



**BOARD OF SUPERVISORS  
WARRINGTON TOWNSHIP  
MINUTES FOR September 27, 2022 - 6:00 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; Chief Dan J. Friel, Chief of Police; Peter Kim, Finance Director; Leslie Frescatore, Human Resources Manager; Andrew Oles, Parks and Recreation Director; Jen Fielding, Executive Assistant to Township Manager/Board Secretary

**CALL TO ORDER:** Mr. Gaines called the meeting to order at 6:05 P.M.

There were a total of 43 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 an Executive Session to discuss one potential litigation related to land use; and two personnel issues.

## **BUDGET WORK SESSION**

### **1. Departmental Personnel Requests**

#### **Human Resources**

Ms. Frescatore highlighted the reason she is requesting a part-time employee for 20-hours-per-week to assist with administrative duties. Her role as Human Resources Director over the past five years since her hire has increased tremendously, with additional duties to be added. The administrative responsibilities for creating job descriptions, posting jobs on multiple platforms, reviewing resumes, scheduling and coordinating interviews, as well as conducting and scheduling background checks could

be accomplished by an administrative assistant. Ms. Frescatore would like to focus her attention on her current duties, as well as additional learning and development for the staff, keeping up with compensation benefits, human resource information systems to help expedite the process of some of the daily data and analytics for the department.

### **Police Department**

Chief Friel and Ms. Frescatore each gave a presentation related to personnel requests. Chief Friel would like to work with Human Resources to get ahead of two officers injured in the line of duty who have been on disability for three years. These officers are counting toward his bottom line and would like to hire several new officers to begin the training process. In 2024, he anticipates approximately 26,000 residents in Warrington Township and will need officers to manage the traffic unit, as well as mental illness – which is on the increase since Covid-19.

Mr. Diorka would like to take a proactive approach and recognizes the importance of crisis intervention, as evident at the recent Awards ceremony. Ms. Maurer asked for clarification on the number of officers currently on duty – 36. One officer on traffic duty. One School Resource Officer. Chief Friel believes the number should be closer to 45 in comparison to geographical data for similar Townships. Ms. Maurer reported that traffic has increased for her personally and noticed it in Warrington Township. How long does it take to hire an officer? Chief Friel reported that it can take a little less than 3 months or longer.

## **2. Five-Year (2023-27) outlook for General Fund Revenue, Expenditures & Fund Balance**

Mr. Luber started with some statistics about the 5-year projection and is recommending a small tax increase. The last time the Township raised taxes was 2018. Ms. Maurer commented on inflation and the importance of retaining current employees. Mr. Luber explained that he is requesting a 3% average COLA for all non-uniform employees with an additional 0.5% available for merit increases for those who were outstanding on their performance reviews.

**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. Please sign in.*)

### **Mr. Keith Hoffman, 886 Bridle Lane**

Mr. Hoffman shared his thoughts on 2021-R-39 Resolution Setting Forth the Goals for Warrington Township to Use 100% Clean, Renewable Energy for All Purpose No Later Than 2050. He asked about the energy transition plan and focused on climate change statistics, specifically Warrington's percentage of global total emissions and asked how outcomes will be predicted.

### **Dr. Connie Ace, 2170 Folly Road**

Dr. Ace endorsed a new member for the Historical Commission. She also asked about the policy regarding commercial signage on Township property. Ms. Kushto responded the under the Zoning Ordinance, temporary signs are allowed – with a time frame for removal days after

an event or an election. There is no restriction to placing commercial signs on Township property.

**Mike Kelly, 135 Muirfield Lane**

Mr. Kelly asked about the agenda item 2.a. Is not in support of restricting time for discussion during public comment.

**PRESENTATION: 2021 Annual Report – Environmental Advisory Council – Fred Suffian, Chair**

Mr. Suffian provided the 2021 annual report. Highlights included:

- Weisel Tree Planting – saved the Township \$4,000 by volunteers planting trees
  - Eagle Scout candidate planted pollinator garden, as well
- 22 Girl Scout troops helped with a variety of service projects
- The Board of Supervisors Adopted Clean Energy Resolution and Action Planning Work Group
- Eagle Scout candidate built Kestrel Houses
- Conducted a Blue Bird House workshop
- Provided a Migratory Bird Report
- In combination with Bucks Beautiful, planted 5,000 daffodil bulbs at Lions Pride Park

Ms. Albillar and Ms. Schemm thanked Mr. Suffian and the EAC for their work.

