



**BOARD OF SUPERVISORS
WARRINGTON TOWNSHIP
MINUTES FOR SEPTEMBER 12, 2023 - 7:00 PM**

The written minutes are a summary of Board of Supervisors meeting. For a complete video visit the Township's website, www.warringtontownship.org.

This meeting was held hybrid both in person at the Township building and via Zoom link. The recorded meeting can be viewed the day after through the Township's website, www.warringtontownship.org

Supervisors: Chair, Fred Gaines; Vice Chair, Ruth Schemm, Member; Michael Diorka, Member; Vanessa Maurer, Member; Andrew Macaulay, Member

Staff present: Barry Luber, Township Manager; Christian Jones, Assistant Township Manager; Vicki Kushto, Esquire, Clemons Richter Reiss, Township Solicitor; Tom Zarko, Township Engineer; Chief Daniel J. Friel; Laura Koshy, Administrative Assistant

1. CALL TO ORDER Call to Order Mr. Gaines called the meeting to order at 7:02pm.

2. PLEDGE OF ALLEGIANCE

There were a total of 23 people both in person and Zoom. The meeting is also "streamed" on the Warrington Township TV channel, so other interested parties are always welcome to watch the meeting using this option.

3. EXECUTIVE SESSION – Mr. Gaines reported that there was an Executive Session on September 7, 2023 to discuss a Police personnel matter

4. PUBLIC COMMENT *(The Board will hear from any interested resident or taxpayer who would like to comment on an item not on this evening's agenda. Respondents are asked to keep their comments to 3 minutes. Please sign in.)*

5. PUBLIC HEARING: Conditional Use Hearings for 771 and 807 Easton Road for conditional use approval for a Drive Thru and Accessory Outdoor Eating Area on both properties. Continued until October 24, 2023

Ms. Schemm moved to adjourn the meeting at 7:06pm; Ms. Maurer seconded. the Motion passed 5-0

Mr. Diorka made a motion to continue the Conditional Use hearing to October 24, 2023. Ms. Maurer seconded. The motion passed 5-0.

Ms. Maruer made a motion to close the Conditional Use hearing. Ms. Schemm seconded the motion. The motion passed 5-0.

Ms. Maruer made a motion to re-open the meeting. Mr. Macaulay seconded. The motion passed 5-0.

6. OLD BUSINESS:

a. Consideration of amendment to Approval Resolution regarding Elite Plaza

Ms. Kushto gave the background of the issue, this is a minor land development which has easements at the rear of the property with the water authority and the sewer authority. Some plantings were to be included to shield headlights from the parking lot, which the authorities have denied any approval for plantings. The proposed solution is a fence.

Bill Remer from the applicant then spoke to give additional details. It was then clarified this would be for a 6 foot high fence.

Questions from the Board: Has anyone reached out to the utility companies, is there a sound buffering difference.

Responses were: no, as utility lines are known to be far from fence location; purpose is light blocking, not sound.

Ms. Schemm moved to approve the amendment to Approval Resolution regarding Elite Plaza, Ms. Maurer seconded. All in favor, the vote passed 5-0.

b. Continuation of discussion, and approval of, Police vehicle ordering

Chief thanked the Board for having him. Chief gave background of discussion at prior meeting. Gave details of updated memo given to the Board for this update.

Points focused on from updated research: No department of equivalent size/need had EVs for patrol, they used them for 8 hour shifts, we have 12 hour shifts, Solebury is the only local municipality ordering for Patrol cars, we aren't sure we want to be the first in this. As there is a need for a new Administration vehicle, the Chief recommends 2 conventional vehicles for patrol and purchasing EVs for a PD administration vehicle and one to fill the need in Township administration needs. Details on cost updates for a lower battery for the Mach-E Mustang, with a smaller battery as would be

administration, and a conventional vehicle choice in a Dodge Durango were given as new numbers only just became available.

Mr. Macaulay pointed out that the purpose of using this for a PD vehicle was to get data for future decision making and, in that instance, having the larger battery would be better.

More discussion included ordering issues affecting choices, the Durango being more than needed for a Township administration vehicle, different models to consider, manufacturers moving away from hybrids, Chief again highlighted what those in our area are doing and his efforts to reach out to every jurisdiction they could.

Mr. Gaines agreed we aren't ready for EVs for patrol, should consider them for administration, it's been several years since the fleet has been increased so there are more officers using the vehicles we have, causing more wear.

More discussion was had over the upcoming costs with aging vehicles, including a potential battery replacement for a Ford Hybrid. Mr. Luber pointed out that the current secondary vehicle market is resulting in higher resale when we are selling our older vehicles.

