



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

The written minutes are a summary of the July 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 (*via Zoom*), Michael Diorka, Member (*via Zoom*); 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; Christian Jones, Assistant Township Manager; Jen Fielding, Executive Assistant to Township Manager/Board Secretary

**CALL TO ORDER:** Mr. Gaines called the meeting to order at 7:07 P.M.

There were a total of 18 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.*)

**PRESENTATION – Parks and Recreation/Open Space Survey – Andy Oles, Director of Parks and Recreation**

Mr. Oles presented a summary of the survey sent to all residents this Spring. 304 people responded. Highlights included: Warrington residents value recreational opportunities, including trails, playing fields and playgrounds. Highest usage include: athletic fields, open spaces and trails, then playgrounds. Most of the respondents were in the 31-55 age range, married with 2-4 children and have lived in Warrington 1-20 years. Over 90% of the respondents were comfortable allowing the boards and committees to make the necessary decisions to improve facilities based upon age, condition and use.

Mr. Gaines asked how these statistics compare to the U.S. Census information for our area. Mr. Oles will research and report back.

Mr. Luber reiterated that this survey parallels the Goals for Parks and Recreation Board, which include the 15.6 acres across from Barness Park and identifying capital needs based upon this survey. He recommends that the Parks and Recreation Board take these results and come back to the Board at budget time with their recommendations, including putting them into a 5-year plan format.

Ms. Albillar thanked Mr. Oles and the Parks and Recreation Board for this survey. She read many of the comments in the survey and asked about the restrooms at Barness Park. Discussion ensued.

Mr. Gaines asked about the ebb and flow of sports within the community. Mr. Oles answered questions about turf, updating playgrounds and specific sports impacted by what is happening nationally – for example, the upcoming World Cup to Philadelphia and how it will impact soccer in the area.

Mr. Diorka recommended that the Parks and Recreation Board work with their liaisons to Open Space and Land Preservation, the Environmental Advisory Council, Bike and Hike Committee and the Mary Barness Community Pool Advisory Board in order to obtain their feedback prior to submitting their recommendations.

## **1. NEW BUSINESS:**

### **a. Discussion of Volunteer Recognition**

Mr. Luber explained the process when volunteers are recognized, including:

- Annual volunteer luncheon for volunteer plus guest

- Token gift at this luncheon

- Member resigns, they receive a letter

- Member joins, they receive a letter

- Certificate of Appreciation

- NEW

- Will now welcome new members and thank members leaving in the quarterly LINK newsletter

### **b. Consider hiring a new police officer to replace the officer (SRO) being assigned to the school district**

Chief Daniel J. Friel gave background, including the loss of Officer Plum, three officers on long-term disability, one officer to military deployment and the recently approved School Resource Officer. It takes up to 6 months to train a new officer. He would like to begin the hiring process so that he will be ready to have a new officer start in January, 2023.

Ms. Albillar asked if this is an early request for another officer in 2023 and the Chief replied that would be in addition to this request. It will be covered in his budget request. Ms. Albillar would like to move forward with this request.

Ms. Maurer asked questions regarding the structure of the compensation for the long-term disability officers and best practices how it is reflected in the budget. Mr. Luber will research and get back to her.

Ms. Albillar made a Motion to authorize Chief Daniel J. Friel to begin the process of hiring a full-time police officer in 2022 to replace the officer being assigned as School Resource Officer; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**c. Consider authorizing advertisement of Ordinance Amendment for No Parking areas in Willow Knoll**

Mr. Clemons briefly outlined the amendment to the Ordinance Chapter 330, Article IV to amend parking restrictions in Willow Knoll to prohibit parking along certain roads within this community. This will be advertised.

Mr. Luber thanked those who have been involved in these meetings: Warrington Police Department (Lt. Robert Meditz, Cpl. Mike Neipp), Christian Jones, Chad Dixon, Michelle Martiuk with Willow Knoll.

Mr. Clemons indicated that there will be additional signage placed in these areas. Mr. Gaines asked if the first enforcement could include a warning to residents. Mr. Diorka asked if repeat offenders, would they be towed? Mr. Clemons indicated it would be up to the police.

Ms. Schemm made a Motion to authorize the advertisement of Ordinance Amendment for No Parking areas in Willow Knoll; Mr. Diorka seconded. All in favor, the Motion passed 5-0.

**d. Consider adopting updated Hazard Mitigation Plan Resolution**

Mr. Lee Greenberg, Director of Emergency Services, submitted a Memo explaining the updated Hazard Mitigation Plan. In addition to our own local planning, this helps satisfy requirements related to local hazard mitigation planning and helps both Bucks County and Warrington Township qualify for pre-disaster and post-disaster grant funding.

