



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES FOR APRIL 27, 2021 - 7:00 PM**

The written minutes are a summary of the April 27, 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; Vice Chair Ruth Schemm; Eileen Albillar, Member; Mark E. Lomax, Member and William M. Connolly, Member.

Staff present: Barry P. Luber, Township Manager; Vicki Kushto, Esquire, Clemons Richter Reiss, Township Solicitor; Tom Zarko, P.E., CKS Engineers, Township Engineer; Christian Jones, Assistant Township Manager; Chief Daniel J. Friel; Ivy Ross, Grant Writer and Administrator; Leslie Frescatore, Human Resources Manager; Jen Fielding, Executive Assistant to the Township Manager/Board Secretary.

Also present for the Presentation of 2020 Annual Reports: Rick Weiss, Chair of Parks and Recreation Board

Also present for the Promotion of Sgt. Jessica A. Bloomingdale: Magisterial District Judge Jean L. Seaman

CALL TO ORDER: Mr. Gaines called the meeting to order at 7:02 P.M.

PLEDGE OF ALLEGIANCE

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

There were a total of 19 people who attended the April 27, 2021 Board of Supervisors meeting via Zoom.

PUBLIC COMMENT:

Dr. Connie Ace, 1067 Folly Road asked about the Action Line on the website. Mentioned it has been missing for a while. Mr. Luber will follow up with Communications.

Mr. Joe Walsh, 454 Folly Road asked on behalf of his future daughter-in-law, Ms. Meghan Gallagher, 424 Folly Road about the construction across the street. Damage to 424 Folly Road. Paved up to the potholes, but there are still issues with the paving. Looks bad and there have been many construction vehicles on a regular basis. Is the paving complete? Will they pave the rest of Folly Road toward Street Road. Mr. Zarko and Mr. Connolly commented that they have noticed an increase in activity here and will follow up.

EXECUTIVE SESSION REPORT: Mr. Gaines reported that there was no Executive Session.

PRESENTATIONS

a. PROMOTION of Sgt. Jessica A. Bloomingdale

Chief Daniel J. Friel highlighted many of Sgt. Bloomingdale's accomplishments with the Police Department, including joining the force in June, 2005, moving to detective division in 2009 - 2013,

working with Bucks County Critical Incident Stress Management Support Team and is still a member today. She taught at Temple University Municipal Police Academy for several years. In the first year, was recognized as Instructor as the Year. Began Officer-in Charge experience in 2013.

In 2018, she began work with the South Central Hostage Negotiator unit, completing 1400 hours of training helping with other local, county offices, the FBI and District Attorney's office. She also helped to create the K9 Facebook page and maintains that page along with K9 Officer Murphy and Jolie.

Magistrate District Judge Jean L. Seaman administered the oath on a Bible belonging to Ms. Bloomingdale's aunt, held by her children. Her husband pinned her with rank of Sgt. Sgt. Bloomingdale is the first woman to be promoted to Supervisor in Warrington Township.

b. Parks and Recreation Board.

Mr. Weiss shared highlights of the 2020 Annual Report -

Mr. Weiss thanked Ms. Schemm for acting as the Board Liaison to the Board. He shared that the 2020 opening of Lions Pride Park came at a good time as people were emerging from staying home due to Covid restrictions. He thanked the many people who helped to open the park, including those who worked on the grants, the contractors and the several hundred visitors who came to the Open House. Mr. Gaines added that in 2021 we have seen an increase of people using the park.

Mr. Weiss highlighted a few other projects moving forward, including the Josh Adams Community Park improvement approval, hunting ordinance amended to prohibit hunting in Township Parks and Township property.

Ms. Ross thanked Mr. Weiss for his hard work leading this Board.

The complete Annual Report is available on the Warrington Township website at www.warringtontownship.org

c. Automated Red Light Enforcement Program (ARLE): Sgt. Ken Hawthorn, Chief Daniel J. Friel
Sgt. Hawthorn highlighted key points from the presentation, including an explanation of what ARLE is – *the use of camera technology to enforce existing traffic safety laws*. ARLE is currently being used in only two areas of Pennsylvania: the City of Philadelphia (30 intersections) and Abington Township, Montgomery County (3 intersections). Crash data indicate that ARLE enhances safety by reducing crashes and injuries.

Warrington Township has met the population thresholds and the Police Department is now accredited, two prerequisites for the program. Township officials would prepare a Request for Proposal (RFP) with a third party vendor to manage the program. The vendor is responsible for installation, operation and maintenance of the equipment.

