



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS  
MINUTES FOR FEBRUARY 9, 2021 - 7:00 PM**

The written minutes are a summary of the February 9, 2021 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)**

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

Staff present was Barry P. Luber, Township Manager; Terry W. Clemons, Esquire, Clemons Richter 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 7:01 P.M.

**PLEDGE OF ALLEGIANCE**

Mr. Gaines followed the Call to Order with a pledge to the flag.

There were a total of 12 people who attended the February 9, 2021 Board of Supervisors meeting virtually by Zoom.

**PUBLIC COMMENT:**

John McConnell (206 Trellis Drive) and Dr. Connie Ace (1067 Folly Road) wanted to comment on the Victory Gardens fire at Winding Brook Farm. Mr. Gaines stated this issue will be brought up under Managers Report.

**SERVICE COMMENDATION PRESENTED TO CAROL T. BAKER**

Ms. Schemm presented a service commendation to former supervisor Carol T. Baker. Ms. Baker served as Supervisor from 2016 through 2020. During Ms. Baker's tenure, she served on many township committees, departments and special committee positions. Ms. Schemm stated a Resolution was prepared and read at the January 4, 2021 meeting; a plaque was presented and a paver will be engraved with Ms. Baker's name, located at Lions Pride Park.

Ms. Baker thanked all the members of the Board of Supervisors.

**PRESENTATION OF 2020 VETERAN AFFAIRS COMMITTEE ANNUAL REPORT**

Peter Scott, Chair of the Veteran Affairs Committee presented the 2020 Annual Report to the Board of Supervisors. Mr. Scott noted the members of the committee and stated the committee has reorganized. Each member is responsible for taking on a task.

Public Comment:

Dr. Connie Ace (1067 Folly Road) asked about the dedication of the Daniel Bradley marker. Dr. Ace requested that the Historic Commission be involved in the dedication. Chair Scott stated the dedication will take place during the 2021 Memorial Day ceremony.

**EXECUTIVE SESSION REPORT:** Mr. Gaines reported there was an executive session to discuss a personnel matter. When the matter is resolved, it will be made public.

**PUBLIC HEARING:** None.

**1. APPROVAL OF BILL LIST:**

- a. **2020 Invoices for the Period January 27, 2021 to February 9, 2021 in the amount of \$149,779.33.**

Mr. Lomax motioned, seconded by Ms. Schemm to approve the 2020 invoices paid for the period January 27, 2021 to February 9, 2021 in the amount of \$149,779.33. All were in favor and the motion passed 5-0.

- a. **2021 Invoices for the Period January 27, 2021 to February 9, 2021 in the amount of \$706,804.35.**

Ms. Albillar motioned, seconded by Ms. Schemm to approve the 2021 invoices paid for the period January 27, 2021 to February 9, 2021 in the amount of \$706,804.35. 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. Lomax motioned, seconded by Ms. Albillar to approve Consent Items A through C and E. All were in favor and the motion passed 5-0. (Attachment "A")

- a. January 12, 2021 to approve Minutes for Board of Supervisors meeting.
- b. January 26, 2021 to post Minutes for Board of Supervisors meeting.
- c. Consider Certificate of Completion #4 for Grove Valley Farm in the amount of \$132,136.00.
- d. Consider purchase of 2021 Dodge Charger for Police Department.

Discussion took place regarding hybrids and electric cars. To purchase an electric car, the township needs a charging station. Mr. Luber is researching this to obtain grant funding.

Chief Dan Friel reported the car to be purchased will be an unmarked car. There are two more vehicles that have been budgeted for 2021. The Chief will research these vehicles to be hybrid models.

Ms. Albillar motioned, seconded by Mr. Lomax to approve the purchase of the 2021 Dodge Charger for the Police Department. All were in favor and the motion passed 5-0.

- e. Consider Certificate of Completion #3 for Sandstone-The Enclave at Warrington in the amount of \$49,088.45.

