



**BOARD OF SUPERVISORS  
WARRINGTON TOWNSHIP  
MINUTES FOR September 13, 2022 - 7:00 PM**

**The written minutes are a summary of Board of Supervisors meeting. For a complete video 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; 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 7:02 P.M.

There were a total of 70 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**

**EXECUTIVE SESSION**

Mr. Gaines reported that there was no Executive Session.

*Mr. Gaines indicated that the agenda would be adjusted this evening to accommodate the paid consultants for several agenda items. Public Comment will follow those items.*

**PRESENTATION: Swearing in Officer Seamus Radtke – Judge Stacey Wertman and Chief Daniel J. Friel**

Chief Friel presented the swearing in of Officer Seamus Radtke, with Judge Stacey Wertman administered the oath.

**PRESENTATION: Annual Awards Ceremony Warrington Police Department – Daniel J. Friel, Chief of Police**

Chief Friel presented the Annual Awards for the Warrington Police Department, including the District Attorney recognizing Detective Bernard J. Schaffer, Jennifer M. Schorn and Chelsey D. Jackman of the Bucks County District Attorney's Office and David P. Hanks of the Bucks County Detectives for the

cold case murder of Gloria Korzon from 1981 and Years of Service Awards. Entire Presentation can be viewed on the website at [www.warringtontownship.org](http://www.warringtontownship.org).

**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.*)

**Mary Bachman, 2196 Buckboard Circle.**

Ms. Bachman shared her concerns about the road paving program regarding the parts of Palomino Drive that were not paved. Greyhorse to Blackhorse up to Willow Knoll. Some of the areas of roads are very rough since she would like to ride her bike, but is not able to due to the rough road. She had further concerns about a crosswalk that is not easy to access at this intersection. She would like to ask for a stop sign to help. Action: Mr. Knox has worked with Ms. Bachman and will continue to work with her on the safety issues.

**Andy Aldinger, 3129 Fox Drive.**

Mr. Aldinger brought a petition with him signed by neighbors who would like to revert back to backup generators being permitted on the side yards of homes.

Action: The installation of generators on side yards is under review by the Planning Commission and will be presented to the Board of Supervisors at an upcoming meeting.

**1. NEW BUSINESS:**

**a. Consider authorization to advertise changes to Boards and Committees Ordinances for the following committees:**

- i. Communications Advisory Board**
- ii. Historic Commission**
- iii. Open Space and Land Preservation Committee**
- iv. Parks and Recreation Board**
- v. Pension Committee**
- vi. Veteran's Affairs Committee**

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

**b. Consider a minor subdivision at 1329 Easton Rd (TMP 50 029 008) and 1345 Easton Rd (TMP 50 029 009 001) in the WV Zoning District.**

John Koutsouros, P.E. with Carroll Engineering representing Mr. Leung Lo provided highlights of the requested changes. The purpose is to switch the lot line to help potential investment to fix the carwash.

Ms. Albillar made a Motion to authorize the Solicitor to Prepare a Resolution to approve the minor subdivision at 1329 Easton Rd (TMP 50 029 008) and 1345 Easton Rd (TMP 50 029 009 001) in the WV Zoning District conditioned on addressing the comments contained within the Township Engineer's review letter dated August 25, 2022 with the waivers requested being addressed in the manner recommended by the

Township Planning Commission; Mr. Diorka seconded. All in favor, the Motion passed.

**c. Discuss Public Comment Timing Structure at Board of Supervisor meetings**

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

**2. OLD BUSINESS:**

**a. Consider location of possible future trail in the Laurel Crossing Development**

Mr. Justin Strahorn with WB Homes presented two options for a future possible natural trail for the Laurel Crossing Development – Option A and Option B. To clarify, WB Homes would include the trail on the plans, but they would not build the trail.

Ms. Schemm would like to have the trail installed prior to the homes for sale.

Ms. Albillar clarified that at this meeting, the decision to be made is Option A or B. And then, decide whether or not and how the trails will be built at a future meeting.

Mr. Diorka visited the area where the trail is proposed. It is rough. Would like to understand the exact location of the trail and then the cost of maintaining the trail.

**Mr. Mike Kelly, 135 Muirfield Lane.** Asked the Solicitor for yielded time from fellow residents under the 3-minute rule. Mr. Clemons indicated that he does not have that authority. Mr. Gaines indicated that the 3-minute rule for Public Comment has always been on the Agenda.

