



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR MARCH 23, 2021 - 7:00 PM**

The written minutes are a summary of the March 23, 2021 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)

Supervisors: Chair Fred R. Gaines (absent); Vice Chair Ruth Schemm; Eileen Albillar, Member; Mark E. Lomax Member and William M. Connolly.

Staff present: Barry P. Luber, Township Manager; Terry Clemons, Esquire, Clemons Richter Reiss, Township Solicitor; Tom Zarko, P.E., CKS Engineers, Township Engineer; Christian Jones, Assistant Township Manager; Andy Oles, Parks and Recreation Director; Ivy Ross, Grant Writer and Administrator; Barbara J. Livrone, Executive Assistant to the Township Manager/Board Secretary, Jen Fielding, future Executive Assistant to the Township Manager/Board Secretary.

Also present for the Presentation of Police Accreditation: Chief Daniel J. Friel, Lieutenant Glen Gottenberg, Sergeant Ken Hawthorn, Officer Nate Coia, Officer Aaron Menzies, Officer Frank Peranteau, and Officer Joe Triola

Special guests: State Rep. F. Todd Polinchok, State Senator Maria Collett

CALL TO ORDER: Ms. Schemm called the meeting to order at 7:03 P.M.

PLEDGE OF ALLEGIANCE

Ms. Schemm followed the Call to Order with a pledge to the flag.

Senator Collett and Rep. Polinchok were special guests for this Board of Supervisors meeting to celebrate and thank Ms. Barbara Livrone for her 27 ½ years of service to Warrington Township. They both recited many of her accomplishments and acts of service.

There were a total of 17 people who attended the March 23, 2021 Board of Supervisors meeting via Zoom.

PUBLIC COMMENT: Mr. James Duffy, 3144 Fox Drive had comments for item 4.a., so he provided his comments later in the agenda.

EXECUTIVE SESSION REPORT: Ms. Schemm reported there was an executive session to discuss a personnel matter.

PRESENTATION OF POLICE ACCREDITATION

Chief Friel shared news that the Warrington Police were recently accredited for the first time. They received their state award in Harrisburg this week and now all police cruisers have the accredited seal on them. He reported that only 10% of police departments in Pennsylvania achieve this accreditation.

This has been a goal of the Warrington Police for nearly three years and he is very proud that the Department achieved this accreditation in a little over 15 months.

Ms. Albillar thanked the Department for all their hard work. Mr. Lomax also thanked them, and added that they accomplished this during 2020, what he called a very difficult year due to the pandemic.

PUBLIC HEARING: Consider Conditional Use Application of B-Nice LLC., AKA Rita's Water Ice located at 29 Easton Road, Warrington, TMP 50-034-006.

Mr. Clemons reported that the applicant's attorney requested to reschedule this public hearing. There is no date scheduled, as of right now. When the new date is scheduled, the Township will advertise it.

1. APPROVAL OF BILL LIST:

- a. 2021 Invoices for the period March 10, 2021 to March 23, 2021 in the amount of \$525,587.34

Mr. Lomax motioned, seconded by Ms. Albillar to approve the 2021 invoices paid for the period March 10, 2021 to March 23, 2021 in the amount of \$525,587.34 . All were in favor and the motion passed 4-0.

2. CONSENT ITEMS:

Ms. Schemm asked if any clarification was needed for the consent items as presented.

Ms. Albillar motioned, seconded by Mr. Lomax to approve items a-e, g and h. All were in favor and the motion passed 4-0. (Attachment "A")

- a. February 23, 2021 to approve Minutes for Board of Supervisors meeting
- b. March 2, 2021 to approve Minutes for Board of Supervisors meeting
- c. March 9, 2021 to post Minutes for Board of Supervisors meeting
- d. Consider 2021/2022 Bucks County Consortium Highway Material Joint Bid Award
- e. Consider Amendment to Township Fee Schedule to include Willow Knoll Annual Trash Hauling Fee
- f. Consider Addendum to Land Development and Financial Security Agreement Between Township of Warrington and Toll PA XIV, L.P. – Perry Farm
- g. Consider approval of Jen Fielding as Right to Know Officer, effective April 1, 2021.
- h. Consider Resolution for grant application for the Route 202 to Bradford Dam Trail – Segments B and C (DCNR).

Item f. Consider Addendum to Land Development and Financial Security Agreement Between Township of Warrington and Toll PA XIV, L.P. – Perry Farm was called out for discussion.

