

**West Vincent Township
Board of Supervisors
Reorganization Meeting & Business Meeting**

January 6, 2020 7:00 PM

Attendance: Mike Schneider, Chairman, Bernie Couris, Vice Chairman, Sara Shick, Member, John Walko, Township Solicitor, Erica Batdorf, Township Manager, Kathy Shillenn, Township Secretary

Chairman Schneider called the Reorganization Meeting to order at 7:00 p.m.

Oath of Office – David Brown gave the Oath of Office to Sara Shick, Supervisor and Yvonne Brownlee, Tax Collector.

Mr. Couris nominated John Walko as Temporary Chairman and Temporary Secretary; second by Ms. Shick. *Motion carries unanimously.*

Mr. Walko opened the floor for nominations of **Chairman**. Mr. Couris nominated Mr. Schneider as **Chairman**; second by Ms. Shick. There were no other nominations. *Motion carries 2-1, with Mr. Schneider voting no.*

Ms. Shick nominated Mr. Couris as **Vice-Chairman**; second by Mr. Schneider. *Motion carries unanimously.*

MOTION by Mr. Couris to adopt the 2020 Appointments as follows:

Reappointment of Kathy Shillenn as Township Secretary.

Reappointment of Michele Hogrelius as Township Treasurer.

Appointment of Arthur C. Miller, Jr. to the Planning Commission for a 4-year term to expire 12/31/23; reappointment of George Martin to a 4-year term to expire on 12/31/23.

Appointment of Kathy McDevitt to the Environmental Advisory Council, for a 3-year term to expire 12/31/22; reappointment of Victoria Laubach for a 3-year term to expire 12/31/22.

Reappointment of Jody Reinbold to the Open Space Review Board for a 5-year term to expire on 12/31/24.

Reappointment of Ann Dyer to the Zoning Hearing Board for a 5-year term to expire on 12/31/24; appointment of Patricia Rugh to the Zoning Hearing Board as Alternate for a 3-year term to expire on 12/31/2022.

Reappointment of Bill Dietrich & Bill Holderness to the Park and Recreation Commission both for a 5-year term to expire on 12/31/2024; appointment of Ray Wanger to fill remaining Park and

Recreation Commission 1-year term to expire on 12/31/2020; appointment of Eugene Briggs to fill remaining Park and Recreation Commission 2-year term to expire on 12/31/2021.

Appointment of Kirk Reinbold & Darryl Brown to the Sustainability Committee both for a 3-year term to expire on 12/31/2022; reappointment of Tom Kalusky to the Sustainability Committee for a 3-year term to expire on 12/31/2022.

Appointment of Karl Brachwicz to the Historical Commission for a 5-year term to expire on 12/31/2024.

Township Solicitor - Hamburg, Rubin, Mullin, Maxwell & Lupin, PC

Township Manager - Erica Batdorf

Zoning Officer - Cedarville Engineering Group

Building Code Officer - Arro Consulting

Building Inspector - Richard Raichle

Treasurer - Michele Hogrelus

Township Secretary - Kathy Shillenn

Code Office Assistant - Jason Barron

Police Secretary - Ruth McVey

Payroll Clerk - Evolution, Inc.

Tax Collectors - Berkheimer Associates and Keystone Collections Group

Tax Hearing Officers - Berkheimer Associates and Keystone Collections Group

Engineer - Bryan D. Kulakowsky, P.E. - Arro Consulting

Road Master - Reggie Roy

Part-Time Park Maintenance - Vacant

Animal Control - Glenn Deery

Police Chief - Michael Swininger

Emergency Management Director - James Gooding

Emergency Management Board Liaison - Mike Schneider

Depositories - DNG First, PLGIT, US Bank

Voting Delegate to State Convention - Michael Schneider

Elected Auditors - John Eldridge, Jamie McVickar, Jane Altmann

CPA and External Auditor - Barbacane, Thornton & Company

Vacancy Board Chairman - John Reider

Open Records Officer - Erica Batdorf

Northern Federation Representatives - Manager, Erica Batdorf; Board of Supervisor Representative Sara Shick, Planning Commission Representative George Martin

Phoenixville Regional Planning Committee Members - Sara Shick, Voting Member; Michael Schneider, Alternate Voting Member; Erica Batdorf, Manager; Julie Foster, Planning Commission Member

Agriculture Security Board, 1-year terms to expires 12/31/2020 - Kenneth I. Miller, Jr., Thomas Olszanowski, Wheeler Aman, Harry Emery, Raymond Nestorick

Second by Ms. Shick. *Motion carries unanimously.*

MOTION by Ms. Shick to approve and adopt the **2020 Township Meeting Date Schedule** as follows:

Meetings will be held on the 3rd Monday of every month at 7:00 PM with the exception of January, which will have two meetings; (if such meeting falls on a holiday*, then the meeting shall be held the following day; Workshop 1st Monday of the month at 7:00 PM). Board of Supervisors Workshops will be held as needed. Please check the Township calendar for updates.

Board of Supervisors

January 6**, 21*	July 20
February 18*	August 17
March 16	September 21
April 20	October 19
May 18	November 16
June 15	December 21

* Holidays/Tuesday Meeting

** Reorganization Meeting at 7:00 PM

Environmental Advisory Council – 1st Thursday of the month at 7:00 PM; January’s meeting will be the 2nd Thursday of the month at 7:00 PM

Open Space Review Board – 4th Tuesday of the month at 7:00 PM

Park and Recreation Commission – 1st Wednesday of the month at 7:30 PM; January’s meeting will be held on the 2nd Wednesday of the month at 7:30 PM

Planning Commission Regular Meeting – 3rd Thursday of the month at 7:30 PM and Workshop the 2nd Thursday of the month at 7:30 PM

Sustainability Committee – 3rd Tuesday of the month at 7:30 PM and Workshop the 2nd Tuesday of the month at 7:30 PM

Historical Commission – 2nd Tuesday of the month at 7:00 PM

Karl Brachwitz, 1286 Hollow Road stated that he was curious about the meeting policy. It wasn’t that long ago that it was decided to have the two meetings a month. The point of having the public meetings is to interact with the Board. Also you can’t pay bills once a month. He feels that the board is isolating the public. He feels it’s a bad precedent to set. Ms. Shick asked if the board would want to reconsider the schedule. Mr. Couris stated no. Ms. Shick asked that if they are notified that there will be a meeting, would it be conducted as a formal meeting or as a workshop. How will it be conducted? Mr. Schneider stated that we do have a workshop scheduled for the 1st Monday. He likes the workshop better, it will enable residents to come and talk about anything. Ms. Batdorf stated that if it’s more presentation and informative, that would be the conduct of a workshop. Mr. Schneider stated that the bills list will be taken care of, since the Board ratifies bills. The regular business will be handled on the third Monday.

Second by Mr. Couris. There being no further comments or questions, *Motion carries unanimously.*

MOTION by Ms. Shick to approve and set the amount of the Treasurer's Bond in the amount of \$2,000,000; second by Mr. Couris. Mr. Schneider asked for comments from the audience, seeing none. *Motion carries unanimously.*

MOTION by Ms. Shick to adopt Resolution No. 1-2020 establishing Emergency Service Providers for West Vincent Township; second by Mr. Couris. Mr. Schneider asked for comments from the audience, seeing none. *Motion carries unanimously.*

MOTION by Ms. Shick to adopt Resolution No. 2-2020 establishing the Township Manager's Compensation at \$115,689.60 per annum; second by Mr. Couris. Mr. Schneider asked for comments from the audience, seeing none. *Motion carries unanimously.*

MOTION by Ms. Shick to adopt Resolution No. 3-2020 in the form presented establishing the mileage reimbursement at \$.58 per mile following the Federal Guidelines for 2020; second by Mr. Couris. Mr. Schneider asked for comments from the audience, seeing none. *Motion carries unanimously.*

MOTION by Ms. Shick to approve Resolution No. 4-2020 in the form presented appointing Barbacane, Thornton & Company of 202 Bancroft Building, 3411 Silverside Road, Wilmington, DE 19810, a firm of certified public accountants, to replace the elected auditors in accordance with Section 917 of the Second Class Township Code, 53 P.S. § 10917; second by Mr. Schneider. Mr. Schneider asked for comments from the audience, seeing none. *Motion carries unanimously.*

MOTION by Ms. Shick to adopt Resolution No. 5-2020, Adopting the West Vincent Township Fee Schedule for 2020 in the form submitted to the West Vincent Township Board of Supervisors at the Reorganization Meeting, consisting of 7 pages including sections for Residential New Construction, Commercial New Construction, General Permits, Fire-Code Official Fees, Board of Appeals Fees, Board of Supervisor Fees, Township Printed Materials, Miscellaneous Fees, Subdivision/Land Development Fees, Engineering and Legal Fees, Land Planner and Traffic Engineer Fees, Storm Water Ordinance Management Fees with an Electrical Fee Schedule attached totaling 12 pages; second by Mr. Schneider. Mr. Schneider asked for any comments from the audience, seeing none. *Motion carries unanimously.*

MOTION by Ms. Shick to adopt Resolution No. 6-2020 to reappoint Ann Dyer to the Zoning Hearing Board for a 5-year term to expire 12/31/24; second by Mr. Couris. Mr. Schneider asked for any comments from the audience, seeing none. *Motion carries unanimously.*

MOTION by Ms. Shick to adopt Resolution No. 7-2020 to appoint Patricia Rugh to the Zoning Hearing Board as an Alternate for a 3-year term to expire 12/31/22; second by Mr. Couris. Mr. Schneider asked for any comments from the audience, seeing none. *Motion carries unanimously.*

Mr. Schneider closed the Reorganization Meeting at 7:25 PM.

Mr. Schneider opened the Regular Board Meeting at 7:25 PM.

Mr. Schneider stated that an Executive Session was held January 2, 2020 at 1:00 PM to discuss Personnel and an Executive Session was held January 6, 2020 at 6:30 PM to discuss Personnel.

MOTION by Mr. Couris to approve the minutes of December 16, 2019; second by Mr. Schneider. *Motion carries 2-0-1 with Ms. Shick abstaining.*

Bills List:

MOTION by Mr. Couris to approve the Bills List in the amount of \$99,343.43; second by Mr. Schneider. Mr. Schneider read the ratified total which is \$10,554.17. *Motion carries unanimously.*

Brian Curry, 512 Blackhorse Road stated that there are a number of items paid out of petty cash; is there a way to show the receipt received and petty cash used to pay for it? Is Giant and Rite Aid on the ratified list? Even the ratified list has bills that show up on the bills list. Karl raised the issue of people waiting around for payment. The treasurer is paying out money without anyone even looking at it. Maybe have a supervisor be notified of it. You would still have a supervisor saying yes instead of a staff member. Ms. Batdorf stated that she reviews everything on the ratified list; anything under \$4,000 and any contracted service that is reoccurring would fall on the ratified list.