Mr. Kelly does not like the trail options – they are too close to his property. He recommends that the Board not vote to accept the trail.

**Mr. Bill Connolly 700 Bryans Way.** Does not agree with the trail behind Mr. Kelly's property. Option B does have other options. He urges not to vote for Option A and suggests the builder build the trail.

He asked what does the trail connect to? It doesn't connect to anything. Would like to see a connection from Grove Valley Farm to Laurel Crossing.

Mr. Gaines responded that the EAC and Open Space Committees have documentation that trails enhance property values. If the trail never gets built to Grove Valley Farm, then the people won't have a trail. Ms. Maurer would like to see the data demonstrating the enhancement of property values with trails. Action: Ms. Ivy Ross will make the documents available on the website.

**Dr. Connie Ace, 1060 Folly Road.** Chair of Warrington Historic Commission. Worked with developer to honor the names of the cul-de-sacs. Also working on historical markers

along those trails. Asking that the markers will be included at the expense of the Historic Commission.

Mr. Diorka – asked if the trail from Grove Valley Farm will connect to Laurel Crossing? Mr. Strahorn responded yes. If the trail is never put in, then there would be no connection. It can be connected to the Pileggi's stub.

Mr. Gaines asked Mr. Strahorn for a comment regarding the increase of property values with trails. Mr. Strahorn declined to comment.

Ms. Albillar made a Motion to approve Trail A; Mr. Gaines seconded. A Roll Call vote: Mr. Diorka voted no; Ms. Schemm voted yes; Ms. Albillar voted yes; Ms. Maurer voted no; Mr. Gaines voted yes. The Motion passes 3-2.

**b. Consider approval of Resolution for the Laurel Crossing Subdivision Final Plans**

Ms. Schemm made a Motion to approve the Resolution for the Laurel Crossing Subdivision Final Plans with Option A Map; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

**c. Consider approval of Master Plan to be used as guide for the Mill Creek Preserve, Weisel Farm and Open Space at Emerson Farm Preserve**

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

Ms. Albillar made a Motion to approve the Master Plan to be used as guide for the Mill Creek Preserve, Weisel Farm and Open Space at Emerson Farm Preserve; Ms. Schemm seconded. – There was no vote.

**Discussion ensued. For a full transcript, please view the website at [www.warringtontownship.org](http://www.warringtontownship.org) and go to Government/Board meeting video/Board meeting video/Board of Supervisors/September 13 click on Video. Some addresses were not provided, but all speakers were residents of Warrington Township.**

Ms. Schemm and Ms. Albillar shared the history of this agenda item developed over many years with much feedback. Ms. Albillar indicated that this is a roadmap with many options and each will be considered by this Board of Supervisors or future Boards for consideration. Ms. Maurer added that this item has been a long time in the making, but has some reservations about some of the items, including maintenance and does not understand why the Township would consider developing open space. Mr. Gaines called for Public Comment on this agenda item at this time.

**Jackson Fellenz, 4<sup>th</sup> grade student from Mill Creek Elementary School, 1254 Lower State Road, Chalfont.**

Mr. Fellenz shared his reservations about the trails in the Master Plan at Mill Creek Preserve and asked what if the patrons would go off the trail into his pool. He also commented on the heavy rainfall that swells into the yards and that bikes might slip on a trail. He also commented that a trail would disturb the natural wildlife, including geese. He is not in favor of approval of this item.

**Frank Musciato, 1097 Adams Court.**

Mr. Masciorto reiterated his previous concerns from the August 23, 2022, Board of Supervisor meeting. He would recommend no trails on open space. He is not in favor of approval of this item.

**Steve Conte, address not provided.**

Mr. Conte expressed his concerns about the current road conditions in Highgate where he lives and indicated that if the Township can't afford to maintain its current projects, it should not spend money on new projects. He cited data from 2019 and 2020 that the Township had a deficit and had to pull money from its funds in order to balance the budget. In 2012, the Township purchased the land for this agenda item and in 2032 it will be paid off. In order to fund the Master Plan, there will need to be grant money, which will be required to be matched by the Township. He is not in favor of approval of this item.

**Brian and Patti Tuberty, address not provided.**

Mr. and Mrs. Tuberty spoke about the trails already skirting the area of Mill Creek Preserve and do not understand why there needs to be more. It is a neighborhood and not a park. There are also many trees that fall down in that area. There has not been enough information in the newsletter or the website about this item. They are not in favor of approval of this item.