Mr. Lomax asked for clarification of this item. Mr. Clemons reported that the adjusted amount of security was changed since the original timeline was not met. Mr. Lomax motioned, seconded by Ms. Albillar to approve the Addendum to Land Development and Financial Security Agreement Between Township of Warrington and Toll PA XIV, L.P. – Perry Farm. All were in favor and the motion passed 4-0.

3. CORRESPONDENCE:

Mr. Luber reported that PECO was making the Township aware that they are making infrastructure improvements, including \$750,000 for new equipment, including pad-mount transformers in the Willow Knoll area. Construction will occur between March 2021 to September 2021. No outages are to be expected.

Ms. Schemm recommended that the Township contact the residents being impacted as a courtesy. Mr. Luber will instruct staff to complete a reverse-911 call to those residents.

4. OLD BUSINESS:

a. Consider approval of the Preparation of Resolution Authorizing Adoption of Dark Skies Declaration (Parcel identification: 50-004-136 "IPW Park", 50-010-003 "Upper Nike Park", and 50-4-137 "Lion's Pride Park" (collectively "Bradley Road Parklands"))

Mr. Clemons gave a brief overview of the Declaration, which has been discussed at three previous meetings, according to Ms. Schemm.

Mr. Duffy, 3144 Fox Drive, thanked the Board and shared his concerns about the definition and interpretation of emergency lighting in the Declaration.

Mr. Clemons showed a drawing of the area being considered in the Declaration and reiterated the language for the lighting. Discussion ensued regarding low lighting, height of poles for lighting, future plans and hours of operation for a future community building and animals possibly setting off sensors.

Ms. Albillar expressed a need for a balance between maintaining dark skies and safety for those using the park and any future community building. Ms. Schemm thanked Mr. Duffy for his input. She further reported that the City of Philadelphia recently passed a Dark Skies Ordinance.

Mr. Lomax motioned, seconded by Ms. Albillar to accept Option 2 of the Declaration, which states, "This Declaration of Covenants and Restrictions can only be terminated or amended by Court Order entered after a hearing held after public of the time and place of such hearing wherein it is determined that the Specific Public Purposes stated in Section 1.07 hereof are no longer served by enforcement of this Declaration."

Discussion ensued regarding this option compared to Option 1, which states "This Declaration of Covenants and Restrictions can only be terminated or amended by Resolution of the Board of Supervisors adopted after a public hearing held pursuant to public notice (the "Resolution"). The Resolution must be approved at a public meeting for which public notice is given that approval of the Resolution will be considered."

Mr. Lomax asked if choosing Option 1 or Option 2 could be put to Referendum. Mr. Clemons indicated that there are limited options to include as a Referendum and that dark skies is not one of them. Mr. Connelly indicated that if the Township does not choose Option 2, then he does not feel it is worth taking a vote. All were in favor and the motion passed 4-0.

Mr. Connelly motioned, Ms. Albillar seconded to approve the Preparation of Resolution Authorizing Adoption of Dark Skies Declaration. Mr. Connolly recommended adding language to 1.10, Item C, Section iii regarding security lighting, "in accordance with standards provided by the Illuminating Engineering Society".

With this language included, all were in favor and the motion passed 4-0. Mr. Clemons will draft the Resolution to be voted upon at a future meeting. Ms. Ross thanked the Board for their support of this Declaration.

b. Consider amendment to Resolution 2020-R-61 to extend outdoor dining

Mr. Luber reported that the current resolution ends March 31, 2021. Mr. Connolly suggested that the Board of Supervisors amend the proposed amendment to state September 30, 2021 instead of June 30, 2021 in order to provide businesses a longer timeframe to work with outdoor dining under the current conditions of the pandemic restrictions. Ms. Albillar motioned, Mr. Lomax seconded to approve Resolution 2020-R-61, with this change. All were in favor and the motion passed 4-0.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

a. Consider approval of Resolution for OP Schuman Preliminary/Final Plan Submission. 2001 County Line Road; TMP: 50-031-028-004

Mr. Bill Benner thanked the Board and Mr. Clemons and Mr. Zarko. Mr. Connelly asked if Mr. Zarko was satisfied with the changes requested from the last meeting. Mr. Zarko indicated that he was satisfied with the changes. Mr. Lomax motioned, Ms. Albillar seconded to approve the Resolution for OP Schuman Preliminary/Final Plan Submission. 2001 County Line Road; TMP: 50-031-028-004. All were in favor and the motion passed 4-0.

b. Consider approval for a Contract with Law Enforcement Accreditation Services (\$6500 for 2021).

