



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

The written minutes are a summary of the July 27, 2021 Board of Supervisors meeting. For a complete dialog 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 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; Terry Clemons, Esquire, Clemons Richter Reiss, Township Solicitor; Tom Zarko, P.E., CKS Engineers, Township Engineer; Christian Jones, Assistant Township Manager; John Marcarelli, Finance Director; Jackie Wilson, Communications Manager; Jen Fielding, Executive Assistant to the Township Manager/Board Secretary.

Also present for the Manager's Report Presentation: Township's Financial Advisor, Chris Gibbons of Concord Public Financial Advisors, Inc. and Bond Counsel, Bucky Closser of the law firm Curtin and Heefner LLP

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 39 people who attended the June 22, 2021 Board of Supervisors meeting both in person and via Zoom.

PRESENTATION – WARRINGTON CARES GRANTS – Barry Luber and Renee Scally *Each recipient will receive \$1,500 from Warrington Cares.*

Mr. Luber gave a brief overview of Warrington Cares non-profit charity, which directly helps families in need in the community, as well as organizations listed below. These are the 2021 recipients of the Warrington Cares Grants. Each representative was encouraged to share a little bit about the organization. *For a transcript of their remarks, please see the video recording on the Township website: www.warringtontownship.org* For more information about Warrington Cares, you are welcome to visit their website at www.warringtoncares.org

- Central Bucks Student Activities – Food Pantry – Fred Gaines/Ivy Ross – Brian Caughie, Principal, Tamanend Middle School
- Feeding Everyone At Special Times (FEAST) – Ruth Schemm/Barry Luber – John Clauss, Founder
- A Woman's Place – Eileen Albillar/Jen Fielding – Marianne Lynch, Executive Director
- DocterAdams® Community Park (Common Bondz) – Bill Connolly/Barry Luber – Josh Adams and Apryll Adams, Manager
- Between Friends Outreach, Inc. – Mark Lomax/Barry Luber – Tara Stoop, Director

PUBLIC COMMENT:**Mike Starner, 3429 County Line Road**

Mr. Starner followed up upon his request from the July 13th meeting regarding the speeding issues along County Line Road. He asked where the cooperative agreement among nearby jurisdictions stood (New Britain, Montgomery). Mr. Lubber indicated that the Police Department told him it was a challenge to coordinate with the other jurisdictions. In the Manager's Report, Mr. Lubber gave an update on the actions taken since the July 13 meeting. Mr. Starner will place a Right to Know Request to Ms. Fielding for the speed report from the past few weeks.

Seth Gansman, 903 Bentley Court

Mr. Gansman commented on several agenda items, including County Line Road, the American Rescue Plan and the Refinancing Current Debt.

Mike Kelly, 135 Muirfield Lane

Mr. Kelly reported that there is fencing down along Mill Creek Road and the Eureka Quarry. He also complimented Warrington Cares for the work they do.

Sue Bowers, 71 Fairmount Ave.

Ms. Bowers reported that the property at 2627 County Line Road has been condemned and needs to be torn down. She considers it a hazard to herself and the community. Mr. Lubber will work with Lee Greenberg and our Code Enforcement Department to make sure this is safe, possibly adding a fence around it until the Township is able to determine what is happening with PennDOT and any litigation surrounding this property.

PUBLIC HEARING – to consider the following Conditional Use Applications:

Warrington Easton, LLC (Wawa) for property located at 532, 538 and 550 Easton Road, Warrington, PA 18976 and identified as TMPs 50-31-6, 50-31-6-1, 50-31-7. The Application seeks approval pursuant to §370-2104(A) of the Zoning Ordinance, to demolish the existing Wawa and construct a new 5,585 square foot Wawa with 6 fuel dispensing facilities, in the C-2 Commercial Zoning district.

Mr. Clemons explained that the counsel for Wawa has requested a separate meeting for this conditional use hearing to allow time for 4-5 witnesses, and up to 2.5 hours of testimony. Discussion ensued regarding scheduling. It was determined that August 24th was still the best date for the Board of Supervisors. Ms. Julie Von Spreckelsen, Esq. with Eastburn & Gray, LLC was on the Zoom and she indicated that she would be fine to start the conditional use hearing on August 24th, with the option to continue the hearing at a future date.

Mr. Connolly recommended that letters be sent to all the original residents and those impacted by this conditional use hearing to make them aware of the changes, including the order of the schedule for the evening.

Ms. Albillar made a motion to continue the hearing to August 24, 2021 with a start time of 6:00pm; seconded by Ms. Schemm. All in favor, motion passed 5-0. Mr. Clemons will advertise the new start time for the meeting.

