



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

The written minutes are a summary of the November 9, 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; Mark E. Lomax, Member and William M. Connolly, Member; Eileen Albillar, 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; Andrew Oles, Park and Recreation Director; Jen Fielding, Executive Assistant to the Township Manager/Board Secretary.

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 23 people who attended both in person and via Zoom.

PRESENTATION – Volunteer of the Year Awards – Barry Luber, Township Manager

2020 – Bill Connolly for work done on the Planning Commission and Zoning/SALDO Ad Hoc Committee

2020 – Barbara Brown for work done with the Environmental Advisory Committee

2021 – Mariah Drenth-Cormick for work done as the Warrington Township's Farmer's Market Manager and Lions Pride Park Committee

Mr. Luber highlighted the achievements of each award recipient. Mr. Gaines presented the plaques to Mr. Connolly and Ms. Drenth-Cormick. Ms. Brown was unable to attend and her plaque will be sent to her.

PRESENTATION – 2022 Proposed Budget – Barry Luber, Township Manager

Mr. Luber reviewed the PowerPoint of the budget, as presented during all previous Budget Work Sessions. The Board was provided with Budget Books at the last meeting on October 26, 2021 and had an opportunity to send Mr. Luber comments.

Mr. Luber reiterated that the Township will be using funds from the rainy day funds to balance the budget, but that over time the deficit will grow without a tax increase.

Discussion ensued regarding the Homestead Exemption, a small tax increase, and how this would impact residential residents, as well as commercial residents.

Ms. Albillar liked the budget as presented and would like to refrain from a tax increase.

Mr. Connolly is in favor of reducing the Homestead Exemption and does not feel there is pressure to do a tax increase. He would also like to see a 5-year long-term plan outlined.

Mr. Lomax would support a .5% increase in Millage and would like to keep the Homestead Exemption. He would like to safeguard the rainy day funds for a rainy day.

Ms. Schemm would like to keep the rainy day funds for a rainy day. After speaking with residents, she reported that they would prefer small tax increases over time. She would support a compromise between 1 Mill and .5 Mill.

Questions from residents:

Seth Gansman, 903 Bentley Court, asked if there could be an Ad Hoc committee created to discuss revenue options.

Mr. Gaines responded that the Township did have a Finance Committee in the past, but there is no anticipation of having a committee like that at this time.

Mike Kelly, 135 Muirfield Lane expressed concern regarding rising prices across the board, including gas and food at the local, state and national level.

Mr. Luber indicated that the options would be to approve the budget at the next Board of Supervisors meeting, as presented. Or, the Board could task him and the staff with direction tonight, which he will provide prior to the next Board of Supervisor's meeting.

Mr. Gaines made a Motion to adopt the budget as presented, but with a 1 Mil increase, Retain the Homestead Exemption at \$3,000, and staff will provide additional scenarios for a 5-year long-term plan. Roll Call vote: Ms. Albillar in favor; Mr. Connolly in favor; Mr. Lomax in favor; Ms. Schemm in favor; Mr. Gaines in favor. The Motion passed 5-0. Mr. Luber will work on scenarios and these changes and send to the Board this week.

PUBLIC COMMENT *(The Board will hear from any interested resident or taxpayer who would like to comment on an item not on this evening's agenda. Respondents are asked to keep their comments to 3 minutes.)*

Mr. Gansman asked about whether or not there could be additional fundraising for Lions Pride Park expanded driveway.

Mr. Luber replied that there is grant money and additional fundraisers that will continue to support Lions Pride Park.

Dr. Connie Ace, 1067 Folly Road asked what the plans are for updating additional ordinances. Mr. Gaines and Mr. Connolly explained the review of additional ordinances and encourages anyone on committees or boards to bring suggestions to the Board. Mr. Connolly further explained that the legislators in Pennsylvania have not given much power to municipalities when it comes to "teeth" of ordinances.

Mr. Kelly thanked Yolanda Crews in the Township office for assisting with questions related to upcoming committees and agenda. However, he was concerned about the posting of the Planning Commission agendas for the past few meetings not being posted on the portal. Ms. Fielding indicated that there had been a transition in staff who would post agendas and that the agendas were posted later than expected. She will work with staff to make sure that the agendas are posted in a timely manner.

Steve Palimari, 124 Coach Light Circle spoke to the Board on June 8, 2021 regarding ATVs and dirt bikes on the property behind his home. He indicated that the Warrington Police had been helpful and that the incidents

did reduce, but that they had resumed, including not only riding the vehicles and tearing up the land, but cutting down trees to make way for trails for these vehicles. He will be submitting a recommendation to Mr. Luber on what he would like to propose regarding how to address these concerns.

