



**BOARD OF SUPERVISORS
WARRINGTON TOWNSHIP
MINUTES FOR March 28, 2023 - 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.

This meeting was held hybrid both in person at the Township building and via Zoom link. The recorded meeting can be viewed the day after through the Township's website, www.warringtontownship.org

Supervisors: Chair, Fred Gaines (*via Zoom*); Vice Chair, Ruth Schemm, Member; Michael Diorka, Member; Vanessa Maurer, Member

Staff present: Barry Luber, Township Manager; Christian Jones, Assistant Township Manager; Peter Kim, Finance Director; Andy Oles, Parks and Recreation Director; Vicki Kushto, Esquire, Clemons Richter Reiss, Township Solicitor; Tom Zarko, Township Engineer; Jeannine Fielding, Executive Assistant to Township Manager/Board Secretary

- 1. CALL TO ORDER** Ms. Schemm called the meeting to order at 7:00pm.
- 2. PLEDGE OF ALLEGIANCE**

There were a total of 69 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.

- 3. EXECUTIVE SESSION** – Ms. Schemm reported that there was an Executive Session to discuss legal matters.
- 4. 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.*)

Joseph Flynn, 3428 Pin Oak Lane – financial modeling; Mr. Luber indicated that Mr. Flynn may complete a Right to Know Request for the information he is seeking.

Jeremy Dunlap, 3760 Blackburn Court, Chalfont - tax penalty
Mr. Peter Kim, Finance Director, spoke with Ms. Debbie Dixon, Tax Collector, who indicated that she would be willing to pay the penalty on behalf of Mr. Dunlap if the Board does not waive the fee.

Ms. Maurer made a Motion to add the consideration of payment of Mr. Dunlap's penalty to the agenda; Mr. Gaines seconded. There were no votes; the Motion failed.

Action: Mr. Luber and Mr. Kim will follow up with Mr. Dunlap.

5. PRESENTATION – Promotions Police Sgt (Aaron P. Menzies) and Cpl (Brian P. Kelly) – Chief Friel and Judge Wertman

Chief Friel presented the promotions of Sgt (Aaron P. Menzies) and Cpl (Brian P. Kelly).

6. PUBLIC HEARING: Application of Wawa for transfer of a liquor license to 550 Easton Road (continuance of past hearing)

Mr. Gaines indicated that this item was placed on the agenda incorrectly. It will be addressed at the April 11, 2023, Board of Supervisors meeting.

7. OLD BUSINESS:

a. Consider approval of Ordinance to adopt a new Cable Franchise Agreement with Verizon

Ms. Maurer made a Motion to approve the Ordinance to adopt a new Cable Franchise Agreement with Verizon; Mr. Diorka seconded. All in favor, the motion passed 4-0.

b. Discussion and consider approval of AEDs for township parks (previously tabled item)

Mr. Gaines made a Motion to take this item off the Table; Ms. Maurer seconded. All in favor, the Motion passed 4-0.

Mr. Oles updated the Board on information discussed at the Parks and Recreation Board since the last Board of Supervisors meeting. The Board would like to include the sports organizations participating in the education of the AEDs and to review them in between the inspections provided by the township staff. Ms. Schemm indicated that the umpire at games at Barness Park would give all present instructions regarding where the AEDs are located. Two AEDs would be located at Barness Park; one at King Park; one at IPW Park.

Mr. Diorka made a Motion to purchase and maintain five AEDs and include the education of the sports organizations who use them for the township parks; Ms. Maurer seconded. All in favor, the Motion passed 4-0.

c. Discussion and consideration of approval of resolution to apply for DCNR grant for the Mary Barness Community Pool (previously tabled item)

Mr. Diorka made a Motion to take this item off the Table; Ms. Maurer seconded. All in favor, the Motion passed 4-0.

Mr. Gaines made a Motion to approve the resolution to apply for CNR grant for the Mary Barness Community Pool; Mr. Diorka seconded. Mr. Diorka voted in favor; Mr. Gaines voted in favor; Ms. Maurer voted in favor; Ms. Schemm voted against. The Motion passed 3-1.