Treasurer's Report: Ms. Batdorf presented the Treasurer's Report for the month of November 2019. The Budget Performance Reports are issued as well. Both reports are listed on the website. There are a few items to note for this year in comparison to last year; in November of 2018 there was a significant amount of transfer taxes that came in. Taxes and tax receipts compared from 2018 vs. 2019 showed a variance. \$238,000 in transfer taxes were received in 2019; they are to budget. There was in EIT for the month of November saw a spike increase. In terms of looking at the budget for the end of the year hopefully they are to budget. The bottom line is that revenues are on track for the year. Expenses that incurred in November were Open Space debt service payment; general fund obligation that was paid through the fund. The planning that was done on the capital side; Capital expenditures of \$293,942 in November for the year. One more invoice from Berg Construction for the balance of the paving program will be carried forward into 2020. In the Fund Summary, the Township balance is a total of \$10,447,327.00. This reflects what has been received and expended for the month. The General fund is on track; the capital fund expenditures are noted and cash reserve and interest are also shown, Open Space fund is still accumulating EIT. Liquid Fuels has been expended and is a small amount over and for Sewer Fund there is a small amount for the Courts of Chester Springs.

Jamie McVickar, 407 Blackhorse Road stated that this was a great report. On the expenditure summary there is something wrong for 2018 column. The November 2018 expenditures, January to December 2018 expenditures and year-to-date is showing a big difference. What is the unclassified operating revenue? Ms. Batdorf stated that there are a lot of different things that come in from different sources. This also reflects the transfer of funds from last year.

Manager's Report: Ms. Batdorf presented her Manager's Report as submitted. The Elected Auditor's Meeting will be held on Tuesday, January 7, 2020 at 7:00 pm at the Township Building. The Parks & Recreation Commission will meet Wednesday, January 8th at 7:30 pm and the Environmental Advisory Committee will meet on Thursday, January 9th at 7:00 pm. The Board of Supervisors will meet on Tuesday, January 21st due to the Martin Luther King, Jr. holiday being on Monday, January 20th. The Township Office will be open on Monday, January 20th. There will be a public hearing on January 21st at 7:00 pm during the Board of Supervisors meeting to review

and consider adopting the Agricultural Security Area application of Julie Foster and Jean Baptiste-Broillet at 1682 Hilltop Road. The Sustainability Committee will be hosting a Seed Swap Event on Saturday, January 25th from 10:00 am to 2:00 pm at the Township Building. This is a free event.

The Building and Zoning Department processed 15 permit applications in the month of December. The Department processed a total of 294 permits for 2019. The Township's Auditing Firm will be meeting with Township staff this week to begin the 2019 Audit. S&T Bank is taking over the operation of all DNB First locations including the Ludwig's Corner Branch in the Township. The Public Works Department completed a variety of items including PA One Calls, clearing tree debris and inlets due to storms and completed several road patching jobs. Planning for the 2020 Road Program is actively underway. The contractor for Bryn Coed demolition project, Reclaim, Inc. have begun preparing the site for demolition including installing erosion and sediment controls and fencing. Demolition will begin January 13th.

Karl Brachwitz, 1286 Hollow Road stated that about one year ago, it was mentioned about identifying dead trees; he called a couple in and they are still standing. He was wondering if this is still an active program.

Harriet Stone, 1645 Birchrun Road asked if the township is only responsible for trees in the right of way on township roads.

Announcements: None.

Correspondence: None.

Presentation: None.

Subdivision/Land Development:

Hankin Request for Modification to Weatherstone Town Center Resolution of Approval and Settlement Agreement for WaWa Sign Height Modification – MOTION by Ms. Shick to approve the Hankin Request for Modification to the Weatherstone Town Center Resolution of Approval and Settlement Agreement for WaWa Sign Height Modification from 14 1/2 ft. to 17 ft.; second by Mr. Couris.

Karl Brachwitz, 1286 Hollow Road commented that the WaWa is not a part of the original Weatherstone Development, it's an appendix. The settlement agreement does not preempt zoning. LED's are not allowed according to Zoning. It's a non-compliant LED sign. DNB was not part of the original development at all either. Mr. Fisher stated the gas station property was not part of the original. It went through the appropriate process and was added later.

After much discussion on this subject; *Motion passes unanimously.*

Hankin Request for Modification to Settlement Agreement for DNB Bank Property Sign Modifications – MOTION by Mr. Couris to approve the Hankin Request for Proposed Modifications to the S&T Bank Signs with the caveat that consideration shall be given to dimming the lighted signs when the bank is not in operation; second by Ms. Shick.

Mr. Fisher discussed this request. S&T purchased DNB First and S&T would like to reface and/or replace the signs. Steve Smith, S&T Bank and Paul Sacuma, Sacuma Sign Corp. were present.

Mr. Smith stated that the hours of the bank operation are Monday through Thursday 8:00 – 4:00, Friday 8:00 - 6:00 and Saturday 9:00 – 12:00. Mr. Smith stated that the S&T signs are dimmer than the signs that are there today. He would not want to turn the signs turned off. Right now, DNB signs are on all the time. He would like to keep the signs on Rts. 401 and 100 illuminated. Mr. Sacuma stated that the S&T signs are a little bit smaller and only the letters are lit up. Mr. Schneider asked for any comments or questions; seeing none *Motion passes unanimously.*

New Business:

Open 2020 Budget for Proposed Amendment – MOTION by Ms. Shick to reopen the 2020 Budget for review; second by Mr. Couris.

John Eldridge, 1634 Hilltop Road asked Ms. Shick what she wants to change. Ms. Shick stated that you will be able to see it when it gets advertised.

With no further comments or questions, *Motion carries unanimously.*

Police Contract Negotiations - Arbitration Update – Ms. Shick commented that she brought this up at the December meeting so that the township could try to avoid the big expenses of arbitration and try to sit down with the police department. It looks like we are making progress.

Public Comment on Non-Agenda Items:

John Eldridge, 1634 Hilltop Road commented that at the upcoming workshop meeting we should discuss adding a Municipal Business Tax. It would be one mill on revenue which would come from businesses.

Karl Brachwitz, 1286 Hollow Road stated that he feels the township is well funded. We haven't raised taxes in years. He feels the township is doing just fine.

Harriet Stone, 1645 Birchrun Road stated that she would like the support of the Board of Supervisors for protecting the amphibian migration. Last year it was missed entirely and they would like to try again this year.

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

Meeting adjourned at 8:05 PM

Respectfully Submitted,

Kathryn Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Meeting**

January 21, 2020 7:00 PM

Attendance: Mike Schneider, Chairman; Sara Shick, Member; John Ionuzzi, Solicitor; Erica Batdorf, Township Manager; Kathy Shillenn, Township Secretary

Chairman Schneider called the Meeting to order at 7:00 p.m.

Mr. Schneider announced that an Executive Session was held on January 13, 2020 at 2:00 p.m. regarding Personnel.

MOTION by Ms. Shick to approve the minutes of January 6, 2020; second by Mr. Schneider. *Motion carries unanimously.*

Police Report: Sgt. Russell read the report. Report acknowledged as received.

Bills List:

MOTION by Ms. Shick to approve the Bills List in the amount of \$95,561.13; second by Mr. Schneider. *Motion carries unanimously.*

Announcements: Mr. Schneider announced that a Board Workshop will be held on February 3, 2020 at 7:00 p.m.

Brian Curry, 512 Blackhorse Road asked if the workshop will have an agenda. Ms. Batdorf responded that there will be an agenda published in advance of the workshop.

Correspondence: Chairman Schneider read a thank you letter from the West Pottsgrove Police Department to the West Vincent Township Police Department for the \$400 donation to the No Shave November Fundraiser; Mr. Schneider also read a thank you letter from West Pottsgrove Commissioners to Chief Swinger for allowing the WVT officers to participate in the Helpers and Hero's Event.

Brian Curry, 512 Blackhorse Road asked what the No Shave November Fundraiser was raising funds for. Ms. Batdorf stated it was for a 4 year old little girl who is battling leukemia. Mr. Curry also asked where the Helpers and Hero's event was held and what were they doing. Ms. Batdorf said that the event was held at the Target Store in Upper Pottsgrove and it's a community building event.

Presentation: None.

Public Hearing:

Agricultural Security Area Application and Proposal of Julie R. Foster and Jean B. Broillet for the property located at 1682 Hilltop Road, Spring City, PA 19475 - Solicitor Ionuzzi suspended the regular meeting and entered into the Public Hearing at 7:05 pm. Solicitor Ionuzzi entered

exhibits into the record. Julie Foster was present and gave a brief overview of her Agricultural Security Area application. There were no questions from the audience.

Solicitor Ionuzzi closed the public hearing at 7:08 pm and re-opened the public meeting.

Resolution No. 8-2020 – Adopting Addition to Agricultural Security Area – 1682 Hilltop Road
- MOTION by Ms. Shick to adopt Resolution No. 8-2020 – Adopting Addition to the West Vincent Township Agricultural Security Area – 1682 Hilltop Road; second by Mr. Schneider.
Motion carries unanimously.

Subdivision/Land Development:

352 Blackhorse Road, Johnson – Subdivision Extension Request - MOTION by Ms. Shick to approve the Subdivision Extension Request for 352 Blackhorse Road until February 24, 2020; second by Mr. Schneider. *Motion passes unanimously.*

2969 Horseshoe Trail, Morgera – Subdivision Extension Request - MOTION by Ms. Shick to approve the Subdivision Extension Request for 2969 Horseshoe Trail, Morgera until April 1, 2020; second by Mr. Schneider. *Motion carries unanimously.*

Old Business: None.

New Business:

Payment Recommendation #1, Reclaim, Inc. – Bryn Coed Demolition - MOTION by Ms. Shick to approve payment request #1 to Reclaim Inc. for the Bryn Coed Demolition Project in the amount of \$14,440.50; second by Mr. Schneider.

Brian Curry, 512 Blackhorse Road asked what portion of work was done for this payment. Ms. Batdorf stated that this was for the initial payment for their bonds and insurance.