**1. OLD BUSINESS:**

**a. Discuss speeding on Township roads**

Mr. Luber indicated that he, Chief Friel and Mr. Dixon will be meeting within the next week to discuss options for speeding on Township roads. There have been 46 tickets given on County Line Road recently for speeding; he has written a letter to PennDOT to discuss County Line Road and Rep. Todd Polinchock has indicated that he will support speeding limits; Township speeding has increased overall with 370 complaints so far this year, with 12 complaints that made it directly to him.

Discussion ensued regarding not being allowed to add a stop sign as a traffic calming measure per PennDOT regulations.

**Ms. Mary Worth, 1812 Jericho Drive**

Ms. Worth expressed her concern regarding speeding along Jericho Drive and in her neighborhood. She has never seen it this bad in 26 years.

**Mr. James Worth, 1812 Jericho Drive**

Mr. Worth reiterated Ms. Wuerth's sentiments about speeding and indicated that he has tried reaching out to Rep. Todd Polinchock, as well as the Police, to no avail. Is here to ask the Board to assist. Explained there was originally a stop sign in the neighborhood, but when the roads were dedicated, it was never replaced.

Action: Mr. Luber will look into this.

**Zhen Jin, 1813 Jericho Drive**

A new resident as of four years ago. Is at the bus stop with young children twice a day and sees the speeding. Would like the Board to assist.

**Mr. Thomas Messina, 1815 Jericho Drive**

Mr. Vasino echoed the others' concern about speeding. Isn't able to allow his grandchildren in front of his home due to speeding concerns.

**Ms. Lisa O'Donnell, 2291 Warwick Road**

Ms. O'Donnell indicated that a speeding car crashed into her flower beds, just missing her porch. She reported that her mailbox has been knocked down, as well as others on her street. She also reported that the Porsche dealership is using Warwick Road as a test road and the cars are going too fast. She requests speed humps.

**Mr. Edward Chodett, 1814 Jericho Drive**

Mr. Giodeth echoed the others' concern about speeding. He was in law enforcement for 40 years and sees the reckless driving. Is uncomfortable approaching drivers.

**Mr. Richard Alsdorf, 1591 Stuckert Road**

Mr. Alsdorf reiterated the others' concerns about speeding.

**Mr. Keith Hoffman**

Mr. Hoffman reiterated the others' concern about speeding.

**Mr. Keith Naturn, 56 Woodlawn Ave, Chalfont**

Mr. Naturn indicated that there is also speeding going on in Chalfont along his street. Would like to recommend that it be turned into a one-way street.

Mr. Zarko indicated that he, Mr. Luber, Chief Friel and Mr. Dixson would be meeting and would discuss many options and get back to the Board at the next meeting.

**b. Consider rejection of bids received for construction work for Community Room and authorization to readvertise**

Mr. Zarko explained that the bids came in higher than budgeted and would therefore like to reject the bids and readvertise. They will value engineer the bids before readvertisement.

Mr. Diorka asked if we will stick to the original \$1.1m budget. Ms. Albillar mentioned the \$500,000 grant and that if we reject the entire project, we will have to give this grant back. She reminded the Board that staff requested an additional \$265,000 in an additional grant, which does not require a match. If the bids still come in higher, then the Board has a decision to make. If you rebid three times, then contractors will lose interest.

Ms. Schemm agreed, indicating that after the rebids come in, the Board can figure out next steps.

Ms. Maurer said that sometimes we will have to reevaluate a project and even if we lose the grant, we still have time.

Ms. Albillar made a Motion to reject the bids received for construction work for Community Room and authorize to readvertise; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

**Mr. Mike Kelly** asked about the intention of the community room and its purpose. Originally, it was for the Volunteer Luncheon, up to 150 people, breakfast with Santa and now it is reduced in scope to 71 people.

Ms. Schemm indicated that she was on the original committee, and some wanted a room for 150 people; others just wanted a space that would be for classrooms in that particular location. Mr. Luber indicated that we have plenty of programs, but no facility to hold them.

