



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

The written minutes are a summary of the September 8, 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 and Barbara J. Livrone, Executive Assistant to the Township Manager/Board Secretary.

**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 September 8th Board of Supervisors meeting via Zoom:

- Bob Williamson
- Ivy Ross
- Robyn Jeney
- Brandon Gittleman
- Kevin Kester, P.E.
- Joseph Morrissey
- Giovanna M. Raffaelli, Esquire
- Lawrence Dugan
- William Benner, Esquire
- Doug Taylor

**EXECUTIVE SESSION REPORT**

Mr. Gaines stated an executive session was not held.

**ANNOUNCEMENTS: October is declared Dysautonomia Awareness Month**

Mr. Gaines announced that a proclamation will be presented declaring October as Dysautonomia Awareness Month. Mr. Gaines read the proclamation describing the disease. The proclamation will be presented at the first meeting in October.

**PRESENTATION OF WARRINGTON ROTARY CLUB**

Mr. Luber introduced Bob Williamson of the Warrington Rotary Club and read Resolution 2020-R-54 recognizing a campaign formed by the Rotary Club to promote law enforcement in a positive way. The Rotary Club purchased pool passes to Warrington's Mary Barnes Community Pool and the Warrington Police Department distributed the passes to children and their families in Warrington Township.

Mr. Williamson was grateful for the cooperation between the Township and the Rotary Club. The Rotary Club purchased 259 passes and their campaign aired on Action News.

**PRESENTATION OF 2019 ANNUAL REPORT FROM WARRINGTON OPEN SPACE AND LAND PRESERVATION COMMITTEE**

Mr. Gaines introduced Ivy Ross, Chair of the Open Space and Land Preservation Committee. Ms. Ross reported on the Warrington Open Space and Land Preservation Committee's Annual Report for 2019. Ms. Ross presented a slide show which listed the members for 2019; gave background information on the Open Space Referendum; the use of the referendum funds; a listing of priorities in 2019; the consideration of parcels to acquire in 2019; the Mattes property acquisition; management of open spaces and meadows in the Mill Creek Preserve; Environmental assessment and Resource Management Plan for the Mill Creek parcel; Friends of Mill Creek Preserve 2019 Lecture Series; Ms. Ross invitation to Washington to represent the municipal perspective; Weisel Preserve and pond; signage for Open Space; stormwater detention basin signs; development plans for open space; and plans reviewed in 2019.

The Board of Supervisors thanked Ms. Ross for the work the Open Space and Land Preservation Committee has achieved.

**PUBLIC HEARINGS:** None.

**1. APPROVAL OF BILL LIST:**

- a. 2020 Invoices for the Period August 26, 2020 to September 8, 2020 in the amount of \$842,950.40

Mr. Lomax motioned, seconded by Ms. Baker to approve the 2020 invoices paid for the period August 26, 2020 to September 8, 2020 in the amount of \$842,950.40. All were in favor and the motion passed 5-0. Mr. Lomax questioned a camera expense for storm drains. Ms. Schemm questioned a training expense.

**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 E. All were in favor and the motion passed 5-0. (Attachment "A")

- a. August 11, 2020 to Approve Minutes for Board of Supervisors meeting.
- b. August 25, 2020 to Post Minutes for Board of Supervisors meeting.
- c. Consider approval of Certificate of Completion # 3 in the amount of \$230,823.25 for Premier A-2 Warrington PA, LLC.

- d. Consider of approval of Certificate of Completion #1 in the amount of \$75,636.60 for the Warrington Place, LLC.
- e. Consider bid award to T. Schiefer Contractors, Inc., for Folly Road Pedestrian Crossing Project in the amount of \$87,878.00.

**3. CORRESPONDENCE:** None.

**4. OLD BUSINESS:**

- a. Consider adoption of Ordinance executing Franchise Agreement with Comcast of Southeast Pennsylvania, LLC. (advertised August 18, 2020).

Mr. Luber reported there was no public comment during the public hearing of August 25, 2020. The Ordinance is to execute a ten (10) year agreement with Comcast.

Ms. Albillar motioned, seconded by Mr. Lomax to adopt the Ordinance executing a Franchise Agreement with Comcast of Southeast Pennsylvania, LLC. All were in favor and the motion passed 5-0.

- b. **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).**

Ms. Schemm motioned, seconded by Ms. Albillar to table this item until the September 22, 2020 meeting. All were in favor and the motion passed 5-0.

- c. **Discussion of Salt Shed location for eastern portion of Township.**

Mr. Luber reported the township is viewing some township properties and the Earthborne property for a possible location to install a salt shed in the eastern section of the township.