With no further comments or questions, *Motion carries unanimously.*

Bryn Coed Demolition Asbestos Remediation Change Order - MOTION by Ms. Shick to approve Change Order #2 for Reclaim, Inc. for the Bryn Coed Demolition Project in the amount of \$37,045.01 for the removal and disposal of newly identified asbestos contaminated materials and the transformer in Building #6; second by Mr. Schneider.

Ms. Shick asked if this is a newly discovered transformer. Ms. Batdorf stated that it was something that was discovered that was not included in the bid.

Brian Curry, 512 Blackhorse Road asked if this was a fairly large transformer. Ms. Batdorf stated that the transformer removal cost is \$2,600. Also, Mr. Curry stated that an Environmental Evaluation was done before the property was purchased. Is there any reason or recourse due to the asbestos not being uncovered at that time? Ms. Batdorf stated that the township had been working with Natural Lands and they provided the township with their asbestos review report and phase 1 and 2 environmental assessment. The township accepted that report for the course of the project. Reclaim then had to do a report on the two houses, which were not included and also discovered some additional areas in the main building 1, which is known as the cow palace

and also a calf barn. There were some different materials identified which were not part of the original report.

With no further comments or questions, *Motion carries unanimously.*

Resolution No. 9-2020 – Rate of Reimbursement (Revised) – MOTION by Ms. Shick to approve Resolution No. 9-2020, Rate of Reimbursement (Revised); second by Mr. Schneider.

Ms. Shick stated that this is a correction of the original resolution which showed \$0.58 for the mileage reimbursement. The new rate is \$0.575. Mr. Schneider commented that the new rate was not released at the time of the reorganization meeting.

With no comments or questions, *motion passes unanimously.*

Authorize the Advertisement of the Amended 2020 Budget – Ms. Shick discussed this; she had asked to re-open the budget, which was approved in December. She had one particular goal and several areas of interest. Part of Ms. Shick's area of interest was to ensure that the budget has sufficient flexibility since there are two contracts in negotiations. She is also interested in planning and wanted to see a couple of projects started this year. The big issue for Ms. Shick was to get the Open Space money out of the demolition account and put it back where it belongs in the Open Space account.

MOTION to Approve the plan of reimbursing the Open Space Fund with Capital Reserve Funds for expenses associated with the Bryn Coed Demolition Project, in April of 2020 in accordance with the process outlined in Section 3202 (f) of the 2nd Class Township Code;

Mr. Schneider feels, in his opinion, this is very wrong. The taxpayers voted years ago to start a separate tax for open space projects. Bryn Coed is an Open Space project. Money would have come out of open space, if the demolition would have been included in the purchase price, which they tried the first time, but failed. He doesn't feel that the taxpayers would be o.k. with taking money out of the general fund and putting it to an open space project that has its own funding.

Ms. Shick is not surprised, but is aware that there was over \$1,000,000 from the sewer sale money put into a discretionary general project reserve fund. Mr. Schneider stated that Open Space has its own funding; it's completely separate. This is a maintenance account because we still have to maintain these properties. Ms. Shick stated that they do agree that there is money in the general fund. Ms. Shick also recognized that the previous board opted to describe it as a maintenance fund and that the open space referendum did allow 25% percent of the balance in the fund for maintenance of land purchased with open space money. Bryn Coed is the only property that this clause pertains to. Mr. Schneider stated that Bryn Coed is a decent sized open space. When the project was started, it was \$1.5 or \$1.6 million and the grant called for the buildings to be removed; that's why we are using open space money for the demolition. That is an open space project.

MOTION fails due to lack of a second.

John Eldridge, 1634 Hilltop Road asked how much are is being talked about. Mr. Schneider said that it's about \$700,000. Ms. Shick said it's a growing number. Mr. Schneider said that it's \$721,000 now. Ms. Shick said that the number originally set aside was \$656,000. It's already past that; the fund grew due to interest. It now includes the change order that was approved today

and it will keep going up. Ms. Shick hopes that there is a cap on how much you are going to take out of open space. Ms. Schneider stated that the maximum is 25% borrowed from the fund each year. Ms. Shick said that residents voted to tax themselves for open space. We received a windfall from the sewer sale. Mr. Schneider said it wasn't an open space windfall it was a capital windfall which should go to capital projects. Ms. Shick said that the previous board chose how to allocate the funds; Ms. Shick said that the funds should be allocated to demolition and she is suggesting that now.

John Eldridge, 1634 Hilltop Road stated that if the township spends the \$720,000 out of budget, which originally had \$50,000 net income, will there now be a \$650,000 general fund loss? Ms. Batdorf stated that in the Second Class Township Code the township needs to wait three months in the beginning of the budget year and that the township can make transfers of unencumbered monies. That's what the township will be looking at doing. Mr. Schneider said that a loss of \$600,000 in the capital road fund. Ms. Shick said there will be a commensurate gain in the open space fund.

Brian Curry, 512 Blackhorse Road stated that if he remembers correctly of what was discussed in open space, state law changed to say that 25% of the annual amount can be used to maintain open space. Mr. Schneider stated that it's 25% of your balance annually. Mr. Curry said that five years from now we will still have some balance and we could take 25% for maintenance of the open space. Mr. Schneider stated that to create open space we will have to spend that money. In the future we could take 25% to use it for other parks. Ms. Batdorf said that you can only use this money for Bryn Coed.

George Dulchinos asked to go through the summary of the budget changes. Ms. Shick stated that was the change. Ms. Batdorf said that it will be in the capital project budget, but there are capital road expenditures spread in different accounts that are accumulating interest. There is enough money for it.

Julie Foster, 1682 Hilltop Road asked at what point in time the 25% is calculated. Mr. Schneider said that the way it is written you can take 25% of the balance every year which is not sustainable. Mr. Schneider's thought is the correct thing to do is to take the 25% out of the net of the open space. Ms. Foster said that it looks like the project costs are increasing and the balance is decreasing since the project was approved. So it's possible that the cost will hit up against the 25% threshold.

Public Comment on Non-Agenda Items:

Paul Mattes, Ludwig's Corner Fire Company introduced himself as the President of the Fire Company. He is with Fire Chief Jeff Kimes and wanted to start to continue to build a relationship with West Vincent Township. He would like to get some time on the agenda for the February 3rd workshop to talk about what the fire company does and the services it provides.

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

Meeting adjourned at 7:35 PM

Respectfully Submitted,

Kathryn Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Workshop**

February 3, 2020 7:00 PM

Attendance: Mike Schneider, Chairman, Bernie Couris, Vice Chair, Sara Shick, Member, Erica Batdorf, Township Manager, Kathy Shillenn, Township Secretary

Chairman Schneider called the Meeting to order at 7:00 p.m.

Mr. Schneider announced that an Executive Session was held on January 29, 2020 at 12:30 p.m. regarding Personnel.

Presentations:

Ready for 100 Initiative - Kathy McDevitt, along with Ken Witek from the Environmental Advisory Council gave a power point presentation on 100% Renewable Energy and the Resolution that the Environmental Advisory Council approved last month; the Sustainability Committee also endorsed this resolution. The Environmental Advisory Council is hoping that the Board of Supervisors will approve this resolution.

Brian Curry, 512 Blackhorse Road asked about the air quality and cleanliness and asked if Ms. McDevitt ever looked at the changes in air quality in the U.S. over the last 50 years. Ms. McDevitt stated that the air quality has been improved over the years. Mr. Curry has seen studies over the entire world and was surprised that the air quality has improved all over. It takes energy to improve the air quality. Mr. Curry asked how 100% renewable will be accomplished in 15 years. Ms. McDevitt stated that it will be a challenge. Mr. Witek stated that the 100% goal is an aspiration. Mr. Curry then discussed the issue of batteries and nuclear power plants and the fact that it will be very hard to be 100% renewable within 30 years. Mr. Curry also asked if they have looked at what the solar panels have done for the township. Ms. McDevitt stated that this resolution asks to form a team to start the process of goals, planning and requesting a stronger commitment at the state level. Mr. Curry asked what the costs would be to the residents of the township as to what they, the residents, would need to do.

Ms. Shick stated that Mr. Witek might want to clarify that it's a goal not a mandate. Mr. Schneider stated that residents can be forced to do things; the government forces people to do many things. At some point after educating and doing research you'll have to have mandates, it's not going to be 100% voluntary. Mr. Curry asked if the township engineer will be involved at all.

Ken McCormick, Hilltop Road has concern about the cost of this to the taxpayers. Not much renewable energy right now due to the cost being so expensive. How are we going to get a handle on this; are the taxpayers going to have the opportunity to vote on this or will these committees, who think it's a good idea, jam it down the residents throats. Where does the residents input come in? Ms. Shick stated that committees are advisory groups that advise the board and will not shove anything down anyone's throats. Mr. Schneider stated that when this does come up

the public will be notified and it will be up to the three sitting supervisors. Mr. McCormick stated that it makes him nervous about this open ended commitment.

Ted Molligan commented that we are talking about a goal not a mandate. Part of the strategy, moving ahead, should be making 100% easier to do. For example, geothermal is very cost effective; it helps with heat and a/c.

Harriet Stone, 1645 Birchrun Road is concerned that some people are very worried about the cost of mitigating this, they are not afraid of the cost of going the way we are now. There are huge costs to ignoring climate change.

Paula Kline, Westtown Township stated that she is on the advisory group that is part of the West Chester Area Council of Governments that has been working with a consultant over the last six months. She wanted to give a perspective of what it looks like to look down the road over the next two to five years. She stated that they want to share with the township and save the township money. She gave the township a little glimpse into what this would look like.

Camp Hill Village Resident stated that there are 120 people living at Camphill and they buy all the electricity from renewable sources; it actually isn't any more expensive. They have an older solar panel put up about 15 years ago that has more than paid for itself and are now getting money back from the power company.

Ludwig's Corner Fire Company - Jeff Kimes, Ludwig's Corner Fire Chief read a statement about the fire company and its future. West Vincent Township, consistently, over the past 10 years accounts for about 50% of their calls. Paul Mattes, the newly elected president also thanked the township and spoke about partnering with the township; the fire company is about to undertake a strategic planning initiative that will lay out a multi-year plan. Ms. Shick stated that she attended the Fire Company's Award Banquet a week ago and the West Vincent Township Police Department was given an award.