**c. Consider approval of Resolution denying land development application of Wegmans of EV Parking Spaces**

Ms. Albillar made a Motion to approve the Resolution denying land development application of Wegmans of EV Parking Spaces; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**2. NEW BUSINESS:**

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

Mr. Gaines explained that historically, have always had a 3-minute limit for public comment. Sometimes the meetings are getting out of hand and would like to formalize the process, including the use of a timer. Would like to further consider adding a curfew of 10:30pm limit for the ending of Board of Supervisor meetings.

Ms. Albillar said that the Board is not being transparent if making decisions later than that. Ms. Maurer agreed that limiting the time is reasonable. She would also like to review what is included on the agenda, such as discussions that might be better served for committees and then once vetted would be brought before the Board of Supervisors for a vote. Items that should come before the Board would include: Ordinances, Resolutions and anything fiscally related.

Mr. Gaines made a Motion to continue public comment at 3-minutes and end Board of Supervisor meetings at 10:30pm; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

**b. Consider approval of lights for the K9 Training Facility at John Paul Park at Lower Nike**

Ms. Schemm would like more information on this item and made a Motion to table; Mr. Diorka seconded. All in favor, the Motion passed 5-0.

Action: Mr. Luber will send their questions to the Police and report back at the next meeting.

**c. Consider appointing an Ad Hoc Master Plan Task Force**

Mr. Gaines would like to recommend an Ad Hoc committee be formed in order to continue the discussion regarding the Master Plan. He recommends the following:

Eileen Albillar – Board of Supervisors  
Bill Connolly – Planning Commission  
Christian Jones – Staff  
Joanne Mancinni – Parks and Recreation  
Lynn Laurelli – Environmental Advisory Council

He suggests that there be four at-large members from the public. If you are interested, please provide your name to Jen Fielding, Board Secretary and she will get those to the committee. Discussion ensued regarding public interest in this project and now there will be a way for them to get involved if not previously aware.

Mr. Gaines made a Motion to appoint an Ad Hoc Master Plan Task Force; Ms. Schemm seconded. All in favor, the Motion passed 5-0.

**Mr. Jennifer Parker, 3587 Grey Fox Drive**

Ms. Parker is in support of the Master Plan and what the Open Space and Land Preservation has put forth to the Board of Supervisors. She is a scientist and did indicate that from her research the addition of trails does increase property values.

**d. Consider approval of \$985 from Warrington Day to be used for ongoing maintenance at Township park facilities**

Ms. Schemm made a Motion to approve the \$985 from Warrington Day to be used for ongoing maintenance at Township park facilities; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**e. Discussion of Young Lungs-at-Play program in conjunction with PA Board of Health**

Mr. Oles explained the Young Lungs-at-Play program, which was vetted through the Parks and Recreation Board. The Township would partner with the PA Department of

Health to go tobacco free. It would require an Ordinance or Resolution in public areas where children play. He is asking to move forward. The Department of Health provides the signs.

Ms. Albillar and Ms. Maurer thanked Mr. Oles and the Parks and Recreation Board for this initiative.

Ms. Schemm made a Motion to approve exploring the Young Lungs-at-Play program with PA Board of Health; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

**Mr. Keith Hoffman** expressed concern regarding its enforcement.

### 3. SUPERVISOR COMMENTS:

**Mr. Diorka** – 1) Thanked Mr. Oles for a great summer at the Mary Barness Community Pool and said the Advisory Committee would be meeting this week to recap the summer; 2) Lions Pride Park with his grandchildren and reiterated what others have said about it being a great park for all and would like to explore the history of the War Memorial at Igoe Porter Wellings Memorial Field (IPW) and will work with Ms. Fielding to write something for the LINK newsletter; 3) Would like to thank two former members of the Parks and Recreation Board again, Carol Rice and Robert McNulty and make sure they have been recognized. Mr. Luber indicated that they had received letters of recognition; 4) Communication Advisory Board is often involved in communication of activities in the Township via the website and social media – would like to see more communication including the use of the reverse-411 feature.

Mr. Luber indicated that the reverse-411 was used for recent carjackings and home invasions. He intends to work with Chief Friel to train additional employees in the Township how to use this feature.

**Ms. Schemm** - 1) Thanked Public Works for all their hard work for Warrington Community Day; 2) Thanked the Special Equestrians for being at Warrington Day and look for an article in the LINK newsletter regarding their services in the community.