**Angelina diPalma, 3546 High Gate Ave.**

Ms. diPalma is concerned about the dead ash trees and also wants to keep wildlife unharmed. Believes approval of this item is the opposite of open space and conservation. She is not in favor of approval of this item.

**Philip Rittenhouse, 3544 High Gate Ave., Chalfont.**

Mr. Rittenhouse would like to keep the land protected as open space. He is concerned about the habitat for animals and plants, which would be in peril if the trails were approved. He is not in favor of approval of this item.

**Sethu Manickavel, 2744 Harvard Drive.**

Mr. Manickavel is the Chair of the Bike & Hike Committee in Warrington Township. He explained that while not tone deaf to the concerns of others in the room, he reported that trails are the key to connecting homes to make neighborhoods into communities. Yes, they can be expensive, but there are grants to subsidize the costs. He shared that the return on investment you cannot put a price. He said that AARP provides a livability score by zip code in a variety of areas, including: Housing, Transportation,

Neighborhoods Health, Opportunity and Engagement, and more. While we cannot impact some of the areas in this score, but Neighborhood and Health can be impacted through using our open space with trails. That is something we can do now. He is in favor of approving this agenda item.

**Scott Vogin, 2150 Lisa Drive.**

Mr. Vogin would like to see access to the trails and believes the health benefits are overwhelming. If we all work together, he believes we can come up with a solution. He mentioned the use of motorized vehicles would be examined by the Bike & Hike Committee to be sure that they are not allowed on the trails. They are currently now allowed under the Ordinances of the Township. He is in favor of approving this agenda item.

**Erin Mulver, 706 Larkspur Lane.**

Ms. Mulver and her family bike everywhere. Had to pack up all bike equipment in the past to drive to a path. Now, can bike everywhere. Has a dream that everyone in the Township will have this opportunity. Would like to have continued green spaces. Appreciate the concerns shared by others, but still appreciates that we do plan. If you put in spaces without planning, then that is a problem. Loves the Emerson Farm connector. In favor of Bradford connector. Keep planning for trails. Keep getting builders to put them in. She is in favor of approving this agenda item.

**David Younger, 3486 Pond View Dr.**

Mr. Younger expressed concerns about safety issues and the maintenance of trails, if put in the Mill Creek Preserve. Also concerned that the neighbors were not notified that this would be a change. He is not in favor of approval of this item.

**Kathy Moskowitz, 971 Red Coat Farm Drive.**

Ms. Moskowitz thanked the Board for their attention and time to this agenda item. She is looking for privacy in her home. If she chooses to go to a trail, then she would drive to it. She does not want it in her backyard. She did not know that this was happening. She is not in favor of approval of this item.

**Lynn Laurelli, 955 Easton Road.**

Ms. Morelli has helped with horticulture in the Township and explained that this land has to be planned for maintenance and improvements. It is our job to be a steward of the land. If not, then there will be invasive species. Doing nothing is not stewarding the land. There needs to be a program and a plan in order to do that. Willing to assist with this project. Invite everyone to be a part of the solution to this land. You can plant trees at this location, but just can't let it be. *Ms. Maurer reminded those that there are meadows planned for that area.* Ms. Morelli is in favor of approving this agenda item.

**Mike Kelly, 135 Muirfield Lane.**

Mr. doesn't understand the why for creating the trails in this plan. Believes this will be passed if there are the votes. He is not in favor of approval of this item.

**Frank Ace, 1067 Folly Road.**

Mr. Ace seconds what Ms. Maurer said about the meadows. He said that this Mill Creek Preserve was intended to be preserved. Likes connecting trails, but can go overboard. Important to preserve land, but don't have to have it criss-crossed with trails and parking lots. That's what makes us have charm. We have undeveloped preserved land. He is not in favor of approval of this item.

**Jake Kornegay, 2748 Spring Meadow Dr.**

Mr. Kornegay believes that the trails will provide even more connectivity. He worked at the Weisel Preserve and planted trees. Has seen much wildlife. He reported that American Trails.org indicates that the statements that trails decrease the property values and increase crime, if installed, are unfounded. A study they completed indicated that trails increase property values. Trails also help people of all ages with exercise. He is in favor of approval of this item.