Resident stated that she respects and loves the fire company and backs them 100%. She thought that when the apartments were built that they were required to make a donation to the fire company. What is the status of the contribution? Paul Mattes stated that it's a very small contribution each year. She would like to see the township support the fire company; it might be better for the board to require an upfront donation instead of a little every year. Ms. Batdorf asked if the fire company has a consultant.

Jamie McVickar, 407 Blackhorse Road stated that this presentation is a great reminder of the value of open space.

Donna Delaney, 2147 Beaver Hill Road stated that the Old Hippie Band is playing at the fire company on Sunday for a fundraiser.

Fair Districts PA - Jim Deisinger and John Barnett - John Barnett gave a presentation regarding the Fair Districts PA initiative. This initiative is asking for district boundaries to be drawn and respected. For three or four decades these municipal boundaries have been violated. In PA, only politicians draw the maps. In 2021, the legislative districts will be redrawn again. Mr. Barnett and Mr. Deisinger are asking the Board to add a voice to take redistricting away from the politicians; to support a simple resolution that has already been signed by 357 governing bodies in PA. They are asking the board to join other boards to sign a resolution to support a citizen's

commission to establish redistricting. Mr. Deisinger stated that this is truly a non-partisan issue. Mr. Schneider asked if the districts would be on the border and would not stretch out beyond the township border. Mr. Couris asked how the citizen's commission would be decided. Mr. Barnett stated that there are qualifications that are written up.

Yvonne Brownlee, 2843 Flowing Springs Road stated that the Unitarian Universal Fellowship of Pottstown will be hosting a Fair Districts PA discussion on February 8th from 2pm to 4pm.

Business Privilege/Mercantile Tax - John Eldridge, 1634 Hilltop Road discussed this tax. It would be a tax on businesses. Businesses consume services of the township. Some townships have a municipal services tax, which would be a tax on the revenue of the business. It would apply generally to all businesses. Mr. Schneider ask how this idea came about. Is the township in need of money? Businesses pay property taxes. Why would we want to introduce another tax? Businesses provide services to residents.

Suzanne Roth, 1360 Schoolhouse Lane commented that Philadelphia has a business tax; it was onerous and terrible. It discourages people from having businesses.

Ken Frame, 1205 Pottstown Pike asked Chief Kimes how many times he has come to his business to give a service, none; how many times have you come to get a service, weekly at no charge. He feels the business supports the fire service and police any way they can.

Chris Peck, Ludwig's Corner thanked the fire company; he does help the fire company out and will so in the future. He manages the shopping center and the past year he had to lower the rent for two tenants because they could not make ends meet. Any type of tax on businesses would really hurt businesses.

Jamie McVickar, 407 Blackhorse Road stated that he is an auditor for the township as is John Eldridge. John is being modest when he said he's never provided any services for the township. He does a lot for the township, he audits the books, he's a hard worker and this tax is the stupidest idea.

Maria Jacobs commented that this township is all about buying local and eating local. When you start taxing businesses, businesses leave. Is this a WaWa tax?

Resident commented that local businesses allow people, who are volunteer firefighters to leave work and go to fires; this is another way that businesses keep giving.

Neal Fisher, Hankin stated when considering a tax you have to think about location. You want to encourage businesses to thrive and grow. An additional tax would only push businesses away. You need to incentivize businesses to locate here. A tax is very counterproductive to those goals.

Township-Wide Earth Day Roadside Clean-Up - Peter Reitmeyer, 146 Windgate Drive - Mr. Reitmeyer discussed possibly having a township-wide earth day clean-up. He sees a lot of garbage when he is riding around. He went out with bags on Westover and picked up five full bags of trash. He is trying to bring attention, community wide, to Earth Day. Last year he gathered 20 neighbors to get twenty bags of garbage in a two hour period. He would like to make this a big event to put together some committees to raise awareness and serve as a model for others to follow, organize township wide events for regular maintenance of township wide public and private lands.

Yvonne Brownlee, 2843 Flowing Springs Road stated that she is on the Sustainability Committee and Jim Goeke was appointed chairman. He sent Yvonne a list of things that he wanted to see for Earth Day clean-up. She will get this list out to everyone to take a look at. The Sustainability Committee is very interested in this happening.

Carys Levin, 1912 Kimberton Road loves this idea. Following up with West Vincent Elementary will be great; suspects walking along Rt. 401 could be a problem. She lives in the Kimberton Village area and thinks there would be value at breaking the township into zones and having a point person. We need to get point people for the different areas of the township. Ms. Levin also wanted to thank the supervisors for this first workshop meeting. It's nice to have community conversation.

Mr. Reitmeyer stated that they could have something at the park after the clean-up for the volunteers. He also believes that builders should be required to clean-up after they are finished a project.

Camphill Resident stated that when they do these clean-ups, she feels that Sunday mornings are much safer.

Kip Archinal, 919 Fellowship Road stated that she used to walk around the township a lot, even at night. Now no one walks, people fly through the township. They use the backroads for access routes. She is wondering if slow signs or some signs that say it is earth day can be placed on the roads so people would be safer when they are out walking. Maybe we could order earth day bags and hand them out to remind people of earth day.

Maria Jacobs stated that she loves this idea. She volunteered that Somerset Nursery could donate gloves for the volunteers.

Discussion of Martin Luther King Day Off for Township – Mr. Couris discussed this. We should honor him and give the staff a day off.

Resident stated that he really loved the idea and could see West Vincent Township having a day of service also.

Public Comment on Non-Agenda Items:

Resident wanted to say thank you for this informative workshop meeting. Some very exciting ideas have been brought forward. It seems that the township is becoming a big community, instead of little groups here and there.

Harriet Stone, 1645 Birchrun Road spoke regarding the amphibians. She wanted to let people know about the migration. If you are interested, see her after the meeting.

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

Meeting adjourned at 8:53 PM

Respectfully Submitted,

Kathy Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Meeting**

February 18, 2020 7:00 PM

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice-Chairman; Sara Shick, Member; Mike Walko, Solicitor; Erica Batdorf, Township Manager; Kathy Shillenn, Township Secretary

Chairman Schneider called the Meeting to order at 7:00 p.m.

Mr. Schneider announced that Executive Sessions were held on January 29, 2020 at 1:00 pm, February 5, 2020 at 10 am and February 18, 2020 at 10:30 am to discuss Personnel Matters.

MOTION by Ms. Shick to approve the minutes of January 21, 2020; second by Mr. Schneider. *Motion carries 2-0-1 with Mr. Couris abstained.*

MOTION by Ms. Shick to approve the minutes of the February 3, 2020 Workshop; second by Mr. Schneider. *Motion carries 3-0.*

Police Report: Chief Swinger read the report. Report acknowledged as received.

Bills List: **MOTION** by Mr. Couris to approve the Bills List in the amount of \$181,634.81; second by Mr. Schneider.

Brian Curry, 512 Blackhorse Road noticed that \$14,000 was going to Reclaim for the demolition. About what percentage of completion is this? Ms. Batdorf stated that it is 2%.

With no further questions or comments, *Motion carries unanimously.*

Treasurer's Report: Ms. Batdorf reviewed this report. These reports are for the period ending 12/31/19. The Balance Summary is on the first page, in addition, to the following page which is the budget to actual summary by fund to look at the variance to budget. These figures are being audited right now. All of the funds, General Fund, Open Space Fund, Liquid Fuels, Capital Fund, Escrow and Sewer Funds come to an accumulative total of \$10, 417,764.99. For the Budget to Actual Summary by Fund for the year 2019, note in the general fund on the right hand side of the page, in terms of revenues, we are at 99% of budget. There is a 1% variance there. In terms of expenditures, the township has \$387,000 under the budget expenditures for the year. This is related to the Fellowship Trail project, which did not come to fruition, as well as Bryn Coed expenditures budgeted for amenities and also a contingency on the demolition which did not come to fruition within the budget period for 2019. The estimated net income for 2019 is \$351,292.00, subject to our audit.

Regarding the Capital Fund, the township is drawing on reserve funds for various projects within 2019. Due to that, the revenue, looking at the actual audit, since those monies are reserve funds, will be seen as a deficit. Those expenditures are \$399, 952.00. This is less than budgeted.

The Open Space Fund had 7% above actual on revenue; spending is below figures that were estimated due to the demolition project taking place this year. In Liquid Fuels, the township received the state allocation and spent down almost the exact figures; there are a few expenditures over the budgeted amount for 2019. For the Sewer Fund, the \$55,000 figure was taking into consideration the Courts of Chester Springs Sewer Plant which we thought would be turned over to Bucks County Water and Sewer Authority mid-year, but the township is still working through the process. The detailed ledger is also provided for the finances for the December period and the budget period in full.

Manager's Report: Ms. Batdorf reviewed her report. The Township held a well-attended Seed Swap event on Saturday, January 25th. It was sponsored by the Township Sustainability Committee and the Chester County Agricultural Coalition. The Parks & Recreation Commission's Community Day Sub-committee is working on this year's event which will be Saturday, June 13th from 10 am to 3 pm. There will be programs and activities similar to previous years as well as a 5K Walk/Run at 8:30 am. Plans are underway for the first annual township-wide Earth Day clean-up event that will be held during the third weekend in April. There will be roadside litter cleanup, stream beds, woodlands, and educational opportunities planned. The next volunteer meeting will be February 25th at 5:30 pm at the township building.

In the Building and Zoning Department there were 21 permit applications that were processed in the month of January; as reported for the Finance Department, the year-to-date actual December 2019 reports are complete and the auditing firm has completed their fieldwork. In January, the Public Works Department completed several PA One Calls and graded several roads, Beaver Hill Road, Bartlett Lane, Blackhorse Road, St. Andrews Lane, Red Bone Road and filled potholes on several roads, including Flowing Springs Road and Hilltop Road and salted and plowed roads in response to a winter event. As potholes emerge, please let the township know of the locations and contact PennDOT for state roads at 1.800.FixRoad. Also, the Bryn Coed Demolition project is underway. Silos are down; building one, which is the center building and the cow palace columns are down.

Brian Curry, 512 Blackhorse Road commented that on the Blackhorse Road dirt side he hasn't seen a crown that good in years. The surface almost looks like it is rolled; it's really impressive what the road crew has done on this road.

Announcements: None.

Correspondence: Mr. Schneider read several Thank You letters to that were sent to the Police Department. One was a thank you for find a lost dog, another for help with a road closure for a movie filming and also a letter of appreciation from the Upper Uwchlan Police Department.

