

**West Vincent Township
Meeting Minutes
Board of Supervisors (Draft)
December 18, 2023 7:00 PM**

Attendance: Bernie Couris, Chair, Sara Shick, Vice Chair, Dana Alan, Member, Jacqui Guenther, Manager, David Onorato, Township Solicitor, Kathy Shillenn, Township Secretary

Mr. Couris called the meeting to order at 7:00 pm.

Mr. Couris announced an Executive Session was held on December 4, 2023 for a legal discussion.

Ms. Shick requested to make a statement. Ms. Shick stated that she received what she perceived to be a threatening email from the Township Manager. The email was related to the posting of the township manager's contract.

Approval of Minutes: MOTION by Mrs. Alan to approve the minutes of November 20, 2023; second by Ms. Shick.

There being no comments or questions, *Motion carries 3-0.*

Announcements: None.

Reports:

Police Report: Cpl. Butler read the report. Report on file.

Mr. Couris asked how this report compares to previous months. Cpl. Butler stated it was a lot of self-initiated things, traffic stops, etc.

Treasurers Report: Ms. Guenther read the Treasurers Report. The Summary of all Funds was read.

John Eldridge commented on the summary of funds and if he should worry since no one seems to understand it. Ms. Guenther stated that there were a lot of expenses. Ms. Guenther also stated that she understands what the numbers are; she receives the bank statements and does the reconciliations. The number that is in the bank is what is on the report. The number on the report is what is in the bank at the end of the month. Mrs. Alan recommended that the township allow some time for Mr. Eldridge to go over these reports before the meeting.

Mr. Eldridge commented that the township hired an accountant to go over the 2022 books. Is there an update? Ms. Guenther stated that the accountant is starting on Wednesday. Ms. Shick stated that she thought the accountant intended to be finished by the end of the year, if he is not starting until the 20th is that still the plan? Mrs. Alan stated that the accountant said that January 15th would be the latest date that he would finish. Ms. Shick asked if the accountant was still on that schedule.

Tom Helwig suggested since all the books and financial records are kept in Quickbooks, why doesn't the township just put them up on the website. Ms. Guenther explained the process of getting all the information into Quickbooks. Mr. Helwig wanted to know how much time the manager spends on the financials. He was deeply distressed that Ms. Guenther can't account for her time.

George Dulchinos followed up on Mr. Eldridge's question regarding the fund balance difference in the expenditures and receipts from last month to this month. Ms. Guenther stated no, it's not an even cut. Many things are coming in and out. The banks recs tell you what is in the bank. Ms. Guenther stated she can print a profit and loss statement for Mr. Dulchinos.

Christina Casey commented on Mr. Helwig's comments about itemizing peoples time and asked how many days the township manager's position is; Ms. Guenther noted five days. Mrs. Casey asked how many days the former township manager's position was; Ms. Guenther noted two or three.

Jamie McVicker commented that he was in a management position for many years and was never asked to breakdown his time. Mr. McVicker also asked again if a Finance Committee could be set up to meet with the manager to ask questions before the meeting. Mrs. Alan stated that Ms. Guenther was asked to start looking at the Treasurer position. It is important that the treasurer's tasks are broken down to what the position needs to be. Ms. Shick commented that the Board needs to be careful how they talk about the accounting department.

Barry DiLibero commented on the treasurer thing, it is a part-time position, it doesn't need to be a \$100,000 position.

Tom Helwig stated he is not asking for micro-management; he's asking what people spend time on every second of the day. He resents the mischaracterization of what was said.

Expenditure Summary/Bills List: Ms. Guenther read the Expenditure Summary/Bills List.

MOTION by Mrs. Alan to approve the Expenditure Summary/Bills List in the amount of \$989,938.08; second by Ms. Shick.

Ms. Shick had a comment regarding the November 16 to December 15 Expenditure Summary. The Open Space bills show the amount of \$189.00; Ms. Shick thought she heard a larger payment. Ms. Guenther stated that was not for Open Space; that was for the interest payment.

There being no comments or questions, *Motion carries 3-0.*

Managers Report: Ms. Guenther read her Managers Report and noted that the some of the budget items were revamped. Del Val had given the township four schedules for bond note payments that were due. When Ms. Guenther started looking at the ratio of what was owed and what was being paid back, it didn't seem to work out properly. Ms. Guenther spoke with Del Val and two of the schedules were bonds that were consolidated in 2021. It took the payments on the bond notes from \$1.1 million to \$249,000.00. The budget is now balanced. Ms. Guenther also noted that there is a new fee schedule; with the old fee schedule the township was losing money. Ms. Guenther met with the building department and reviewed the fee schedule to reflect

a more accurate amount. Ms. Guenther spoke to Jessica Adams, LTL regarding the trail grants. Ms. Adams would like to put the Fellowship trail out to bid in February, the trail grants expire on June 15, 2024.