Ms. Albillar made a Motion to adopt the updated Hazard Mitigation Plan Resolution; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**e. Consider amendment to the contract with Portnoff Law Associates for the collection of delinquent accounts**

Mr. Jones submitted a Memo explaining the amendment. Ms. Maurer asked if the law changed? Mr. Jones replied that the new guidelines from the Consumer Financial Protection Bureau and became effective November 30, 2021, which caused Portnoff Law Associates to change the first step of its collection process. As a result, PLA began sending model validation notices as our initial contact with the property owner at no charge. But, they will need to start charging a \$25 fee in 2023.

The initial fee will be charged to the delinquent property owner and not the Township.

Ms. Maurer made a Motion to approve the amendment to the contract with Portnoff Law Associates for the collection of delinquent accounts; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

**f. Consider authorization to advertise an amendment to the ordinance regulating fees charged by Portnoff Law Associates for delinquent accounts**

Ms. Maurer made a Motion to authorize to advertise an amendment to the ordinance regulating fees charged by Portnoff Law Associates for delinquent accounts; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

**g. Consider amendment to 2022 Fee Schedule for updated Zoning Permit Fees**

Mr. Jones submitted a Memo explaining the fee schedule update for Zoning Permit Fees. Currently, the fees are accepted at the conclusion of a permit. However, many residents change their minds mid-process and the Township is unable to recoup for the staff time lost. By including an application fee up front, this will help alleviate that concern. In addition, there are many incomplete applications requiring multiple reviews and the updated fees will allow the Township to recoup the costs of staff time for those reviews.

Ms. Albillar indicated that this change will be holding the applicants accountable. Mr. Clemons indicated that the Board might need to pass a Resolution making these changes. Mr. Jones indicated that the application language is already in the Ordinance.

Next steps: Mr. Clemons and Mr. Jones will review the language. As well, Mr. Jones is working on a user-friendly application. The staff will be provided a check list to follow when receiving applications. They will turn away any application that is not complete or illegible.

Ms. Maurer asked about the fee increases. Mr. Jones indicated that the fees are consistent with area Townships. Mr. Jones gave a shout out to Doreen Curtin, Deputy Zoning Officer; Peter Kim, Finance Director; and Roy Rieder, Zoning Officer, for their assistance on this project.

Ms. Albillar made a Motion to amend the 2022 Fee Schedule for updated Zoning Permit Fees; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**h. Discuss continuance of Township Leaf and Yard Waste Disposal Site at 3430 Pickertown Road near Tradesville Plant**

Mr. Luber provided background regarding the leaf and yard waste disposal site at 3430 Pickertown Road. While designed for leaf and yard waste disposal, this site is now experiencing dumping of other items, including appliances and trash.

Mr. Diorka mentioned that this site is located very near one of the trails and has now become unsightly.

Mr. Luber outlined the options: 1) do nothing; 2) cameras to enforce disposal; 3) end this operation; 4) allow New Britain Industries to pay for it.

Ms. Schemm spoke with Public Works Director, Joe Knox, and indicated that this has become a burden on an already busy department. She indicated that there should be a plan and education for alerting residents to whatever the Board decides, if they choose to shut it down.

Ms. Albillar agreed with Ms. Schemm. She would like some additional information, including how much is it used. Mr. Gaines suggested if it were eliminated during the winter months this would be less of a burden on the residents. We could write about the closure in the winter edition of The LINK newsletter.

Next steps: Mr. Luber will work with staff to find out if trash haulers are currently charging extra for leaf and yard waste or if it's included. He will report back.

## 2. OLD BUSINESS:

### a. Discussion regarding the use of the red light camera program in Warrington Township

As a follow up to the ARLE Red Light Camera presentation from last year, Sgt. Hawthorn and Chief Friel made a brief presentation to the Board and gave the Board an opportunity to ask questions.

Highlights included: Red light camera usage is underutilized because it is not understood; there are cameras at several intersections already in Warrington Township; ARLE takes photos of the rear of vehicles; photos are destroyed after 30 days.

Warrington Township would educate the residents about the program and its safety and that the program is not making money. Once the program starts, if approved, there are mandated requirements including reporting that would need to be done. The Chief believes this program can be implemented with existing staff. Ms. Albillar and Mr. Luber asked about the extra work placed on officers and other administrative staff related to burnout, in particular our Finance Department already at capacity and struggling with their workload.

Ms. Schemm suggested signs that would alert residents and travelers of these intersections that they are protected by this program. Ms. Maurer asked about the costs and Sgt. Hawthorn replied that it would be up to PennDOT after they completed their evaluation of these intersections. There is a series of steps that would follow if the Board approves the use of the ARLE program.

Mr. Gaines reiterated that the statistics only show the reportable accidents at these intersections, but there could be accidents with extensive property damage that are not being reported.