Brian Curry, 512 Blackhorse Road asked what road was closed. Ms. Batdorf stated that it was Flint Road.

Presentation: None.

Subdivision/Land Development:

Weatherstone Town Center Phase I – WaWa Final Escrow Release Request – MOTION by Mr. Couris to approve the WaWa Final Escrow Release Request in the total amount of \$432,419.00; second by Mr. Schneider.

With no comments or questions, *Motion carries unanimously.*

Natural Lands Flint Road Parking Lot – Final Escrow Release Request – MOTION by Ms. Shick to approve the 1805 Flint Road (Natural Lands) Escrow Release No. 3 (Final) in the amount of \$18, 890.11; second by Mr. Couris.

With no comments or questions, *Motion carries unanimously.*

Zoning Hearing Board Application – Flather Lot, 1147 Hollow Road – Acknowledge Receipt – Receipt acknowledged by the Board. The Zoning Hearing is scheduled for March 31, 2020 at 7PM.

352 Blackhorse Road Subdivision & Land Development Application, Resolution of Approval – MOTION by Mr. Couris to approve Resolution No. 10-2020 for the Final Minor Subdivision Plan for 352 Blackhorse Road; second by Ms. Shick.

Adam Brower, E.B. Walsh thanked the Board, on behalf of the applicant, for the Resolution of Approval.

With no comments or questions, *Motion carries unanimously.*

Old Business:

Anti-Discrimination Ordinance Proposal, Chris Carroll – MOTION by Ms. Shick to authorize the Solicitor to draft an Anti-Discrimination Ordinance; second by Mr. Couris. Mr. Carroll brought this before the Board a couple of years ago and feels it's time for the Township to step up and do the right thing. He feels that the township should follow what other municipalities have done. Mr. Carroll stated that it doesn't grant anyone special rights; it basically brings the code up-to-date. There needs to be a method to step in before discrimination happens.

Jim Hanna, 1152 Hollow Road asked if Mr. Carroll could expand on this. Mr. Carroll discussed some issues that could possibly happen. Solicitor Walko explained that there are two ways to bring discrimination claims. One is Federal and one is State; under both of these there are certain classes of people that are not protected status. Municipalities are passing ordinances to fill in that gap to protect certain classes of people.

Karl Brachwicz, 1286 Hollow Road commented on the idea that the township is going to create a safe shelter for someone when it's the federal and state governments that have authority. The township is not more powerful than the federal and state government. Would this affect people and businesses within West Vincent Township or just employees that work for West Vincent Township? Solicitor Walko stated that this would affect people that work in West Vincent Township. Solicitor Walko stated that the PA Human Relations Commission does provide remedies to allow local municipalities to form these commissions. They cannot exceed the powers granted by the PA Human Relations Commission. More discussion ensued. Mr. Brachwitz feels that the township should not be involved in this. It is a feel good policy. Put the energy into the federal government regulating this.

Martha Thomae, 89 St. Andrews Lane commented that just because something hasn't happened doesn't mean it can't. There have been some incidents that haven't been brought to the township. She feels the township needs this just to remind people.

Barry DiLibero, Business Owner - Pottstown Pike stated that his fear is that business owners have to deal with perception. It is not the township's issue. He is against the ordinance.

Chris Carroll, 1021 St. Matthews Road stated that the National Assoc. of Realtors adopted this policy. He feels there is a major excuse here. Buy proper insurance and move forward.

Brian Curry, 512 Blackhorse Road asked the Solicitor about the issue of perception. In litigation, where is the line on how it is determined whether it's the business owner's perception. Solicitor Walko stated it is determined through investigation. Mr. Curry asked what the criteria is that an investigator is looking for to determine discrimination. Solicitor Walko stated that they would have to look at the facts to see if a negative action was done. Mr. Curry sees this as having lawyers involved and it will be a litigation hole.

Mr. Schneider stated that he has a problem with the gender identity. He has heard that people get fired over the use of pronouns. Does that apply? Does the employer have to deal with using the wrong pronoun? The gender identity thing is a self-perception.

Julie Foster, 1682 Hilltop Road is a lawyer and wanted to share her experiences. She discussed determining adverse action. She has a business in Lower Merion and has been under this kind of ordinance for a long time. She thinks her employees like it and are made to feel welcome. She has litigated cases and having these kinds of rules on the books actually lowers this kind of litigation.

Barry DiLibero, Business Owner Pottstown Pike said that Mr. Schnieder brought up what he was going to bring up. He can't identify someone if they believe there are something else.

Jim Hanna, 1152 Hollow Road is looking for some kind of clarity. Regarding the commission for the township; when someone files a violation complaint where does that go after it goes to the commission? What is the judicial weight of the commission? Is this ordinance intended to catch all the things that are not covered by the Human Relations Commission and EEOC?

Beth Brindle, Chief of Staff for Danielle Friel Otten addressed the point about this being addressed at the state level. There are bills sitting in committees; some years ago the state of Pennsylvania did put in anti-discrimination language for state employees. State agencies cannot discriminate on anything we're talking about. Mr. Hanna asked if energies would be better being spent at the state level. Ms. Brindle stated that sometimes policies have to come from the ground up. Mr. Hanna asked what would happen when all these ordinances bang into each other. Is there a template that we are using?

Karl Brachwicz, 1286 Hollow Road stated that there are different models out there but are generally the same ordinance. He doesn't have issue with different categories; his issue is with the different commissions; if anything ever comes up, we will have a group of people who are

not qualified and have no experience, no rules set up. We're chasing a rabbit down a hole. The township is not the place for this.

With no further comments or questions, *motion passes 2-1 with Mr. Schneider voting no.*

Dog Park Proposal – Mr. Carroll discussed this proposal. He has been lobbying for a dog park for several years. Some residents do not have land to let their dog run free. Our township needs a fenced in dog park, there is plenty of land. This needs to happen. One for large dogs and one for small dogs. The township should use some of the land from Bryn Coed and dedicate the space for dogs to play in a safe environment.

Mr. Couris stated that he has researched this over the past couple of years. There was an outpouring of desire in Weatherstone I and it turned out that we just didn't have the land. In regards to Bryn Coed, we might not be able to use it depending on the way the easement is written. He reached out to the attorney for Natural Lands, who holds the easement, but she was on vacation. Mr. Carroll stated that he needs support from residents.

Brian Curry, 512 Blackhorse Road stated that at the last two Park & Rec meetings, dog parks were discussed. He suggested Mr. Carroll attend a Park & Rec meeting to talk about it and present his information.

New Business:

Chester County Vision Partnership Program Grant Application Letter of Commitment – Master Park & Trail Plan - MOTION by Ms. Shick to approve the \$15,000 match for the Chester County Vision Partnership Program Grant Application Spring 2020 Round; second by Mr. Couris.

Ms. Shick stated this is a proposal to do a master park and trail plan for the township. We are applying now for the grant and will solicit a vendor of consultants if we get the money.

With no comments or questions, *Motion carries unanimously.*

Ready for 100 Resolution Supporting 100% Renewable Energy Future by 2050 – MOTION by Mr. Couris to approve Resolution No. 12-2020, the Ready for 100 Resolution in Support of a 100% Renewable Energy Future by 2050; second by Ms. Shick.

Mr. Schneider stated that he has a problem with this. None of the experts have confidence that it's even feasible to get to 50% by mid-century and we are thinking that we are going to get to 100% by 2050. It seems almost impossible to do. If it was written in a way that made some sense or had some accountability to it, I could support it, but I can't support it the way it is written.

Ms. Shick commented that this resolution was drafted by the EAC and fully supported by the Sustainability Committee. It was discussed at great length at the February workshop. The first step is a study. Mr. Schneider stated that it should not say 100% because it's not possible; the resolution actually reads to support 100% renewable energy by 2050. No expert out there would say that's possible, yet we are going to sign something committing to this, it's just wrong.

Jim Hanna, 1152 Hollow Road feels that the presentation that the folks gave at the February workshop could have been much better prepared. He doesn't feel that they answered a lot of the questions that the township residents had. What is the force of supporting this? He agrees with Mr. Schneider 100%. What is it binding us to?

Ms. Shick stated that it's a scope, it's a goal, not a mandate. What are the things that might benefit the Township business and township residents in reducing energy use? Mr. Schneider asked why the Sustainability Committee isn't looking into goals that are achievable.

Mr. Hanna stated that he's not worried about what other municipalities are doing. If West Vincent Township says that it decides that it's cost effective to be 100% renewable in the township, you can't compel all the residents to put geothermal systems in their homes. He feels that the township is signing up with the cool kids. What will be the force of law down the road? Mr. Couris said the Mr. Hanna is speaking as if it's a mandate; it's not a mandate.

Ted Mollegen, 1201 Davis Lane stated that what Mr. Schneider quoted about getting to 100% by 2050 is wrong. Geothermal is a wonderful way of lowering where we are. The physical environment is very conducive to geothermal.

Donna Delaney, 2147 Beaver Hill Road grew up in the sixties and we got to the moon; did a lot of things that were not possible. This negativity is upsetting. Scotland and Portugal exceed in production of their energy supply. For Americans to sit here and say we're too stupid to do it by 2050 when other countries are doing it is very discouraging.

Kathy McDevitt, 50 Barrington Lane stated that she was one of the presenters at the workshop meeting, a township resident and a Sierra Club member. At the workshop you asked why we just didn't submit a plan; it's a very complex problem. This resolution says that we want to set a goal. Climate change scientists' say that's what we need to do. It says we need to create a team to make a plan. Mr. Schneider agrees; we have a sustainability committee that should be charged with this. Ms. McDevitt says the point of this resolution is to say we want to set this goal, create a team, and to make a plan.

Kip Archinal, 919 Fellowship Road stated she would like to correct the gentleman in the back. She has geothermal at her house. When the temperature goes below 30 degrees, all the electric tubes goes on. The house only gets to about 60 degrees when the temperature is about 40. In February the electric bills are huge. The Board is supposed to be voting on this Resolution for 100% renewable energy tonight. It has grammatical errors and hellacious facts in it; it should be corrected before it's passed. Ms. Archinal spoke about #3, which addresses the board of supervisors providing guidance. She thinks the township has enough committees already. She spoke with the Sustainability Committee about what she was going to say. The Sustainability Plan was created 10 years ago and already has initiatives and it has been revised three years ago. There's no reason why we can't add initiatives and have half of the committee work on these initiatives. They could work with the Environmental Advisory Committee and combine all the things that are being talked about.