1. OLD BUSINESS:

- a. Consider Approval of Resolution Setting Forth the Goals for Warrington Township to Use 100% Clean, Renewable Energy for All Purposes No Later Than 2050

Ms. Albillar made a Motion to Consider Approval of Resolution Setting Forth the Goals for Warrington Township to Use 100% Clean, Renewable Energy for All Purposes No Later Than 2050; Ms. Schemm seconded; Discussion ensued with Mr. Connolly suggesting several amendments; Ms. Albillar changed her Motion to include the amendments; all in favor, the Motion passed 5-0.

Mr. Clemons will make the adjustments to the language.

Ms. Ivy Ross, Chair of the EAC provided additional context to the discussion regarding the proposed amendments.

b. Consider Approval for Conservation Easement for Parcels Weisel, Emerson Farms, Grove Valley, and Mill Creek to be restricted to passive recreational use only

Each parcel was discussed and voted upon separately. Overall, Mr. Clemons asked if he should remove the language for horseback riding on all easements and the Board gave a unanimous yes.

Weisel

Mr. Clemons included a map for this tract. Discussion ensued whether or not to include for the future the possibility of restrooms, a pavilion or parking area.

Ms. Schemm made a Motion to approve the Conservation Easement for Weisel Parcel to be restricted to passive recreational use only with an amendment to include restrooms, a pavilion or parking area in the future with a maximum of 10,000 square feet; Ms. Albillar seconded.

All in favor, the Motion passed 5-0.

Mr. Clemons will make those amendments.

Emerson Farms

Ms. Schemm made a Motion to to approve the Conservation Easement for Emerson Farms Parcel to be restricted to passive recreational use only; Mr. Lomax seconded.

Dr. Connie Ace, 1067 Folly Road clarified that passive recreation includes agriculture. Mr. Clemons indicated that it does.

Ms. Schemm, Mr. Lomax, Ms. Albillar and Mr. Connolly voted in favor of the Motion; Mr. Gaines voted against the Motion; the Motion passed 4-0.

Grove Valley

Ms. Schemm made a Motion to approve the Conservation Easement for Grove Valley Parcel to be restricted to passive recreational use only; Ms. Albillar seconded. Discussion ensued.

Mr. Kelly asked about the definition of conservation easement and Mr. Clemons reiterated the definition of conservation easements to include passive recreation.

All in favor, the Motion passed 5-0.

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Mill Creek

Ms. Schemm made a Motion to to approve the Conservation Easement for Mill Creek Parcel to be restricted to passive recreational use only; Ms. Albillar seconded. Discussion ensued regarding whether or not the funding is restricted and Mr. Clemons replied that it is not restricted.

All in favor, the Motion passed 5-0.

c. Update on County Line Road

Mr. Luber provided an update on the speeding issues regarding County Line Road addressed at the July 13th meeting. Since that meeting, the police used targeted enforcement twice, resulting in 27 stops and 33 citations (first date) and 19 stops and 26 citations (second date). The highest speed during those stops was recorded at 88mph and 95 mph. Several officers did a follow up rotation on the same area of road with 26 timed people resulting in no violations and one warning. Mr. Luber indicated that this demonstrates a typical cycle of targeted enforcement, resulting in drivers reducing their speeds for a period of time. He anticipates that it will increase again in the future and will continue to work with the Police Department on enforcement in this area.

Mr. Luber hopes to work with PennDOT to erect an electronic billboard with warnings to slow down, watch for cars turning. Mr. Zarko further reported his conversation with PennDOT and the proposed traffic study for County Line Road. It had not yet begun, but after Mr. Zarko sharing the concerns of residents and the Supervisors, they will make this study a priority. Mr. Zarko will report back.

Mr. Connolly expressed concern regarding the distance between the traffic lights on County Line Road for Limekiln Pike and Lower State Road. He requested that when Mr. Zarko speaks with PennDOT he could address these concerns.

Mr. Kelly asked for an update on the red light camera initiative and if this would help to reduce speeds on the road. Mr. Luber indicated that it is a very long process to begin using red light camera devices. Mr. Zarko added that using traffic signals as a way to control speed is usually not done, but he will look into it.

