

West Vincent Township
APPROVED Meeting Minutes
Board of Supervisors
May 15, 2023 7:00 PM

Attendance: Sara Shick, Vice Chair; Dana Alan, Member; John Granger, Township Manager; Mark Thompson, Township Solicitor; Christina Casey, Assistant Township Secretary. Absent: Bernie Couris, Chair.

Ms. Shick called the meeting to order at 7:01 PM

ANNOUNCEMENTS: Ms. Shick noted there were three Executive Sessions (April 27, 2023, for Legal; April 28, 2023, for Cell Tower; May 11, 2023, for Legal). It was also announced that there will be a BOS Workshop on June 5, 2023 with the topics being a report on CETT Plan and proposal for a cell tower at the municipal building,

MOTION by Mrs. Alan to approve the minutes of April 17, 2023; second by Ms. Shick.

George Dulchinos, 1415 Hollow Road, asked if the minutes were posted. An audience member helped him locate them on the WVT website.

There being no further comments or questions, *motion carries unanimously.*

Public Hearing: Consider acquisition of Transfer of Development Rights for Open Space benefits for tax parcel 25-3-107.2 (12.59 acres; John Eldridge is seller of TDR's for 1342 Shady Lane) for 4 TDRs for \$128,000 (leaving 1 TDR attached to the property).

Mark Thompson, Township Solicitor, noted that Open Space Lands Act of PA requires a public hearing when spending public funds for open space benefits. There were no public comments on this item, and the hearing was closed.

Police Report: Sgt. Austin Russell gave the report.

Bills List: **MOTION** by Ms. Shick to approve the Bills List in the amount of \$945,832.38; second by Mrs. Alan.

John Eldridge, 1634 Hilltop Road, said that the General Fund summary balance for 4/30/23 was \$750,136.84 but General Funds bills list is \$817k; he wanted to know if there was an issue. John Granger explained that the \$750k balance was net of the bills of \$817k for April, and the Opening Balance of the General Fund for April was \$1.1mm.

There being no more comments or questions, *motion carries unanimously.*

Treasurer's Report: Mr. Granger read the report.

George Dulchinos took to the podium again to ask about the status of the forensic audit report since Mr. Couris told Mr. Eldridge at the last BOS meeting that the Board was not happy with the statement of the report and needed more work on that, however it would be ready by this

meeting. Ms. Shick said she was expecting to have that wrapped up very soon. Mr. Dulchinos asked if the results of the report were changing, and Ms. Shick replied no. Mrs. Alan also stated that the Board would also like Mr. Couris, as chairman, to be present to discuss the report.

John Eldridge took to the podium again and noted that last month's total fund balance was \$11,011,000. This month, there is \$1.6mm increase in the fund balance, \$800k of which was in Open Space. Mr. Eldridge was looking for an explanation for the \$1.6mm or the \$800k, and Mr. Granger did not have an explanation for the numbers at this time. Mr. Eldridge also noted that he sent these questions/information to the BOS earlier today. Mr. Eldridge noted that the General Fund only contains April information (no YTD, and budget numbers are all zero). Mr. Eldridge feels he has trouble working with numbers as they are presented. Mr. Eldridge noted that Open Space *deposits (income) came up as negative on the Open Space *expense report which he also did not understand. Mr. Eldridge also brought up a response from Keystone Collects regarding taxes. Mr. Granger noted that our WVT records/accounts match Keystone to the penny.

Manager's Report: Mr. Granger noted that the federal government added the Northern Long-Eared Bat to the endangered species list. This determination requires the Township to update the already approved Pennsylvania Natural Diversity Inventory ("PNDI") reports for a few of our ongoing projects, most notably Fellowship Trail, Opalanie Park, and Jaine Lane Stormwater. Since the federal government is requesting all projects that have received PNDI clearance but not proceeded to construction to update their PNDI, this will result in numerous amounts of PNDI's being submitted to the DEP for re-review. This will probably create a backlog which may slow down our project timelines.

Carys Egan, 912 Kimberton Road, asked from the audience for additional information on the nature of PNDIs. It was explained that it was a way to safeguard the habitats of endangered species.

Old Business:

- MOTION by Mrs. Alan to **adopt Resolution 9-2023 – Intergovernmental Cooperation Agreement – Member of Chester County Emergency Response Commission**; second by Ms. Shick.