Brian Curry, 512 Blackhorse Road said there were no breakthroughs required for the moon launch; it was engineers and a lot of money. To get to 100% renewable energy you need

breakthroughs. You need breakthroughs in a way to store the energy. He has a feeling this will go the way of the multi-modal plan. We had a consultant for the multi modal plan and it was not implemented. Mr. Curry asked if Mr. Couris would vote for this if it had a false statement in it; Mr. Couris said yes. Ms. Shick stated that she also would vote for this.

Donna Delaney, 2147 Beaver Hill Road wanted to confirm with the Sustainability Committee.

Julia Braendel, 2472 Flowing Springs Road has a couple of questions. We have solar, wood burning, propane back up. Are you telling me in 2050 that I would not have the right to choose how I'm going to heat my house? Ms. McDevitt said the goal is to have 100% renewable by 2050 for heating. We would provide advice on how to do it without using propane. Ms. Braendel stated that even with geothermal you cannot heat your house just with geothermal, you need backup. Do you want to make the promise now?

Solicitor Walko said to be clear this is a resolution not an ordinance. Ms. Braendel stated that what if you don't want to switch. Mr. Schneider stated that you may not have a choice. Ms. Braendel agreed and said that's why government shouldn't get involved.

Barb Van Horn and Yvonne Brownlee, Sustainability Committee stated that the Sustainability Committee did not volunteer to run this program. Ms. Brownlee said that they listened, we think it's a reasonable idea. This is a goal, an idea; something to work towards.

Ted Mollegen, 1201 Davis Lane stated that a few minutes ago a women talked about a geothermal system that didn't work. That system was either badly designed or it's not working as it was designed to work. There are plenty of geothermal systems in West Vincent that work at 0 below.

Brian Curry, 512 Blackhorse Road stated that he agrees with Mr. Mollegen. There's talk about milestones. When will they be developed? It says that we will have reports every six months. Everyone in this room could have 100% solar; he's been on 100% carbon free power for years because he stuck with PECO. PECO has nuclear power plants. The same people that are advocating for this will shut down the nuclear power plants.

With no further comments or questions, *motion carries 2-1 with Mr. Schneider voting no.*

Fair Districts PA Resolution Supporting an Independent Redistricting Commission -
MOTION by Ms. Shick to approve Resolution No. 11-2020 in Support of a Citizen's Commission for Legislative and Congressional Redistricting; second by Mr. Couris.

With no comments or questions, *motion carries unanimously.*

Bryn Coed Project Change Order #3 - MOTION by Mr. Couris to approve the Bryn Coed Demolition Project Change Order #3 using Option #2; second by Ms. Shick.

Ms. Batdorf discussed information on the two option selections. Lowell from Arro Engineering and Andy Emery from Reclaim Co. are present to discuss this. Lowell stated that additional asbestos was discovered between the block and the beams. Due to this discovery, there needs to be steps taken to address that. Ms. Schneider asked which option would be better for the township. Mr. Emery stated that he feels that Option #2 would be a fair format for the township. Option #2 would be cheaper and be disposed of at the proper landfill. There won't be an official asbestos manifest. Terry Devine, Chester County Solid Waste Facility stated that

they would be satisfied with this option. Lowell stated that it will be a document verifying that the asbestos went across the scale and was properly managed.

With no comments or questions, *motion passes unanimously.*

Bryn Coed Demolition Project - Payment Recommendation #2 – MOTION by Ms. Shick to approve the Bryn Coed Dairy Complex Demolition Payment Recommendation #2 in the amount of \$147,870.46; second by Mr. Couris.

With no comments or questions, *motion passes unanimously.*

Bryn Coed Demolition Project – Open Space Maintenance Fund Transfer – MOTION by Ms. Shick to approve the plan of reimbursing the Open Space Fund with Capital Reserve Funds for expenses associated with the Bryn Coed Demolition Project, in April of 2020 in accordance with the process outlined in Section 3232 (f) of the 2nd Class Township Code; second by Mr. Couris.

Barry DiLibero, Business Owner Pottstown Pike asked what exactly does that mean. Ms. Shick stated that we will be paying for the demolition out of the general fund instead of the open space fund. Mr. DiLibero stated that he thought that it was supposed to come from the open space fund, isn't that what was agreed to. Ms. Shick stated that as a new supervisor she requested to reopen the budget and this is what she is recommending. Mr. DiLibero asked why. Ms. Shick stated that West Vincent voted to tax themselves to save open space not tear down. People on the former board wanted a moratorium on open space until they found out what the cost of the park would be and the demolition would be. The demolition costs are going up again. Open Space Committee has been hampered by the board to save any open space. Mr. Schneider said that taxpayers voted many years ago to be taxed for open space. They did not say that they want to be taxed for open space and take property taxes for open space. A discussion continued. Mr. DiLibero asked what other thing in the budget has its own separate tax besides open space. What is the budget for the roads department every year? Ms. Batdorf said that it's 1.5 million in 2020.

Donna Delaney, 2147 Beaver Hill Road as a resident of the township she said that as a taxpayer she is really cognizant of her taxes. She appreciates the benefits of open space protection. When she voted for these referendums, she did not vote for demolition of buildings.

Jim Deisinger, 1030 Linden Avenue stated that if you go ahead and shift the money and if Weatherstone HOA is fortunate to recover some of its capital reserve money, where would that money be taken from. Mr. Schneider said it would come from the general fund.

Maria Jacobs, Non-Resident had a couple of questions. One, you started a workshop meeting so this type of conversation could come up in front of the public and have a public forum prior to voting. Why is this jumping that scale? Secondly, can someone review when Bryn Coed was purchased and the requirements that these buildings come down that was part of the purchase? Let's go backwards and review some of the history. With trying to move these funds and take away from the road program, I think you're missing the point of when Bryn Coed was purchased.

Brian Curry, 512 Blackhorse Road commented for Ms. Delaney that the air has been getting significantly cleaner since the 1970's. Several administrations ago, there was a comment about having a reserve fund. He remembers when the township had a special assessment because the

township had a big suit against it. Mr. Curry stated that the sale of capital assets is not a windfall.

With no further comments or questions, *motion carries 2-1 with Mr. Schneider voting no.*

Martin Luther King, Jr. Holiday for Township Employees – MOTION by Ms. Shick to approve the Martin Luther King, Jr. Holiday for Township Employees; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road asked if this adds a holiday or is being exchanged for another holiday. What is the financial impact of this? You have people that are not working.

Karl Brachwicz, 1286 Hollow Road commented that the township is not going to exchange for another holiday; the township is going to have two days off in January a week apart. So this was brought about because someone thought they didn't have enough days off or is it a political thing. He thinks it's a bad idea.

Art Ewell, 972 Fellowship Road asked since we have a union, and you declare a holiday has this been negotiated with the union. Solicitor Walko stated that just because it is a township employee holiday, it doesn't have any impact on the contracts themselves.

With no further comments or questions, *motion carries unanimously.*

Public Comment on Non-Agenda Items:

Mr. Couris would like to make a proposal that we implement a two minute rule. Solicitor Walko stated that it's proper to apply a two minute rule as long as it's applied uniformly. Ms. Shick suggests that it not be applied to the workshops.

Karl Brachwicz, 1286 Hollow Road asked Mr. Couris if his complaint is that the meetings are taking too long.

Mr. Schneider asked if we do the two minute rule, could we extend the minutes? Solicitor Walko stated that you should not use it to silence residents. He would also comment that it's public comment. A lot of boards do not accept public comments. Ms. Shick feels it's the public comment that should be timed.

Brian Curry, 512 Blackhorse Road asked if that applies to presentations made by outside organizations. What does it take to get on the agenda? Are there restrictions?

Harriet Stone, 1645 Birchrun Road stated that the amphibians have not started migrating yet, but if anyone wants to help, contact her.

Bob McDevitt, 50 Barrington Lane commented that in the West Brandywine Township Building they have a nice plaque recognizing eagle scouts in the township. He is putting together a fundraiser and proposal for hanging a plaque recognizing eagle scouts in the township.

Wheeler Aman, Pughtown Road commented that for many years he's been trying to get a solution to the water problem on Ford Road. The township has been down there with equipment and has made a number of improvements. His purpose today is to call attention to the problem and the inability to get it solved. The township is allowing this to happen and not getting any

results. Recently the kennels have been sold and the buyer told him that the buildings were coming down and that he would be happy to solve the water problem. A few days ago the owner told Mr. Aman that things have changed and it was no longer an interest for him and that the township would take care of it. There are problems with the exact location of the road. He doesn't want to go to a lawyer and he needs the boards help. There have been some trees marked and some trees taken down on the Camp Hill side of the road; no one has talked to him about those trees.

Ms. Batdorf stated that the road crew has been doing some prep work to improve the swales; and approached her with an idea for phasing in drainage improvements. This will take resources with all the different projects going on. Mr. Aman really needs the township's help.

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

Meeting adjourned at 9:40 PM

Respectfully Submitted,

Kathy Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Workshop**

March 2, 2020 7:00 PM

Attendance: Mike Schneider, Chairman, Bernie Couris, Vice Chair, Sara Shick, Member, Erica Batdorf, Township Manager, Kathy Shillenn, Township Secretary

Chairman Schneider called the Meeting to order at 7:00 p.m.

Presentations:

The Pulte Group - Promenade at Chester Springs – Bill Creeger, Pulte Homes and Dan McKenna, Deal Howell and Alyson Zarro were present to discuss the Promenade at Chester Springs. This property is located on Route 100 by the Hardware Store, which was purchased from Pettinaro. Pulte is in due diligence right now; the property was previously presented as a single family plan. The plan was modified and presented at a staff meeting a couple of weeks ago. Based on feedback that was received at the staff meeting, he came out of the meeting with a to do list, i.e. density, sanitary sewer, trail networks, connectivity to commercial. He generated a concept plan which are front loaded townhouses. The concept plan was generated to maximize density on the 21 acre parcel which is adjacent to the Courts of Chester Springs. Mr. Creeger also stated that he contacted Bucks County Water & Sewer Authority and received an informal ballpark figure on how much sewer capacity is available at the sewer plant to the north of this project.