Mr. Connolly motioned to continue investigating the ARLE program, determine costs and locations, seconded by Mr. Lomax. Discussion ensued regarding exact costs, staffing, locations such as Rt. 611 and Street Road, Rt. 611 and Bristol Road, as well as the Rt. 202 corridor. All were in favor and the motion passed 5-0.

Mr. Luber and Chief Friel will invite representatives from Abington Township to a future Board of Supervisors meeting to share their experiences with the ARLE program.

Mr. Gansman, 903 Bentley Court, asked if the ARLE could also assist in tracking down Amber Alerts. Sgt. Hawthorn indicated that yes, the technology could assist with this.

1. APPROVAL OF BILL LIST:

- a. 2021 Invoices for the period April 14, 2021 to April 27, 2021 in the amount of \$815,186.80.

Mr. Lomax motioned, seconded by Ms. Albillar to approve the 2021 invoices paid for the period April 14, 2021 to April 27, 2021 in the amount of \$815,186.80. 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. Connelly had a question about item b. He asked if Municipal Townships were responsible for maintaining traffic signals on state roads. Mr. Zarko replied yes.

Ms. Schemm motioned; seconded by Ms. Albillar to approve items a through c. All were in favor and the motion passed 5-0. (Attachment "A")

- a. April 13, 2021 to approve Minutes for Board of Supervisors meeting
- b. Consider Resolution & Maintenance Agreement addressing updated PADOT Traffic Signal Application Process.
- c. Consider appointment of Guy Powell as alternate member of EAC.

3. CORRESPONDENCE:

4. OLD BUSINESS:

- a. Consider compensatory time for employees
This item was tabled from the April 13, 2021 meeting for questions regarding updated language for the Employee Handbook, approximate cost to the Township, and whether or not the tracking was being completed through AccuPay benefit system. Ms. Albillar was satisfied that all questions had been answered.

Mr. Connolly motioned to approve compensatory time for employees to be increased from 75 hours to 150 hours, seconded by Ms. Albillar. All were in favor and the motion passed 5-0.

Mr. Luber thanked Ms. Frescatore and Mr. Jones for their research behind-the-scenes to answer the required questions.

- b. Consider Amendment of Condition of Land Development Application/Process Waiver related to the installation of a SEPTA Bus Shelter along Easton Road for the proposed Chase Bank at Warrington Crossing Shopping Center
This item was tabled from the April 13, 2021 meeting in order to determine if the developer would be willing to install a walkway or sidewalk extension from the SEPTA bus shelter to the main intersection of Warrington Crossing (at Burger King).

The developer has agreed to install the walkway or sidewalk extension, but would like that item pulled out as a separate project in order that the Chase Bank construction can move forward.

Mr. Connolly motioned to change the Amendment of Condition to separate the construction of the Chase Bank at Warrington Crossing Shopping Center and to install a sidewalk along Rt. 611 from the SEPTA bus shelter to the main intersection of Warrington Crossing (at Burger King), Mr. Lomax seconded. All were in favor and the motion passed 5-0.

Mr. Gansman asked about the Grotto and other businesses on County Line Road and Rt. 611. Will there be a permit since this is an historical building. Mr. Zarko said the shelter will be within the Right-of-Way. Discussion about placement. Mr. Gansman thanked Mr. Zarko for the clarification.

- c. Consider action on subdivision application if no extension received for Farabee II Subdivision – TMP 50-023-089

Mr. Gaines indicated that this notice has been withdrawn.

- d. Consider Certificate of Completion #4 for Highgrove Manor Development in the amount of \$179,977.99 (Attached)

Mr. Zarko highlighted the status of this project and answered questions from Ms. Schemm regarding the basin. Mr. Zarko indicated that it has recently been regraded, with trees and shrubs added. It has been hydro-seeded again and, hopefully, will begin to grow now that the weather is more conducive. Ms. Schemm thanked Mr. Zarko for monitoring this project. Mr. Zarko reminded the Board that this project will not be closed out; there is an 18-month maintenance bond in place. Discussion ensued regarding bonds, letters of credit or cash to be used in the future.

Ms. Schemm motioned to release the Certificate of Completion #4 in the amount of \$179,977.99, Mr. Lomax seconded. All were in favor and the motion passed 5-0.

5. NEW BUSINESS (ACTION/DISCUSSION ITEMS):

- a. Consider approval of concept plan for the Pond to Wetland Conversion Project at Lions Pride Park – Michael Rehman, Princeton Hydro will present conceptual plans

Mr. Luber explained we received a grant for \$188,000 with a 50% match by the state. The Board of Supervisors in 2021 budget allocated \$400,000 for this project and hired Princeton Hydro, experts in this field, to complete the conversion. Mr. Rehman met with staff and after consideration, staff recommends the approval of Concept “B”.