EXECUTIVE SESSION – Mr. Gaines reported that there were two Executive Sessions held to discuss personnel and legal matters.

1. NEW BUSINESS:

a. Consider Request from Bucks County to allocate \$75,773 of American Rescue Plan Funds to Warrington Community Ambulance over a three-year period. The County will be funding \$225,308.

Mr. Luber explained that the County announced at the Township Manager's meeting that many area ambulance companies are suffering financially. Therefore, if the Township allocates \$75,773 of its American Rescue Plan Funds to Warrington Community Ambulance over a three-year period, the County will contribute an additional \$225,308.

Lee Greenberg, Director of Emergency Services explained that some companies need the money and some don't. However, 3rd party billing is a challenge when it comes to recouping funds as some pay the individual and the ambulance company does not see that money. Also, this funding would enable the company to increase salaries and benefits in order to retain employees.

Mr. Connolly is in support of this item. He asked is there a problem recruiting? Mr. Greenberg replied that no, there is not a problem with recruiting, but maintaining, yes. Whichever company is paying the most, that is where employees will go, sometimes collectively.

Mark Scholl, Chief of Operations, was asked what the company would do with the funds, if approved. He reported that it would be used for salaries and benefits to recruit and retain employees. He cited other states paying higher wages than Pennsylvania, which often draws employees away. This would level the playing field, he said.

Mr. Connolly made a Motion to allocate \$75,773 of American Rescue Plan Funds to Warrington Community Ambulance over a three-year period; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

b. Consider for Approval Penn Community Bank as a Depositor for Township Funds.

Mr. Gaines asked about the portfolio for Penn Community Bank. Discussion ensued.

Mr. Gaines made a Motion to approve Penn Community Bank as a Depositor for Township Funds contingent upon a favorable recommendation from the Township auditors; Mr. Lomax seconded. All in favor, the Motion passed 5-0.

c. Consider approval of Continuance Request Policy

Mr. Jones reported that the staff prepared this Policy upon direction from the Board of Supervisors in their prior meeting to eliminate continuance requests considered to be too close to their respective hearing dates.

Mr. Connolly made a Motion to approve the Continuance Request Policy contingent upon a favorable review by the Township Solicitor and to be included in the SALDO Ordinance, as well as language if the applicant is denied a continuance and do not show up to the meeting in question, then there will be a dismissal without prejudice; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

d. **Consider for approval three contracts with CSI for the Police Department for:**

- i. **Building Fire Alarm Systems**
- ii. **Video Surveillance Systems**
- iii. **Central Station Monitoring Service**

Ms. Schemm made a Motion to approve three contracts with CSI for the Police Department for: Building Fire Alarm Systems, Video Surveillance Systems and Central Station Monitoring Service; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

e. **Review Parks Facility Needs Draft Survey and Discussion**

Ms. Schemm reminded the Board that this body had requested this survey earlier in the year and that the Parks and Recreation Board worked to create this survey by not focusing on one area of the Township services, but a general survey highlighting: what services are they using, what is their demographic, what would they like to see improved and what are their ideas for new services.

Mr. Oles said that the greatest survey in the world that is not returned is not a good survey. So, the dissemination of the survey is paramount to receiving responses.

Ms. Schemm would like to be sure there is an open comment box at the bottom.

Ms. Albillar would recommend we use electronic dissemination, but also make paper copies available in the Township.

Mr. Connolly would recommend that the first few demographic questions be moved to the back. And, he recommends adding Open Space/Passive Recreation under #6.

Ms. Schemm would like descriptors for some of the choices.

Mr. Oles will take these recommendations and send a revised version to the Parks and Recreation Board and then come back to the Board of Supervisors for approval and send out to residents through the methods identified this evening.

f. **Consider for Approval Warrington Youth Baseball to Pursue a New Batting Cage Structure**

Mr. Oles explained that the Warrington Youth Baseball has been using the batting cages for the past 10 years and they could use an upgrade. WYB brings Statewide Tournaments to Warrington and this increases the exposure of the Township to visitors and residents alike.

They will pay 90% of the cost. Public Works would help in cutting down a few trees, to be replaced with new trees, possibly digging holes.

Mr. Gaines asked about stormwater issues. Ms. Schemm would like clarification about the trees removal/what types and how many. Ms. Albillar supports the project.

By consensus, the Board approved this project. Mr. Oles thanked the Board and will provide answers to those questions.

2. **OLD BUSINESS: None**

3. SUPERVISOR COMMENTS:

Ms. Albillar – none

Mr. Connolly – none

Mr. Lomax – none

Ms. Schemm – Will be sending out a redlined version of the Mill Creek Easement and asks the Board to review and reply to her in the next day or so. Ms. Ross from Open Space and EAC has reviewed it and agreed that nothing of substance is changing.