**3. CORRESPONDENCE:** None.**4. OLD BUSINESS:****a. Consider Declaration of Covenants and Restrictions to Maintain Dark Sky at Igoe Porter Wellings Park.**

Mr. Clemons summarized the Declaration of Covenants and Restrictions (Declaration) for Igoe Porter Wellings Park, TMP # 50-004-136. If approved, the Declaration will become a recorded document.

Ms. Ivy Ross, Chair of the Open Space and Land Preservation Committee and Vice Chair of the Environmental Advisory Council is in favor of the Declaration and its enforcement. However, Ms. Ross requested the covenants and restrictions include Lions Pride Park. Ms. Ross spoke about the Greenways and corresponding trails.

Mr. Clemons stated the Declaration can be extended to three parcels, set standards and except out security light.

Public Comments:

Jim Duffy (3144 Fox Drive) representing Warrington Hunt Development does not want lighting at Igoe Porter Wellings Park.

Mike Kelly (135 Muirfield Lane) would like to see more parking at Lions Pride.

The Board requested Mr. Luber to form a committee to further discuss this issue.

**b. Review of Children's Learning Corner, Inc., Conditional Use Decision, 2569 Bristol Road.**

Mr. Clemons summarized the Findings of Fact, Conclusions of Law and Decision for the conditional use application of Children's Learning Corner, Inc., 2569 Bristol Road, TMP # 50-026-060-002.

Mr. Connolly motioned, seconded by Mr. Lomax to approve the Findings of Fact, Conclusions of Law and Decision for Children's Learning Corner, Inc., Conditional Use Decision, 2569 Bristol Road. All were in favor and the motion passed 5-0.

**5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):****a. Consider Resolution for Tax Collector Compensation for 2022-2025.**

Ms. Albillar questioned the fire hydrant tax that was listed on the prior Resolution. Mr. Gaines stated the fire hydrant tax was eliminated due to Warrington Township not owning the water system.

Public Comment:

Mike Kelly (135 Muirfield Lane) questioned trash collection at Willow Knoll.

Mr. Lomax motioned, seconded by Ms. Albillar to approve the Resolution for Tax Collector Compensation for 2022-2025. All were in favor and the motion passed 5-0.

**6. MANAGER'S REPORT:****a. Spotlight on Local Business**

Mr. Luber stated the Township is producing videos showcasing local businesses. AFC Urgent Care and Angel Rose Florist have been published and are on the website and the township's social media. The next local business to be spotlighted is Stutz Candy.

b. **Winter Storm**

Mr. Luber reported that two winter storms occurred during the week of February 1<sup>st</sup>. Mr. Luber received compliments from residents thanking the Public Works Department for their efforts in plowing the township's streets.

c. **Fireworks Poster Contest**

Mr. Luber thanked the committee members who were involved in the Fireworks Poster Contest. The winners will be announced during the February 23, 2021 Board of Supervisors meeting.

d. **Closure of Pickertown Road**

Mr. Luber stated that Pickertown Road will be closed February 23 to April 6, 2021 from 7:00 am to 5:00 pm, Monday through Friday to allow for the installation of frontage improvements associated with the Emerson Farm Development. Additional dates are as follows: May 10 to May 14; June 21 to June 25, 2021.

Mr. Luber also reported that Pickertown Road will also be subject to a full 24/7 detour starting on April 7 to May 7, 2021 between Folly Road and Lower State Road to allow the replacement of a culvert crossing of the roadway.

Public Comment:

Mike Kelly (135 Muirfield Lane) stated that Central Bucks High School South students heavily use Pickertown Road. Mr. Luber stated that the school district is aware of the closure.

Mr. Connolly said the access way for the high school will be Folly Road. Dr. Ace (1067 Folly Road) requested extra surveillance for Folly Road.

e. **Victory Gardens Fire**

Mr. Luber reported on the Victory Gardens fire that took place on Friday, January 29, 2021. Twenty one agencies responded to the scene. The report, as prepared by the Director of Emergency Services, will be posted to the township's website. Mr. Luber thanked the volunteers and paid firefighters of Warrington Township and all 21 agencies.

