



**BOARD OF SUPERVISORS
WARRINGTON TOWNSHIP
MINUTES FOR DECEMBER 12, 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; Vice Chair, Ruth Schemm, Member; Michael Diorka, Member; Vanessa Maurer, Member; Andrew Macaulay, Member

Staff present: Barry Luber, Township Manager; Christian Jones, Assistant Township Manager; Vicki Kushto, Esquire, Clemons Richter Reiss, Township Solicitor; Tom Zarko, Township Engineer; Chief Daniel J. Friel; Tracey Inman, Executive Assistant; Laura Koshy, Administrative Assistant

1. **CALL TO ORDER** Call to Order Mr. Gaines called the meeting to order at 7 pm.

2. **PLEDGE OF ALLEGIANCE**

There were a total of 24 people both in person and 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.

Prior to the presentation, Mr. Gaines announced that the Board met in Executive Session prior to tonight's meeting to discuss a legal matter.

3. **PRESENTATION –**

- a. Budget Presentation Update- Peter Kim

Mr. Kim presented a budget update and answered questions from the Board and members of the audience.

After the budget presentation, Mr. Gaines proposed that the current Board adopt a budget with a zero millage increase, which would allow the new Board to amend it in 2024 to meet their future goals.

Ms. Maurer made a statement regarding passing the budget with a zero millage increase, and the effect it would have on the Township and its residents. (Position Statement from Ms. Maurer attached to minutes).

Mr. Diorka made a statement regarding the passing of a balanced budget. Mr. Diorka also stated that as an elected official, it is his responsibility to ensure that all is in order fiscally in the township.

Mr. Luber advised that a balanced budget must be passed by December 31, 2023.

Mr. Gaines made a motion to authorize Mr. Luber to prepare a second budget. Mr. Macaulay seconded the motion and the motion passed with a 3-2 vote. Ms. Maurer and Mr. Diorka were the dissenting votes.

Questions and comments from the Board:

- Mr. Gaines asked that Mr. Luber prepare another budget with a zero millage increase. Mr. Gaines requested that they pass the budget with a zero millage increase and differ to the new Board to amend it by February 15, 2024 as allowed by law.
- Ms. Maurer requested that the following exchange be reflected in the minutes: Ms. Maurer asked Mr. Gaines if he wanted to drain the tax stabilization fund for one year so that Mr. Gaines may have a legacy of a zero tax increase. Mr. Gaines replied “yes ma’am”. Ms. Maurer added “this is irresponsible”, to which Mr. Gaines replied “yes ma’am”.

After discussion of the 2024 budget, Mr. Luber announced that he distributed a list of Capital Projects for 2024 to the Board.

Questions and comments from the Board:

- Mr. Diorka- asked Mr. Kim to explain tax stabilization to the audience.
- Ms. Maurer- inquired what that will mean for a proposed model for next year and clarified that it was a one time relief. Ms. Maurer stated that Mr. Gaines was not solving the problem, but was delaying it and kicking the can down the road for someone else. Mr. Gaines replied “yes ma’am”.
- Mr. Diorka questioned the signal at Pickertown Road and Mill Creek Road and asked which engineer finalizes the project. Mr. Diorka also questioned where the quote for the \$275,000 for the King Court basketball and tennis courts came from. Mr. Luber advised it was from CKS.

Agenda item 9.b. (The Employee Handbook) was moved up and was presented prior to public comment. Human Resources Director Leslie Frescatore presented a new employee handbook for review by the Board. The handbook is for review only and adoption will be acted upon at a future meeting in January 2024.

Mr. Macaulay asked that the definition of who the employees are be added to the The Employee Handbook to clarify direct level supervisors vs. Township Manager or Board of Supervisors.

Mr. Diorka requested that the new mission statement be included in The Employee Handbook.

Ms. Schemm, Ms. Maurer and Mr. Gaines all congratulated Ms. Frescatore on a job well done in putting together The Employee Handbook.

PUBLIC COMMENT:

David Landeu, 2138 Herblew Road

Mr. Landeu had comments and concerns regarding a retention basin adjacent to his property. Mr. Zarko addressed Mr. Landeu's concerns and answered his questions.