Mr. Diorka asked what the timeline would be, if approved. Sgt. Hawthorn and Chief Friel indicated it would be approximately six months once the Department of Transportation receives our letter moving forward with the project. Then, there would be a survey, an RFP – there are only four companies authorized to do this program – and then four or five months to implement.

Ms. Maurer would like to learn more about Abington Township's program and how they are dealing with the impact on staff and officers, as well as their financial data. Ms. Albillar asked if someone received a citation and then did not pay it, who follows up? Sgt. Hawthorn indicated that the vendor would follow up with the individual. Ms. Albillar reiterated that seeing a patrol car placed strategically can be a greater deterrent than a red light program.

Next steps: The Chief will reach out to the Chief at Abington Township to ask an officer to come speak to the Board at the next meeting. Mr. Diorka suggested that the Board prepare questions in advance so that the officer will be prepared. Mr. Lubert will coordinate.

### 3. SUPERVISOR COMMENTS:

**Ms. Albillar** – none at this time

**Ms. Maurer** –

- 1) **Pension Committee** Ad Hoc meeting on June 30<sup>th</sup>. Discussed and further identified the two different committees: uniform and non-uniform. How the makeup and plan is different for each. Mission statement and goals were also discussed. Now have a solid plan in place moving forward.
- 2) **K-9 Program** – reviewed financials – thank Mr. Kim and Ms. Organek for their assistance. Accounting history/turnover has been a challenge in the Finance Department. Mr. Kim wanted to maintain the accounting history. Reviewed the GL after they reconciled it. K9 Police Program and Donation Program reflected a healthy balance. Mr. Kim put in place a separation between the two. There was some concern if they were being lumped together. Chief Friel reviewed the GL as well and indicated that the expenditures were reasonable. Discussion about the Donation program. Should it be a 501c 3 – has been brought up in the past. He brought up with Mr. Lubert. There is a decent amount of work involved, including Articles, Meeting Minutes, etc. Also legal fees, bank fees, tax returns. When would this work be done? Done in regular hours or overtime. Is it too much to do? Oversight of this organization so that no one individual could dictate how the funds could be spent. Program and the GL have a long-term solution now and not pursue a 501 c 3. As program grows, maybe they could investigate further.
- 3) **Warrington Cares** – reviewed financials of this non-profit operated here in Warrington Township. Thanked Mr. Lubert for his research. Gave a brief history of the non-profit. Appreciated the benefit the employees are giving back to the community. She spoke with PSATs legal office to understand the nuances of an employee charity. Supported the fundraising and income coming in. It was the first time PSATs heard of an employee-run charity. Gave solid advice regarding GLs, financials, 990s, and did not see anything that would cause for concern. A separate purse for where the monies are maintained. Also discussed the decision about how the money is distributed to the community. Soliciting donations that people know that this is not for the Township; it is for Warrington Cares. She acknowledged the donations coming in from the Solicitor and Engineer's offices. Discussed forced philanthropy – but there are no dues. If the employees want to participate and some do not. Want to be clear that when onboarding happens, employees do not have to participate. Mr. Lubert will make sure there is no conflicts of interest in distributing the funds. Echoes same concerns about the K9 program with funds coming into the Township. Kathy Bennet and Vivian Bell are members of the committee – the families whose scholarships are named for. Mr. Lubert shared that five or six years ago there was no Human Resources Department. Mr. Lubert spoke with employees directly. Now, our Human Resources Manager speaks to employees. Donations range from \$1 to \$7.50 per pay period. No repercussions if you do not contribute. 30-40% of employees donate. Warrington Cares does have fundraisers – including a recent raffle where if employees did begin to donate, they could win a prize from the raffle. The distribution of the grants in April – each member of the Committee can bring a group to donate the funds to. Criteria

for the grant distribution: no religious organizations, no pet organizations, be one that benefits that local families and low overhead. There is a subcommittee that votes upon the scholarship recipients. Only expenses we have are the fundraisers – for the Triathlon pay for the timing company. Many local merchants and people do contribute funds. Just being mindful of any conflicts of interest.

- 4) **Cameras at Warrington Township parks and pool** – Question about whether or not there is signage at our parks and pool that are activated by motion; some are constant. First Amendment right to privacy. Images and how long they are held and whether they are deleted. Mr. Lubber explained signage at 3 locations: John Paul Park at Lower Nike (no camera yet); Lions Pride Park; Mary Barnes Community Pool. Two locations added: Kings Park and DocterAdams® Community Park. Discussion about where the images appear – Mr. Oles' phone, Mr. Lubber's PC, Police Department Office in Charge. Mr. Clemons was asked to comment, but he has no knowledge of this at the time. Next steps: Will do research with Mr. Oles and report back to the Board. Mr. Lubber said that Mr. Oles will be alerted at the off-hours if there is activity he will alert the Officer in Charge.