Ms. Shick stated that she can't imagine that she said anything that would encourage that she thought higher density on that site was better. She said that we needed commercial and mixed use. She was sure she did not say come back with higher density residential. Mr. Creeger stated that he thought that what was discussed was mixed use and commercial and the comprehensive plan. Ms. Shick stated that Mr. Creeger was very clear that Pulte only builds residential, not mixed use developments. Ms. Shick said that the Promenade at Chester Springs was designed and approved as mixed use, including the 55000 sq. ft. grocery store. Mr. Creeger also stated that the comprehensive plan that was put together is already overburdened with commercial. Mr. Creeger thought that the single family plan wasn't the best plan. Ms. Shick stated that they should look at the Ludwig's Corner Master Plan, particularly the walkability. This plan shows no connections. Mr. Creeger stated that it does. Ms. Shick stated that the Landscapes 3 calls this a rural center, a village center. Villages are not all houses; they also need shops, restaurants, public amenities. Mr. Creeger agrees that there needs to be a good combination of residential and commercial in the entire Ludwig's area. There are not enough roof tops to support commercial. There are some restraints to this property, such as being limited to 15000 gallons a day for sewer. That is why they went from 90+ townhouses to 85 townhouses.

Mr. Creeger went over some highlights of the plan such as 17 acres for the housing units and the additional 3 - 4 acres for the stormwater basin. He increased the distance from Route 100 to the backs of the townhomes, revised the Lexington layout, concrete public walks on both sides of the

community, added an emergency access, added a tot lot similar to Courts of Chester Springs, added a mailbox kiosk, added overflow parking spaces in two different places, proposed signage over by Lexington and Route 100. The open space area will be 50% of 21 acres. A buffer was proposed along Route 100 and it will surround the entire parcel. Mr. Creeger noted that today is just about getting feedback. The property will have about 85 townhouses.

Regarding the overall trail plan, there are some opportunities to fill some of the gap to make some connections. These will be two story, 2000 s.f. townhouses over basements. There will be staggered roof lines. Average sale price will be in the high \$300,000's. Mr. Schneider asked if Pulte considered a 55 and older community or is it too small for that. Ms. Shick stated that a comment was made that 85 units would not be big enough to support a pool. There are 186 units right next door, which is also Pulte's property; could the new townhomes use the pool at the other community? Mr. Creeger stated that would present a whole set of other problems with the HOA. Pulte could not enforce the community with the pool to allow another community to have access. Ms. Shick asked what amenities this community would want. Mr. Creeger stated that it would be just the tot lot, not a pool or three seasons room.

Suzanne Nastase, 120 Windgate Drive asked what impact this new community would have on schools. Mr. Creeger stated that it is too early in the process to be able to tell.

John Eldridge, 1634 Hilltop Road stated that at one time it was 2.4 children per unit. Is that an old number?

Ms. Shick asked if they had any lower price options. Mr. Creeger stated that due to the land values in this area it would very difficult to lower the costs.

Brian Curry, 512 Blackhorse Road asked if the roads are going to be dedicated to the township or the HOA.

Mr. Schneider stated that he would think that \$380,000 would be affordable housing.

Dorothy Lynn, 714 Sun Valley Court commented that when she bought her home the realtor told her that the wooded area would not be developed. Does this area have to be developed? There is not a lot of woods left. What about the wildlife? Mr. Creeger stated that there is a conditional use agreement in place right now for this to be a commercial area, so there would be a lot less green space than what Pulte is proposing. Ms. Shick stated that the conditional use was granted based on it being mixed use. The previous board allowed Hankin to cut the commercial space in half at the Weatherstone commercial area and Ms. Shick would not like to see the township lose the commercial potential to 85 townhouses. Ms. Lynn also stated that the only way to get into this development is through Lexington; this will create a lot of traffic right by her. Mr. Creeger stated that traffic studies will be done later on to warrant what would be provided. Ms. Lynn asked if there are plans to put a stop sign or a traffic light anywhere. Mr. Creeger stated that there is a traffic light proposed at Lexington and Route 100.

Martha Thomae, 89 St. Andrews Lane asked how many extra cars this would bring. She is concerned about the increase in the traffic. The traffic there now is absolutely horrible. Mr. Creeger stated that commercial properties warrant more traffic versus residential properties which warrant less.

Ms. Shick asked what kind expectations do you anticipate Ludwig's Corner will be offering to the residents. What amenities will be offered? Ms. Shick stated that in the Township's Sustainability Plan, one of the goals is to reduce vehicle miles driven. What will be at the Weatherstone Commercial that will be offering something to the residents? Mr. Creeger stated that once they know what will be in the Weatherstone Commercial, they will offer this in their sales brochures.

Community Day Update, June 13th – Ms. Batdorf stated that we have a date of June 13, 2020. Jen Hillegas from the Park & Recreation Commission gave the update. She, Suzanne Nastase and Belle Holderness are working on Community Day. They decided that they would sandwich the Community Day between Owen J. Robert's graduation and Father's Day. The time has been pushed back and will be 10 am to 3 pm. The 5K will be closer to the start of the Community Day. Right now we are in the process of getting vendors. We would also need to get a waiver of park rules to allow pony rides. If anyone is interested in helping, we are in need of volunteers.

Earth Day Planning Update – Peter Reitmeyer gave the update. This year will be the 50th anniversary of Earth Day. There is a group that has gotten together to plan the first annual Earth Day Celebration; the date will be 4/18/20 with a raindate of 4/19/20. What is proposed now is stream and road cleanup. There will be a waiver required. There will be a week leading up to the date where residents can stop by the township and sign the waiver and pick up the cleanup supplies. The police have offered additional assistance in some areas. There will be an educational component as well. At the end of the day, we will meet at Flint Road parking lot and have some cookies and lemonade and have a nature walk. It will be promoted through the township website and facebook. Ms. Shick said that the program from which we will be getting materials is Keep Pennsylvania Beautiful. There is also a local Cub Scout group that may participate as well.

Public Comment

Harriet Stone, Birch Run Road commented that she had gone away for a week and is delighted that Sara Shick and Martha Thomae filled her shoes for the amphibian crossing. She also has about a dozen plastic vests that she would be glad to loan for Earth Day Clean Up. Ms. Lynn asked if there will be another night for the amphibian crossing. Ms. Stone feels that there will be more.

Suzanne Nastase, Chair of Park & Recreation Commission stated that recently she had a supervisor inform her that a resolution that was passed to charge money for the installation of public water for the garden was going to be changed this year. Now she is hearing that the charge for the water will be done away with. Parks and Rec has spent many hours last year on this. Mr. Schneider said that must be a rumor. Ms. Nastase said the supervisor told this to her. Mr. Schneider stated that this hasn't even been on an agenda yet. He suggests putting it on the April Workshop Agenda. Ms. Nastase's frustration is why have a Committee when recommendations are agreed upon but then are being changed. Mr. Schneider commented that this should be open for discussion. Ms. Shick stated that she was the supervisor in question and said the fee structure for the garden was approved in January. Ms. Batdorf stated that the fee structure can be changed by resolution at any time; the additional charge for water was not included in the fee structure because the total cost of the water had not been reconciled. We now have the total which is \$5,600. The fee can be assessed at the current rate or changed to reflect the water charge, which was discussed and approved last year by the board. Mr. Schneider stated that the approval for the additional charge was a motion not a resolution. Ms. Batdorf said that we can figure out a creative way to get this done.

Tim Kanavy, Jaine Lane discussed his reverse subdivision which is still not completed. He stated that he has paid over \$6,000 to the township engineer and his engineer just to move a lot line. He just did something with his business in Monroe County with three lot lines and he paid \$100 permit fee and paid a surveyor and it was completed. Why is the township engineer involved in

this in the first place? Mr. Schneider asked Ms. Batdorf why it's like this. Ms. Batdorf stated that Chester County has different requirements as to what they accept as far as municipal approval on lot line changes, consolidations and the like. We have not found a clear path forward outside the subdivision process within our ordinances as they exist today. We do recognize that we would like a less expensive path moving forward and we are working through that. Ms. Batdorf asked Mr. Kanavy if his engineer did change; Mr. Kanavy stated that he had. The township engineer is now working with the new engineer on the outstanding items. Mr. Kanavy stated that he just received another bill. Ms. Batdorf said that if Mr. Kanavy would provide her with invoice numbers, she will look into this further.

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

Meeting adjourned at 8:05 PM

Respectfully Submitted,

Kathy Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Virtual Meeting**

April 6, 2020 7:00 PM

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice-Chairman; Sara Shick, Member; Erica Batdorf, Township Manager; Kathy Shillenn, Township Secretary

Chairman Schneider called the Meeting to order and announced Virtual Meeting Procedures at 7:00 p.m.

Mr. Schneider announced that an Executive Session was held on Monday March 30, 2020 at 3:00 pm to discuss Personnel.

MOTION by Ms. Shick to approve the minutes of February 18, 2020; second by Ms. Shick.
Motion carries 3-0

MOTION by Ms. Shick to approve the minutes of the March 2, 2020 Workshop; second by Mr. Couris. *Motion carries 3-0.*

Manager's Report: Ms. Batdorf gave an update on COVID-19; thanked all that attended virtually and hoped that everyone is doing well and taking precautions. The township is working alongside Chester County and the Governor's office in getting information out to the public. The township meeting is being held via Zoom so Ms. Batdorf explained how the public could use the chat to ask questions and also explained how those that call in would be acknowledged. The township office has been closed to the public since March 16th. All non-essential meetings have been cancelled. We have been working on getting the Zoom system up and running for committee meetings to be held virtually. The Disaster Declaration has been in effect and we have been renewing it in seven day increments. This evening, on the Agenda, we now have model language through the county to allow the township to leave the declaration open ended so that the township can watch and anticipate this situation and move the township forward. To date, Chester County has 304 confirmed COVID-19 cases and three deaths. There are four confirmed cases in West Vincent Township. COVID-19 maps and updates are available on the Chester County website. Mr. Schneider asked if we have the number of recovered cases. Ms. Batdorf said that it should be on the County website. The township has been putting out information and alerts related to helping businesses. The public is urged to use safe social distancing at the township parks. The playground and basketball court is closed and the athletic field use is suspended at this time. The Community Garden remains open to residents who had plots last year. The Community Day has been cancelled for Saturday, June 13th. The Primary Election has been moved to June 2nd; Ms. Batdorf reviewed other date extensions and thanked all the health care workers, first responders and everyone pulling together as a community during this difficult time. Ms. Batdorf also reminded residents to complete the 2020 Census.

