

**West Vincent Township**  
**Meeting Minutes (DRAFT)**  
**Board of Supervisors**  
**October 16, 2023 7:00 PM**

**Attendance:** Bernie Couris, Chair, Dana Alan, Member, Mark Thompson, Township Solicitor, Jacqui Guenther, Township Manager, Kathy Shillenn, Township Secretary; Sara Shick, Vice Chair – via phone

Mr. Couris called the meeting to order at 7:05 pm

Mr. Couris announced that there was an Executive Session held on September 20, 2023, and October 6, 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 2-1 with Ms. Shick abstaining.*

**Announcements:** Mr. Couris announced that Chief Swinger received a grant of \$20,000 for upgraded bodycams.

**Police Report:** Cpl. Kane read the police report. Report on file.

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

John Eldridge, 1634 Hilltop Road noted the balance of funds which he thought might be of importance. Also, Mr. Eldridge asked about the status of the audit. Ms. Guenther responded and explained why the audit is not yet finished. Since the books for 2022 are a mess, the audit cannot be completed until the books are corrected. This will require someone to undo the books that the previous treasurer did and then redo them. An accounting firm came in last week to look at the books and determined that it was too big of a job for them and recommended another accounting firm. Ms. Guenther will be calling the recommended accounting firm to see if they will be available for this work. To elaborate the township had seven treasurers in 2022. Each treasurer did things differently and almost everything incorrectly. A discussion on this topic continued.

Julia Braendel, 2472 Flowing Springs Road asked why the township had seven different treasurers. Ms. Guenther can't really answer that question. Ms. Guenther named the seven different treasurers, and they all were either fired or quit.

George Dulchinos, 1415 Hollow Road commented that regarding the audit, it looks like Marcum wrapped up in March, why did the township wait until July. Ms. Guenther stated that she sent an email to Barbacane, Thornton after Marcum was finished, which was in June; the auditor came back and said they could not do anything until the end of July. At the end of July, the auditor sent a young man out who was from a foreign country and was very hard to understand. The young man didn't understand a lot of what he was doing. He was unable to open QuickBooks, etc. The auditor was on vacation at that time; when the auditor came back, Ms. Guenther again asked where the audit was. The Board had a meeting with the auditor and at that time, the

auditor stated he could not do the audit and waited until the end of July to tell Ms. Guenther that the audit could not be completed. Mr. Dulchinos asked Ms. Guenther what the cost was going to be to have the books re-done, to which Ms. Guenther did not have the answer to. She would have to talk with the firms to see what they expected the cost to be.

Ms. Shick asked Mr. Thompson, township solicitor, if the statement that Ms. Guenther made regarding a non-American that was hard to understand and employed by another firm discriminatory. Mr. Thompson stated that no, he didn't believe it was. Ms. Shick's concern was that the township has a Human Relations Commission that is interested in outreach; she doesn't want the township to be guilty of things that the Human Relations Commission is trying to get the community to solve. Mr. Thompson stated that the township manager only made a comment that it was difficult to understand the young man. Ms. Shick stated that if we were having trouble communicating with this person, why did the township not contact Barbacane right away; Ms. Guenther stated that she did contact Barbacane. Mrs. Alan stated that the Board of Supervisors did have this conversation in executive session while Ms. Shick was in the hospital with very bad reception.

Tom Helwig, 2024 Pottstown Pike stated that he wanted to follow up because he didn't get any satisfactory answers to what was just talked about. Mr. Helwig asked who hired these treasurers? It seems to Mr. Helwig that this is a failure of management. Ms. Guenther stated that Mr. Granger was the named treasurer and that there must have been a disconnect between Mr. Granger and Peter Barsz, whose firm provided a few of the treasurers. Mr. Helwig stated that there is a credible lack of management in the township.

John Eldridge, 1634 Hilltop Road commented about the modified accrual system that was used during the year. Ms. Guenther stated that the treasurers did not know what the modified accrual was. Mr. Eldridge stated that modified accrual is not acceptable accounting. Ms. Guenther stated that modified accrual is no longer used.

Pieter Ouwerkerk, 11 Springlea Lane asked if all the treasurers came through an agency would the township have any recourse. Mr. Guenther stated that this is a legal matter.

Karl Brachwitz, West Vincent asked where the township was with the forensic audit. Has it been released? Ms. Guenther will check to see if it's on the website.