Old Business:

Approve Township Manager Contract – MOTION by Mrs. Alan to approve the contract for Jacqui Guenther as Township Manager; second by Ms. Shick

Mrs. Alan commented that at the last Board of Supervisors meeting she stated that the contract would be posted. Ms. Guenther was very uncomfortable with posting the contract and the supervisors were capable of approving the contract.

John Eldridge asked what the reason was that the contract did not get posted. Ms. Guenther stated that it is not an official document until it is approved and signed. Ms. Shick stated that the interest in the contract is not about the person involved but for the township. Mrs. Alan shared that the township manager is an at will employee. Mr. Eldridge asked if there was any agreement when Ms. Guenther became interim manager that she would get the manager's job? Ms. Guenther stated that the Board of Supervisors asked Ms. Guenther to stay provided that after the probationary period she would be given the job and fair compensation. Further discussion on this subject continued.

Barry DiLibero stated that the bottom line is that for three years the township had a bad manager. All three Supervisors defended the former manager even after having a well-known documented internet-based record of leaving municipalities under questionable financial circumstances. Mr. DiLibero recommends giving the manager a year to try and fix all the issues.

Tom Helwig commented that a promise was made to look at the contract. Previously there was no accountability or transparency. Also, we can't define what the manager job entails.

Jamie McVicker asked how different this contract is compared to the former township manager's contract. Ms. Guenther stated that the contract stated that she is entitled to what the other employees are entitled to. The difference is that the manager is non-union and there is a different salary. Mrs. Alan stated that the salary is \$30,000 lower. Ms. Guenther gave a review of her municipal government experience. Mr. McVicker supports hiring Ms. Guenther.

Karl Brachwicz asked if the township will be hiring a bookkeeper and is there a process. Ms. Guenther stated that she is training Mrs. Shillenn as the bookkeeper. Mrs. Alan wanted to go on record to say that she feels that the bookkeeper position be posted. Ms. Shick agreed as well.

George Dulchinos commented that most people are o.k. with a verbal summary.

There being no further comments or questions, *motion carries 2-1 with Ms. Shick voting nay.*

Adopt 2024 Budget – Ms. Guenther stated that the budget needs to be adopted before the end of the year in a public meeting. Ms. Shick has stated that Mr. Eldridge gave his assessment that the budget is a mess. Ms. Shick found some things that are troubling. Ms. Guenther stated that she has given a budget with real numbers line by line. The staff will make sure the most recent budget

is posted online. Mrs. Alan asked if the budget is approved now, how much leeway the Board will have to reopen the budget to make any necessary changes. Mr. Onorato stated that the Board has leeway to open the budget in January when a new supervisor is elected. Mr. Couris would be able to open the budget in January. Mr. Onorato stated that to adopt the budget this evening, the Board would vote on the budget that was published on the internet. Except for that \$10,000 expenditure added back in the budget for the extra expenditure. The budget discussion continued. Approving an amendment to the budget for the 10,000 that was posted today.

Mrs. Alan made a **MOTION** to amend the previous **MOTION** to approve the budget with the addition of \$10,000 for Parks and Recreation to use for Community Day; second by Ms. Shick.

There being no further comments or questions, *motion carries 3-0.*

John Eldridge commented that he sent an email to the supervisors about the errors and pitfalls in the budget. Mr. Eldridge stated that there is a shortfall in the Earned Income Tax income. Ms. Guenther stated that issue was corrected. Mr. Eldridge also stated that there is a bad relationship between the earned income tax, the general fund, and the open space. Ms. Guenther stated that Keystone is the tax collector. Keystone makes the allocations and makes the deposits. Ms. Guenther enters the information that she is given into Quickbooks.

Ken Alan commented that Mrs. Alan stated that there is the \$10,000 for consideration for Community Day. Mr. Alan asked if there are other items for Park and Recreation in the budget. Ms. Guenther stated that she has two movie nights at \$500 each in the budget. Ms. Guenther stated that she was asked to take out anything from the budget that was absolutely necessary so the bike fixing station was removed. Ms. Shick commented that some members of the Board still support the bike fixing station. Discussion continued. Mr. Alan stated that anything that Ms. Guenther was given for the budget, the Park and Rec Commission wasn't privy to.

