

**West Vincent Township
Meeting Minutes
Board of Supervisors
February 20, 2024 7:00 PM**

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

Mrs. Alan called the meeting to order at 7:06 pm.

Mrs. Alan announced that Executive Sessions were held on January 30, 2024, for Real Estate Discussion and February 12, 2024 for Legal Discussion. An Executive Session was held prior to this evening's meeting at 6:00 pm for a Legal Discussion.

Announcements: Mrs. Alan read several announcements pertaining to the Police Department. The Department has received a \$5,000 grant award (2022) through the Chester County Community Foundation for the Body Cam Fund. The Police Department also received a \$5,000 grant award through DVHT to offset the price for Lexipol. This grant will continue annually with 40% of the original \$4,500 paying the cost of the annual subscription/maintenance fee. Lexipol is a Police Policy Management Platform.

Sgt. Russell received a very nice thank you letter from a resident for Sgt. Russell's assistance in responding to the resident during a snowstorm when the resident's car slid off the road. Chief Swinger also sent an email to the Board of Supervisors recognizing the great job that Public Works did during the recent snowstorm.

Minutes:

MOTION by Ms. Shick to approve the minutes of January 16, 2024; second by Mr. Couris.

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

Police Report: The Police Report is located on the Township Website, on the Police page.

Treasurer's Report:

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

John Eldridge commented about the missing page in the Treasurer's Report and the Open Space Fund page is missing altogether. Mr. Eldridge also complained that the Financial Reports are hard, almost impossible to find. Mr. Eldridge had a meeting in the township on January 8th and the solicitor was asked what would make the meeting legal. There was supposed to be a meeting in February, and it was cancelled. The solicitor then changed his mind and said that the township consulted with him, and they cannot have a meeting. Mr. Onorato stated that he never changed his mind. Mr. Onorato stated that elected auditors do not have a place to do any auditing and they do not have the ability to demand a meeting. Mr. Onorato stated that he never said that the staff and supervisors could not meet with you. Mr. Onorato stated that it was inappropriate to have the elected auditors process going on while the audit is going on. Mr. Eldridge asked Mr. Onorato who told him to make the change regarding the meeting. Mr. Eldridge blamed Ms. Guenther. Mrs. Alan stated that she was getting clarification from Mr. Onorato. It was felt that

the staff needed a bit of breath to focus on the 2022 audit until it's finished. Ms. Shick is supporting the elected auditors; they were not trying to audit the books, the elected auditors had specific questions. Mr. Eldridge continued the discussion.

Jamie McVicker stated that he agrees with John Eldridge in terms of finding the reports which he just found 20 minutes ago. Mr. McVicker thinks it's a good idea to wait until after the audit is finished. Mr. McVicker asked Mr. Onorato if he spoke generally; not legally saying they cannot meet. Mr. McVicker asked how difficult it would be to add a column to show where these funds stood last year. Mr. McVicker also asked when the reports were posted. Ms. Guenther stated they were posted Friday afternoon. Mr. McVicker stated that in looking at the profit and loss he says there are a lot of negative balances in healthcare. Did the township not pay the health insurance? There is no reflection of payment in January. Ms. Guenther stated that it is on the expense list. Mr. McVicker also asked about snow contractor services. Ms. Guenther stated that is included in the bid for Equipment and is used when Public Works needs help with snow plowing.

Julie Braendel stated that she didn't have any trouble finding the reports; but the Treasurers report is under February not January. The Treasurer's Report needs to be moved to the correct month.

John Eldridge commented that the new auditor stated that it would be inappropriate to write one or two checks after the end of the year. Ms. Guenther stated that she only did this at the end of the year; the auditor stated that he preferred that she didn't do that; it's not a felony or crime. Mr. Eldridge asked if the manager was going to predate checks monthly. Ms. Guenther stated that she does not predate checks, she only did that for two checks at the end of 2023. Mr. Eldridge stated that if the checks are all cut you can run the financial statements. This discussion continued.