**Expenditures Report:** Ms. Guenther read the Expenditures List.

George Dulchinos, 1415 Hollow Road stated that 1/3 of the bills have no explanation for the people in this room. Mr. Dulchinos put in a Right to Know for the bills but won't see that for a few days. Mr. Dulchinos does not see any context as to what the bills are about. Ms. Guenther continued to explain. Ms. Guenther stated that someone previously manually manipulated the reports and Ms. Guenther stated that she would not do that. Mrs. Alan asked if the township could provide back up to the legal and engineering bills, which are the biggest bills. Ms. Guenther stated that she would be happy to do that.

Karl Brachwicz, West Vincent Township stated that the township used to provide a summary of each category so the public could see the information. Mrs. Alan asked Mr. Thompson if the township would include the supporting documentation, are there any legal issues with having

rebill information for property owners. Mr. Thompson stated that they are public documents which he would review to see if anything would need to be redacted. Mr. Brachwicz continued the discussion. Ms. Guenther stated that a summary of all funds is provided every month.

**MOTION** by Mrs. Alan to approve the Expenditures Report for all Township Funds in the amount of \$630,773.60; 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.

**Building Department Report:** Ms. Guenther read the Building Report for the month of August.

**Old Business:** Ms. Guenther stated that the MS4 Permit is now in the DEP review process due to a backlog.

**New Business:**

**Approve Valore Cell Tower Lease** – Ms. Guenther discussed this. The revised lease agreement with Valore is attached to the manager's report. This is for the cell tower to be built on township property. Both parties are happy with the revised agreement. Valore is looking for approval of the lease agreement so that the parts for this cell tower can be ordered. If you are outside, you will get a 1.5-mile radius for cell phone coverage. Under a heavily wooded area you would get less coverage. Ms. Shick asked if there is a map of the enhanced coverage area that could be posted.

Sherry Weber, Valor, LLC explained the cell tower coverage areas. T-Mobile and Verizon have expressed interest in this area and provided plots for the area. Ms. Weber stated that it would be about 6 – 8 months before the cell tower is completed. Mrs. Alan questioned the language in the lease agreement. Ms. Shick asked what would be done if the township didn't want the tower anymore. Mr. Thompson stated that there is an option every five years, if the township doesn't have any carriers on the cell tower the township could have it removed; the lease could also be sold. Mr. Thompson has reviewed the lease agreement and is satisfied that all the township's comments have been addressed.

Barry DiLibero, 1012 Pottstown Pike stated that he is assuming that the companies interested in the cell tower are not co-located on the Fire Company tower. Ms. Weber from Valore stated that the companies interested are co-located on the Fire Company tower, however, there is still a need for a tower in this location. Mr. DiLibero stated that this is a huge waste of the tower being in this area and should be in the Birchrunville area.

Karl Brachwicz, West Vincent Township asked if the income for the cell tower will be increased annually. Mr. Thompson stated that it will be increased 10% for the initial five-year term and for each five-year term thereafter, there will be a 10% increase. For each co-location on the tower there will be an additional \$500. Mr. Brachwicz stated that these numbers will be behind the rate of inflation at this point.

Mr. Brachwicz stated that another concern is still trying to figure out what to do with the police department and the needs for the township campus; Mr. Brachwicz stated that there are other locations in this township for the police department which he would be happy to speak with the Board of Supervisors about. Mr. Brachwicz stated that he can think of four other places in the township for the police department. Another concern for Mr. Brachwicz is the viewshed area where the cell tower would be located. Mr. Brachwicz continued with his discussion and asked the Board of Supervisors to hold up this cell tower contract to at least amend the contract to add in the annual cost of inflation. Mr. Thompson added that in his discussion with Valore, the agreement terms were the best that Valore could offer.

Sherry Weber, Valore, LLC stated that there are multiple things that go in to locating towers and they also must follow the zoning ordinance. The carriers are indicating that there is a gap in coverage in the location chosen. Ms. Shick commented that the Board must do due diligence for the residents.

George Dulchinos, 1415 Hollow Road asked if Opalanie Park is a possible site. Ms. Guenther stated that there are deed restrictions at the park. Mrs. Alan feels that Opalanie Park is the right place for a cell tower. Ms. Shick spoke with Natural Lands, and they are willing to look at the contract and have their lawyers and conservation people look at it. Ms. Weber stated that T-Mobile was interested in the spot at the township building and would possibly be interested in Opalanie Park.

Karl Brachwicz, West Vincent Township asked if the easements for the ground at the township have been looked at. Mr. Brachwicz asked if the township is aware of the restricted use of this parcel. Mr. Thompson will look at the easements.

Tom Helwig, 2024 Pottstown Pike commented that the township should look at location as to what percentage of residents will gain from this cell tower. Mr. Helwig asked if would not be reasonable to serve more townships residents instead of traffic down Route 401.