**Ms. Albillar** – 1) BCWSA sale – wanted to reiterate this being an example of all Supervisors working together to spearhead the rejection of the sale of the sewer system to Aqua, including the County Commissioners and BCWSA rejecting Aqua. She thanked the Board for passing the unanimous Resolution and working with BACATO, as well as Mr. Luber and all the residents who attended the meetings in opposition.; 3) Parks and Recreation Board are recommending a new member for approval on tonight's agenda.

**Ms. Maurer** – none at this time

**Mr. Gaines** – none at this time

### 4. MANAGER'S REPORT:

#### a. News coverage of Lions Pride Park

Mr. Luber showed the news coverage video of Lions Pride Park.

**b. Warrington Cares updated website**

Thanks to the donation by a resident, John Kunzier with Aerial Digital Agency, Warrington Cares has an updated website. [www.warringtoncares.org](http://www.warringtoncares.org)

**Warrington Community Day**

Mr. Luber also thanked those who helped to coordinate Warrington Community Day, including Ms. Fielding, Mr. Oles, Ms. Jeanine Winslow. The money generated from this event is close to \$25,000 and used to offset the costs. Overall, this is a \$40,000 event. We also gain revenue from the sponsors and tent rentals. Lizzi's will be providing a video of the event at no charge.

**c. Update on Solar Panels at Police Station**

Mr. Luber turned it over to Christian Donovan with Boyle Construction to provide an update on the solar panels at the Police Station.

Mr. Donovan outlined the timeline for some of the initial problems for the solar panel installation. There were multiple emails back and forth between Sunny Mac, 2M, Boyle, Bayer, and the Township, as well as PECO.

After numerous emails throughout 2020 and 2021, on 8/16/21 there was an email from Sunny Mac indicating PECO is requesting a 2nd meter be installed. Previous connection only suitable for residential.

On 2/1/22 PECO sets new meter. Subsequently, on 2/10/22 an email from Brian Barr with PECO to Mr. Luber indicating that it will take 1 to 2 billing cycles to see credits on the bill.

April 2022 through August 31, 2022

- 4/1/22 Mr. Luber emails Brian Barr from PECO to follow up on credits (2 billing cycles)
- 4/4/22 Brian indicates billing is resolved, not seeing any generation.
- 4/5/22 Sunny Mac sends email that permission to operate should be received by 4/7/22. Permission to operate email actually received on 4/5/22
- 4/14/22 Disconnects turned on.
- 4/19/22 Brian from Sunny Mac send email indicating Inverter needs to be commissioned.
- 4/20/22 System commissioned and operational.
- However, the outflow is not being reported on the dashboard. Ms. Fielding gets involved and tries to get all parties talking to determine the disconnect.
- 8/31/22 Boyle notified system is still not generating electricity again. All met onsite, Sunny Mac replaced fuses prior, and functionality has been restored.

Ms. Maurer replies that she is glad the system is operational and would like to know next steps to begin to see the dashboard of outflow.

Follow up includes Ms. Fielding working with Premier Technology to be sure that the connectivity for the WiFi is sufficient for the dashboard to produce data regarding the outflow of electricity.



Action: Ms. Fielding send the timeline presented by Mr. Donovan to the Board.

## 5. ENGINEER'S REPORT:

- a. **Consider rejecting bids for Palomino Farms Retention Basin Modifications and consider releasing this project for bids so that project construction can occur in the late winter/early spring of 2023.**

Mr. Zarko gave highlights regarding this project. Substantial bidders between the bidders and concern regarding the scope of the project. Also told by DEP that the permit has to be amended.

Ms. Albillar made the Motion to reject bids for Palomino Farms Retention Basin Modifications and consider releasing this project for bids so that project construction can occur in the late winter/early spring of 2023; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

## 6. SOLICITOR'S REPORT:

- a. **Consider authorizing Solicitor to file a Complaint and Preliminary Injunction against Victory Gardens, Michael Butler and Garges Trust unless the matter is settled on terms determined by the Board in executive session**

Ms. Kushto requested that the agenda be amended to include item 6.a.

Ms. Maurer made a Motion to amend the agenda to include item 6.a.; Mr. Schemm seconded. All in favor, the Motion passed 5-0.