**Rick Weiss, 2751 Spring Meadow Dr.**

Mr. Weiss is the Chair of the Parks and Recreation Board. He reminded those present that the Master Plan contains three different parcels. This was developed as an a la carte plan; we can pick and choose, similar to the Master Plan. The Board will decide each item as it is presented. Crime is not the trail's fault. Not the open space; not the trail. Within the Plan, there is management of the property included. It doesn't say take down all the dead trees; they provide habitat. He is in favor of approval of this item.

**Bill Connolly, 700 Bryans Way.**

Only paved trail on the plan will go along Lower State Road. No solar panels on the plan. No bridges. Not agree with everything everywhere it is. Three years of public meetings on this issue and no public comment until adoption tonight. It is not a project plan. A Master Plan should not contain anything that you can't build. He is concerned about some of the items and the impact on residents. Not a highway. Not a walking highway. They are natural surface-looking trails. They do not connect to the other trail network. Mr. Connolly suggests a Task Force with Board members, residents, other committees to talk through what should be included, how much it will cost, and where.

**Amy Cestone, 975 Red Coat Farm Dr.**

Thanked Mr. Fellenz and Ms. Maurer for their comments. She just moved here in February. Open space drew her to the Township and purchasing her property. Sign says Permanently Protected on the Mill Creek Preserve sign. Shared story of living in the Poconos and much of the irresponsible development in that area. Warrington Township is a very desirable area and why she wanted to move here. Feels the same way as those who have spoken about the financial impact of the trails. She is not in favor of approval of this item.

Ms. Albillar acknowledged the enthusiasm of the public comment in the room. The Board of Supervisors is not voting on the trails at this meeting. The Master Plan is a resource management plan and a guide to future development. It is not a project plan. Some great points around environmentalism. This is meant to be a 10,000-foot-high-

level plan. She hopes that when any of the items included in the Master Plan are considered in the future, those present will continue to express their concerns for the Board to consider.

Ms. Albillar made a Motion to Table this item; Ms. Maurer seconded; all in favor, the Motion passed 5-0.

### 3. SUPERVISOR COMMENTS:

#### a. Discuss speeding on Township roads

Mr. Luber provided the Board with a speeding history of Stuckert Road from January 1, 2020 to September 1, 2022. A summary of the report includes: 120,074 vehicles; average speed 25.9 mph; 85 percentile 31.18 mph; vehicles 20+ 77 vehicles (.0006%).

**Mr. Richard Alsdorf, 1591 Stuckert Road** shared his view of the report, including comments about the PA Calming Handbook and the 85<sup>th</sup> percentile data. He also raised concerns about pedestrians crossing this road and safety.

**Mr. Chad Dixon, Traffic Engineer with McMahon**, explained that the 85<sup>th</sup> percentile speed data does not meet the criteria for speed humps. PennDOT will typically consider traffic calming for a speeding issue if the 85<sup>th</sup> percentile speed exceeds 10mph over the posted limit.

Ms. Maurer reviewed the study and spoke with Mr. Alsdorf. Areas that could be added: stencil speed limit on the road; border on the sides; slow school ahead.

Ms. Schemm would like a broader discussion about speeding in the Township.

**Ms. Linda Price, 1510 Stuckert Road.** Ms. Price shared her comments about drivers going excessively fast not only on Stuckert Road, but all main roads.

**Mr. Scott Vogin.** Mr. Vogin shared that at DocterAdams® Community Park the drivers are going excessively fast.

**Resident at 1597 Stuckert Road.** This resident is not in favor of speed humps. Would like to consider stop signs.

Action: Ms. Fielding will add to the September 27, 2022, Board of Supervisors meeting for further discussion.

### 4. MANAGER'S REPORT:

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

- i. **Discuss and determine the Board of Supervisors' position to support, oppose, or remain neutral regarding an application (WT ZHB 22-12, Centropy Group) for variances at 2099 Maple Avenue (formerly**



**Warrington Township Fire Company No. 1) in the BZ zoning district. Planning Commission strongly recommends approval of the variance request.**

Mr. Centropy and Mr. Waltz provided highlights of the request, including restoring the history of the building and the parking variances.