Mr. Oles shared additional information since the last Board of Supervisors meeting. Ms. Maurer is still concerned about the cost of the project and would like taxpayers to be included in any future discussions related to where the money for projects like this would come in the future. This project is being funded by the Utility Proceeds Fund, which was from the sale of the Water and Sewer System, therefore there will be no increase in taxes to support this project as we already have the funding as per our discussion during the 2023 budgeting session with regards the Community Room. This will not cost the tax payer anything so equating the per resident cost via tax dollars is a misnomer, and we should be consistent with our messaging regarding Capital Project spending. She reported that after a review of the past five years, the pool did make money every year with exception of 2019 , and in 2023 the most recent year made \$114K and has been under budget every year with exception to 2019. It is important to note that the pool is established within the park and rec system, and is revenue generating. Revenues are generated by memberships in which 400-500 families participate that cover the cost of the maintenance of the pool within the General Fund. Mr. Oles shared that he believes having the pool for the residents gives Warrington a well-rounded park system.

Mr. Gaines agreed with the value of the pool, but questioned the contingencies in the study could run too high. Mr. Diorka indicated that there could be value engineering to the project that would bring the contingencies down.

Mr. Gaines shared that as indicated in the feasibility study, the Mary Barness Community Pool has operated at a profit for the past two years. These values may not be correct since the costs indicated as General Operating Supplies have been shown to decrease in the last two years in spite of inflation and costs of nearly all other products increasing due to inflation. Daily attendance scans between 2017 and 2022 indicate between 50% of the attendees were not Warrington Township residents. Even if the township received the \$2.0 million grant applied for, it can be assumed that they will not be sharing in the \$2.0 million capital cost that Warrington taxpayers will be required to pay.

Mr. Gaines pointed out that the cost estimate for the main pool including engineering and bid document preparation totals \$3.85 million. Adding the values found in the note on page 54 15% contingency \$577,500; construction in 2 years at 10%/year \$770,000; total additional costs without construction management \$1,347,500. The adjusted total could be \$5.2 million.

8. NEW BUSINESS:

- a. **Nominations to fill the vacancy on the Board of Supervisors will be considered.**

Ms. Maurer nominated Michael Thom. Ms. Maurer and Mr. Diorka voted to approve Mr. Thom to fill the vacancy on the Board of Supervisors.

Ms. Schemm nominated Andrew Macaulay. Ms. Schemm and Mr. Gaines voted to approve Mr. Macaulay to fill the vacancy on the Board of Supervisors.

Discussion ensued.

Since both nominations received a 2-2 vote, the 2nd Class Township Code Section 407 (c) requires that the Vacancy Board meet. This meeting will be held on **Tuesday, April 4 2023, at 6:00pm** in the township building and made available via zoom.

Action: Ms. Fielding will advertise this meeting.

- b. Consider request for additional funds for the Warrington Historical Society for the renovations to the historic 10 Folly Road Schoolhouse in the amount of \$110,000**

Ms. Mary Doyle Roth presented the Historical Society's request and answered questions.

Ms. Maurer made a Motion to approve additional funds in the amount of \$110,000 for the renovations to the historic 10 Folly Road Schoolhouse; Mr. Diorka seconded. All in favor, the Motion passed 4-0.

Pete Walts, 2209 Maple Ave. shared his support for this project.

- c. Discussion and consider approval of contract award for Pond-to-Wetland Conversion Project at Lions Pride Park**

Mr. Luber explained the project was approved in the 2020 budget and was delayed by Covid-19. In 2023, the project was bid out. The low bidder bid higher than the budgeted amount, most likely due to inflation and supply chain issues. Ms. Ross confirmed that the lowest bidder was \$200,000 lower than the others and is a reputable company. Discussion about water quality issues and safety issues as reasons for completing this project.

Ms. Maurer asked where the money would come from. Mr. Luber indicated it would come from the Open Space Fund and the Utility Proceeds Fund. Mr. Diorka would like to see this project completed. Ms. Schemm reminded the group that this project started before 2018.

Vinobha Pannerselvam, 2834 Anna Street is in support of the project.