Ms. Albillar motioned, seconded by Ms. Schemm to table this item until the September 22, 2020 meeting. All were in favor and the motion passed 5-0.

- d. **Recognition of Volunteers to various Boards/Committees.**

Mr. Luber presented the recognition of volunteers for the township's Boards and Committees during a January 2020 Board of Supervisors meeting. Items of discussion were the following:

- Recognize the volunteers in front of their peers
- Re-establish a Volunteer of the Year program. The nominees would be reviewed by a committee. Two winners would be selected. A gift card would be given to each and a plaque would be given to each winner. In addition, a plaque would be placed at the township building.
- Discussion of give aways as thank you gifts.

- e. **Consider approval to advertise amendment to Fireworks Ordinance.**

Mr. Clemons described the amendment to Chapter 6 Conduct regarding consumer and display fireworks. A special permit would need to be submitted thirty (30) days in advance of usage if above and beyond the allowable five listed holidays.

Ms. Schemm stated the need to protect the township residents and to implement a public relations campaign.

Mr. Lomax suggested moving the new additions to the top of the Ordinance. Mr. Lomax also recommended creating an Ad Hoc Educational Committee. A member of the Veteran Affairs Committee was suggested to be part of the committee.

The fireworks campaign would be advertised through the Link, E-Link and all social media.

The Board recommended a time to be established for fireworks during the listed five holidays. Fireworks would be allowed from 4:00 pm to 10:00 pm on four holidays. On New Year's Eve, fireworks would be allowed 4:00 pm and end 1:00 am on New Year's Day.

Ms. Schemm motioned, seconded by Ms. Baker to authorize advertisement amending the Fireworks Ordinance meeting the standards as discussed. All were in favor and the motion passed 5-0.

## 5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

### a. **Consider contract with Natural Lands for a Conservation Easement for the Reserve at Emerson Farms.**

Mr. Gaines introduced Robyn Jeney, Production Manager for Natural Lands. Mr. Gaines and the Board of Supervisors reviewed the proposal for the 55 acres of passive recreation.

Ms. Baker questioned if there were limits on the size of buildings and its appropriate use for the conservation easement. Ms. Jeney stated it is at the discretion of the township.

Mr. Clemons stated the conservation easement is being developed to satisfy ordinance requirements.

Mr. Gaines questioned enforcement of the conservation easement. Mr. Clemons stated it would be the owners' responsibility.

Ms. Schemm motioned, seconded by Ms. Albillar to approve the contract with Natural Lands to provide services for a conservation easement for the Reserve at Emerson Farms. All were in favor and the motion passed 5-0.

### b. **Consider a Minor Subdivision in the R2 zoning district known as Foxlane @ Stuckert (1520 Stuckert Road, TMP # 50-026-103-001) for Preliminary/Final Approval and, if appropriate, authorize the Solicitor to prepare a Resolution.**

Giovanna M. Raffaelli, Esquire representing Foxlane Homes presented a 2-lot minor subdivision which will create one lot and maintain the existing dwelling. The applicant will comply with CKS letter dated July 27, 2020 and will offer a fee-in-lieu for open space, plus provide a buffer along the new lot.

Mr. Zarko stated escrow has been posted to remove additional impervious coverage. The frontage along Stuckert Road will be improved. A note will be listed on the plan that it will be the property owners' responsibility to install sidewalks. Ms. Raffaelli agreed to add this note to a Declaration.

Mr. Zarko recommended waiving the traffic impact study and provide a fee-in-lieu of. Mr. Clemons suggested the fee not to exceed \$1,000.

There will be an open space contribution and the owner will be responsible for maintaining the area.

Mr. Lomax motioned, seconded by Ms. Albillar to authorize the Solicitor to prepare a Resolution to approve a Minor Subdivision in the R2 zoning district known as Foxlane @ Stuckert (1520 Stuckert Road, TMP # 50-026-103-001) for Preliminary/Final Approval. All were in favor and the motion passed 5-0.

**c. Discussion of Township Goals.**

The Board requested more time to view the goals.

Ms. Schemm motioned, seconded by Ms. Albillar to table this item to another meeting. All were in favor and the motion passed 5-0.

**6. MANAGER’S REPORT:**

Mr. Luber reported there will be a ribbon cutting ceremony on Friday, October 2 at 11:00 am for Lions Pride Park.