Public Comment:

Dr. Connie Ace (1067 Folly Road) stated Victory Gardens is not in compliance with DEP. Dr. Ace stated another fire had started the morning of February 9, 2021. Dr. Ace questioned Victory Gardens paying taxes and the use of preserved land. Dr. Ace stated that Victory Gardens continues to violate township ordinances.

John McConnell (206 Trellis Drive) said the Victory Gardens mulch piles are too high. He suggested more site inspections. Mr. McConnell asked if the township would consider filing a lawsuit against Victory Gardens.

Mike Kelly (135 Muirfield Lane) questioned the cost of the fire to Warrington and to the other agencies; water drawn down from the creek ended up in CBHS South parking lot and froze; the health hazards caused by the smoke. Does the township purchase mulch from Victory Gardens?

Ivy Ross, Chair Open Space and Land Preservation Committee and Vice Chair Environmental Advisory Council stated the township does not purchase mulch from Victory Gardens. The preservation of open space will be brought up during the February 10, 2021 Open Space and Land Preservation Committee.

Mr. Connolly will review the Ordinances for enforcement.

Mr. Gaines stated there were no injuries during the fire. Mr. Gaines will contact the Bucks County Agricultural Preservation Board; Bucks County Board of Assessment Appeals; Director of Emergency Services and Solicitor. A lawsuit is still pending.

**7. DEDICATION REQUEST:** None.

**8. ENGINEER'S REPORT:**

**a. General Update**

Mr. Zarko reported on the Pickertown Road detour.

**9. SOLICITOR'S REPORT:**

Mr. Clemons summarized the following Zoning Hearing Board applications:

- a. WT Zoning Hearing Board #20-28 Shimp, 1849 Acorn Way, variance for excess impervious cover to install a swimming pool.
- b. WT Zoning Hearing Board # 20-23 Ball, 981 Lower State Road, Ball, variances and a special exception for an existing accessory apartment not located in the principal residence.
- c. WT Zoning Hearing Board #21-01 GDL Farms, 2900 W. Street Road, variance to request excess impervious area.

Mr. Connolly motioned, seconded by Mr. Lomax to authorize the solicitor to advise the Zoning Hearing Board that the Board of Supervisors supports the variance. All were in favor and the motion passed 5-0.

**SUPERVISOR COMMENTS:**

Mr. Connolly would like the township to better regulate Victory Gardens.

Mr. Gaines reported the Police Department is holding a contest for its K9 unit and suggested for everyone to vote for their favorite K9. The funds collected will go to a foundation to help the K9 program.

Mr. Gaines requested an Ad Hoc Committee be formed to better regulate Victory Gardens. He suggested that the committee be comprised of the township manager, assistant to the township manager, two members of the Supervisors (Bill Connolly and Ruth Schemm); Director of Emergency Services, Chief of Police, Chief of Fire Company #1, Fire Marshal, the Township Solicitor and Engineer and resident, Dr. Connie Ace.

**ADJOURNMENT**

There being no further business, Mr. Lomax motioned, seconded by Ms. Albillar to adjourn the meeting at 9:42 PM.

Respectfully Submitted By:

  
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Barbara J. Livrone, Board Secretary

Attachment "A"

Consent Agenda – February 9, 2021

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. **January 12, 2021 to approve Minutes for Board of Supervisors meeting.**
- b. **January 26, 2021 to post Minutes for Board of Supervisors meeting.**
- c. **Consider Certificate of Completion # 4 for Grove Valley Farm in the amount of \$132,136.00.**

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.

- d. **Consider purchase of 2021 Dodge Charger for Police Department.**

The 2021 Dodge Charger will be replacing a 2015 Ford that is going to be auctioned off or transferred to another department. This is a budgeted item and will be the first vehicle purchase this year. The COSTARS price was Fred Beans Dodge at \$29,925.00.

- e. **Consider Certificate of Completion #3 for Sandstone-The Enclave at Warrington in the amount of \$49,088.45.**

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.