Ms. Maurer wanted clarification on the vehicles being focused on, the extra cost for an administration vehicle if not conventional. Mr. Macaulay clarified:

- There is a \$14,000 differential in the purchase price.
- There is a PA Dep of Environmental Protection grant already applied for that would reduce that amount by half.
- A grant was applied for, it requires 2 EVs to qualify, which is for \$14,000. The grant won't be decided on until December.
- There is a separate and additional Federal grant for \$7,500 with automatic qualification.
- There is also a savings in the cost differential between the gasoline cost (\$28,000) vs the electricity cost (\$5,400) over the 100,000-mile life of the vehicle
- There is a difference in maintenance costs with an EV being approximately \$3,100 lower.
- This brings the total cost of ownership to \$43,938 for a 2024 Ford Mach E vs \$69,513 for a 2024 Ford Explorer conventional vehicle.

Additional discussion included: there are big budget concerns in the purchase prices, some of this cost has already been budgeted, the police station already has lines available for the chargers, charger cost should be known at this point, concerns about future car needs, how do we plan for future needs and current cost concerns, comprehensive plan is needed, having EVs to get figures for comparison is important, having one EV at this point and seeing how EVs work for other jurisdictions, clarification that the second EV is for zoning for budget but for grants it would count as the two needed.

Mr. Macaulay made a motion to approve two conventional Dodge Durango's, as specified by the Chief, and one Ford Mach-E with larger battery pack for delivery as Chief has negotiated. Ms. Schemm seconded. Mr. Gaines, Ms. Schemm and Mr. Macaulay voted in favor; Mr. Diorka and Ms. Maurer voted against. The motion passed 3-2.

Public Comment:

Michael Simmone 744 South Settlers Circle – feels EV's are inherently unreliable, proof is that anyone who has one has a conventional vehicle as a backup. These are for our Police officers who want to come home, not a time to experiment.

Joanne Baer- 2184 Palomino Drive- concerned about spending on EVs, our PD is the 4th busiest in Bucks County. Budget might be better focused on more officers. Given current issues is this the best use of our funds.

Sharon Walbridge- 919 Partridge Place- would like to wait for more data on EV owning, feels it take the span of the EVs lifetime to make up the cost and it's not the best use of taxpayer money, doesn't want to see repeat of Solar panel mistakes.

Todd Walbridge – 919 Partridge Place – Agrees with Michael Simmone, we need to invest in Police officers first.

c. Discussion and authorization for the Township Engineer to prepare a proposal for an analysis to determine where sidewalks are required

Mr. Gaines gave the background that this item is a request from the Planning Commission as they prepare their next comprehensive plan with the goal of a "Walkable Warrington". The Township Engineer will create a survey and Identify areas with and without sidewalks. The Planning Commission, under Chapter 295 in the Township's sidewalk Ordinance and Municipal Planning Code Section 501, along with the Board, will work with the Department of Transportation. These sidewalks can be 100% reimbursable if a plan is outlined before a grant could be approved.

Ms. Maurer thanked Mr. Gaines, feels this is an excellent idea, the next step to making a "Walkable Warrington". Mr. Luber and Ms. Maurer attended a grant workshop on this, they are indeed 100% reimbursable and something we should persue.

Mr. Diorka had questions about Engineer expenses and length of time to complete the study. Mr. Luber believes there are planning grants that may cover some expenses and for the planning. Mr. Zarko isn't sure how long it would take overall, that would be included in the proposal, but they already have a very good base plan showing sidewalks and now have a planner versed in this now.

Ms. Maurer made a motion to authorize the Township Engineer to prepare a proposal for an analysis to determine where sidewalks are required. Mr. Diorka seconded. The motion passed 5-0

7. NEW BUSINESS:**a. Discussion of volunteer appreciation**

Mr. Luber gave background of Volunteer luncheon and thank you gift to recognize Volunteers. The attendance in past has not been as high as before, the Township Engineer and Solicitor both contribute and reduce the cost. Given the spending freeze for the remainder of 2023 Mr. Luber wanted to see if the Board wanted to keep everything the same as usual, cancel the lunch and give a larger thank you gift or possibly move the lunch in-house to the Township building.

Mr. Maurer believes the volunteers do a lot of work and felt the cost was minimal given all they do.

There was additional discussion of cost being reduced through vendor contributions, it being a shame we couldn't hold this in the new community center, some committees are very interested in participating and others have none and a decision need to be made as places will book up.

Action: Mr. Luber will get in touch with the Committee Chairs to see what they would like to do.