Mr. Gaines – none

4. MANAGER’S REPORT:

a. Pending Zoning Hearing Board applications

Mr. Jones reported that there were no new Zoning Hearing Board applications at this time.

5. ENGINEER’S REPORT:

a. Update on High Grove Manor

Mr. Zarko listed all the areas addressed by the meeting with the HOA and their engineering firm. He recommends the improvements be dedicated, pending the remaining Punch List items.

Mr. Connolly asked if the amount identified for the cash escrow was sufficient. He also indicated that he had personally noticed items that were not complete and could be considered unsafe. Mr. Luber will reach out to Mr. Greenberg to see if properties can be reinspected once a Use and Occupancy permit had been approved, with review by Ms. Kushto.

Mr. Connolly made a Motion to accept the dedication of High Grove Manor; Mr. Gaines seconded. All in favor, the Motion passed 5-0.

b. Consider Resolution accepting dedication of public improvements for the Warrington Glen Development, Phases 1,2,& 3.

Mr. Zarko outlined the areas of the Resolution, including an 18-month maintenance bond, Deed of Dedication, Title insurance and an escrow agreement for stormwater modifications. Brief discussion ensued.

Mr. Lomax made a Motion to Accept the dedication of public improvements for the Warrington Glen Development, Phases 1,2,& 3; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

c. Recommend Payment for Street Tree Installation at Oak Creek Subdivision

Mr. Zarko reported that the work associated with the installation of street trees within the Oak Creek Subdivision previously authorized by the Board of Supervisors has been completed.

Mr. Gaines made a Motion to submit payment to Snyder Land Services, LLC in the amount of \$15,295.00 for the completion of street installation at Oak Creek Subdivision; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

Ms. Schemm asked Mr. Zarko for an update on Paper Streets. Mr. Zarko indicated that it was taking some time to research this request from the Board. He will come back to the next meeting with more information.

6. SOLICITOR'S REPORT:

a. **Conditional Use Application of Warrington Easton, LLC – Discuss application and authorize Solicitor to Prepare Written Decision in accordance with the Board's verbal decision.**

Ms. Kushto reported that the Board of Supervisors previously deliberated on this conditional use application at the conclusion of the last Board of Supervisors meeting and one additional meeting.

Mr. Connolly had questions about #6.

Ms. Kushto read the entire list of Potential Conditions for the Motion made by Mr. Connolly (below) to accept the conditional use application of Warrington Easton, LLC; seconded by Mr. Lomax. All in favor, the Motion passed 5-0.

WAWA – List of Potential Conditions

1. Compliance with CKS letter dated July 9, 2021.
2. Approval of a lot line change/consolidation plan and conveyance of a portion of the adjacent property known as TMP No. 50-31-005 so that the Property contains 2.007 acres after the proposed conveyance.
3. Approval of a lot consolidation plan approving the consolidation of the 3 separate parcels owned by the Applicant.
4. Applicant shall provide, in a form approved by the township Solicitor, cross easements for driveway access for the Property and the adjacent property known as TMP No. 50-31-005.
5. Prior to land development approval, address to the Township's satisfaction the comments contained in the Traffic Planning and Design, Inc. letter dated July 8, 2021.
6. As agreed to by Applicant, it shall preserve existing trees along Maple Avenue and Kansas Road and install additional screening along Kansas Road and Easton Road in accordance with the Ordinance, as stated in the testimony of Ms. Balorda-Barrone and shown on Exhibit A-15.
7. As agreed to by Applicant, it shall address the anticipated traffic impact of the proposed development on area roadways, including extending the east bound turn lane on street road, extend existing northbound Easton road left turn lane and installation of a right turn lane at the intersection of Maple Avenue and Street Road in accordance with the testimony provided by Mr. Moore and shown on Exhibit A-19.
8. As agreed to by Applicant, Applicant shall design the access to the Property from Kansas Road so that it aligns with Elm Avenue as testified to by Mr. Moore and shown on Exhibit A-19.
9. During the land development process, Applicant shall submit a completed Form 307 and provide the required amounts of common and active open space for a fee in lieu thereof.
10. During the land development process, Applicant shall comply with the requirements of the Corridor Overlay District as set forth in Chapter 305, Section 329.
11. Applicant shall otherwise comply with all other Ordinance requirements of Warrington Township.
12. As agreed to by Applicant, during the land development process, Applicant shall address the concerns outlined by the Fire Marshall in his email dated July 14, 2021.
13. The electric equipment currently located in the strip of property between Wawa and Chickie and Petes's shall be relocated in a manner approved by the Township that does not reduce the number of parking spaces available in the Chickie and Pete's parking lot.
14. Chickie and Pete's shall have a minimum of 104 parking spaces on its Property as shown on the Conditional Use Plan, exclusive of the 10 spaces Chickie and Pete's is entitled to utilize on the neighboring property located at 2091 Garden Avenue known as Tax Parcel No. 50-031-004.