Julia Braendel, 2472 Flowing Springs Road stated that as much as she would like to have a cell tower in the middle of Birchrunville, she feels that it is very necessary to have a cell tower in this area.

Carys Eagen, 1912 Kimberton Road thanked the Board of Supervisors for pursuing the cell tower; there are issues with cell coverage in West Vincent Township. This is the perfect first step for this issue.

**Approve Resolution No. 17-2023 - Establishing Traffic Safety ("Ad Hoc") Committee:**  
**MOTION** by Mrs. Alan to approve Resolution No. 17-2023 - Establishing the Traffic Safety Ad Hoc Committee; second by Mr. Couris.

Mrs. Alan asked what the people being involved with this are going to gain in being official. Mr. Couris stated that it will be a legitimate committee; it is an "Ad Hoc" Committee so it will have a specific purpose and be for a certain period. Ms. Guenther stated that the Police Chief had asked for this resolution. Mr. Couris stated that the Police Chief asked that the committee be an "Ad Hoc" committee. Ms. Shick stated that she feels that this was overzealous. The Police Chief spoke to the people on the committee, and this is the way the committee wanted to go. Ms. Shick asked

when the meeting was and was it advertised for the public to attend. Mr. Couris stated that the meeting was two weeks ago. Mrs. Alan stated that if this is made as a formal committee then the meetings will be published. Ms. Shick asked for the names of the people on the committee. Mr. Couris named himself, Officer Nick Rubino, Ted Otteni, Ken Alan, Whitney Jaeger, Adrienne Boyance, Frank Costanza, Jane Nina.

Karl Brachwicz, West Vincent Township stated that there is a plethora of committees in this township and there is a lot of administrative work that goes into chasing these committees. He doesn't understand why the Police Chief wants an official committee. Mr. Brachwicz continued this discussion.

Donna Delany, Beaver Hill Road stated that she would like to thank the Board of Supervisors for listening to a lot of our residents' number one complaint which is road safety. Mrs. Alan wanted to comment that she is all for a committee if there is public interest.

Tom Helwig, Pottstown Pike commented that there is a never-ending creep of government. He's not interested in road safety, too much focus on that. Should look at other concerns and focus on business that needs to be taken care of.

Ken Alan, Ivy Lane stated that he is someone that is part of the traffic committee. There is excitement of the people on this committee. Mr. Alan stated that if anyone has an issue with the committee or is curious about it, visit a meeting.

Larry Stone, Birch Run Road stated that safety is important; he walks the roads which are much scarier to walk now. The roads need to be made safer and Mr. Stone feels that this issue needs to be addressed.

Carys Eagen, Kimberton Road she has been appointed to an Ad Hoc committee, the Litter Lifters Committee. Ms. Eagen wants to dispel any talk that the committee is costing the township money, they are volunteers. The cost to the township is miniscule and the value to the township is huge. There is some liability that is needed so there is an official connection with the township.

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

**Adopt Ordinance No. 207 - Amending the West Vincent Code of Ordinances, Chapter 338, Regulating Maximum Speed Limits on Certain Roads within West Vincent Township - Flint Road - 25 MPH - Between St. Matthews Road (SR 1031) and Kimberton Road (T-561) a distance of approximately 4,500 feet - MOTION** by Mrs. Alan to adopt Ordinance No. 207 to amend the West Vincent Code of Ordinances, Chapter 338, Regulating Maximum Speed Limits on Certain Roads within West Vincent Township - Flint Road - 25MPH - between St. Matthews Road and Kimberton Road a distance of approximately 4,500 feet; second by Mr. Couris.

Julia Brandel, Flowing Springs Road stated that since Flint Road was already posted at 25MPH, and the ordinance is being changed to reflect that so that now enforcement can be done. There is an issue with the blind hill; is there anything else going to be done to alert people?

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

**Approve 2024 Uniform MMO for \$140,637.00 - MOTION** by Mrs. Alan to approve the 2024 Uniform MMO for \$140,637; second by Mr. Couris.

Ms. Guenther stated that the Board of Supervisors can include an unfunded liability amount of \$28,232.00 to the original amount.

Mrs. Alan **AMENDED** the **MOTION** to include the amount of \$28,232.00 in unfunded liability; second by Mr. Couris.

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

**Approve the Valore LLC Cell Tower Lease - MOTION** by Mrs. Alan to approve the Valore, LLC Cell Tower Lease.

Mr. Couris stated that he will not second. There are issues to look at such as the easement factor, inflation factor and the need of two towers. Opananie Park is another issue, and Mr. Couris is not sure if the township was denied in putting a cell tower at Opananie Park.