George Dulchinos asked what the status of the 2022 audit is. Mr. Onorato stated the audit is still in the works. Bob Bezgin was hired to adjust the 2022 numbers in QuickBooks. It's nearly complete, Mr. Bezgin has one more day of work to complete.

Expenditures Report:

Ms. Guenther read the Expenditures List.

MOTION made by Ms. Shick to approve the Expenditures List for all Township Funds in the amount of \$254,590.14; second by Mr. Couris.

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

Manager's Report: Ms. Guenther read her report. The township has applied for an MS 4 Waiver, and we have been waiting for the DEP to let us know if they will grant the waiver. To get the waiver, we need to have a pet waste ordinance in place. Ms. Guenther will get together some proposals to be put on the agenda for next month. The Citadel Credit Card has come in. This will be used for office supplies, paying PSATS, etc., all township related. The credit card machine is now up and running in the office. We can accept all major credit cards and debit cards for in person purchases only. The Valore cell tower Geotech personnel will be coming out tomorrow to do the Geotech work. This is a soil study that is needed so that they can obtain the soil structure parameters so that they can obtain the correct location for the tower. They will drill a small hole

about 20 ft. below grade. The bamboo ordinance is something that the township needs to look into. There is a lot of bamboo coming down around the township. The township really needs an ordinance in place so that the residents will maintain the bamboo, especially if the bamboo is near the roadway. Ms. Shick asked if there are any other nuisance plants that should be included in the ordinance. Ms. Guenther will check with the roadmaster on whether there are any other nuisance plants.

Julia Braendel asked if there is a way to have an ordinance stating any bushes, branches, trees, need to be cut back if they are in the right of way and fall into the road. Ms. Guenther stated that if the branches are in the right of way the road crew will come out and cut them back. The township does have an ordinance that requires residents to maintain the brush to keep it out of the right of way.

OLD BUSINESS:

Appoint Al Frederico as Traffic Engineer – MOTION by Ms. Shick to appoint Al Frederico as Traffic Engineer; second by Mr. Couris.

Ms. Shick does not see that the situation has changed since the previous discussion about getting more than one source. Ms. Guenther stated that she did reach out to other engineers and did not get any responses. Mr. Frederico does not work for a large firm so he can do things at a much more inexpensive rate.

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

Set the Rates for Garden Fees at \$35.00/\$45.00 Residents, \$55.00/\$65.00 Non-Residents – MOTION by Ms. Shick to set the Garden Rates for Garden Fees at \$35.00/\$45.00 Residents, \$55.00/\$65.00 Non-Residents; second by Mr. Couris. Ms. Shick noted that the \$35.00 is for a 10 x 20 plot for residents.

Julia Braendel asked about the two different size plots and different prices for residents and non-residents, and if the fees cover the water expense. Ms. Guenther stated that the average for water is about \$2,100 per year. Ms. Braendel asked if that amount will cover the expense. Mr. Couris stated that it depends on how many plots are taken. Ms. Braendel feels that Township residents should not have to pay for other people's water, especially non-residents. Ms. Braendel also asked if the Supervisors have ever thought about adding an assessment. The assessment might make people a little more cautious when they are using water. What is the percentage of residents vs. non-residents in the garden? Mrs. Alan stated that it was decided that they would not kick out any non-residents but would not take any new non-residents.

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

Appoint Maille, LLP as West Vincent Township Auditor – MOTION by Mr. Couris to appoint Maille, LLP as the West Vincent Township Auditor; second by Ms. Shick.

John Eldridge asked if we really are hiring the accounting firm or the individual, Chris Herr. Ms. Guenther stated that the township is hiring Maille, LLP and Chris Herr is their representative. This discussion continued. Ms. Shick is opposed to the process of hiring the auditor.

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

NEW BUSINESS: The Board of Supervisors acknowledged the resignation of Chelsea Bellay from the Planning Commission.

Appoint Bob Linn, Architect, to Work on Plans for the Administration/Police Building – MOTION by Mr. Couris to appoint Bob Linn, Architect, to Work on Plans for the Administration/Police Building; second by Ms. Shick.

