

**West Vincent Township
Meeting Minutes
Board of Supervisors
September 18, 2023 7:00 PM**

Attendance: Bernie Couris, Chair, Dana Alan, Member, Mark Thompson, Solicitor, Jacqui Guenther, Township Manager, Kathy Shillenn, Township Secretary; Sara Shick, Vice Chair - absent

Mr. Couris called the meeting to order at 7:01 pm

Mr. Couris announced that there was an Executive Session held on September 14, 2023, for Personnel

Minutes: MOTION by Mrs. Alan to approve the minutes of September 18, 2023; second by Mr. Couris.

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

Announcements: None

Police Report: Mr. Couris, on behalf of the residents and the Board of Supervisors, thanked the Police Department for keeping everyone safe and for all the long hours spent on the escaped prisoner manhunt. Sgt. Russell read the police report; report acknowledged as received.

Barry DiLibero, 1012 Pottstown Pike asked that considering the escaped prisoner apprehension and the participation of law enforcement, how many hours and officers participated. How is the township billing the county for this? Mr. Couris stated that Mr. DiLibero would need to ask the Police Chief.

Thomas Helwig, 2024 Pottstown Pike asked what simulated firearms training is. Mr. Couris stated that Mr. Helwig would need to contact the Police Chief.

Treasurer's Report: Ms. Guenther read the Treasurer's Report which listed all the fund balances.

John Eldridge, 1634 Hilltop Road stated that he makes a condensed financial statement every month that he sends to the Board of Supervisors. He stated that the response that he received from the township was an insult. Ms. Guenther stated that in Mr. Eldridge's email it was stated that the Treasurer's Report had reached an all-time low. Ms. Guenther was just trying to say that Mr. Eldridge did not understand what he was reading.

Expenditures Report: Ms. Guenther read the Expenditures List and noted that there was a check that was lost in the mail which she had to re-cut for the Pulte Homes sewer portion.

George Dulchinos, 1415 Hollow Road asked again about the format and the truncated columns. He does not know how you can know what you are looking at to approve the bills list. Mr. Dulchinos would like to know if the Board of Supervisors knows what they are looking at. Ms. Guenther stated that the Board of Supervisors look at each bill before they sign the checks. Mrs.

Alan stated that the Board of Supervisors will receive this information on the Wednesday before the meeting. Mr. Dulchinos stated that this information is not very useful. Ms. Guenther discussed the difference between the expenditures report and the bills list. If there is a question about an invoice, a resident can ask for a copy of the invoice. Ms. Guenther stated that the previous bills lists were not accurate, and she feels that the public is gaining something rather than losing something.

Barry DiLibero, 1012 Pottstown Pike stated that if he understands correctly, the details are not in the report and that is a benefit for the public? Ms. Guenther stated that there is detail there, it gives the invoice number for the bills. If you want details, you can ask for a copy of the bill. Mr. DiLibero continued to discuss. Mr. DiLibero stated that the public will have to do a Right to Know for every bill each month.

Thomas Helwig, 2024 Pottstown Pike commented that there is a simple solution to this. Doing all the Right to Knows is insane. He also commented that there seems to be a desire to not provide the total package of information. Mr. Helwig also asked why the township cannot provide both reports. Ms. Guenther stated that she will not give the public an incomplete bills list for any reason.

John Eldridge, 1634 Hilltop Road feels that the public should get the bills list that they want. Mr. Eldridge also states that as far as the expenditures are concerned, the public is not interested in who gets what salary. Ms. Guenther stated that previously Mr. Eldridge complained that the expenditures were a lot more than the bill list and that Ms. Guenther over-exaggerated the expenditures. Mr. Eldridge also spoke again about the expenditure of the \$157,000 for a sewer bill. It was approved in June, and it has appeared on the list again. Ms. Guenther stated the check was lost in the mail and she put a stop payment on it; the check was re-issued.

MOTION by Mrs. Alan to approve the Expenditures Report for all Township Funds in the amount of \$277,567.86; second by Mr. Couris.

There being no further comments or questions, *motion carries 2-0.*

Manager's Report: Ms. Guenther's Manager Report shared the items in New Business that the township is working on.

Old Business:

Authorize Solicitor to Amend Zoning Ordinance and Advertise - Flint Road Speed Limit Reduction - 25 MPH: Ms. Guenther stated that she received the traffic study back from AI and that is the recommended speed limit. The solicitor now must advertise the ordinance and make the change.

MOTION by Mrs. Alan to authorize the Solicitor to advertise and amend the Zoning Ordinance regarding Reducing Flint Road Speed Limit to 25 MPH; second by Mr. Couris.

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

Tom Helwig, 2024 Pottstown Pike asked if the Cedar Hollow is hauling the ground up materials from the road. Ms. Guenther explained. They are supplying aggregate and hauling dirt.

Consider Cell Tower Proposal of Valore and P3 Cell Tower Company: Ms. Guenther stated that there are two proposals. One from Valore and one from P3 Cell Tower Company. Valore would like the township to decide since there is a resident in the township that offered to have a cell tower on their property. If the Board of Supervisors considers this, Ms. Guenther can have the lease agreements sent to the township solicitor. Mrs. Alan and Mr. Couris are both in favor of this.