**7. DEDICATION REQUEST: None.**

**8. ENGINEER’S REPORT:**

**a. General Update**

Mr. Zarko updated the Board stating the 2020 Road Improvement Program is progressing.

Mr. Zarko updated the Board stating Warrington Pointe remedial work is being completed to address storm water issues.

**9. SOLICITOR’S REPORT:**

a. ZHB 20-09 Rogers, 279 Folly Road, request for special exception for an accessory apartment.

b. ZHB 20-10 Patel, 1027 Lincoln Ct, request for variance for impervious area.

Mr. Clemons reported that the Board of Supervisors does not need to take a position on the above two ZHB hearings.

c. ZHB 20-11 Earthborne, 2001 County Line Road, requests for variances for signage and open space requirements, special exceptions for outdoor display.

William Benner, Esquire representing Earthborne, and owner Doug Taylor presented the background for re-development of 2001 County Line Road. Mr. Benner stated Earthborne is coming before the Zoning Hearing Board to obtain a special exception to authorize outdoor display. There is a variance request for signage for two free standing signs and a variance request for two open space requirements. Mr. Benner noted there will be 1.9 acres of open space.

Mr. Clemons, Ms. Schemm, Mr. Luber, Mr. Benner and Mr. Taylor agreed to meet to discuss open space and signs. A recommendation will be presented at the next Board of Supervisors meeting scheduled September 22, 2020.

Ms. Schemm motioned, seconded by Ms. Albillar to table the Boards recommendations to the Zoning Hearing Board until September 22, 2020. All were in favor and the motion passed 5-0.

**SUPERVISOR COMMENTS:**

Ms. Baker reported Warrington’s Mary Barness Community Pool closed Labor Day for the 2020 season. Ms. Baker stated it was a very successful summer despite the COVID-19 pandemic.

Mr. Lubber praised Director of Parks and Recreation, Andy Oles and pool staff for implementing safety precautions; and a rigid cleaning schedule.

Ms. Albillar acknowledged the start of the school year.

Ms. Schemm reported the Environmental Advisory Council discussed the natural areas in the township; new grant ideas and the rain garden at Igoe Porter Wellings Memorial Park.

Mr. Lomax acknowledged parents of school children who are starting the school year with virtual learning while working.

Mr. Lomax thanked Mr. Lubber and staff for handling the vendor at the corner of 611 and Street Road.

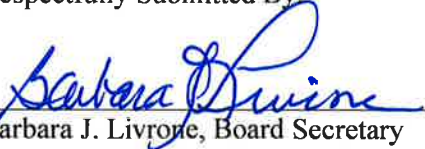
Mr. Gaines stated this was a violation of the peddling and solicitation Ordinance and asked Mr. Clemons to research enforcement.

Mr. Gaines stated the furniture for the new police station will be arriving in 2 weeks and suggested a tour of the station. A Ribbon Cutting Ceremony will be held November 13<sup>th</sup>.

**ADJOURNMENT**

There being no further business, Mr. Lomax motioned, seconded by Ms. Baker to adjourn the meeting at 9:58 PM.

Respectfully Submitted By:

  
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Barbara J. Livrone, Board Secretary

Attachment "A"

Consent Agenda – September 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. August 11, 2020 to Approve Minutes for Board of Supervisors meeting.**
  
- b. August 25, 2020 to Post Minutes for Board of Supervisors meeting.**
  
- c. Consider Approval of Certificate of Completion # 3 in the amount of \$230,823.25 for Premier A-2 Warrington PA, LLC.**

CKS Engineers, Inc. confirmed the completion of public/site improvements have been completed except for four (4) items. Therefore, Certificate of Completion #3 in the amount of \$230,823.25 is being recommended to be released.

- d. Consider Approval of Certificate of Completion # 1 in the amount of \$75,636.60 for the Warrington Place, LLC.**

CKS Engineers, Inc. confirmed the completion of public/site improvements have been completed except for nine (9) items. Therefore, Certificate of Completion # 1 in the amount of \$75,636.60 is being recommended to be released.

- e. Consider Bid Award to T. Schiefer Contractors, Inc. for Folly Road Pedestrian Crossing Project in the amount of \$87,878.00.**

Six (6) bids were presented for the installation of work to be completed for the Folly Road Pedestrian Crossing project. The work to be performed involves the construction of approximately 115 linear feet of 8-foot wide bituminous trail, 40 linear feet of concrete curb and pedestrian crossing flashing warning devices which will provide a pedestrian walkway between Upper Nike and John Paul Park & Lower Nike. The low bid was submitted by T. Schiefer Contractors in the amount of \$87,878.00.