Mr. Gaines made a Motion to approve the variance request at 2099 Maple Ave; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

**Dr. Connie Ace, 1060 Folly Road** and Chair of the Historic Commission strongly supports this project.

**Mary Doyle Roth, 2532 Pickertown Road** and Chair of the Historical Society strongly supports this project.

**b. News coverage of Lions Pride Park**

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

**c. Warrington Cares Triathlon**

Mr. Luber reported that the 6<sup>th</sup> annual Warrington Cares/Goodman Properties Triathlon had gone well on September 11<sup>th</sup> with 200 runners registered. Overall, the event raised \$22,000 for Warrington Cares. Mr. Luber thanked all the sponsors of the event, including CKS Engineering and Clemons, Richter & Reiss. The event will net Warrington Cares approximately \$16,000 after expenses.

**5. ENGINEER'S REPORT:**

**a. Consider Award of Contract #4175-3 to Richard E. Pierson Construction Company, Inc. for the Route 202 to Bradford Dam Walking Trail (Phase 2)**

Ms. Albillar made a Motion to award the Contract #4175-3 to Richard E. Pierson Construction Company, Inc. for the Route 202 to Bradford Dam Walking Trail (Phase 2); Ms. Schemm seconded. All in favor, the Motion passed 5-0.

**b. Consider rejection of bids for Easton Road/Freedoms Way Walking Trail**

Mr. Zarko provided highlights:

Three bids for this project. In reviewing the bids, the lowest responsible cost proposal submitted for this project is significantly higher than the preliminary construction cost estimate that was previously developed for this project. He believes that this may be due to the relatively limited amount of walking trail construction involved in this project.

In consideration of the amounts of bids received, Mr. Zarko recommends the current bid proposals be rejected and the work associated with this walking trail construction project be

incorporated into the Township's 2023 Roadway Improvement Program, which he believes will reduce costs due to the overall increase in scope of paving work/improvements.

Ms. Albillar made a Motion to approve the rejection of the bids for Eason Road/Freedoms Way Walking Trail; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

## 6. SOLICITOR'S REPORT:

Mr. Clemons updated the Board regarding the SABA Healthcare facility and the Zoning Hearing Board's approval of variances. He asked the Board for their recommendation about whether or not he should intervene in the appeal. Ms. Albillar recommended that Mr. Clemons remain neutral. And, the Board of Supervisors agreed.

## 7. BILL LIST:

- a. Consider approval of invoices for the period from August 23, 2022 to September 12, 2022 in the amount of \$856,969.37**

Ms. Albillar made a Motion to approve the invoices for the period from August 23, 2022 to September 12, 2022 in the amount of \$856,969.37; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

## 8. CONSENT ITEMS:

- ❖ Mr. Gaines pulled item 8.d. out for discussion.

Ms. Kathleen Smookler, Director of ATG, 3400 Pickertown Road, gave a brief summary of the reason behind the addendum to the lease. Ms. Albillar thanked Ms. Smookler for ATG's services. She asked with the revised chart of the payment schedule, does this reflect the ability to pay overdue rent. Ms. Smookler responded that the increased space will create a new stream of revenue, which will assist in meeting all their obligations.

Mr. Diorka made a Motion to approval of an addendum to the lease with ATG Learning Academy for the three offices formerly occupied by the tax collector at 3410 Pickertown Road; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

- ❖ Ms. Albillar pulled out items b and g:

Ms. Albillar made a Motion to Table items b and g and to approve items a,c,e,f, and h; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

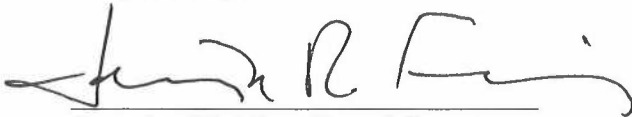
- a. Consider approval of Minutes from August 23, 2022, Board of Supervisors meeting**
- b. Consider award of contract to Jones Masonry Restoration in the amount of \$398,306.00 for the Township Administration Building Façade renovations**
- c. Consider award of Rock Salt Bid to Morton Salt in the amount of \$67.76 per ton delivered.**

- d. Consider approval of an addendum to the lease with ATG Learning Academy for the three offices formerly occupied by the tax collector at 3410 Pickertown Road**
- e. Consider approval of Stormwater Management Ordinance, Revisions Required for MS4 Permit**
- f. Consider approval of amendment to Fee Schedule – police fees**
- g. Consider authorization of Solicitor to prepare separation agreement between the Township and a staff member**
- h. Consider for approval of Change Order #1 to Harris Blacktopping for road paving in the amount of \$52,690.80**

**ADJOURNMENT**

The meeting was adjourned at 11:17pm.

Respectfully Submitted

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

Jeannine Fielding, Board Secretary