



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS  
MINUTES FOR MAY 25, 2021 - 7:00 PM**

**The written minutes are a summary of the May 25, 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)**

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; Jen Fielding, Executive Assistant to the Township Manager/Board Secretary.

Also present for the Presentations: Dr. Constance L. Ace, Historical Commission

**CALL TO ORDER:** Mr. Gaines called the meeting to order at 7:03 P.M.

**PLEDGE OF ALLEGIANCE**

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

There were a total of 18 people who attended the May 25, 2021 Board of Supervisors meeting via Zoom.

**PUBLIC COMMENT:** Ryan Esterly, a student, joined the meeting to earn his Boy Scout Merit Badge. He sent a note via the chat function. We did not ask him his address.

**EXECUTIVE SESSION REPORT:** Mr. Gaines reported that there was an Executive Session to discuss a personnel matter.

**PRESENTATIONS – 2020 Annual Report – Historical Commission – Dr. Constance L. Ace.**

Dr. Ace presented the Historical Commission's 2020 Annual Report. She provided highlights, including the fact that there were two new members in 2020, including the first police officer on the Commission.

She also reported that for the first time a Warrington historical landmark was designated as a Pennsylvania designated historic site – the site of the Holbert Racing Shop. This site will receive a marker – to be installed most likely in September.

There are two new publications about the history of the Township, bringing the publication count to four.

The School House will have an Open House on June 5<sup>th</sup> and all are encouraged to attend.

*The complete Annual Report is available on the Warrington Township website at [www.warringtontownship.org](http://www.warringtontownship.org)*

**1. OLD BUSINESS: None****2. NEW BUSINESS (ACTION/DISCUSSION ITEMS):****a. Authorization for Advertisement for Amendment to Police Pension Plan Ordinance**

- b. Mr. Luber highlighted both 2.a. and 2.b. and indicated that the Auditor General had repeated findings in its audit of the Police Pension Plan due to language in the Township's Police Pension Ordinance and Collective Bargaining Agreement that were inconsistent with Act 600. The Township met with the PBA to update the Police Pension Plan to attempt to bring it into compliance with Act 600. The PBA and Township agreed to language changes that would help satisfy the Auditor General's findings. The Auditor General indicated that this is a step in the right direction.

Mr. Lomax motioned to authorize advertisement for the Amendment to Police Pension Plan Ordinance; Ms. Albillar seconded. All in favor, the motion passed 5-0.

**c. Consider Approval of Side Agreement Regarding Pension Provisions with the Warrington Township Benevolent Association**

Mr. Lomax motioned to approve the Side Agreement Regarding Pension Provisions with the Warrington Township Benevolent Association; Ms. Schemm seconded. All in favor, the motion passed 5-0.

**d. Authorization for Advertisement for Zoning Ordinance changes**

Mr. Gaines indicated that the Ordinance is available for viewing on the Township website, was sent out to all Board of Supervisors, and hard copies are available at the Township building, the *Intelligencer* building and the Law Library.

Ms. Kushto provided an explanation of the process, including the Public Hearing to take place on June 22<sup>nd</sup>. If the Board is satisfied, then they can make a motion to adopt at this meeting. If there are significant changes, then the Ordinance would go back to the Planning Commission and move through the process to the Board again.

Ms. Schemm asked if residents have questions about changes in the Ordinance that would pertain to them, such as adding a pool, where should they look. Mr. Connolly indicated that Article 8 has residential homeowner changes. The other sections pertain mostly to developers. In addition, Mr. Luber, Mr. Jones, Mr. Rieder can also be resources.

Dr. Ace asked if there was a section regarding noise. Mr. Connolly indicated that the Township is looking at noise, but it is not covered in this Ordinance. Mr. Luber and Mr. Jones are working on this issue.

Mr. Connolly made a motion to authorize advertisement for the Zoning Ordinance changes; Ms. Schemm seconded. All in favor, the motion passed 5-0.

**e. Consider Waiver Request of Land Development Application/Process for Chase Bank ATM. (TMP No. 50-031-034-001)**

Mr. Zarko indicated that the applicant was not on the call. He recommended that this item be tabled.

