



**WARRINGTON TOWNSHIP BOARD OF SUPERVISORS  
MINUTES FOR April 12, 2022 - 7:00 PM**

**The written minutes are a summary of the April 12, 2022 Board of Supervisors meeting. For a complete dialog visit the Township's website, [www.warringtontownship.org](http://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](http://www.warringtontownship.org)**

Supervisors: Chair Fred R. Gaines; Vice Chair Eileen Albillar; Ruth Schemm, Member, Michael Diorka, Member; Vanessa Maurer, Member

Staff present: Barry P. Luber, Township Manager; Terry Clemons, Esquire, Clemons Richter Reiss, Township Solicitor; Tom Zarko, P.E., CKS Engineers, Township Engineer; Jen Fielding, Executive Assistant to the Township Manager/Board Secretary.

**CALL TO ORDER:** Mr. Gaines called the meeting to order at 7:01 P.M.

There was a total of 58 people who attended both in person and via Zoom. The meeting is also "streamed" on the Warrington Township TV channel, so other interested parties are always welcome to watch the meeting using this option.

**PLEDGE OF ALLEGIANCE**

**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. Mike Starnier, 3429 County Line Road** shared his concern about County Line Road and the speeding and noise. He requested that the Board of Supervisors review this road and consider additional measures to curb these issues. Mr. Gaines indicated that the Police Department represented in the room have heard his request and will consider monitoring these issues.

**Mr. Mike Kelly, 135 Muirfield Lane** shared his concerns regarding the Rental Inspection Program. Specifically: cost too high and inspections annually is too frequent.

He also shared concerns about the inspection of hotel rooms. Action: Mr. Luber will follow up with Mr. Greenberg. And he asked if Victory Gardens should be advertising in the Quarterly LINK newsletter if they are involved in litigation with the Township. Action: Mr. Luber will follow up with the Solicitor.

**Mr. Joe Campbell, 277 Manor Drive, Richboro** requested that the outdoor dining exemption be extended through September 1, 2022. Mr. Gaines indicated that this issue is on the agenda.

**Mr. Don Langford, 344 W. Court Street** expressed concern about the fees for the Rental Inspection Program and inspections annually is too frequent. Mr. Gaines indicated that the Board will review at the end of the year.

**Mr. John McConnell, 206 Trellis Drive** *via Zoom* asked about the potholes on Street Road in anticipation of the work being conducted by PennDOT on County Line Road. Mr. Zarko reported that the Project Manager from PennDOT assigned to the project will be monitoring it regularly. Mr. Luber reported that the large pothole near the bridge was repaired on Monday.

**PRESENTATION - Swearing-in of new police officer, James Umile – Chief Daniel J. Friel and Judge Stacy Wertman**

Chief Friel presented James Umile as a new police officer, including some history about Mr. Umile. Judge Stacy Wertman conducted the swearing in. Mrs. Umile pinned Mr. Umile's badge on him. The Board of Supervisors congratulated Mr. Umile and welcomed him to the Township.

**PRESENTATION - Communications Advisory Board 2021 Annual Report – Michael Starner, Member, Communications Advisory Board**

Mr. Starner presented the annual report for the Communications Advisory Board. Highlights included: Regular review of the Township's social media platform, including the website and Facebook pages for both the Township and Police Department; Cable franchise renewal; Cell tower lease buyout; Public Access channel update.

The Committee's 2022 goals include: Continuing to provide information regarding the Township's website and develop a strategy for conducting video interviews with key members of the Township; support staff for selection of new content for the cable channel; continue to support the cable franchise agreements; improve the overall Communications Plan for the Township; work with the Township on issues related to the rollout of 5G equipment.

Ms. Albillar thanked the members of CAB for their breadth of experience. Ms. Schemm asked about potential security issues to the Township related to cyber attacks and phishing. Mr. Starner suggested a LINK article for Best Tips in this area. Action: Ms. Fielding will work with Mr. Starner and CAB to publish Best Tips for businesses and residents related to cyber security and phishing.

Ms. Maurer thanked the members for their expertise, in particular related to an item sent back to the committee related to SpyGlass and auditing the Township's technology devices and find a way to discover savings in this area. CAB will work with Mr. Kim, Finance Director, and then make a recommendation to the Board of Supervisors.