Mr. Rehman highlighted many of the reasons to approve Concept “B”, including aesthetic habitat, grading and planting, educational groups being able to use the Observation Platform, which he indicated will be friendly to people and animals due to its location.

Discussion ensued regarding water and invasive species. The group reviewed Concept “A” and Concept “C”.

Ms. Schemm made a Motion to approve Concept “B” for the Pond to Wetland Conversion Project at Lions Pride Park, Mr. Lomax seconded. All were in favor and the motion passed 5-0.

Ms. Ross thanked Mr. Rehman for his work on this project.

- b. Support for repeal of the Sterling Act

Mr. Gaines mentioned this item for discussion and indicated that three years prior, the Board of Supervisors sent a letter to the Commonwealth of Pennsylvania requesting that the Sterling Act be repealed. He further stated that Act 45, from 1932, intended to provide the City of Philadelphia with additional revenue from citizens in the suburbs. At that time, Warrington Township had approximately 1,139 residents. The number of residents now is near 25,000.

He further stated that BCATO is working with local legislators in Bucks County, Chester County, Montgomery County and Delaware County to repeal this Act.

Ms. Schemm indicated that the City of Philadelphia is an important cultural and economic driver for the area, providing waterways, education and healthcare to our residents.

Mr. Gansman commented that the City of Philadelphia reaps up to \$1.5 billion from the Sterling Act.

c. Crediting back EIT paid to Philadelphia by commuters forced to work from home.

Mr. Gaines mentioned this item for discussion and reiterated that if individuals live in the suburbs and work in the City of Philadelphia they are required to pay the EIT tax to the City of Philadelphia. However, due to many residents working from home during 2020 and 2021 due to Covid restrictions by their employers, they should not have to pay the EIT to the City of Philadelphia.

Ms. Schemm indicated that the City of Philadelphia is paying employees back, but they must provide proof from their employers that they were required to work at home and not in the City of Philadelphia.

6. MANAGER'S REPORT: None.

7. DEDICATION REQUEST: None.

8. ENGINEER'S REPORT:

Mr. Zarko provided highlights to his report, as submitted. He mentioned that the pedestrian crossing at Folly Road between Lower and Upper Nike Park is near completion. He further mentioned that Emerson Farms has increased trash and debris in their designated Open Space. Toll Brothers was made aware of this issue and has cleaned up the trash and debris over the past two weeks. He further mentioned that the crossing at Stump Road has been held up due to delivery of signal equipment. Mr. Zarko will follow up.

9. SOLICITOR'S REPORT:

Ms. Kushto provided highlights to her report, as submitted. She mentioned the Zoning Hearing Ordinance proposed changes and the Comprehensive Plan. There is no need to complete the Comprehensive Plan before completing the Zoning Hearing Ordinance. Adjoining municipalities and school districts must be made aware of the changes and given 45 days to comment.

SUPERVISOR COMMENTS:

Ms. Albillar reported that the Township's Emergency Services now has additional certified employees for car seat checks, and that the recent event to certify car seats was well received by the public. She also reported that the Pennsylvania Move Over Law went into effect today. You can find information about this on the website. If you are not able to move over, then you must reduce your speed by 20mph. Ms. Albillar thanked Mr. Knox and Mr. Oles for preparing the baseball fields and managing the maintenance of these fields for our families.

Mr. Lomax thanked Public Works and the Historical Preservation Society, which recently put up signs for Open space and the Schoolhouse. He further reported that the five vaccine sites in Bucks County are now open for walk-ins starting April 29, 2021.

Mr. Gaines reported that he attended several PSATS conferences virtually in April and May and learned many new things, which have been provided to the staff. Mr. Gaines thanked the EAC and EarthBorne which planted more trees.


Mr. Gaines introduced for discussion the recent Doylestown Ordinance making marijuana in small quantities legal. Discussion ensued. Mr. Connolly asked how can a Municipality change the State law. Mr. Luber reported that the Police Department has discretion when stopping someone for marijuana use.

Mr. Gaines further reported that the Board is still working with Victory Gardens to follow up on the reported violations of operating on Sundays. Mr. Luber is working with Ms. Kushto and Mr. Clemons.

ADJOURNMENT

There being no further business, Mr. Lomax motioned, Ms. Schemm seconded to adjourn the meeting at 9:26pm.

Respectfully submitted By,

A handwritten signature in cursive script that reads "Jen Fielding". The signature is written in black ink and is positioned above a horizontal line.

Jen Fielding, Board Secretary