4. PUBLIC HEARING:

Mr. Macaulay made a motion to adjourn the regular meeting and move into the conditional use hearings for 771 and 807 Easton Road. Ms. Schemm seconded the motion and the motion passed with a 5-0 vote. The hearings are for conditional use approval for a drive-through and accessory outdoor eating area on both properties.

Mr. Macaulay made a motion to continue the hearings until January 23, 2024. Ms. Schemm seconded the motion and the motion passed with a 5-0 vote.

5. OLD BUSINESS:

- a. Consider approval of excluded area for the Conservation Easement

Ms. Maurer made a motion to approve an excluded area for the Conservation Easement.

Ms. Schemm seconded the motion and the motion passed with a 5-0 vote.

6. NEW BUSINESS:

- a. Mr. Rob Gundlaeh made presentation on behalf of Crestwald Terrace Group, LLC regarding plans for possible settlement of Zoning Hearing Board cases involving 771 and 807 Easton Road.
- b. Mr. Gundlaeh also made a presentation on behalf of Crestwald Terrace Group, LLC for the property at the intersection of Easton Road and Oakfield Road.

Questions and Comments from the Board:

Mr. Macaulay asked if this has been modified to meet the 100 foot continuous length ordinance. Mr. Macaulay also asked for some feedback regarding noise intrusion into the units.

Connie Ace, who was attending by Zoom, requested that members of the Warrington Historical Commission be allowed access to the Knight property to photograph historical buildings on the property. Mr. Gundlaeh advised that he does not believe

any of the buildings are historic, but Ms. Ace and members of the commission are welcome to visit.

- c. Ms. Maurer made a motion to authorize advertisement of an ordinance adopting regulations for the planting and growing of bamboo. Ms. Schemm seconded the motion and the motion passed with a 5-0 vote.

Questions and Comments from the Board:

Mr. Diorka asked who comprised the document pertaining to the bamboo ordinance.

Mr. Diorka also advised that one of the members of the Ad Hoc Committee stated that bamboo can be used effectively as a barrier.

- d. Ms. Maurer made a motion to consider for approval a letter to CBSD regarding Volunteer Firefighter School Tax Relief. Mr. Macaulay seconded the motion and the motion passed with a 5-0 vote.

7. SUPERVISOR COMMENTS:

Mr. Macaulay- There were no comments.

Mr. Diorka- There were no comments.

Ms. Schemm- There were no comments.

Ms. Maurer- Ms. Maurer thanked the police department for their participation in the “Shop With A Cop” event. Ms. Maurer also acknowledged Walmart for their participation in the event.

Mr. Gaines- Mr. Gaines offered comments regarding the North Wales Water Authority water wells.

8. MANAGER’S REPORT:

Mr. Luber announced that there are some drop off points in the administration lobby for toys, hats, gloves and scarves and canned food. Mr. Luber also advised that the township building was a drop off spot for Toys For Tots.

Mr. Luber announced that the Employee of the Year was awarded to Laura Koshy.

Mr. Luber advised that the township building basement recently flooded due to equipment malfunction in the basement.

Mr. Jones announced that the zoning officer prepared a memo for the Board and advised that three applications will be forthcoming.

9. ENGINEER'S REPORT:

Mr. Zarko announced that the lap pool liner project at the Mary Barness Swim Club and the municipal access driveway has been completed.

10. SOLICITOR'S REPORT:

Mr. Clemens updated the Board and answered questions on the settlement agreement regarding the Victory Gardens litigation.

Public Questions and Comments:

Frank Ace, 1067 Folly Road

Mr. Ace offered commentary regarding the Victory Gardens settlement agreement. Mr. Ace also asked whether a copy of the agreement would be available.

Connie Ace

Ms. Ace questioned whether the new hours of operation at Victory Gardens prohibit operations on Sundays and whether the police can enforce non-compliance.

John McConnell, 206 Charles Drive

Mr. McConnell had questions regarding Victory Gardens and the amount of trucks that will use Pickertown Road.

After consideration, Mr. Macaulay made a motion to sign the agreement. Ms. Schemm seconded the motion and the motion passed with a 5-0 vote.

11. CONSENT ITEMS:

Prior to approval of the Consent Items, Mr. Luber asked that the Board consider amending the agenda to include item "g." which is a Resolution regarding the destruction of records due to a flood in the basement of the administration building.