Barry DiLibero, 1012 Pottstown Pike asked where the location of the cell tower will be. Ms. Guenther stated that it will be out behind the township building, behind the public works building on this side. Mr. DiLibero stated that the tower belongs at Schoolhouse Park.

George Dulchinos, 1415 Hollow Road asked if this was a motion, and do you know any of the details? Mr. Couris stated this is a recommendation; it will need to be researched further. Ms. Guenther stated that the solicitor will need to review the proposed lease agreement. Mr. Dulchinos asked what the amount of revenue would be. Ms. Guenther read what the revenue for each cell tower would be and noted that they are neck and neck. Mr. Dulchinos commented that the revenue would be a trivial amount. These discussions started with the former manager.

Discussion of the Human Relations Commission Ordinance: This discussion was tabled. Ms. Guenther stated that the purpose for making changes to this was because certain parties were not protected at the state level. The state has adopted new definitions and all parties and classes are now protected under the state. The question now becomes, does the township want to move forward with the ordinance changes or leave the actual complaints at the state level. Ms. Guenther also noted that she and the township solicitor feel that this should be left at the state level.

Robin Austin, 2735 Conestoga Road and Member of the Human Relations Commission did speak on the matter. Mr. Austin stated that he would categorize the summary as not complete. The Board of Supervisors had at a Board Workshop asked about the support of two ideas. One, does the ordinance need further definition as to the jurisdiction and two, the concern about going into investigations. Mr. Austin stated there are some state protections under state law. Ms. Guenther stated that the new definitions are in the PA Bulletin which passed the new definitions in June 2023. Mr. Austin stated that those definitions could change with a new administration. Mr. Austin also stated that the Human Relations Commission is only advisory to which Ms. Guenther replied that it was set up as an adjudicatory board. Mr. Thompson agreed with Ms. Guenther and stated it was set up as an adjudicatory board. This discussion continued in which Mr. Austin stated that it is about increasing communication.

Mr. Thompson stated that he could go back and look at the finer points and bring back to the Board of Supervisors' attention.

Barry DiLibero, 1012 Pottstown Pike asked why the township was changing the speed limit on Flint Road. Mr. Couris stated that it is due to the number of pedestrians crossing the road and the cars driving too fast. Also, how many complaints has the township received regarding people

being discriminated against in West Vincent? Mr. DiLibero stated none. There is no need to spend thousands of dollars on this for nothing.

New Business:

Resolution No. 16-2023 – Approve Acceptance of the Municipal and Community Clean Energy Transition Plans: MOTION by Mrs. Alan to approve the acceptance of the Municipal and Community Clean Energy Transition Plans; second by Mr. Couris.

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

Accept Bid for Road Materials from Cedar Hollow Recycling in the amount of \$67,120.00: MOTION by Mrs. Alan to accept the bid for Road Materials from Cedar Hollow Recycling in the amount of \$67,120.00; second by Mr. Couris.

Ms. Guenther discussed the bid, which is from Cedar Hollow Recycling, which the township has been working with for quite some time. The bid amount is \$67,120.00 and is for Recycled Blacktop Modified 2A Graduated and the hauling and disposal of dirt.

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

Accept Bid for Equipment from D. L. Fleck, Inc. in the Amount of \$140,400 – MOTION by Mrs. Alan to approve the Bid for Equipment from D. L. Fleck in the amount of \$140,000; second by Mr. Couris.

Ms. Guenther discussed this bid and noted that she spoke with our Road Master, Mike Hogga, who stated that the \$140,000 is an estimated total for equipment and labor and is never reached. The total depends on the equipment and hours used and the bid also includes snow removal.

Thomas Helwig, 2024 Pottstown Pike asked what the township gets for \$140,000. Ms. Guenther stated that we receive snow removal, the rental of equipment and man hours.

Barry DiLibero, 1012 Pottstown Pike asked if this bid is for operators and equipment and is insurance covered? Ms. Guenther stated that the insurance is good.

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

Discussion of the Opalanie Park Grants – Ms. Guenther stated that Mrs. Alan, Mrs. Shillenn, and she met with Olivia Braun from the DCNR and Jessica Adams from LTL Consulting to discuss the Opalanie Park Plans. The plans need to be finalized and sent to DCNR for approval before the township can start applying to get the grant funding. Ms. Guenther did apply for the initial \$125,000 which is in the works for the township to receive.

Public Comment on Non-Agenda Items:

Jim Bergey, 1433 Birchrun Road commented that there has been a lot of criticism of the Board of Supervisors, so he would like to recognize some accomplishments of the Board of Supervisors. Within the last couple of years many roads have been fixed. Mr. Bergey also would like to

recognize the work that the Road Crew has done an excellent job keeping track of things and servicing the community. Mr. Bergey wanted to put this on record and thanked both the Board of Supervisors and Road Crew.

Tom Burnam, Chester County Library gave the latest update of activities at the library.