Mr. Gaines and Mr. Luber reported that the Township is covered by its insurance in the areas of Ransomware.

**PRESENTATION – Update on the Status of our Energy Independence Inventory, Survey and Plan – Fred Suffian, Chair, Environmental Advisory Council (via Zoom)**

Mr. Suffian provided an update regarding the Township's Energy Independence Inventory, Survey and Action Plan. The transition includes moving toward 100% clean and renewable

energy by 2035 in all energy sectors, including heat and transportation by 2050; and a community-wide effort similar to the PA state Climate Action Plan – “26 percent lower by 2025 and 80% lower by 2050.”

A survey went out on the Township Facebook page, the EAC Facebook page, website, LINK Quarterly newsletter and the eLink, and emailed to 150 residents directly. The survey was designed to gauge interest in the topic of the Action Plans. Survey results were discussed and reported upon, but will not be used to make any policy decisions.

Mr. Diorka suggested that for future surveys, they could be mailed to all households in the Township.

## **PUBLIC HEARING**

### **Zoning Ordinance Amendment**

Ms. Albillar made a Motion to adjourn the regular meeting at 7:50pm; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

Mr. Clemons opened the Public Meeting at 7:51pm. Mr. Clemons outlined the amendment of the Zoning Ordinance.

Mr. Clemons concluded the Public Meeting at 8:52pm and resumed the regular meeting at 8:53pm.

## **EXECUTIVE SESSION**

Mr. Clemons reported that there were three topics discussed at an Executive Session this evening. 1) Litigation before the Township; 2) Small acquisition of land condemnation and 3) a personnel issue.

### **1. NEW BUSINESS:**

#### **a. Consider approval of amendment to the Zoning Ordinance**

Ms. Albillar made a Motion to approve the amendment to the Zoning Ordinance; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

#### **b. Consider authorization to close Pickertown Road from 7:00am to 10:30am on September 11, 2022, to allow for the Warrington Cares Triathlon to run safely through the streets**

Mr. Luber explained the reason to close Pickertown Road temporarily to allow for the Warrington Cares Triathlon.

Ms. Albillar made a Motion to authorize the closing of Pickertown Road from 7:00am to 10:30am on September 11, 2022, to allow for the Warrington Cares Triathlon to run safely through the streets; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

Mr. Diorka suggested that the Township advertise the closure in multiple ways, including a map of the course and alternate routes. Action: Mr. Luber will follow up.

- c. Consider approval of letter to Senator Maria Collett RE: HB 221 - This Bill would amend the provisions of the Open Space Lands Acquisition Act to allow 25% of the accumulated money collected from open space real estate and earned income taxes to be utilized for maintenance and development of open space owned by the Township**

Mr. Clemons reported that this item was recently approved by the PA Senate.

Ms. Albillar made a Motion to table this item; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

- d. Consider Amended Final Plan Application for EV Charging Station project at Creekview Shopping Center – Trent Suddeth, Kimley-Horn and Neil Volta, Kimley-Horn**

Mr. Suddeth (via Zoom) spoke about the final plan application and answered questions. Discussion ensued regarding the size of the space, amount of the charge and whether or not the stations left unattended could easily be vandalized.

Ms. Albillar asked for clarification regarding the Planning Commission's recommendation to the Board of Supervisors.

Mr. Kelly asked if there would be bollards to protect the stations. Mr. Suddeth indicated that there would not be bollards, but that the islands where the station would be installed is in a location unlikely to be hit by a vehicle. Mr. Kelly also asked about wiring to the station and whether or not the parking lot would be excavated. Mr. Suddeth indicated that the island was already supplied with a conduit.

Ms. Albillar made a Motion to prepare a draft Resolution for consideration at the next Board of Supervisors meeting approving the land development application subject to the following conditions:

The Plans will be revised to address all of the comments in the CKS review of January 10, 2022, March 25, 2022, and any subsequent reviews. The comments of the Zoning Officer must be satisfactorily addressed. The screen for the EV unit shall be blank, unlighted and will not contain any advertising. The Final Plans must be recorded in the Office of the Recorder of Deeds for Bucks County. The EV charger must be in the location shown on the Amended Plans; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

- e. Consider approval of Resolutions for PSATS**

Mr. Gaines asked if anyone on the Board took any exception to/from the Resolutions Committee. Ms. Albillar raised four Resolutions for which she would recommend voting differently than PSATS. Ms. Schemm raised three Resolutions for which she would recommend voting differently than PSATS.

