing and no encroachment to the area regarding the Emerson stream.

Ms. Albillar questioned how long the project will take on Folly Road. Mr. Zarko said Folly Road should be opened mid-November, 2020.

b. Follow-Up Final Inspection Report – Gloria Dei communities/Pathways at Warrington.

Refer to General Update

9. SOLICITOR'S REPORT:

- a. WT ZHB 20-15, Neill, Residential variance for excess impervious cover in the R2 Zoning District.

The Board of Supervisors decided no action is needed to submit to the Zoning Hearing Board.

- b. WT ZHB 20-16, Premier A-2 Warrington, non-residential variance for signage in the PI-1 Zoning District.

The Board of Supervisors decided no action is needed to submit to the Zoning Hearing Board on both variances.

- c. WT ZHB 20-17, Shihadeh, request for ZHB to re-consider denial of a variance for excess impervious cover in the R2-I zoning district.

The Board of Supervisors authorized the Solicitor to write a letter to the Zoning Hearing Board to maintain 25% impervious surface ratio.

- d. WT ZHB 20-18, Parsons, residential variance for encroachment into a required building setback to enable construction of a roof over an existing deck.

The Board of Supervisors decided no action is needed to submit to the Zoning Hearing Board.

- e. Consider Review and Authorize Advertisement of an Amendment to the Street Tree Ordinance.

Ms. Schemm motioned, seconded by Mr. Lomax to authorize advertisement of an amendment to the Street Tree Ordinance.

SUPERVISOR COMMENTS:

Ms. Schemm stated the Park and Recreation Board are requesting a description of all township advisory boards' scope of authority. Mr. Luber stated he will work on an orientation session for all new members.

Mr. Baker stated the Veteran Affairs Committee will hold a Veterans Day ceremony, rain or shine, behind the township building on November 11th. The ceremony will be on a smaller scale, due to COVID-19. Ms. Baker stated members of the VAC will start calling volunteers to help with the Helping Hands Program after COVID-19.

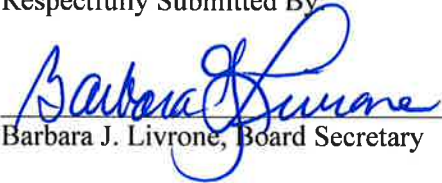
Ms. Baker reported the Swim Advisory Committee has prepared a listing of expenses for the pool.

Mr. Gaines stated the Ad Hoc Fire Services Committee held their first meeting. Communication is going very well between the Volunteer and Paid Firefighters. A consultant, who is volunteering his services, is on the committee. There are twelve (12) goals set by the State. The committee will review and decide which ones to implement.

ADJOURNMENT

There being no further business, Mr. Lomax motioned, seconded by Ms. Baker to adjourn the meeting at 9:18 PM.

Respectfully Submitted By:



Barbara J. Livrone, Board Secretary

Attachment "A"

Consent Agenda – October 27, 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. **September 22, 2020 to Approve Minutes for Board of Supervisors meeting.**

b. **October 13, 2020 to Post Minutes for Board of Supervisors meeting.**

c. **Consider bid award for 2020-2021 Snow Plowing and Salt Application.**

Six (6) bids were received. Recommendations for bid awards for the 2020-2021 Snow Plowing and Salt Application are: BP Paving; Covalleski-Wilson; H.A. Landscapes; Land-Tech; T. Schiefer and T.W. Smith.

d. **Consider Resolution to Authorize the Allocation of \$521,926.32 Grant from the Commonwealth of Pennsylvania for the General Municipal Pension System State Aid Program.**

Pursuant to Act 205 of 1984, the governing body of the Township must authorize the amount of money each municipal pension plan will received from the 2020 allotment.

e. **Consider Intermunicipal Police Services Agreement between Warrington, Montgomery and New Britain Townships.**

This agreement is to provide mutual police aid across jurisdictional lines along County Line Road in three Townships to enable police to more effectively enforce the provisions of traffic statutes, thereby preserving the health, safety and welfare of persons in the other signatory municipalities.

f. **Consider Release of Maintenance Bond # 482539S for Greenbriar Preserve in the amount of \$65,983.45.**

CKS Engineers has verified all the items in their July 10, 2020 maintenance bond inspection punch list report pertaining to public improvements for the Greenbriar Preserve have been completed. Therefore, the obligations under the 18-month maintenance bond have been satisfied.

g. **Consider Release of Maintenance Bond # 483009S for Highgrove Manor in the amount of \$88,125.89.**

CKS Engineers has verified all the items in their February 7, 2020 maintenance bond inspection punch list report pertaining to public improvements for the Anderson Way Right-of-Way have been completed. Therefore, the obligations under the 18-month maintenance bond have been satisfied.

- h. Consider Resolution to amend Resolution # 2020-R-43 extending the deadline for Outdoor Dining to March 31, 2021.**

A Resolution is being recommended to permit outdoor dining between November 2, 2020 and March 31, 2021 for those restaurants that submit an Outdoor Dining Permit Application that will require adherence to the previous requirements as well as requirements of the Bucks County Health Department, CDC, Code Enforcement Department and Fire Marshal's office.