7. APPROVAL OF BILL LIST:

- a. 2021 Invoices for the period October 27, 2021 to November 9, 2021 in the amount of \$1,115,756.45.**

Ms. Schemm made a Motion to approve the 2021 Invoices for the period October 27, 2021 to November 9, 2021 in the amount of \$1,115,756.45; 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 or if any items should be pulled out. Ms. Schemm requested that item b be pulled out.

Mr. Lomax made a Motion to approve Consent items a through f, with b removed; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

Mr. Luber explained the reason for the amendment to the Police Pension Plan was because an employee who lived the Police Department returned and would like to buy back her pension. After checking with the actuary, it was reported that this would be cost-neutral if she paid it all back. However, another officer returned to the Township more than 20 years ago and is asking if this would also apply. The advertised amendment was only for 5 years back. The Police Pension would need to be amended to accommodate this officer.

Discussion ensued.

Ms. Schemm indicated that if the officer was interested in amending the Pension Plan, it could be handled in the next round of police contract negotiations. This is outside the realm of the process followed for changes to the contract.

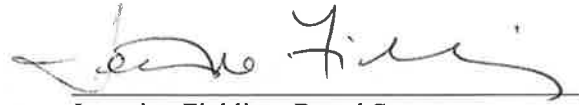
Mr. Gaines made a Motion to accept the adoption of the Amendment to the Police Pension Plan. There was no second. The Motion failed.

- a. Consider Approval of Minutes from October 26, 2021 Board of Supervisors meeting
- b. Consider adoption of Amendment to the Police Pension Plan
- c. Consider Approval of Resolution 21-R-46 Thanking the Sponsors of Warrington Day, *read at the October 26, 2021, meeting, but not approved*
- d. Consider for Approval Agreement with Warminster Municipal Authority
- e. Consider appointment of Fred Gaines and Vince Evans as Alternate Members of the Planning Commission
- f. Consider authorization for Township Engineer to prepare Conservation Easement Plan for Weisel and Emerson Farm

ADJOURNMENT

The meeting was adjourned at 9:25pm.

Respectfully submitted By,

A handwritten signature in black ink, appearing to read "Jeannine Fielding", written over a horizontal line.

Jeannine Fielding, Board Secretary

As the members of the Board know, the Pennsylvania Legislature decided that Townships such as Warrington that did not have a business tax in effect before a certain date could not pass one. This Township challenged that Law and the Pennsylvania Supreme Court decided in favor of the Legislature.

The Warrington Police Department and other Township services spend a disproportionate amount of time and taxpayer money in providing services to our commercial community. They do not reimburse the Township for the extra cost, merely paying property taxes at the same millage rates as homeowners.

To help equalize this effect the Township implemented a Homestead exemption three years ago that provides a reduction in the assessed value for all owners of residential property. This program provides a reduction in property taxes to residential owners at an average of \$100/year. Residential properties below the average have a slightly greater benefit but commercial properties have none resulting in them paying a slightly greater real estate tax rate.

The budget that staff has proposed reduces the current Homestead exemption from \$3000 per property to \$1500. This will result in all homeowners paying an additional \$50/year in Real Estate Taxes. It has no impact on commercial properties, resulting in residential property owners, once again, shouldering a greater burden of the costs of servicing the commercial community.

Instead of reducing the Homestead Exemption and allowing the residents to pay an increased share of serving the commercial establishments, I have asked staff to review the alternate of slightly increasing the real estate tax and leaving the Homestead Exemption as it is:

My logic is as follows:

- We have approximately 150 Township employees. Following an analysis of comparable wages and benefits in neighboring communities, we have determined that in many cases Warrington underpays our workers. In FY 2022 salaries will be "adjusted" to make them comparable. We have already lost two "three highly skilled employees" to other Townships and could not afford to lose more.
- There is an increased demand for municipal services (Police, Fire, Public Works, Engineering, Legal and Administrative) and we will be hiring additional personnel to meet these needs.
- The addition of Open Space and expansion of the Trail System has increased Maintenance Costs.
- Covid has resulted in additional ongoing costs that are not being reimbursed.
- By maintaining the Homestead Exemption and increasing Property Tax, we minimize the impact on long-term and senior residents

I propose that we increase the tax rate by 0.9 mills.

Fred