**22-23 RESOLVED, That PSATS seek legislation to legalize adult use of cannabis provided that such legislation allows for municipal land use decision-making on manufacturing, distribution, and retail facilities, as well as a mechanism to share tax revenue with municipalities.**

**BUCKS COUNTY OPPOSE**

Ms. Albillar made a Motion to support this Resolution; Ms. Schemm seconded. Ms. Albillar, Ms. Schemm, Mr. Gaines and Mr. Diorka voted in favor; Ms. Maurer voted against. The Motion passed 4-1.

Mr. Kelly commented that accidents can happen if cannabis is misused.

**22-24 RESOLVED, that PSATS seek legislation to provide funding for all municipalities to complete Sustainable Pennsylvania Community Certification, review existing municipal land development ordinances to enact legislative changes that will reduce carbon emissions and greenhouse gases; and conduct a review of municipal operations to implement policies that reduce carbon emissions and greenhouse gasses.**

**BUCKS COUNTY OPPOSE**

Ms. Albillar made a Motion to support this Resolution; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

**2-25 RESOLVED, That PSATS seek legislation to prohibit discrimination in areas of employment, housing, and public accommodations based on sexual orientation, gender identity, or expression.**

**BUCKS COUNTY OPPOSE**

Ms. Albillar made a Motion to support this Resolution; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**2-29 RESOLVED, That PSATS seek legislation to repeal the Pennsylvania Prevailing Wage Law (Act 442 of 1961) or authorize townships to choose whether or not they wish to be subject to the provisions of the law.**

**RESOLUTIONS COMMITTEE SUPPORT**

Ms. Albillar made a Motion to oppose this Resolution; Ms. Schemm seconded. Ms. Albillar, Ms. Schemm, Mr. Gaines, and Ms. Maurer voted in favor; Mr. Diorka voted against. The Motion passed 4-1.

**2-10 RESOLVED, That PSATS seek legislation to accurately reclassify 911 professionals (the very first, First Responder) in the federal Standard Occupational Classification System (SOCS) as "Protective Service Occupations" - alongside police, firefighters, security guards, lifeguards, and others whose job it is to protect our communities - rather than the current incorrect classification of "Office and Administrative Support Occupations."**

**WASHINGTON COUNTY OPPOSE**

Ms. Schemm made a Motion to support this Resolution; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

**22-13 RESOLVED, That PSATS seek a change in regulations that would allow municipalities to**

**purchase cinders for winter road use that are not approved by the state Department of Transportation but would meet requirements set by municipalities.**

**BRADFORD COUNTY SUPPORT**

Ms. Schemm made a Motion to oppose this Motion; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

**22-21 RESOLVED, That PSATS seek greater enforcement and compliance of the Agricultural Land Acquisition by Aliens Law and any other Commonwealth of Pennsylvania laws regulating foreign or alien ownership of agricultural lands in the commonwealth.**  
**BERKS COUNTY OPPOSE**

Ms. Schemm would like more information about this Resolution.

**2. OLD BUSINESS**

Mr. Gaines will consider items a-e as Consent.

Ms. Maurer made a Motion to approve items a-e; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

- a. **Consider approval of use of Utility Proceeds Funds in the amount of \$560,000 (previously \$450,000) and Fire Apparatus Fund in the amount of \$650,000 (previously \$750,000) to pay for Ladder Truck Financing**
- b. **Consider approval to use Ladder Truck Sale Proceeds of \$ 140,000 (part of down-payment)**
- c. **Approval to borrow (banknote or lease) \$ 350,000 if the PEMA loan is not selected**
- d. **Authorize the Township manager to sign and approve PEMA or Banknote or Lease in the total amount of \$350,000**
- e. **Approval of Ordinance amending Chapter 20 of the Codified Ordinances to recognize the Warrington Township Department of Emergency Services as providing emergency services in the Township**
- f. **Discussion and Consider Authorizing Solicitor to Prepare and Advertise an Ordinance for Prohibition of the use of Single Use Plastic Bags**

Mr. Clemons and Ms. Kushto provided examples from other Townships regarding the use of Single Use Plastic Bags. Mr. Gaines and Ms. Maurer provided examples of other states prohibiting Single Use Plastic Bags. Ms. Maurer made several points why paper bags might be bad for the environment as an alternative to plastic bags. Due to both Covid-19 and the recent implementation of the Rental Inspection Program, the Board concluded that the timing was not good to implement this Ordinance at this time.