Ms. Maurer made a motion to amend the agenda to add the destruction of documents. Mr. Macaulay seconded the motion. Prior to voting on the amendment of the agenda, Mr. Macaulay had questions regarding the regulations for amending the agenda. After discussion the motion to amend the agenda passed with a 5-0 vote.

Prior to voting on the Consent Items (listed below), Mr. Clemons recommended that the Board remove item "e." from the agenda. Mr. Clemons advised that the item needs an amendment to the Resolution, that would require the condition that the handicap access be repaired to the satisfaction of the Township Engineer.

- a. Consider approval of minutes from the November 28, 2023 Board of Supervisors meeting
- b. Consider approval of Bill List from November 29, 2023 to December 12, 2023 in the amount of \$1,290,351.47.
- c. Consider approval of PTO days to be carried over to 2024 for Township Manager
- d. Consider approval of Frank Williams and Mike Tomolonis as volunteers to the Veteran's Affairs Committee
- e. Resolution accepting dedication of public improvements for the Premier Storage Facility at 2071 County Line Road.
- f. Consider a motion to authorize the Township Manager to sign a settlement agreement with the Warrington Police Benevolent Association regarding a police personnel discipline matter.
- g. Consider for approval a Resolution for destruction of records.

Ms. Schemm advised that the minutes of the November 28th, 2023 meeting were amended to include the motions and vote taken regarding the Master Plan addition.

Ms. Maurer made a motion to approve Consent Items "a." through "d." and "f." to include the amended Master Plan addition in the minutes. Ms. Schemm seconded the motion and the motion passed with a 5-0 vote.

Ms. Maurer made a motion to pass item "e." as amended. Mr. Macaulay seconded the motion and the motion passed with a 5-0 vote.

Prior to adjournment Mr. Luber announced that the Board will hold a meeting on December 26th, 2023 and that the meeting was advertised since it was not in the original meeting schedule for 2023.

12. ADJOURNMENT:

Ms. Maurer made a motion for adjournment. Mr. Macaulay seconded the motion and the motion passed with a 5-0 vote. The meeting was adjourned at 9:23 pm.

Respectfully Submitted



Tracey A. Inman, Board Secretary

Position Statement BOS 12.12.2023

Second Class Township code states that Supervisors are responsible for the Safety and Well Being of the residents of the township and ensure fiscal responsibility and sustainability.

- We have had a structural budget deficit in 2021, 2022, and 2023 – that was not adequately addressed that has now grown to \$3M respectively in 2024 that was created by the Democrat controlled BOS.
- The structural deficit has grown to 10 mills to balance the budget – despite our best efforts to cut expenses and utilize all revenue streams to reduce the millage increase to 6-7 mills this deficit will continue to gain momentum if unaddressed (ex benefits, wages, materials will continue to increase in cost year over year and we will be carrying over the unfunded portion of the budget from the prior year).
- The Tax Stabilization Fund (TSF) was created from the sale of water and sewer a one-time non-recurring revenue source (intended for capital projects) is being utilized to plug the budget deficit, and a minimal amount (\$380,000 respectively) will be used again in 2024. It should be noted – once this money is gone, it's gone, and the deficit will still remain unaddressed. The BOS will still be left with the problem of solving the a long term sustainability solution to fund our budget, and pay our employees of which 70% are allocated to Police.
- Using the Tax Stabilization Fund “kicked the can” down the road, and only delayed the inevitable that the general fund budget is unfunded. Depleting this fund in its entirety to fund the 2024 for one-year is irresponsible, and will jeopardize the long term financial health of the township forcing the township to 1) use fund balance damaging our credit rating resulting in borrowing money at a higher interest rate under current economic conditions, 2) eliminating the revenue stream we receive from the investment of this money, and 3) removing the financial safety net or “rainy day” fund in the event of an unforeseen emergency (tornado, flooding)....

We are in the regrettable position of communicating on the necessity of increasing taxes within our township to ensure the *sustainability* of the general fund budget. As responsible stewards of our community, it is imperative that we address the current fiscal challenges facing us, and take proactive measures to secure the financial well-being of our township for the long term and return Back to Basics – safety (police, fire), infrastructure (public works – paving roads) and fiscal responsibility for these areas as follows:

Maintaining Essential Services: Increasing taxes is crucial for sustaining and enhancing essential services provided by the township, such as public safety, infrastructure maintenance, and community programs. These services directly impact the quality of life for our residents and contribute to the overall well-being of the community and it is essential that we fully fund our police, fire and public works employees to maintain essential services.