The **MOTION** fails due to lack of a second.

**Request by Honeybrook Properties, LLC for the release of \$81,798.80 in Financial Security -**

Mr. Thompson, the township solicitor explained the issue with the request. Mr. Risbon has not complied with the approved land development plan and there was also an amended plan which was not complied with. The MPC states that the Board of Supervisors need to make the decision on whether to release the financial security.

**MOTION** by Mrs. Alan to **DENY** request by Honeybrook Properties, LLC for the release of \$81,798.80 in Financial Security; second by Mr. Couris.

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

**Public Comment on Non-Agenda Items:**

Barry DiLibero, Pottstown Pike stated that it's been a month since the Cavalcante apprehension, does anyone know how much this cost the township for the police presence? Mr. Couris stated that the township will be paid for by the county.

Larry Stone, Birch Run Road stated that he thinks the interim manager is overwhelmed. Mr. Stone stated that Mr. Couris said he would take responsibility and he should hire a hire treasurer. It's not fair to ask the manager to do the manager's job and the treasurer's job. Mr. Stone also asked what the schedule was to see the budget for next year.

Donna Delany, Beaver Hill Road stated that everywhere she goes, people tell her that they cannot compare to West Vincent Township. Ms. Delany stated that we are so honored for the volunteer commitment; it saves taxpayer money. The township should celebrate not criticize volunteers. Ms. Delany says that the township is honored everywhere.

Karen Lampy, St. Matthews Road asked about the EV station and when the swipe will be added to that people can be charged. Mr. Couris stated that this is in PECO's hands right now. Ms. Guenther stated that everything is installed, and the township is waiting for PECO to turn their end on. Also, Ms. Lampy stated that Fall Fest was very good and thanked the township for the native plants.

Tom Helwig, Pottstown Pike stated that he heard recently that there has been some unsafe behavior. Mr. Helwig asked if the township requires the hired contractors to drug screen their employees. If someone smashes something up, are they required to take a drug screen? It was brought to his attention that there is something unsafe going on. Mr. Helwig stated that he is here to question liability.

Elisabetta Flowing Springs Road, asked if anyone was high at the front table, how would she know? She doesn't know what the gentleman was talking about. Also, regarding volunteers, she disagrees with the statement that volunteers do not cost the township money. She is a volunteer. She knows that she costs the township money; when she has an idea, someone must approve, review, disagree with it. People from the township administration get paid for that time. Financial Reports, Raw data needs to be transformed into information. She doesn't have a degree in finances, but she wants to know what happens with the money.

Tom Helwig, Pottstown Pike asked if the Board fully understands what he has been asking. Is there some confusion about what he is asking for. Why is it not a requirement when a contract is out to bid that the employees are required to be drug tested.

Ed Latshaw, Township Engineer stated that contracts need to have general provisions, special provisions, and safety provisions.

George Dulchinos, Hollow Road commented that for a meeting, he knows that the meeting packet is pulled together for the Board to review; he would like the meeting packet posted to the website. He wants the reference items to be available. It's election time, Mr. Dulchinos received a memo that there is no campaigning in the lobby. Why is the sidewalk in front of the building excluded. Why is there a restriction outside the building. At the top of the ramp, there is room for people to campaign and he would like to know if there is a compelling state interest to exclude people from that area. Mrs. Alan feels that people should be allowed to congregate in the lobby. Mr. Dulchinos asked if the Board would consider making a motion. Mr. Couris stated no. This discussion continued.

Carys Eagen, Kimberton Road stated she appreciated Mr. Dulchinos' point; Ms. Eagen stated that she does know that there are a lot of concerns from voters who feel uncomfortable walking up the walkway. Mrs. Eagen has felt the doorway was blocked; this has happened and people do feel intimidated.

Tom Helwig, Pottstown Pike stated that he feels in the 23 years he's been here, he feels that this is appalling. He will not have anyone restrict his rights as American citizens within the guidelines set by the federal government.

Jeff Goldberg, Sundance Drive stated that he wanted to set something straight. It is not the job of the landlord to keep the voter from being intimidated and to making sure there is clear access in

and out of the polling place; it is the constable's job. The times that he was here he did not see the doors blocked. Mr. Goldberg continued his discussion.

There being no further discussion, the **MOTION** to adjourn was brought forward by Mrs. Alan; second by Mr. Couris. *Motion carries 2-0.*

The meeting adjourned at 9:45 PM.

Respectfully Submitted,  
Kathryn Shillenn, Township Secretary

DRAFT