Ms. Schemm made a Motion to Table the Authorization of the Solicitor to Prepare and Advertise an Ordinance for Prohibition of the use of Single Use Plastic Bags; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

Action: The Environmental Advisory Council will review this item and provide additional information to the Board of Supervisors at a future meeting.

**g. Discussion and Consider approval of extension for April 30<sup>th</sup> expiration of Temporary Outdoor Dining**

Ms. Schemm made a Motion to Approve the Extension of the Temporary Outdoor Dining until September 30, 2022; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**h. Consider a COLA for Police retirees for the year 2022**

Ms. Maurer made a Motion to take this item off the table from the March 22, 2022, Board of Supervisors meeting; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

Discussion ensued. Mr. Clemons reported that this item was discussed in Executive Session.

Ms. Albillar made a Motion to send back to the Pension Committee for a recommendation for a COLA for retirees to the Police and non-uniform pension committees to discuss and take another vote as to whether to recommend the granting a COLA for 2022. This is being sent back to the committee(s) due to the fact that there was confusion by the committees as to who was eligible to vote and that the actual vote taken for the Police COLA was a 4 to 3 vote in favor of a COLA; however, one of the committee members who voted for the COLA is not on the Police Pension Committee and was ineligible to vote; Mr. Diorka seconded. All in favor, the Motion passed 5-0.

**3. SUPERVISOR COMMENTS:**

**Mr. Diorka** – 1) Warrington’s Mary Barness Community Pool Committee has elected its Officers. Membership is underway; staffing is complete. 2) EAC and Rotary Club will plant 15 trees on the Weisel Preserve; 3 benches will be installed at a later date. 3) Historic Commission plans to update their name under the Goals: Board and Committees item from Historic to Historical.

**Ms. Schemm** - 1) Bike and Hike Committee now has a full complement of members; will be marking trails. 2) Historical Society and Commission had questions regarding the schoolhouse off Kansas Ave. Action: Mr. Luber will follow up. 3) Weisel planting project involves many volunteers. 4) EAC has identified that there are over 1,000 acres of open space in the Township. 5) Parks and Recreation Board identified damage to several fields and brief discussion about taking fields offline for a season for them to rejuvenate.

**Ms. Albillar** - 1) Open space signs are beautiful and has received many kudos from neighbors and children who asked about them. 2) April is National Volunteer Month, so she thanked all volunteers within the Township for their service.

**Ms. Maurer** – There was a brief discussion about Special Equestrians. She complimented the great work they do and mentioned an upcoming golf outing and fundraiser.

**Mr. Gaines** – 1) Warrington Cares met and identified the non-profits they will support for 2022. These will be awarded at the June 14<sup>th</sup> Board of Supervisors meeting. 2) Reminded the

Supervisors that Mr. Lee Greenberg, Director of Emergency Services, sent out the updated Emergency Management Services Plan and asked for comments be sent to him before the next meeting on May 10, 2022.

#### 4. MANAGER'S REPORT:

##### a. Pending Zoning Hearing Board Applications

Mr. Clemons briefed the Board of Supervisors on five cases of before the Zoning Hearing Board. He conveyed the Zoning Officer's recommendation to remain neutral.

##### b. PSATS Award – 2<sup>nd</sup> Place –

Mr. Lubber reported that Warrington Township was awarded 2<sup>nd</sup> Place in the PSATS' 54<sup>th</sup> Annual Citizen Communication Contest for the category of Audiovisual Communication for various YouTube videos. He thanked Ms. Jackie Wilson for her assistance with these videos.

#### 5. ENGINEER'S REPORT:

##### a. Consider Authorization to Advertise for Bids; Special Equestrian's Center Building Roof Replacement

Mr. Diorka asked if there would be any disruption to programs. Mr. Zarko responded that they will coordinate with the Special Equestrian Center to minimize disruption.