**Ms. Schemm –**

- 1) Warrington Cares and K9 program report by Ms. Maurer would have appreciated having these as agenda items or sent in advance so that she could have reviewed some of the data.
- 2) Historical Commission had an Open House on Folly Road
- 3) EAC – continues to monitor its new trees
- 4) Public Works is busy for the summer season

**Mr. Diorka –**

- 1) Since he is attending via Zoom, is missing being present in person

**Mr. Gaines –**

- 1) The Board held an Executive Session prior to this meeting to discuss legal matters; some of which might lead to litigation

**4. MANAGER'S REPORT:**

Mr. Lubber recently visited another Township and reviewed its newsletter. In doing so, he gave Ms. Fielding a shout out for her upgrades to the Warrington Township LINK newsletter for its content and visual appeal that it stands out above many other Townships.

**a. Zoning Hearing Board Update – Christian Jones**

- i. Determine position relative to Zoning Hearing Board Application WT ZHB 22-09, 2134, Maple Avenue LLC, at 2134 Maple Avenue in the R2-I zoning district. Zoning officer recommends to remain neutral.

Mr. Jones explained this application. The Board will remain neutral.

- ii. Determine position relative to Zoning Hearing Board Application WT ZHB 22-10, Crestwald Group, LLC, at the NW corner of the intersection of Easton Road and Oakfield Road in the BZ zoning district. Zoning officer recommends to remain neutral.

Mr. Jones explained this application. Discussion ensued regarding the Planning Commission's position and the Zoning Hearing Board's position.

**Jake Kornegay, 2748 Spring Meadow Drive is opposed to this application.**

Discussion ensued regarding zoning district and variances. Mr. Gaines encouraged residents to attend the Planning Commission meeting next Thursday for public comment.

Ms. Albillar made a Motion to oppose Zoning Hearing Board Application WT ZHB 22-10, Crestwald Group, LLC, at the NW corner of the intersection of Easton Road and Oakfield Road in the BZ zoning district before the Zoning Hearing Board; Mr. Diorka seconded. All in favor, the Motion passed 5-0.

## 5. ENGINEER'S REPORT:

### a. Request Authorization to Advertise for Bids; Palomino Farms Basin Modifications

Ms. Albillar made a Motion to authorize to advertise for bids Palomino Farms Basin modifications; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

### b. Request Authorization to Advertise for Bids; Route 202 to Bradford Dam Walking Trail; Phase 2

Mr. Diorka made a Motion to authorize to advertise for bids Route 202 to Bradford Dam Walking Trail; phase 2; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

Ms. Albillar made a comment this this is an example of a public/private partnership.

### c. Consider Resolution accepting Dedication of Public Improvements for the Murphy Tract – Bill of Sale and Deed of Dedication of ultimate right-of-way in Bristol Road

Ms. Albillar made a Motion to approve the Resolution accepting Dedication of Public Improvements for the Murphy Tract – Bill of Sale and Deed of Dedication of ultimate right-of-way in Bristol Road; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

Mr. Gaines and Ms. Schemm indicated that the Planning Commission worked with the developer to retain the historic properties and that Mr. Zarko worked hard to move this project forward.

## 6. SOLICITOR'S REPORT:



- a. Determination of Township position concerning Cardamone Appeal of ZHB ruling to Court of Common Pleas

Ms. Albillar made a Motion to approve the Solicitor appearing on behalf of the Township on Cardamone's side; Ms. Maurer seconded. Mr. Gaines voted yes; Ms. Maurer voted yes; Ms. Albillar voted yes; Mr. Diorka votes yes. Ms. Schemm abstained. The Motion passed 4-0.

**7. APPROVAL OF BILL LIST:**

- a. Consider approval of invoices for the period from June 29, 2022 to July 12, 2022 in the amount of \$653,535.47

Ms. Maurer made a Motion to approve the invoices for the period from June 29, 2022 to July 12, 2022 in the amount of \$653,535.47; Mr. Diorka seconded. All in favor, the Motion passed 5-0.

**8. CONSENT ITEMS:**

Mr. Gaines asked if anyone had an item to pull out from the Consent agenda. There being none,

Mr. Diorka made a Motion to approve the Consent Agenda items a-d; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

- a. **Consider approval of June 14, 2022 Minutes from the Board of Supervisors meeting – tabled at the June 28, 2022 meeting**
- b. **Consider approval of June 28, 2022 Minutes from the Board of Supervisors meeting**
- c. **Consider approval of the Ordinance for Stormwater Revisions**
- d. **Consider Resolution approving Preliminary/Final Plans for the McNaney tract**

**ADJOURNMENT**

Respectfully Submitted

  
Jeannine Fielding, Board Secretary