Mr. Diorka made a Motion to consider authorizing the Solicitor to file a Complaint and Preliminary Injunction against Victory Gardens, Michael Butler and Garges Trust unless the matter is settled on terms determined by the Board in executive session; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

## 7. BILL LIST:

- a. Consider approval of invoices for the period from September 13, 2022 to September 26, 2022 in the amount of \$672,176.51

Ms. Maurer made a Motion to approve the invoices for the period from September 13, 2022 to September 26, 2022 in the amount of \$672,176.51; Ms. Albillar seconded. All in favor, the Motion passed 5-0.

**8. CONSENT ITEMS:**

Mr. Gaines asked if anyone would like to pull out an item from the Consent Agenda. Ms. Maurer would like to amend the agenda to include a member for the Pension Board. And, Ms. Maurer would like to pull out item c, f, g for discussion.

Ms. Albillar made a Motion to amend the agenda to include the approval of Michael Thom to the Pension Advisory Board; Mr. Gaines seconded. All in favor, the Motion passed 5-0.

Mr. Diorka made a Motion to approve Mr. Michael Thom to the Pension Advisory Board; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

- a. **Consider approval of Minutes from September 13, 2022 Board of Supervisors meeting**
- b. **Consider Resolution to Approve the Stutz Carwash LLC Minor Subdivision at 1329 Easton Road (TMP 50 029 008) and 1345 Easton Road (TMP 50-029-009 001) in the WV Zoning District**
- c. **Consider award of contract to Jones Masonry Restoration in the amount of \$398,306.00 for the Township Administration Building Façade renovations**
- d. **Consider authorization of Solicitor to prepare separation agreement between the Township and a staff member**
- e. **Consider approval of Roseann Diorka as a member of the Historic Commission**
- f. **Consider appointing Promoting Fred Gaines from the first Alternate to full Member of the Planning Commission**
- g. **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**
- h. **Consider appointing Ernie Rehr to the Parks and Recreation Board**
- i. **Consider approval of three maintenance contracts from Warrington Soccer, Baseball and Softball**
- j. **Consider for approval MMO (Minimum Municipal Obligation) for three Pension Plans**

Ms. Albillar made a Motion to accept items a, b, d, e, h, I, j; Ms. Maurer seconded. All in favor, the Motion passed 5-0.

Item c for discussion:

The bids for the façade project came in over bid. Four phases A) interior B) HVAC C) façade D) elevator. Ms. Albillar indicated that this might not be the right time to complete this project. Mr. Luber indicated that it could be revisited down the road. If we reject this project, then will have to pay GKO something.

Ms. Albillar made a Motion to reject item c) Consider award of contract to Jones Masonry Restoration in the amount of \$398,306.00 for the Township Administration Building Façade renovations; Mr. Diroka seconded. All in favor, the Motion passed 5-0.

Item f for discussion:

Discussion regarding whether or not a sitting Board of Supervisor member could sit on boards and committees within the Township. Mr. Gaines indicated that under the 2<sup>nd</sup> Class Township Code, this is the only board where this is allowed. Ms. Maurer indicated that there might be others interested in that seat. Mr. Gaines indicated that alternates are traditionally promoted to full members and that there had been an opening on the commission for 6 months with no applications. The Planning Commission has made a recommendation to promote Mr. Gaines. Ms. Schemm indicated that those who are interested in Planning Commission issues usually attend and then inch forward. Ms. Albillar indicated that there might be others interested, but to date no one has applied.

Mr. Diorka made a Motion not to accept Mr. Gaines as a full member of the Planning Commission; there was no second.

Ms. Albillar made a Motion to approve Mr. Gaines as a full member to the Planning Commission; Ms. Albillar, Ms. Schemm, Mr. Gaines voted yes; Mr. Diorka and Ms. Maurer voted no; the Motion passed 3-2.

Item g for discussion:

Mr. Diorka would like clarification on the wording for the item iii. Parks and Recreation. Ms. Kushto will make this change.

Ms. Maurer made a Motion to authorize to advertise changes to Boards and Committees Ordinances for the following committees; Ms. Schemm seconded. All in favor, the Motion passed 5-0:

- vii. Communications Advisory Board
- viii. Historic Commission
- ix. Open Space and Land Preservation Committee
- x. Parks and Recreation Board
- xi. Pension Committee
- xii. Veteran's Affairs Committee

## ADJOURNMENT

The meeting was adjourned at 10:02pm.

Respectfully Submitted



Jeannine Fielding, Board Secretary