Addressing Budget Deficits: A careful analysis of our general fund budget reveals a persistent deficit that, if left unaddressed, could jeopardize our ability to meet the growing needs of the township. By responsibly increasing taxes, we must bridge the ever-growing budget gap and prevent a decline in the quality of services provided which we have already seen with regards to speeding complaints.

Long-Term Financial Planning: The prudent management of our township's finances requires a commitment to long-term planning. By increasing taxes, we can create a stable REOCCURRING revenue stream that allows for strategic investments in infrastructure, economic development, and other initiatives that will benefit the community for years to come.

Maintaining Creditworthiness: A strong financial position is critical for maintaining the township's creditworthiness. This not only ensures favorable borrowing terms for necessary projects but also reflects positively on our ability to manage financial obligations responsibly. We are in a position of jeopardizing our credit rating that will increase the burdens on our tax payers in the event that we need to borrow money or issue bonds (debt). Borrowing is very expensive right now given the economic market conditions driving up interest rates.

Transparent Communication: Transparent communication with the residents is key to gaining their understanding and support. Clearly articulating the reasons behind the need for tax increases, along with a detailed plan for fund allocation, will help build trust and cooperation within the community.

What is driving the increase:

- Market conditions – inflationary economic conditions
- Lack of skilled labor increasing wages universally
- 70% of budget police but 80%+ budget combined township employee wages and benefits that increase COLA 3% standard yearly + benefits (healthcare)
- CBA contract negotiations in 2023 for 2024 addressing Police wages and benefits to retain existing police and attract new talent officers to Warrington:
 - Warrington has had an increase of 34%+ in crime – we are fourth busiest police station in Bucks County
 - Stage of development – 611 corridor running through our township coupled with robust big box retailers that add to the increase in traffic and crime calls in comparison to our sandwich townships. Compared to Warminster:
 - Warminster: 33,000 residents, 45 officers and a millage of 24.06
 - Warrington: 27,800 residents, 38 officers and a millage of 17.62
 - Warrington Police have adopted accreditation which standards must be maintained adding additional stress to officers in terms of increased ongoing training and administrative obligations we have a duty to maintain.
 - Our officers are currently in the 50% percentile in terms of pay in comparison to surrounding townships – given the demographics in Warrington as mentioned we have negotiated a step wage increase to promote retention and attraction into the 60%+ percentile.
The township has grown exponentially – we have added 5 officers in 6 years that has proven inadequate after reflecting on staffing needs, traffic and crime complaints that need to be addressed.
 - Universal increase in healthcare benefits and expanding the coverage to deceased officers families in wake of losing Officer Plum.
 - Continued negotiations requesting a COLA for retired officers.
- Four (4) financial directors in five (5) years, delays in audited financials and lack of financial controls to properly analyze financial conditions – supervisors were not given (nor does it appear that they asked) for YTD budgets until 2022.

- Ignoring recommendations from Township staff to implement small tax increases to keep up with inflationary pressures.
- Absence of effective project management, and long-term impact of adding assets to incorporate ongoing maintenance, increase insurance and utilities. ***Overruns on all capital projects.***
- Projects that are driven by special interest groups (solar panels, electric cars, miles and miles of trails) that have negatively impacted the budget.

In conclusion, while the decision to increase taxes is never an easy one, it is a responsible and necessary step to safeguard the financial health and sustainability of our township. The weight of the decision to increase taxes is heavy, and I reflect especially on the elderly that will struggle to age in their homes impacted by continued tax increases regardless of the homestead act relief, and families already struggling with current inflationary economic conditions that have no future hope of being alleviated.

Fred Gaines wants to secure a legacy of no tax increases by saddling the problem with the future board while robbing the Tax Stabilization Fund for a single year. It would be irresponsible for the BOS to ignore the structural budget deficit for another year. We must put politics aside, and prioritize the long-term interests of our community over short-term concerns and take action now to secure a prosperous future for all residents.

Thank you for your attention to this matter, and we look forward to working collaboratively towards getting Back to basics the fiscal well-being of our township.