Ms. Albillar motioned to Table the Waiver Request of Land Development Application/Process for Chase Bank ATM. (TMP No. 50-031-034-001); Mr. Connolly seconded. All in favor, the motion passed 5-0.

f. Consider Waiver Request of Land Development Application/Process for Polysciences; 400 Valley Road (TMP No. 50-031-033-005)

Benjamin Barland and Dennis McVay, applicants for Polysciences at 400 Valley Road attended the meeting and provided information regarding the proposed 567 SF building addition. Mr. Barland indicated this would be a warehouse to store materials.

Mr. Gaines reported that the Planning Commission heard from the applicants last week and sent its recommendation to the Board of Supervisors for approval. Ms. Albillar asked for clarification that the sidewalks would be to defer, not waive, a sidewalk along Valley Road Frontage. Mr. Zarko answered in the affirmative.

Ms. Schemm motioned to approve the Waiver Request of Land Development Application/Process for Polysciences; 400 Valley Road (TMP No. 50-031-033-005) subject to conditions suggested by the Planning Commission; Ms. Albillar seconded. All in favor, the motion passed 5-0.

g. Consider Resolution for Grant Application for the DCED Lions Pride - Wooded Boardwalk Trail  
Mr. Luber reported that the previous submission to the DCED was rejected, so we are resubmitting.

Ms. Schemm motioned to approve Resolution for Grant Application for the DCED Lions Pride - Wooded Boardwalk Trail; Ms. Albillar seconded. All in favor, the motion passed 5-0.

h. Consider Telecommuting Policy and Procedure for Warrington Township staff

Mr. Gained indicated that this did not require Board approval. Mr. Luber highlighted some of the reasons to move to a Telecommuting Policy. Covid-19 shutdowns forced employees to begin work from home in 2020, and while Mr. Luber was not initially in favor of this adoption, he reported that the staff not only met their work obligations and responsibilities, but productivity increased. He cited the many benefits, including the environmental impact of fewer commuters on the roads, flexibility to care for loved ones, including doctor’s appointments.

Mr. Luber said that his staff is available when he needs them to be and supports making this a Policy moving forward. Employees must receive approval from their direct Department Head and only certain positions are eligible. The Policy states that employees can request up to two days working from home per week and must be willing to use their own personal computer and telephone.

Ms. Albillar thanked Mr. Luber for moving in this direction and had only one minor change to the Policy language. Mr. Luber will make that change and send out to the employees.

**3. SUPERVISOR COMMENTS**

**Ms. Albillar** - none

**Mr. Connolly** – 1) Reminder to all that the Veteran’s Affairs Committee will be presenting their annual presentation at the Igoe Porter Wellings Memorial Field on Saturday, May 29<sup>th</sup> at 11:00am. He thanked Public Works for getting the space ready. 2) Now that Zoning Ordinance is complete, he would like to recommend that the SALDO Ad Hoc Committee be expanded to include a member from CKS Engineers to answer questions on a regular basis.

On the recommendation of Ms. Kushto, the Board added this item for a vote during Supervisor Comments. Mr. Connolly made a motion to expand the Ad Hoc SALDO Committee by one person from CKS; Ms. Albillar seconded. All in favor, the motion passed 5-0.

**Mr. Lomax** – none

**Ms. Schemm** – 1) Public Works is trying to stay ahead of the growing grass this time of the year; asking residents to be patient. Also, the Bradford Dam has been allowed to grow longer due to migratory birds. 2) Signs continue to go up regarding open space. 3) Continue to plant trees. Ms. Schemm added that the signal now operational at Bradley and Folly Roads is very helpful and working very well.

**Mr. Gaines** – Will be celebrating Bobby Evans, Eagle Scout, at a future BOS meeting.

#### 4. **MANAGER'S REPORT:**

Mr. Luber thanked Public Works for their tireless work around the Township the past few weeks, including the pool, volleyball courts, trees, painting and more. In particular, a longtime volunteer (EAC), Barbara Brown, was at the pool helping out. Mr. Luber thanked her for her continued support. The swim club will be opening on May 31<sup>st</sup>, so he invited those to attend the Veteran's Affairs Memorial service and then come to the pool.