There being no comments or questions, *motion carries unanimously.*

New Business:

- MOTION by Mrs. Alan to **adopt Resolution 11-2023 – Approve Acquisition of Transfer of Development Rights in the amount of \$128,000 for tax parcel 25-3-107.2 (12.59 acres)** owned by John Eldridge and discussed at the earlier hearing; second by Ms. Shick.

There being no further comments or questions, *motion carries unanimously.*

- MOTION by Mrs. Alan to **approve final release of performance bond related to Wastewater Facilities in the Courts of Chester Springs in the amount of \$12,100**; second by Ms. Shick.

Mark Thompson corrected the initial amount of \$381,150 listed on the agenda. The developer provided an incorrect release amount since two previous releases had already occurred that reduced the amount to \$12,100.

There being no further comments or questions, *motion carries unanimously.*

- Ms. Shick **acknowledged Zoning Hearing Board Application- 986 and 990 Pottstown Pike – Pothouse Kimberton, LLC.** The date of the Zoning Hearing Board will be May 25, 2023, at 7pm.
- **MOTION** by Ms. Shick to **authorize bids for stormwater improvements and paving of Flowing Springs and Hilltop Road;** second by Mrs. Alan.

There being no further comments or questions, *motion carries unanimously.*

- **MOTION** by Mrs. Alan to **adopt Resolution 13-2023 – Establish Trail Plan Implementation Ad Hoc Committee;** second by Ms. Shick.

Barry DiLibero, 1012 Pottstown Pike, asked the BOS to explain what the duties will be for this group. Mrs. Alan read the powers and duties into the minutes:

“The Committee shall serve solely in an advisory capacity to advise the Township Board of Supervisors on the manner and locations to implement the Trail Plan. Such recommendations may include extensions of existing trails, the construction of trails on land owned/eased by West Vincent Township, and the location and size of trail heads. Further, the Committee may recommend purchasing or easing land for trails, seek legal, engineering and planning assistance, and suggest coordination with funding and conservation entities for regional and circuit connections. The committee shall report to the Township Manager.”

Kirk Reinbold, 668 Birchrun Road, asked if ad hoc committees will have a budget, and will this ad hoc committee work with Parks & Recreation (“P&R”) Mr. Granger said this committee will be added to next year’s budget, and they will be coordinating on certain projects with P&R.

There being no further comments or questions, *motion carries unanimously.*

- **MOTION** by Ms. Shick to **authorize advertisement for Ordinance 204-2023 - Amending Duties and Responsibilities of the Environmental Advisory Council** (“EAC”); second by Mrs. Alan.

George Dulchinos returned to the podium and wanted to know what the difference in this ordinance is compared to the original ordinance. Ms. Shick noted that there was a modification of the duties of the EAC since other committees have absorbed some of the duties written into the original ordinance. This establishes a better focus of EAC duties.

There being no further comments or questions, *motion carries unanimously.*

- Ms. Shick **announces requests for Letters of Interest from residents interested in serving on Trail Implementation Ad Hoc Committee.** It was also acknowledged that Andrew Kreider submitted his resignation from the Sustainability Committee. Residents looking

to volunteer for any of our committees should complete a volunteer application which can be found on our website.

- **MOTION** by Ms. Shick to **change of date and location for WVT Community Day to October 14, 2023, at Opalanie Park;** second by Mrs. Alan. It came to the attention of the Board that there is another large event at the Horseshow Grounds being hosted by a resident on October 21, so they opted to move the date up a week to October 14. They also feel there is sufficient reason to move the event back to Opalanie Park.
- **MOTION** by Ms. Shick to **adopt Resolution 15-2023 - Modifying Fee Schedule to Eliminate Escrows for Stormwater Management Applications;** second by Mrs. Alan.

There being no further comments or questions, *motion carries unanimously.*

- Ms. Shick started a discussion regarding two recommendations made by the Sustainability Committee ("SC"): **consider single-hauler for trash collection; and regulate single-use plastic bags.** Ms. Shick was looking for residential input from the floor.

