



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR DECEMBER 8, 2020 - 7:00 PM**

The written minutes are a summary of the December 8, 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; Andy Oles, Director of Parks and Recreation; and Barbara J. Livrone, Executive Assistant to the Township Manager/Board Secretary.

CALL TO ORDER: Mr. Gaines called the meeting to order at 7:03 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.

Following is a listing of people who attended the December 8, 2020 Board of Supervisors meeting via Zoom:

- Seth Gansman
- Mike Kelly
- Shirley Yannich
- Kevin MacKenzie
- Robert Gundlach, Esq.
- Bob Showalter, P.E.
- Joe Cardamone
- Glenn Dracopoulos
- Connie Ace
- Mike Dempsey

PUBLIC COMMENT: None.

EXECUTIVE SESSION REPORT:

Mr. Gaines stated three (3) executive sessions were held. The first was a personnel matter; the second was a matter relating to the PBA and the last session was related to a stormwater issue with potential litigation with a development.

ANNOUNCEMENTS:

- **Governor Wolf's Emergency Order Extension Summary**

Mr. Luber announced Governor Wolf extended the emergency COVID order for an additional ninety (90) days starting from November 24, 2020.

- **Amendment to Proclamation of Disaster Emergency dated November 24, 2020 by Governor Tom Wolf, extending the emergency for ninety (90) days.**

Governor Wolf signed the third renewal of the original March 6, 2020 90-day Proclamation of disaster Emergency for COVID-19 Pandemic on November 24, 2020.

1. APPROVAL OF BILL LIST:

- a. **Paid 2020 Invoices for the Period November 25, 2020 to December 8, 2020 in the amount of \$1,149,429.78.**

Ms. Albillar motioned, seconded by Ms. Schemm to approve the paid 2020 invoices paid for the period November 25, 2020 to December 8, 2020 in the amount of \$1,149,429.78. 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.

Public Comment:

Kevin MacKenzie (1830 Roan Drive) questioned Agenda Item 2F. Mr. MacKenzie stated he has some damage and asked when construction will begin. Mr. Zarko stated construction will begin late winter or early spring. The damage will be restored to 1830 Roan Drive.

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

- a. November 10, 2020 to Approve Minutes for Board of Supervisors meeting.
- b. November 24, 2020 to Post Minutes for Board of Supervisors meeting.
- c. Consider Contract with Hometown Press for 2021.
- d. Consider appointment of Frank Kosmaceski to the Veteran Affairs Committee.
- e. Consider authorization to approve for Amendment to Ordinance 2020-O-08 concerning Fireworks use within the Township (advertised November 30, 2020).
- f. Consider bid award to Eagle Contracting, Inc., for Palomino Retention Basin Outfall Channel Rehabilitation in the amount of \$ 249,915.00 (advertised October 20 and October 27, 2020).
- g. Consider Certificate of Completion # 2 for Grove Valley Farm in the amount of \$336,275.00.

3. CORRESPONDENCE: None.

4. OLD BUSINESS:

- a. Discuss proposed use of 15-acre tract on Bristol Road.

Mr. Oles reported on the proposed use of the fifteen (15) acre tract on Bristol Road, owned by the Township. The parcel is located on the north side of Bristol Road across from Barness Park. The proposed use is slated for an athletic facility with multi-use fields. A walking trail and small playground may be included.

Ms. Albillar suggested for the residents on Kelly Road to participate in future public meetings.

Ms. Baker recommended girls softball to be included; along with use of fields and demographics of sports organizations. Also, take into consideration lighting the fields.

This park can be linked to Kings Park, located on Turk Road.

Ms. Schemm suggested obtaining public and partnerships involvement for the project.

Mr. Luber stated the township will apply for a RACP grant. There is approximately 2.5 million earmarked for this site but there is no guarantee that the township will receive the funds. The approximate cost of this project is between five and seven million dollars.

Mr. Gaines recommends an Impact Study for the Bristol Road area.

Public Comment

Mike Kelly (135 Muirfield Lane) expressed concern for pedestrians crossing from Barness Park to the new facility.