Ms. Maurer made a Motion to approve the base bid and alternate in the amount of \$528,975 to Aquatic Resource Restoration Company for the Pond-to-Wetland Conversion Project at Lions Pride Park; Mr. Diorka seconded. Ms. Maurer voted in favor; Mr. Diorka voted in favor; Ms. Schemm voted in favor. Mr. Gaines abstained as he does not believe the add alternate is necessary at this time. The Motion passed 3-1.

- d. Report of Cable Fees for Communications Advisory Board – Vanessa Maurer**

Communications Board met this week and provided the revenues decreasing for cable fees. As people start to stream services, our fees are diminishing. Be sure to understand this, they are slowly depleting and the trends will continue. Ms. Schemm and Mr. Gaines thanked Ms. Maurer.

9. SUPERVISOR COMMENTS:

Mr. Diorka – 1) BCATO Consortium would like to be sure that their upcoming issues that would come up are advertised in the eLink and the LINK; 2) Warrington Pointe would like to see that completed; 3) Would like to be sure to thank volunteers who have served on committees and boards; 4) Pool memberships are available now and are moving ahead for the summer season.

Ms. Schemm - 1) Golf outing to support the Special Equestrians will be held on Monday, April 24, 2023 at Commonwealth National Golf Club and the Supervisors are welcome to attend.

Ms. Maurer - 1) CAB is working on interviews with potential website vendors; there are bids that range greatly from one end of the spectrum to the other; the committee is identifying what the key needs are, including the Action Line, and board support; gave a shout out to the staff for the behind-the-scenes work on this project; reiterated that our current contract could be extended to the fall, if necessary, to make the best decision; 2) request of the Board of Supervisors to support the Memorial in Officer Stephen J. Plum, Jr.'s honor in Washington, D.C. (this item will be on the April 11, 2023 agenda); 3) Contact with candidates for the Board vacancy did not give enough time to Michael Thom to adjust his schedule for this evening; Ms. Fielding mentioned that the candidates had one week notice, but they did in fact get notified on Thursday, March 23rd, as Ms. Maurer indicated; they will be invited to the April 4th Vacancy Board meeting; Ms. Maurer also would like reflected that as a Board appointed Secretary Ms. Fielding signed Mr. Gaines petition for the 2023 election cycle and is a conflict of interest.

Mr. Gaines - none

10. MANAGER'S REPORT:

a. Bucks County Consortium Update –

Mr. Luber gave an update on the Bucks County Water and Sewer Consortium is taking hold. Many of the other members have passed Resolutions to move this ahead and will meet soon to set goals and objectives. Bucks County Manager's Consortium working with Chester, Montgomery and Delaware counties to get a 4-county meeting together. Will meet next week to discuss common topics: firefighters example.

b. School Resource Officer video – the Warrington Police Department did a presentation for the SRO at Central Bucks South to show the other two high schools in Central Bucks of how the program is working.

11. ENGINEER'S REPORT:

Received bids for 2023 Roadway Improvement program. Bids came in below budget. Recommendations will be at the April 11th meeting.

12. CONSENT ITEMS:

Mr. Gaines asked if anyone would like to pull an item out of the Consent Agenda. Hearing none,

Ms. Maurer made a Motion to approve items a-e; Ms. Schemm seconded. All in favor, the Motion passed 4-0.

- a. Consider approval of Minutes from the March 14, 2023, Board of Supervisors meeting
- b. Consider approval of the Bill List for March 15 to March 28, 2023 in the amount of \$587,344.28
- c. Consider approval of Eureka Stone Quarry and Plumstead Materials for Bucks County Consortium Materials bid and Asphalt Maintenance Solutions for crack sealant products
- d. Consider approval of Escrow Release No. 2 for Earthborne Inc. (OP Schuman) in the amount of \$99,251.75
- e. Consider approval of Escrow Release No. 3 for the Eble Tract in the amount of \$17,853.40

ADJOURNMENT

The meeting was adjourned at 8:55pm.

Respectfully Submitted


Jeannine Fielding, Board Secretary