Barry DiLibero returned to the podium and mentioned that the Trash Task Force did an investigation 5-7 years ago that did not support a single-hauler. Mr. DiLibero asked what may have changed to revisit this topic again so soon. Ms. Shick said the Board is honoring the request of the SC to look at their recommendation. Ms. Shick said she mentioned to the SC - which is made up of different members than during the last time the topic was discussed - that they should look at that report, but the committee is also looking at Township growth and would like the Township to revisit the topic.

Kirk Reinbold returned to the podium to note that he is no longer on the SC but said they have been looking at this topic the last year or so. Mr. Reinbold said that looking at a single-hauler has been recommended by the county planning commission as well as being a part of Landscapes3. Mr. Reinbold's main question was whether the Board had any ideas on next steps of what they (the Board) will ask the SC to do with this issue? Ms. Shick said the SC will help the Board listen to residents about this issue and make recommendations of what might be in an ordinance if the Board decides one is needed.

Carys Egan, 912 Kimberton Road, attended a conference on single-hauler 8-9mos ago. She left that meeting feeling it was in the best interest economically and for wear-and-tear on the roads. She liked the idea of lidded garbage receptacles to keep trash in containers since she has experienced the litter issue through her involvement with the Litter Lifters. She and her neighbors also have three sets of trash haulers on her lane, and she would love to have only one hauler. As for single-use plastics, her participation with the EAC and Litter Lifters has her considering plastics as a scourge on the environment. Ms. Egan recognizes the limited businesses in the township and is not sure of how impactful a single-use plastic ordinance would be, but she supports it just the same.

Elisabeta Sheehan, 2618 Flowing Springs, noted she is on the EAC. She asked if a single hauler is chosen, how would free-market be addressed? Could costs increase? For single use plastics, she doesn't like that but recognizes there are health concerns.

Mr. Reinbold returned to the podium to add more information. He said that single-hauler in our county is fairly rare. He said more boroughs are private versus contract. He noted the price he pays for trash versus the price and pick-up days at Weatherstone. There was a slide presentation given on December 21, 2022, by Chester County Solid Waste Authority. Mr. Reinbold does not believe that the Township was given the right to post the PowerPoint from that meeting, but he suggested seeing if a video from that meeting can be posted.

John Eldridge returned to the podium and added as a matter of interest that he does not pay for weekly trash pickup. Recycling materials are free, and he pays \$4 per trash bag for removal as needed.

Ms. Shick invited residents to email their thoughts to the Township and put "Trash" on the subject line.

- Ms. Shick set the date of June 19, 2023, for Conditional Use Hearing for Tangsipshiong/Tang application for Stormwater Facilities in Steep Slope which will be during the regular June Board meeting.

Public Comment on Non-Agenda Items

- Ellen Scott, 1743 Flint Road, read from her notes. She said some neighbors have asked her to present these thoughts. Flint Road has a lot of recreational activity. Ms. Scott feels there is an inherent danger in Flint Road given the 25MPH speed limit is too high for that road. Ms. Scott is putting the Township on notice that someone is going to get hurt.

Ms. Scott feels there are 4 dangerous features of the road: two (2) crossings at Bryn Coed; narrowing of the roadway in front of her home; and the blind hill. She is requesting that the Township consider putting in speedbumps along Flint Road.

- Carys Egan returned to the podium to speak as a recreational user of Flint Road. She is extremely concerned about the blind hill and spoke about her experiences as a driver, parent of a new driver, and a recreational user. She would like to see the road widened and traffic moving slower. She feels it is specific to Flint Road.

Mrs. Alan mentioned that Chief Swininger has started a Road Safety Committee that may be of interest to residents and should be brought up to this committee. When Mrs. Alan asked if there were any warnings posted about the blind hill, Ms. Egan said no signs of that nature are posted but also feels it wouldn't help.

- Ms. Scott returned to the podium to note that there is a *recommended speed limit of 15MPH as you go from Kimberton Road to the top of the blind hill, but recommendations cannot be enforced.

- Barry DiLibero took to the podium again. He suggested looking into a small digital speed sign using solar or batteries at each end of the road. Drivers may equate this to a cop being present. It would be cheaper than a speed bump.

There being no further discussion, the **MOTION** to adjourn was brought forward by Ms. Shick; second by Mrs. Alan. *Motion carries unanimously.*

Meeting adjourned at 8:11PM.

Respectfully Submitted,
Christina Casey
Assistant Township Secretary