Ann Famish, 90 Hilltop Drive, Downingtown, is a realtor and wanted to alert the Board of Supervisors and residents to a scam that is happening in the Chester Springs area. She has been contacted by people pretending to be residents who wanted to sell their vacant land. There are things that residents can do such as contacting the Recorder of Deeds. They offer a free program that residents can sign up for.

George Dulchinos, 1415 Hollow Road noted that last month there was a Historic Commission Ordinance change show up on the agenda. If it was on the agenda by mistake, you can change the agenda on the website. If it was a mistake, you should change it before the meeting to stop people attending for that reason. Agendas can be changed up until the meeting if it's something that is going to be removed. He also wishes that the township can be consistent with posting the meeting information.

Beverly Buckta, 7 Adelphia Lane spoke about the obstacle course on Denise Lane. She became aware of an event that was posted on Facebook. Mrs. Buckta asked several questions concerning whether there was a zoning permit issued for the use, is there an agreement between the township and the Duey's in this matter? Mr. Thompson, Township Solicitor discussed this matter. The township is aware of it and the zoning officer is reviewing all the information regarding this. The township is taking this seriously. Mrs. Buckta discussed this matter of the obstacle course further. Mr. Thompson stated that if there is further information about further events the Zoning Officer will review them.

Cheryl Lyle, 1063 St. Matthews Road stated she wanted to give background regarding a situation with the new home bills that were received. Ms. Guenther explained that Mr. Lyle had stopped in and paid the bill in full for \$1,066.36 and he was given the Letter of Credit back. Ms. Guenther stated that the Lyle bills are paid in full. Mrs. Lyle does not agree with the totals so she will go back and look at the bills. Mrs. Lyle does not agree with the totals.

Peter Zimmerman commented on the obstacle course and said that there have been small canine events at the obstacle course every weekend. Other residents continued to comment on this as well. Mrs. Alan's understanding is that the Duey's are only supposed to use the obstacle course for personal events. Mr. Zimmerman said the Dueys' schedule events with non-profits who then schedule the events there, so there are commercial activities going on at that property and have been for a while. Mr. Couris asked Mr. Thompson if having food trucks there constitute a commercial business on the property. Mr. Thompson stated that it appeared to. He feels this is a novel way to get past the business use. Mr. Thompson stated that Tracey Franey, the Township Zoning Officer will have to look at everything to determine what needs to be done.

Barry DiLibero, 1012 Pottstown Pike asked if there is a fine for having these events. Mr. Thompson said the fine is up to \$500 a day.

Dave Bucktus, 7 Adelpia Lane also spoke about the outdoor obstacle course. Mr. Bucktus stated that there is a Tribe event schedule for November. This does happen on a regular basis. This goes against the theme of the area having public events in a residential area.

Jim Bergey, 1433 Birchrun Road asked how the ordinance can be changed to make it meaningful fine for events like this. Mr. Couris said there is an event ordinance that the township has been working on well over 18 months and is soon to come.

Barry DiLibero cautioned the township against having an event ordinance, especially with the horseshow grounds and commercial areas.

Karen Lampy, St. Matthews Road commented on an observation she has seen when she comes to the Board of Supervisors meeting. Ms. Lampy stated that the rudeness that is displayed at this table is appalling. Ms. Lampy also stated that there is such disrespect and faces made to the residents; people at this table work for the residents. Ms. Lampy stated that she is being smirked at. Certain people make faces at residents, the residents get cut off and they're told to sit down. Mr. Couris stated that there is an order to the meeting.

Ken Alan, 21 Ivy Lane stated that on August 15, 2022 he brought up the idea of lowering the speed limit on Horseshoe Trail. Mr. Alan would like to ask the Board of Supervisors to reconsider the idea of lowering the speed limit on Horseshoe Trail. Mrs. Alan stated that she asked to eliminate the speed study and do a safety study. The former manager had done the study for the entire Horseshoe Trail, which was expensive. Mrs. Alan tried to reject that cost and to ask for the cost of just the area that was dangerous. That request for a smaller area was not honored. Maybe Mr. Alan can help and look at that specific costs for the smaller area of Horseshoe Trail and we could possibly move forward with it.

Tom Helwig, 2024 Pottstown Pike stated that last time at the meeting, he found out that the township was handing out free fuel, i.e. electric. Did anyone find out how much, when etc.? Ms. Guenther stated that the township is in the process of setting it up to use a QR code to pay for the electric when people plug in. We don't know what the cost is because it is mixed in with the kilowattage of the building. Mr. Helwig stated that he took the liberty to call the company; he says that there is software in the machine that can print out the reports. The company's name is Zevtron. Ms. Guenther stated that she is working with another company that installed the charger. She was not told about any reports. Mr. Helwig continued to speak about the issue of the EV charger.

Barry DiLibero stated that Tom is right. Barry stated that it's not Ms. Guenther. The hiring of John Granger was a train wreck. Ms. Guenther is picking up the pieces. This has to do with the three people on her right and there was no answer. It's been free electricity. Mrs. Alan said that she has been complaining about this for awhile and Ms. Guenther has been working on that.

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

The meeting adjourned at 8:30 PM.

Respectfully Submitted, Kathy Shillenn, Township Secretary