8. SUPERVISOR COMMENTS:

Mr. Macaulay – 1) Warrington Cares Triathlon was a success, lots of participants, lots of bad weather, volunteers did a great job, this event builds community spirit. 2) Bike and Hike completed a trail at little Neshaminy Creek to Mockingbird Way which increased safety.

Mr. Diorka – 1) The Mary Barness Community Pool has closed, which is sad to hear, Labor Day was hot, the Steering Committee will make a report on the season. The 5-year action plan was made years ago and will be revisited. Issues to reexamine: extending the pool season, holding events in the off-season (such as an Oktoberfest or Winter Holiday event) to bring the community together. 2) Master Plan Ad Hoc Committee has reviewed the Master Plan developed by Natural Lands. Their Chair, Mr. Bill Connolly has prepared a draft of items discussed. It will eventually come before the Supervisors.

Ms. Schemm- 1) Historical Commission is moving ahead on 10 Folly Road School, it's slow work but the builder is very committed and "into it". 2) Ken Jones from Penn State Extension will speak at 7 pm before the Open Space and Land Preservation Committee to discuss maintenance of respiration sites. 3) EAC is giving out free Naturalized plant plugs at Warrington Day 4) Special Equestrians had a successful fundraising event "Sippin'" at Bishop's Estate. They have also added more programs and are a great benefit to Warrington.

Ms. Maurer- 1) Board meeting is being held on the post-eve of September 11 where we honor all our First Responders. Just came from a road renaming for Officer Bell, killed in the

line of duty in 1964, wanted to give a special shout out to all volunteers and first responders who keep Warrington safe.

Mr. Gaines- 1) Monday was Patriot's Day in honor of 9/11. The Veterans Committee put on a program that was well attended. 2) Echoed Mr. Macaulay's comments on the Triathlon, there were 250 attendees and they kept going despite the last half experiencing a torrential downpour. The volunteers also never left their posts. It was a very successful event for all those involved and for raising money for Warrington Cares. 3) Two Boy Scouts received their Eagle Scout award on Saturday. Mr. Gaines attended with Representative Fitzpatrick as well as Representative Brian Monroe and Senator Frank Farry. We could recognize the scouts as well if given advance notice next time. 4) There is a monthly report from the Chief of Police with statistics provided to Mr. Luber and Mr. Gaines. There was a surprising event at the end of August where an unlicensed 21-year-old had a fatal motorcycle. There were also 14 theft investigations, 17 criminal arrests, 7 persons with outstanding warrants arrested after contacts with police, 9 of the theft investigations for shoplifting occurring at Wegmans, Lowes, Home Depot, Target and Walmart, this is not a typical week for Warrington.

9. MANAGER'S REPORT:

- a. Warrington Cares Triathlon was a success as two Supervisors also mentioned, those who came out and stood in the rain for hours are appreciated. Special shout out to the Sponsor's. We have a new Premier sponsor in Marshal Financial Group. Gold level: North Wales Water Authority and Forest Park Water. Silver level: Clemons Richter and Reiss PC, Premier Technology, Harris and Harris Law Firm, Philadelphia Animal Hospital, Penn Community Bank, The UPS Store in Warrington, Eckert Seamans. Bronze level: CKS Engineers, Concord Public Financial Advisors, Edward Jones, Debbie Goetz Media Consultants, McMahon Associates (A Bowman Company), Highpoint Foot and Ankle, Lankford Landscaping and attorneys Scott Blissman and Ryan Cassidy. Three in-kind sponsors: Walmart, Wawa and Serve Pro donated food and water for the event. Many thanks to them.
- b. Attended the annual Delaware Valley Workers Comp Trust, pleasantly surprised that Warrington got a Certificate of recognition, Warrington has a great safety Committee lead by our Fire Marshal Joe Pfizenmayer and the co-Chair, Leslie Frescatore our head to Human Resources. The certificate was for Exemplary Achievement and Leadership in Minimizing Workplace Injuries and Illness for 2022. The certificate was presented to Mr. Pfizenmayer.
- c. Solar Panel update: they are up and running, generating electricity, money is being saved. They still need to troubleshoot why a fuse is being blown when the emergency generators turn off after being triggered. Exact Solar, who was not the installer, is going to come out to investigate and fix the issue. While we do know how to fix the issue, we want a permanent fix.

10. ENGINEER'S REPORT:

- a. Township Municipal access driveway was completed that day. Remaining signalization work and pavement markings should be done by end of the week with PennDot signoff the week after. That project is finally coming to completion.
- b. 2023 Storm sewer rehab project – bulk work is complete. We are down to punch lists, the contractor did a nice job on that.
- c. Mr. Zarko announced his retirement at the end of the year and suggested his replacement be Mary Stover, who is familiar with the Township. He will help transition her.