Mr. Oles stated that baseball will not be played at the new park. There will be a fence proposed on the side of Bristol Road. There will not be an entrance on Bristol Road, only Kelly Road, thus eliminating the need for youth to cross the road.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

- a. **Consider cancelling December 22, 2020 Board of Supervisors meeting.**

The Board discussed cancelling the December 22, 2020 meeting. Mr. Luber stated a bill list will be prepared and approved at the January meeting.

Mr. Lomax motioned, seconded by Ms. Albillar to cancel the December 22, 2020 Board of Supervisors meeting. All were in favor and the motion passed 5-0.

- b. **Consider Zoning Hearing Board (ZHB) meetings in-person and virtual.**

Mr. Clemons reported Governor Wolf's order gives Townships the guidance to hold all government meetings virtually. The ZHB is a quasi-judicial board. The declaration by Governor Wolf for townships to hold meetings virtually have not been challenged by the Courts. Mr. Clemons spoke to the solicitor of the ZHB, Tom Panzer, Esq. who is willing to follow the lead of the township to hold their meetings virtually.

Mr. Jones, Deputy Zoning Officer questioned the advertisement for the December 28, 2020 ZHB to be held in person or virtually. Upon the advice of the Board of Supervisors, the December 28th ZHB meeting will be held virtually.

All plans and exhibits will be hand-delivered to the ZHB members in advance of the meeting.

Ms. Albillar motioned, seconded by Ms. Schemm to send a letter to the ZHB to encourage the ZHB not to appear in person but to accommodate the needs for any member to participate in a safe manner, if they cannot find an alternative method to attend virtually. All were in favor and the motion passed 5-0.

6. MANAGER'S REPORT:

Mr. Luber gave an update on the new police station. All of the police officers have moved to their new station as of the week of December 1. However, there are some punch list items that need to be completed.

The Public Works Department is starting renovations to the former police area at the township building for the administrative staff. The work should be completed within sixty to ninety days.

Mr. Luber stated new chairs and carpet have been installed in the Shirley A. Yannich Public Meeting Room. A new Township seal has been ordered. Blueprints and pricing has been obtained for a HVAC system at the township building.

7. DEDICATION REQUEST: None.

8. ENGINEER'S REPORT:

a. General Update

County Line Road Improvement Project

Mr. Zarko and Mr. Luber attended a pre-construction meeting with PennDOT regarding the County Line Road Improvement Project.

Public Comment

Dr. Connie Ace (1067 Folly Road) asked if a curb cut for the Old Schoolhouse at 10 Folly Road will be included in the project. Mr. Zarko stated that it will be included.

Mr. Gaines noted there are two historic homes along County Line Road. Mr. Zarko said PennDOT will minimize the taking of the right-of-way.

9. SOLICITOR'S REPORT:

a. Cardamone ZHB application

Mr. Gundlach, Esquire, representing the applicant and Mr. Showalter, PE were present to discuss the latest application for an alternative development plan resulting in a total of 5 single-family homes. The 5 single-family homes will consist of two existing and three new homes. The application is for the Cardamones, TMP # 50-004-071 and 50-004-007-001 located along Stump and Pickertown Roads. Mr. Gundlach said this plan received Planning Commission support.

Mr. Cardamone gave background information on the property. He stated there is currently a business in operation and he will be retaining the existing home.

Mr. Cardamone agreed to remove the variance that permitted the previously proposed 18 acre lot and for a ten year allowance on the current business to be closed after the ten year period.

Mr. Clemons suggested deed restrictions to be noted on the plan that the landscaping use on Lot # 3 be removed ten years after the date the plan is recorded but the area of impervious surface remains.

Public Comment

Glen Dracopoulos (3557 Pickertown Road) supports the current subdivision plan and stated Mr. Cardamone is an outstanding business neighbor.

Mike Dempsey (785 Stump Road) is in favor and supports the current subdivision plan.