George Dulchinos asked the board to summarize the reason why the board must change the budget after was passed. Mrs. Alan stated that there are no specific problems, we are not able to see all the changes, it was changed several times throughout the day, and it wasn't able to be printed out. Mr. Onorato stated that after reviewing it and seeing something that needs to be changed, they can open the budget in January.

MOTION by Mrs. Alan to adopt the 2024 Budget; second by Ms. Shick.

New Business:

Approve Resolution No. 19-2023 – Workers Compensation Coverage for the Ludwigs Corner Fire Department Firemen and Fire Police – MOTION by Ms. Shick to approve Resolution No. 19-2023 – Workers Compensation Coverage for the Ludwigs Corner Fire Department Firemen and Fire Police; second by Mrs. Alan.

There being no comments or questions, *motion carries 3-0.*

Approve Resolution No. 20-2023 – 2024 Tax Rate at .00209 mills – MOTION by Ms. Shick to approve the 2024 Tax Rate of .00209 mills or 20.9 cents per \$100; second by Mrs. Alan. Ms. Shick stated that there is no change to the tax rate.

There being no comments or questions, *motion carries 3-0.*

Set the Date for the 2024 Re-Organization Meeting for January 2, 2024 – MOTION by Mrs. Alan to set the date for the 2024 Re-Organization Meeting for January 2, 2024; second by Ms. Shick.

There being no comments or questions, *motion carries 3-0.*

Set the Date for the 2024 Auditors Re-Organization Meeting for January 3, 2024 – MOTION by Mrs. Alan to set the date for the 2024 Auditors Re-Organization Meeting for January 3, 2024; second by Ms. Shick.

There being no comments or questions, *motion carries 3-0.*

Approve the 2024 Calendar for Board of Supervisors and Committee Meetings – MOTION by Ms. Shick to approve the 2024 Calendar for Board of Supervisors and Committee Meetings; second by Mrs. Alan.

Karl Brachwicz asked if there is any way to have two regular Board of Supervisors meetings instead of a workshop and a regular meeting. You need to have two meetings a month to pay the bills. Mrs. Alan stated that this is something that can be discussed further. Ms. Shick feels this should be tabled and address this at the Re-Organization meeting.

Ms. Shick withdrew her Motion; second by Mrs. Alan. *Motion withdrawn.*

Public Comment on Non-Agenda Items:

Diane Philips stated that she is the committee person of the democrat party. She has been getting a lot of phone calls about the way things are running in the township. Thinks there should be a macro look at things and have a set of rules or procedures on governance. Ms. Philips introduced Megan Emery who has some really good ideas. Ms. Emery stated that she appreciates the work that is done and appreciates living in this community. Ms. Emery talked about a cloud that hangs over the township due to the prior manager. How did this happen and what took so long for the Supervisors to recognize that the manager was a bad actor? Mr. Couris stated that the Board of Supervisors did actively work on this and tried to bring about change. This discussion continued.

Julia Braendel asked that when the previous manager came to the Board of Supervisors if it was o.k. to accept a position in another township which was clearly taking time away from spending time in the township is that something that should be allowed to happen. Ms. Braendel wants to make sure that this never happens again.

Jim Scaperotto commented that the last time he was here he spoke up a lot. Tracey Franey the Zoning Officer is excellent and hopes that the township retains her. He thinks that the township is awesome. Cheers to the township today as a tree fell on part of the bridge; the township came out quickly and cleared everything.

Barry DiLibero stated that now that the Democratic Committee spoke, the Republican Committee will speak. When Mike Schneider and John Jacobs were here, they did very well. This mess,

however, it came to be about, he is glad the Democrats are disappointed because these are your candidates. Mr. DiLibero also thanked the Board for this year.

Tom Helwig stated he is a little dismayed that it seems like the township is going down the same old path. The township hires friends and people they know from previous jobs. Why doesn't the township advertise for the job?

George Dulchinos stated that the sound for the last meeting recording is terrible. The township should find another solution. Mrs. Casey explained.

Ms. Shick stated that at the beginning of the meeting she stated that she felt threatened by an e mail that said a lawyer was going to look into her behavior. Ms. Shick looked into the Open Records Act. Ms. Shick stated that she is deeply troubled that the Board of Supervisors is getting counsel that is contrary to the law.

There being no further discussion, the **MOTION** to adjourn was brought forward by Mrs. Alan; second by Mr. Couris. ***Motion carries 3-0.***

The meeting adjourned at 9:10 PM.

Respectfully Submitted,
Kathryn Shillenn, Township Secretary