Ms. Schemm opened discussion by stating that she agrees that approval of this contract is a good idea for the Township and the Department. Chief Friel shared additional feedback that working with the Law Enforcement Accreditation Service was very helpful. Lt. Robert Meditz reported that working with the Law Enforcement Accreditation Service helped the Department know what to anticipate with regard to the accreditation process. They provided guidance regarding changes to state mandates and many other areas. Mr. Lomax also supports this contract. He asked about the payment schedule. Mr. Luber reported that the Law Enforcement Accreditation Service will begin work immediately and only charge the Township once in 2021 for \$6500, after they complete work for a period of six months. Mr. Lomax motioned, Ms. Albillar seconded to approve a 3-year contract with Law Enforcement Accreditation Services. All were in favor and the motion passed 4-0.

Chief Friel thanked the Board for their support during this entire process.

a. Consider a 36-month contract with WGL Energy at a price of \$.04891 (including taxes) be executed

Mr. Luber reported that this contract became available today and this rate is only available for 24 hours. He further reported that this contract would provide savings over \$10,000. Mr. Lomax motioned, Ms. Albillar seconded. All were in favor and the motion passed 4-0.

6. MANAGER'S REPORT:

Mr. Luber reported that 99% of Phase I improvements to the Township building have been completed. He invited the Board of Supervisors to stop by the building to see the improvements. He further indicated that when it becomes safe again under CDC guidelines, the Township will also invite the public to visit the building to see the improvements.

Mr. Luber reported that the Mary Barnes Tennis and Swim Club will open on Memorial Day, as planned, following CDC guidelines for social distancing. April 15, 2021 is the final day for the Early Bird registration.

7. **DEDICATION REQUEST:** None.

8. **ENGINEER'S REPORT:**

Mr. Zarko provided highlights to his report, as submitted. He reported that the municipal complex access driveway at the existing Easton Road/Shetland Drive intersection has received an approved layout, and has been submitted to PENNDOT. He anticipates advertising for bids on this project most likely in Summer, 2021.

Mr. Zarko reported that the Pickertown Road project is underway and on schedule. He reported that the road will only be completely closed during the work on the culvert.

9. **SOLICITOR'S REPORT:**

1. Upcoming ZHB Application for WT ZHB 21-06, Fallon, 2679 Fawn Lane, request for a variance for excess impervious cover of 29 percent where 25 percent is otherwise permitted. Mr. Clemons provided a brief summary of this application and reported that the pool would be at the rear of the property. Mr. Zarko does not anticipate there being any concerns.

SUPERVISOR COMMENTS:

Ms. Albillar reported that the Township's full-time firefighters completed a sprinkler training and now will be applying what they learned in the field. She thanked them for completing this training. She also reported that both Federal and State Tax Dates have been pushed to May 17, 2021. She provided the following resources for anyone struggling to complete their taxes as she stated that 2020 was a challenging year for many who might have received unemployment or had to cash out retirement savings.

She reported that the IRS has a hotline for anyone earning less than \$72,000 and they will provide free filing services. Myfreetaxes.com is another resource to provide free tax services.

Mr. Lomax reported that there is a new video series being promoted by the Township called Coffee with the Chief, posted on the Township's website and Facebook page. This monthly series will provide an interview with the Chief on timely topics to the Department and residents. A future episode might include a tour of the new Police building. Mr. Lomax thanked Ms. Livrone again for her service and dedication to the Township and welcomed Ms. Fielding in her new role as Executive Assistant to the Township Manager and Secretary to the Board of Supervisors.

Ms. Schemm invited Mr. Andy Oles to speak about upcoming activities related to the Parks and Recreation Department.

Mr. Oles reported that the Department would be hosting a ZOOM call with the Parks and Recreation Board and Presidents of all the local sports teams to discuss common themes and issues related to sports in the Township. This forum will provide an open dialogue for all parties and said that it is not often that he can gather all the sports programs together in one group, so this will be a great way to share ideas and hear any concerns or needs the teams might have.

Ms. Schemm further reported that the Open Space and EAC committees continue to move forward even during the pandemic to continue with both trail and planting planning.

Mr. Luber thanked Ms. Livrone again for her dedication and service not only to the Board, and himself, but to the staff and all the behind-the-scenes work she provided over her tenure.

ADJOURNMENT

There being no further business, Mr. Lomax motioned, Ms. Albillar seconded to adjourn the meeting at 8:36pm.

Respectfully submitted By,



Jen Fielding, Board Secretary