2. NEW BUSINESS:

a. Consider Approval for Funding Budgeted Projects for the American Rescue Plan Funds

Mr. Luber presented a recommendation for using \$980,000 of the initial \$1.28million received from the American Rescue Plan Funds toward specific 2021 budgeted items, including:

- Township Building HVAC Replacement,
- Touchless restroom fixtures,
- Audio visual upgrades,
- Police livescan (virtual prisoner processing),
- Palomino Basin Retrofit,
- Village/Freedoms Way phase 1 Stormwater Rehab, and phase 2,
- TMDL PRP projects (naturalize basins) and
- Philadelphia Ave Drainage Improvements

Discussion ensued, including a question from **Mr. Gansman** whether or not the funds could be used for items such as: defraying the cost of the new firetruck, Tot lots and updating equipment, PPE equipment or NARCAN costs. Mr. Luber explained the parameters of the American Rescue Funds and only the PPE equipment would be eligible.

Ms. Albillar clarified that the funds would only be used for projects already budgeted. Mr. Luber confirmed and indicated that by using the American Rescue Funds for these particular projects already planned in the 2021 budget, this would free up other resources from other funds to pay for additional projects into the 2022 budget.

Mr. Lomax made a Motion to Consider Approval for Funding \$980,000 of 2021 Budgeted Projects, as stated, from the American Rescue Plan Funds; Mr. Connolly seconded. All in favor, the Motion passed 5-0.

b. Consider One Year Contract Extension with Waste Management for Willow Knoll and Township Facilities Refuse and Recycling Collections

Mr. Luber explained the recommendation to stick with a one-year contract with Waste Management. The current hauling and disposal contract for Warrington Township and Willow Knoll is expiring on February 28, 2022. The Township has the option to renew the agreement for three successive one-year periods and Waste Management would like to exercise that option.

Mr. Lomax made a Motion to accept the One-year Contract Extension with Waste Management for Willow Knoll and Township Facilities Refuse and Recycling Collections; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

c. Consider Authorizing the Township Engineer to prepare all necessary documents required for a Highway Occupancy Permit to install a bus shelter at the northwesterly corner of the intersection of southbound Easton Road and Freedom's Way.

Mr. Luber and Ms Schemm reported that the Rotary Club approached the Township to donate a bus shelter at the northwesterly corner of the intersection of southbound Easton Road and Freedom's Way. Discussion ensued that this is a very busy intersection and a bus shelter would be a welcome addition.

The cost to the Township would be approximately \$18,000 for required intersection improvements and \$5,000 for the engineering services.

Mr. Connolly made a Motion to Authorize the Township Engineer to prepare all necessary documents required for a Highway Occupancy Permit to install a bus shelter at the northwesterly corner of the intersection of southbound Easton Road and Freedom's Way, pending confirmation from the Rotary Club; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

3. SUPERVISOR COMMENTS:

Mr. Lomax – none

Mr. Connolly –

- 1) Reminded all that the final Zoning Ordinance would be available within the next few days for review.
- 2) He will be dialing in via Zoom to the August 10th meeting

Ms. Albillar – none

Ms. Schemm –

- 1) Thanked Public Works for their 13 inlets added to Titus Ave for the road paving program and Kansas Road will be next.
- 2) They also refreshed two Tot lots

Mr. Gaines –

- 1) Reminded the Board of Supervisors to work with their Department heads and let them know your interest as their liaison in the budgeting process. Mr. Marcarelli has published the schedule, so any questions can go to him directly.
- 2) Remarked that this July 4th appeared to have fewer fireworks incidents and noise; perhaps that was a direct result of the Fireworks Ordinance passed last year.

4. **MANAGER'S REPORT:**

a. Discussion Regarding Refinancing Current Debt/Consider Authorization to Advertise Borrowing Ordinance

The Township's Financial Advisor, Chris Gibbons of Concord Public Financial Advisors, Inc. presented to the Board a summary of bank proposals received for refinancing of the Township's General Obligations Bonds, Series of 2012 A and 2012 B and the General Obligation Note, series of 2016. The Township received 21 proposals from 11 banks, which the financial advisor noted was an outstanding response to the request for proposals. TD Bank submitted the most favorable proposal with a net present value savings of \$274,400, well in excess of the net savings the Township authorized at a previous Board meeting. The TD Bank proposal also provides reduced interest rate exposure of \$338,700, making the total amount of savings/reduced interest rate exposure \$613,100.

Comparing the TD Bank proposal to the current bond market, the Township will save more by accepting the TD Bank financing proposal, which provides the most financial flexibility for the Township. Mr. Connolly commented, that due to the Township's strong Bond Rating, coupled with very low interest rates, the Township was able to lock in a fixed rate 1.23% for entire 15 year term of the loan.

Mr. Lomax commented that by refinancing some of the Township's debt at historically low interest rates, the Board of Supervisors will have the ability to borrow funds in the future to fund capital projects without having to raise taxes to do so.