John Eldridge asked what the plans are. Ms. Guenther explained. The township is not building new buildings; the current space will be reassessed. There is just not enough room for the police or anyone for that matter. Mr. Linn is very well versed in what townships and police departments need. He is also very reasonably priced for an architect of his caliber.

Julia Braendel asked if the township is hiring an architect for the reconfiguration of the plan, is there a budget for this? Ms. Guenther commented that first the township will need to get the proposed plans. Then the township will be given the cost, and then a decision will be made. Ms. Shick also wanted to comment about the process of hiring the architect.

There being no further comments or questions, *Motion carries 2-0 with Ms. Shick not voting.*

Approve Appraisal Fee of \$2,000 for an Easement – MOTION by Ms. Shick to approve the appraisal fee of \$2,000 for an easement; second by Mr. Couris. Mr. Onorato stated that the property is not being identified as to not compromise the township's position.

George Dulchinos asked if this would be the appraisal of the easement or property. Mr. Onorato stated the easement. Mr. Dulchinos also wanted to follow up on the discussion of the 25% for maintenance. Mr. Onorato explained. The current statute allows 25% for open space maintenance and those funds can be used to maintain property that came to the township by other means. This discussion with Mr. Dulchinos continued.

Julia Braendel asked if the township must fund 25%. The township can fund up to 25%. If the township does not have a fund, doesn't the township still have to figure out the hours that public works spent on projects.

Jamie McVicker wanted to clarify if the \$2,000 was on the appraisal of the value of the easement. Does that \$2,000 come out of the Open Space fund? Mr. Onorato stated yes.

Megan Emery started to ask about the impact of not having the 2022 audit not being complete. Mrs. Alan asked her to wait until the public comment.

John Eldridge asked if the 25% is under the new Act 115. Mr. Onorato is not sure what Mr. Eldridge is asking. Mr. Eldridge asked if the township was interested in giving a tax break on eased properties.

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

Approve Contract for Phoenix Language Services, Inc. – MOTION by Mrs. Alan to approve contract for Phoenix Language Services, Inc.; second by Mr. Couris. Mrs. Alan explained. This was requested by the Human Relations Commission. This would be for people that come into the township that would have a language barrier and would need to communicate with the township. There is no cost unless the service is being used.

Julia Braendel asked what the cost is. Ms. Guenther stated that the rates vary.

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

Public Comment on Non-Agenda Items:

Megan Emery asked what the impact is of the 2022 audit not being completed. Mr. Onorato stated that it could have an impact. It could affect the township grant applications. Could the 2023 audit be delayed as well? The 2023 audit cannot be completed until the 2022 audit is complete. Ms. Emery asked if there wasn't more urgency in getting the 2022 audit completed. Can the township put more urgency on getting this audit completed?

Steve and Debbie Reichert asked if they could be put on the agenda for a future meeting. This is regarding the water issues from the new house being built across from them. Mrs. Reichert stated that she has brought this up to the township and sent many emails that were not answered by the township. She did meet with Norm from LTL. The water issues on their property are getting worse since the property was sold by Mr. Eldridge and the new owners have started building. Mr. and Mrs. Reichert continued to explain the situation on their property. Ms. Guenther explained this issue. The zoning officer and engineer have both looked into this. Mrs. Reichert has videos and pictures and would like to be on the agenda. The township can not pipe water into their private drain. Mr. Onorato stated that he would get a date where the township can get everyone together and then will let the Reicherts know when they will be able to meet.

Timothy Sweet who is the president of the Byers Station II HOA is asking the township to support getting Lennar to fix the defects on the common property that the HOA must maintain. They have been trying for five-years to get Lennar to fix the problems. He is asking the township to not release any maintenance bond until everything is fixed. Ms. Guenther is aware of the punch list and Arro is working on the punch list. No money will be released until all the work is completed and approved.

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

The meeting adjourned at 8:30 PM.

Respectfully Submitted,
Kathryn Shillenn, Township Secretary