11. SOLICITOR'S REPORT:**a. Consideration of Zoning Hearing Board Application for the Estate of Charlotte Miller Kane**

Ms. Kushto requested that the Board amend the agenda to consider the Zoning Hearing Board Application of the Estate of Charlotte Miller Kane. Ms. Kushto explained that the Zoning Hearing Board hearing for this matter is scheduled for Monday, September 18th and this is the Board's only chance to review this application before the hearing.

Ms. Maurer made a motion to Amend the agenda to consider the Zoning Hearing Board Application for the Estate of Charlotte Miller Kane. Mr. Diorka seconded. All in favor, motion passed 5-0.

Kellie McGowan, attorney for the applicant, gave background information. The main issue is woodlands. They can achieve 71-72% preservation percentage. The requirement is 80% to meet elevated preservation number as the woodlands here exist in environmentally sensitive areas. Soil classification is the main concern, all other concerns have been met. Request is a variance for the 8% deviation from the Ordinance requirement.

Ms. Kushto clarified what is under consideration tonight is only a position on the Zoning Hearing Board application, The Board is not being asked to approve the proposed subdivision or any aspect of it. The proposed subdivision will come before the Board at a future meeting.

Mr. Zarko detailed what the environmental concerns are for the site.

Mr. Gaines asked if this could cause runoff or stormwater issues in Mill Creek, which is nearby. Mr. Zarko said it wouldn't if the Stormwater requirements are met, which will be reviewed at the Zoning Hearing Board.

Ms. Schemm felt the Board should remain neutral as other Committees haven't seen these plans; this should go before the Zoning Hearing Board for them to review.

Mr. Diorka wanted clarification on site location, which was given.

Ms. Schemm made a motion that the Board remain neutral in considering the Zoning Hearing Board Application for the Estate of Charlotte Miller Kane. Ms. Maurer seconded. All approved, the motion passed 5-0.

b. Consideration of Settlement Agreement between the Township, Warrington P II, LP and Warrington Pointe Community Association

Ms. Kushto requested that the Board amend the agenda to consider a Settlement Agreement between the Township, Warrington P II, LP and Warrington Pointe Community Association. Ms. Kushto explained that this is a time sensitive matter as the parties would like to have the work completed by the end of October.

Ms. Schemm made a motion to Amend the Agenda for consideration of Settlement Agreement between the Township, Warrington P II, LP and Warrington Pointe Community Association. Mr. Diorka seconded. All in favor, the motion passed 5-0.

Ms. Kushto explained that this settlement involves issues with stormwater basins in the Warrington Pointe Community. The Board is very familiar with this matter as it has been previously discussed as a potential litigation matter. The Board has been informed of the terms of the Agreement, including a specified scope of work and that the Board is authorizing the expenditure of up to \$30,000 to have this work completed. Mr. Gaines expressed concern regarding the settlement and asked if the Developer, Grasso, would be contributing to the settlement. Mr. Zarko indicated yes that he is contributing \$100,000 toward the resolution of this matter. Mr. Gaines expressed concerns regarding the ability for the cost to exceed \$130,000. Mr. Zarko indicated that he is confident that the numbers are good numbers and that there is not much room for overruns. Ms. Kushto reminded the Board that the \$100,000 would be given to the Township and the Township would control release of the money based on approvals provided by Mr. Zarko's office.

Ms. Maurer made a motion to approve the Settlement Agreement between the Township, Warrington P II, LP and Warrington Pointe Community Association subject to final review and approval of the Solicitor's office. Mr. Diorka seconded. Motion passes 4-1 with Mr. Gaines voting no.

12. CONSENT ITEMS:

Mr. Gaines asked if anyone wanted to pull any items out.

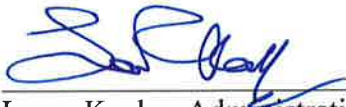
Ms. Maurer made a motion to approve items a through e. Ms. Schemm seconded. All in favor, motion passed 5-0.

- a. Consider approval of the Bill List from August 23, 2023 to September 12, 2023 in the amount of \$1,641,541.38
- b. Consider approval of 2023/2024 Bucks County Consortium Joint Rock Salt Bid to Silvi Concrete Products (DBA Riverside Construction) at \$66.00 a ton delivered
- c. Consider authorization to advertise for snowplow bid for 2023-2024
- d. Consider approval of Escrow Release No. 1 for NTB/AutoZone in the amount of \$0
- e. Consider approval of Escrow Release No. 2-FINAL for NTB/AutoZone in the amount of \$0

ADJOURNMENT

The meeting was adjourned at 8:43 pm.

Respectfully Submitted



Laura Koshy, Administrative Assistant