Mr. Luber also shared that the Pickertown Road closure will begin after Memorial Day and take up to 6 weeks to complete. The EMS and school district have been alerted to the detour.

#### 5. **ENGINEER'S REPORT:**

Mr. Zarko asked for the Board to Consider Recommendation for Award of Contract; 2021 Roadway Improvement Program. He provided highlights from the recommendation, including the Base Bid Work and Alternate/Add-On Nos. 1 and 4 for the 2021 Roadway Improvement Program at the total cost of \$1,072,662.39.

Mr. Zarko addressed questions from Mr. Gaines for clarification.

Ms. Schemm motioned to approve the Award of Contract; 2021 Roadway Improvement Program; Mr. Lomax seconded. All were in favor and the motion passed 5-0.

#### 9. **SOLICITOR'S REPORT:**

Ms. Kushto updated the Board regarding the recent vote by the residents of the Commonwealth to curb emergency powers of the Governor. As of this meeting, Gov. Wolf had renewed the Disaster Proclamation which allows municipalities to conduct meetings virtually. She anticipates this remaining in effect until the end of June. At that time, the General Assembly is working on language to extend parts of the Proclamation. However, there is no certainty that the virtual meeting option will remain. She recommended that the Board vote tonight whether or not to hold the June 22<sup>nd</sup> meeting in person because the Board will have a Public Hearing for the Zoning Ordinance and three conditional use hearings at that meeting.

Mr. Gaines took a up/down vote of the Supervisors with Ms. Schemm, Ms. Albillar and Mr. Lomax voting to remain virtual only. Mr. Connolly and Mr. Gaines would like to resume in person meetings. Mr. Lomax indicated he would support an in person meeting for the June 22<sup>nd</sup> meeting only. Mr. Gaines indicated that based upon Ms. Kushto's recommendation and the challenges of technology, the Board of Supervisors will meet in person on June 22<sup>nd</sup>, with a hybrid option to dial in virtually for comments.

Additional discussion ensued regarding the logistics of Zoom and hybrid meetings. Mr. Luber, Mr. Jones and Ms. Fielding will work offline to learn more about the Zoom options and report back to the Board.

Mr. Connolly asked if the Boards and Committees may resume in person meetings and Mr. Gaines said yes. Mr. Luber and Ms. Fielding will reach out to the Boards and Committees to determine their preference for in person, hybrid or virtual only meetings.

The Board will revisit the up/down vote for in person meetings for the Board of Supervisors meetings at the June 22<sup>nd</sup> meeting under the Manager's Report.

**6. APPROVAL OF BILL LIST:**

- a. 2021 Invoices for the period May 12, 2021 to May 25, 2021 in the amount of \$1,249,608.87.  
Mr. Luber explained that for this month's report, the incorrect dates had been pulled for March and April, so the credit card section showed 2020 payments. The credit card payments for April and May, 2021 will be listed on the next Board of Supervisor's Bill List.

Ms. Albillar motioned, seconded by Mr. Lomax to approve the 2021 invoices paid for the period May 12, 2021 to May 25, 2021 in the amount of \$1,249,608.87. All were in favor and the motion passed 5-0.

**7. CONSENT ITEMS:**

Mr. Gaines asked if any clarification was needed for the consent items as presented. Ms. Schemm had two corrections for the Minutes, which Ms. Fielding will make and then post. Ms. Albillar had one question regarding item c, which Mr. Luber clarified.

Mr. Lomax motioned; seconded by Ms. Albillar to approve items a through e. All were in favor and the motion passed 5-0.

- a. May 11, 2021 to approve Minutes for Board of Supervisors meeting
- b. Consider Authorization to Advertise for Bids; 2021 Storm Sewer Repair/Relining Project
- c. Consider Amendment to Township Fee Schedule to include Fees for Camps/Daycare Facilities to Utilize Community Pool
- d. Consider Certificate of Completion #5 for Sandstone-the Enclave at Warrington, in the amount of \$13,613.25.
- e. Consider appointing Christian Jones as Deputy Zoning Officer

**ADJOURNMENT**

There being no further business, Mr. Lomax motioned, Ms. Albillar seconded to adjourn the meeting at 8:41pm.

Respectfully submitted By,

  
Jen Fielding, Board Secretary