Mr. Connolly made a Motion to authorize Bond Counsel, Bucky Closser of the law firm Curtin and Heefner LLP, to advertise an ordinance authorizing the incurrence of debt for the refinancing of the three Series of debt mentioned above; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

The Board will consider adopting the ordinance at its August 10, 2021 Board of Supervisors meeting.

b. Summary of Groundbreaking for DocterAdams® Community Park

Mr. Luber showed a PowerPoint presentation during the Warrington Cares Presentation summarizing the groundbreaking of DocterAdams® Community Park on July 21st.

c. Consider Authorization to Advertise Full-Time Position

Mr. Jones outlined the reasons to advertise a full-time position for the Zoning Department. The current position is Part-time and that person has accepted employment elsewhere. As this Part-time position has grown, there is a need for a Full-time position in the Zoning Department to keep up with the demands of permit applications, including intake review, issuance of nearly 200 permits per month (and escalating). Mr. Luber indicated that as soon as the new homes are sold and occupied, the residents want to immediately begin to make upgrades such as decks, pools and patios.

Ms. Albillar asked if the new Zoning Ordinance would alleviate some of this workload. Mr. Connolly indicated that it would eliminate in many cases the need to go before the Zoning Hearing Board, but the permits would still be required and the staff time would still be needed.

Mr. Connolly mentioned the importance of succession planning as Mr. Roy Rieder has indicated his retirement is not far off. Mr. Jones will provide a great deal of transition for this succession plan, but Mr.

Luber indicated that it was important to have this additional Full-time position in place as Mr. Jones responsibilities dovetail Zoning Officer and Assistant Township Manager.

Discussion ensued regarding salary range.

Mr. Connolly made a Motion to approve authorization to advertise for a Full-time position in the Zoning Department; Mr. Lomax seconded. All in favor, the Motion passed 5-0.

d. Update on Farmer's Market

Mr. Luber shared an update on the Farmer's Market this past Friday. He said it was a huge success with thousands of attendees and 30 vendors. Mariah Drenth-Cormick was the leader on this event and coordinated the vendors and the social media publicity. This will continue through October 22nd (September 24th closed) on Fridays from 4:00pm to 7:00pm. The proceeds from the event (vendor spots at \$10/each) will benefit Lions Pride Park.

Ms. Schemm thanked Mr. Luber, Andy Oles and Mariah for their tireless work on this project.

e. Lower and Upper Barness Water Main Development

Mr. Luber reminded everyone that the work will begin tomorrow on Lower and Upper Barness Water Main Development. There will be no disruption in service.

5. **ENGINEER'S REPORT:**

- a. Consider Resolution accepting dedication of public improvements and approval of Certificate of Completion #5-Final, in the amount of \$9,594.20 for Aspen Mill Tract: 2436 W. Street Road.

Mr. Lomax made a Motion to accept the Resolution Dedicating public improvements and for Aspen Mill Tract: 2436 W. Street Road; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

Mr. Lomax made a Motion to accept the Certificate of Completion #5-Final, in the amount of \$9,594.20 for Aspen Mill Tract: 2436 W. Street Road; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

6. **SOLICITOR'S REPORT:**

Mr. Clemons just reminded all that the SALDO and Zoning Ordinances will be available this week. Please review.

7. **APPROVAL OF BILL LIST:**

- a. 2021 Invoices for the period July 14, 2021, to July 27, 2021 in the amount of \$670,356.45.

Mr. Lomax motioned to approve the invoices for the period July 14, 2021, to July 27, 2021 in the amount of \$670,356.45; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

8. **CONSENT ITEMS:**

Mr. Gaines asked if any clarification was needed for the consent items as presented. Ms. Albillar asked for clarification for item b and why it had already been signed by the Board. Ms. Fielding indicated she had the Board sign it at a prior meeting prematurely, but that it had not yet been dated or recorded.

Mr. Lomax made a motion to accept the Consent agenda items a through e; Ms. Schemm seconded. All in favor, the motion passed 5-0.

- a. Approval of Minutes from July 13, 2021 Board of Supervisors Meeting

- b. Consider Adoption of Police Pension Plan Amendment which incorporates changes to the plan in conformity with Pennsylvania Act 600 (Municipal Police Pension Law)
- c. Certificate of Completion #4 for Premier A-2 Warrington PA, LLC in the amount of \$169,109.50
- d. Consider appointing Guy Powell to the Historical Committee
- e. Consider appointing Fred Suffian to the Open Space Committee

ADJOURNMENT

There being no further business, Ms. Albillar motioned, Ms. Schemm seconded to adjourn the meeting at 9:38pm.

Respectfully submitted By,



Jen Fielding, Board Secretary