Ms. Schemm made a Motion to approve authorization to advertise for bids; Special Equestrian's Center Building Roof Replacement; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

#### 6. SOLICITOR'S REPORT:

##### a. Consider Stipulation for Withdrawal of Tax Assessment Appeals for Valley Square Owner, LLC for Tax Parcel No. 50-031-034-001

Mr. Clemons briefed the Board on the Tax Assessment Appeal for Central Bucks School District related to the listed appeal for Valley Square Owner, LLC. The current assessment was \$4,621,410 and has been reduced to \$4,452,070. Under this proposal, the slightly reduced assessment would remain in effect.

Ms. Albillar made a Motion to Consider Stipulation for Withdrawal of Tax Assessment Appeals for Valley Square Owner, LLC for Tax Parcel No. 50-031-034-001; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

##### b. Consider approval of Cardamone Conditional Use Decision

Ms. Albillar made a Motion to approve the Cardamone Conditional Use Decision; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

##### c. Consider Zoning Hearing Board Application for Cardamone



Ms. Albillar made a Motion to approve the Zoning Hearing Board Application for Cardamone; Mr. Diorka seconded. All in favor, the Motion passed 5-0.

**d. Consider Maintenance Agreement with PennDOT for bus shelter to be installed at Easton Road/Freedoms Way intersection**

Mr. Clemons recommend that the Board approve this Maintenance Agreement in order to move forward with the bus shelter. Mr. Gaines asked if the timing of the lights and ADA access will be addressed. Mr. Clemons indicated yes. Mr. Gaines also reported that the Rotary Club will be contributing toward the completion of this bus shelter.

Ms. Schemm made a Motion to approve Maintenance Agreement with PennDOT for bus shelter to be installed at Easton Road/Freedoms Way intersection; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

**7. APPROVAL OF BILL LIST:**

**a. Consider approval of invoices for the period from March 23 to April 12, 2022 in the amount of \$522,151.33.**

Ms. Schemm made a Motion to approve the invoices for the period from March 23 to April 12, 2022 in the amount of \$522,151.33; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**8. CONSENT ITEMS:**

Mr. Gaines asked if anyone would like to pull any items out of the Consent Agenda. Ms. Albillar asked about the names chosen for item d. Ms. Schemm indicated that these are historical names provided by the Historic Commission.

- a. Consider approval of Minutes from March 22, 2022 Board of Supervisors meeting**
- b. Consider amending Fee Schedule to reflect Proposed New Permit Fees for Section XIV: \$100.00 flat permit fee plus \$3.00 a pound or gallon for Specialty Systems (Foam & Kitchen) \$50 per pound or gallon (in addition to sprinkler head fees)**
- c. Consider approval of Certificate of Completion #1 Earthborne Inc. (OP Schuman) and associated escrow release in the amount of \$46,994**
- d. Consider approval of Craig Court and Larzalere Lane as names for new streets within Laurel Crossing Development**
- e. Consider award of contract ArcheWild for the 2022 Weisel Preserve Landscaping Improvements Project in the amount of \$17,554.67**
- f. Consider authorization for staff to send letter of interest to DVRPC concerning water system improvement funding opportunities**

Ms. Albillar made a Motion to accept the Consent Agenda items a-f; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

**ADJOURNMENT**

The meeting was adjourned at 9:36pm.

Respectfully submitted By,



Jeannine Fielding, Board Secretary

# Warrington



# Township

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**BOARD OF SUPERVISORS**  
FRED R. GAINES, Chair  
EILEEN ALBILLAR, Vice Chair  
RUTH L. SCHEMM, Member  
MICHAEL J. DIORKA, Member  
VANESSA MAURER, Member

TOWNSHIP MANAGER  
BARRY P. LUBER

## **Addendum to April 12, 2022 Minutes**

Supervisor Comments, Ms. Vanessa Maurer:

1. Cloth bags leaves a larger carbon footprint - One (1) cloth tote bag equates to 327 plastic bags while requiring more energy, land, fertilizer and pesticides to operate more than any other alternative.
2. A paper bag generates FOUR (4) times the amount of carbon emissions than plastic bags as reported by a study in the LA Times in July 19, 2021.
3. Research by the Reason Foundation found that since the California bag ban showed they only constitute 0.4% of all municipal waste.
4. A local business owner expressed that he felt a plastic bag ordinance would be punitive as a plastic bag is \$0.01 and paper bags are \$0.87
5. From what I have gathered most of the success from these types of ordinances have been when it is has been an effort from the State or County encompassing a larger population, and area to change behaviors that impact the environment.