Mike Kelly (135 Muirfield Lane) asked what happens if Mr. Cardamone sells the two lots in a year or so. Mr. Clemons stated Lot # 3 will have a provision to operate as a landscape business and not to be sold to someone other than a family member who would change the business model for the property. This will be part of the subdivision approval process.

Mr. Gaines motioned, seconded by Ms. Albillar to support the four variances with the two conditions as recommended by the Planning Commission. All were in favor and the motion passed 5-0.

- b. **WT ZHB 20-003, Children's Learning Corner Conditional Use Application (Kristiansen), 2569 Bristol Road, TMP # 50-026-060-002 and considers requests for waiver of reports and scheduled hearing.**

Mr. Clemons stated a letter from the applicants attorney, Steve Harris dated December 3, 2020 is seeking approval for twelve (12) children as part of the conditional use application. This application will be going before the Planning Commission on January 7, 2021 and a conditional use hearing will be scheduled January 26, 2021 before the Board of Supervisors.

Ms. Schemm motioned, seconded by Ms. Albillar to accept the extension and not require an environmental assessment. All were in favor and the motion passed 5-0.

SUPERVISOR COMMENTS:

McNaney Ad Hoc Committee

Ms. Schemm stated Planning Commission member, Bill Connolly is Chair of this committee. One of the goals of the committee is to preserve the historic home. The Historic Commission will seek permission from the family to go through the home and obtain advice from the Heritage Conservancy. The Historic Commission is requesting to be part of the Ad Hoc Committee for the McNaney tract.

Ms. Schemm motioned, seconded by Ms. Albillar to appoint a member of the Historic Commission to the McNaney Ad Hoc Committee. All were in favor and motion passed 5-0.

Bike and Hike Trails Committee – 202 Segment

Mr. Oles met with the Director of Public Works to place “no motor vehicle” signs at the trail to discourage vehicle traffic from entering the walking trail.

An article will be placed in the Spring Link regarding the disposal of fishing line, hooks and trash along the trail.

Mr. Oles reported the current trail map is on the website. The Bike and Hike Trails Committee is working with CKS to update the trail map.

Mr. Gaines stated the Board of Supervisors has received monthly reports from the Police Department.

Supervisor Carol Baker Resigns

Ms. Baker announced her resignation from the Board of Supervisors effective December 31, 2020. Ms. Baker has served on the Board for five years and thanked everyone for their support. The Board thanked Ms. Baker for her exemplary work and service to the Warrington Township residents.

ADJOURNMENT

There being no further business, Mr. Gaines motioned, seconded by Ms. Baker to adjourn the meeting at 8:48 PM.

Respectfully Submitted By:


Barbara J. Livrone, Board Secretary

Attachment "A"

Consent Agenda – December 8, 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 E** on the Consent agenda.

- a. **November 10, 2020 to Approve Minutes for Board of Supervisors meeting.**

- b. **November 24, 2020 to Post Minutes for Board of Supervisors meeting.**

- c. **Consider Contract with Hometown Press for 2021.**

This is an annual contract for Hometown Press to produce the quarterly Link at no charge to the township.

- d. **Consider appointment of Frank Kosmaceski to the Veteran Affairs Committee.**

The Veteran Affairs Committee approved Mr. Kosmaceski as a volunteer to their committee for a three (3) year term.

- e. **Consider authorization to approve for Amendment to Ordinance 2020-O-08 concerning Fireworks use within the Township (advertised November 30, 2020).**

The amendment to Ordinance 2020-O-08 includes the Diwali and Lunar holidays.

- f. **Consider bid award to Eagle Contracting, Inc., for Palomino Retention Basin Outfall Channel Rehabilitation in the amount of \$ 249,915.00 (advertised October 20 and October 27, 2020).**

This project involves the rehabilitation of an existing outfall channel from the Township's Palomino basin (Barclay pond). Also included is required erosion and sedimentation controls and unimproved restoration.

- g. **Consider Certificate of Completion # 2 for Grove Valley Farm in the amount of \$336,275.00.**

CKS has reviewed and confirmed that all items included with the reduction request have been satisfactorily completed by the project developer for public/site improvements.