The Building and Zoning Department is accepting permit applications electronically; there are PDF fillable forms on the township website which we are processing remotely. We are doing this with an acknowledgment form due to the governor's office closing non-essential, non-life sustaining businesses due to COVID-19. Right now permits will be approved but not issued until the township reopens. In the Finance Department, the February 2020 report is complete; the Audit Report is almost complete. The Financial Statements for 2019 are not completed yet; DCED has given townships additional time. The Public Works Department has been filling potholes and answering PA One Calls; they are only handling truly essential needs right now. Regarding the Bryn Coed Demolition Project, all the structures are now down; ReClaim has demobilized due to COVID-19. Later on in the meeting is a Change Order for ReClaim to suspend the project until work is allowed to start up again. Ms. Batdorf noted that Thursday, April 9th will be her last day with the township. She thanked the Supervisors, Residents and Staff for the opportunity to work with everyone.

Police Report: Ms. Batdorf reviewed the report. Report acknowledged as received. Mr. Couris asked if the police department has been able to secure masks and gloves and also if there has been any contact by the police with anyone who has the virus.

Treasurer's Report: Ms. Batdorf reviewed the Treasurer's Report. The updated Treasurer's Report comprises the fund balances for the year in addition to where we are with the budget for 2020. It's a nice snapshot of both where we are from fund balances and where we are from budget for all funds. Ms. Batdorf reviewed the Budget Summary.

Bills List: MOTION by Mr. Couris to approve the Bills List in the amount of \$525,021.76; second by Ms. Shick.

With no questions or comments, *Motion carries unanimously.*

Announcements: None.

Correspondence: None.

Presentation: None.

Subdivision/Land Development:

2969 Horseshoe Trail – Patricia Morgera Resolution of Approval – MOTION by Ms. Shick to approve Resolution No. 13-2020, Morgera Preliminary/Final Subdivision and Land Development Plan for 2969 Horseshoe Trail for a Two-Lot Single Family Dwelling Development; second by Mr. Couris.

With no comments or questions, *Motion carries unanimously.*

Old Business:

1147 Hollow Road – Zoning Hearing Application, Hearing TBA – Ms. Shick stated that she would like to suggest that the township be represented by Council in that hearing and that this is the second hearing on this parcel; she recommends bringing on the Solicitor who won the case for the township to represent the township again. Mr. Schneider stated that's fine but we don't have a motion for that. It's not on the agenda, we can put it on the agenda for next meeting. Ms. Batdorf stated that there was a previous meeting where the application was acknowledged; it is on the agenda because the hearing was scheduled, but due to the circumstances, we are announcing that we are looking have the zoning hearing probably at the end of May. The hearing date will be announced at a later time. Ms. Shick asked how many days in advance the Board will know so that they can act pretty quickly whenever the meeting is set. Mr. Couris feels that the motion should be made at this meeting.

MOTION by Ms. Shick that the township be represented by Council for the Flather Zoning Hearing Board of 1147 Hollow Road and further recommend to bring Mike Crotty in as Council since he previously represented the township at that location with this homeowner; second by Mr. Couris.

With there being no comments or questions, *Motion carries 2-1 with Mr. Schneider voting no.*

Authorize Transfer of Capital Reserve Funds to Reimburse Open Space Maintenance Account for Bryn Coed Demolition Expenses – Mr. Schneider stated that he feels this is wrong to double tax the residents of West Vincent.

MOTION by Ms. Shick to authorize the transfer of \$316,847.07 from the Capital Reserve Fund to the Open Space Maintenance Fund to offset the Bryn Coed Dairy Complex Demolition costs to date with the understanding that all future invoices will be paid from the Capital Project Reserve Fund for this project; second by Mr. Couris.

Jane Altmann, 276 Blackhorse Road asked why the township is doing this. She thought the original plan was that the Bryn Coed cost was supposed to be \$1.9 million which would include the demolition; the township then decided to take on the demolition and pay a much lower price. Now, all of a sudden, you want to take the money out of the capital reserve. The treasurer's report was saying how careful the township has to be and now you're taking the money out and putting it towards open space. Ms. Altmann stated that she is not against open space and doesn't understand what is going on. Mr. Couris explained that originally he proposed putting all of the \$4 million proceeds from the sewer sale into the open space fund. That was overruled and nothing went into open space. Then the Board wanted to dip into open space funds further to enhance the demolition of the cow palace. Ms. Altmann stated that it was not enhancing but that the Board was doing what was required for the purchase from Natural Lands. That's why she is questioning this. Ms. Shick stated that Ms. Altmann mentioned that this was all of a sudden, but Ms. Shick spoke of this in the January and February meetings. This is not a new topic. It was discussed at length because Ms. Shick had put the motion forward in January and February that the change would be made as soon as the township was able, which was April. Ms. Shick re-opened the budget because she was a new supervisor and she was able to request to re-open the annual budget. It's not a new thing, this

is something whose time has come. Ms. Altmann stated that she feels this is very fiscally irresponsible. Mr. Schneider agreed with that comment.

Brian Curry, 512 Blackhorse Road, via telephone stated that it sounds like this is an open space project and the township had open space money being used on an open space project. Now you're saying that you do not want to spend it on the open space project of the Bryn Coed properties because we want to go and spend that somewhere else. That we'll use general fund monies instead. It doesn't make sense to him that there is open space money to be spent on open space but instead you are going to use it on another version of open space. The township has money coming in every year in excess of what the bond payments are to cover that sort of thing. It's being taken from the general fund, using the term that Ms. Shick used, a windfall. Mr. Curry stated that no, this is not a windfall, it was a sale of capital items. Mr. Schneider has suggested that they were going to put this into the roads, which are capital items. Open space is used intermittently. Roads are much more important to people going about their life than open space. It's not a windfall; that is just the incorrect term. It's pejorative.

There being no further comments or questions, *Motion carries 2-1 with Mr. Schneider voting no.*

Authorization of Advertisement of Anti-Discrimination Ordinance – Mr. Schneider asked if this ordinance has been posted to the website. The residents need to have time to review this before it is advertised. Ms. Shick noted that there was a clause missing to make the motion to authorize the advertisement of the ordinance once the township is back in business. Mr. Schneider stated that there is no need for this. It needs to be posted on the website for review and have comments before it is advertised. Mr. Schneider suggests that this be tabled. Ms. Shick feels like we are dragging our feet when we could be moving ahead. Mr. Schneider wants the residents to see this, review it and have comments about it before we move to advertise it. Mr. Couris is in agreement with Mr. Schneider. *The motion for this authorization is tabled.*

West Vincent Township Declaration of Disaster Emergency – Ms. Batdorf stated that no motion is needed. This is will be posted on the website; the big change is that this declaration will be put in place until further notice so that we won't have to change it in seven day increments.

Bryn Coed Dairy Complex Demolition Contract – Reclaim Inc. Change Order #4 – Contract Suspension – **MOTION** by Ms. Shick to Authorize Change Order #4, Bryn Coed Dairy Complex Demolition Contract Suspension; second by Mr. Couris.

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

Ratification of State Cooperative Purchasing Agreement (COSTARS) Salt Participation Agreement for 2020-2021 – **MOTION** by Ms. Shick to Authorize the Ratification of the State Cooperative Purchasing Agreement (COSTARS) Salt Participation Agreement for 2020-2021; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road via telephone stated that in the past, the township joined with other municipalities in different cooperative agreements or is the COSTARS salt purchase deal the best deal. Ms. Batdorf stated that this salt purchase is usually the best deal; it's gone up \$61.00 from 2108 to 2019. We watch this per ton. Since we have had such a mild winter, we've reduced the amount that we were looking to secure for the 2020-2021 contract to 500 tons. Right now we can keep the allotment that we have on hand.

With no further comments or questions, *motion carries unanimously.*

Authorization to Approve AFSSCME Collective Bargaining Agreement January 1, 2020 to December 31, 2022 – MOTION by Ms. Shick to Authorize the Approval of the AFSCME Collective Bargaining Agreement January 1, 2020 to December 31, 2022; second by Mr. Couris. Mr. Schneider asked if this was also posted to the website. Ms. Batdorf stated that it was not but that it will be posted. Mr. Couris asked how much of a change was there over the last contract. Mr. Schneider stated that the significant one was the contribution to insurance premiums. Ms. Batdorf stated that the contribution is 3%. The raise amounts may be a little bit more than the previous agreements. Ms. Batdorf stated that there are two positions which had a structural increase and changed the hourly rate of pay. The positions are the permits administrator and the police secretary. There is a wage scale added now. There is also the addition of one holiday, Martin Luther King Day. There was some language tweaked in regard to healthcare and the maintenance of dues. Mr. Schneider asked if anyone in the meeting has any objections to the board voting on this.

Brian Curry, 512 Blackhorse Road via telephone stated that Mr. Schneider makes a good point. It would be nice to have this information available to the public before it is voted on. It is good that the township manager gave a summary of what the changes are. Mr. Schneider stated that he does agree that Ms. Batdorf did give a recap and he is ok with moving forward. Ms. Shick stated that we had also engaged our solicitor to review this.

With no further comments or questions, *motion carries unanimously.*

Authorization to Approve the Police Officer's Association Collective Bargaining Agreement January 2, 2019 to December 31, 2022 – MOTION by Ms. Shick to authorize the approval of the Police Officer's Association Collective Bargaining Agreement January 2, 2019 to December 31, 2022; second by Mr. Couris.

Ms. Batdorf stated that this is a four year contract; in bargaining with the police it will be 3% in year one, 3.75% in year two and 4% for the last two years as far as base wages. Longevity payment changed and it is now every five years the officers will receive a \$1500 payment, in addition another tier was added for vacation for those police officers who have been with the township a bit longer. Officers with 12 or more years of service will receive 20 vacation days per year. For healthcare there will be a 3% contribution. Additionally, for retirement, the minimum retirement age will be reduced from 55 years to 54 years of age and also amended the police pension plan to include a deferred retirement option (DROP). Ms. Shick wanted to thank the police for talking with the board and not going to arbitration.

With no comments or questions, *motion carries unanimously.*

Public Comment on Non-Agenda Items:

Mr. Couris stated that he wanted to say one more time that it has truly been a pleasure to work with Ms. Batdorf and the community owes her a bunch and that we will sorely miss her. Ms. Shick stated that we will be looking for an interim manager to help keep things going until we can find a manager.

Brian Curry, 512 Blackhorse Road via telephone added that Ms. Batdorf has always been tremendous in answering questions about the bills list or anything else he would email her about. She was always tremendous in the meetings, including a budget presentation every year. Thank you Erica.

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

Meeting adjourned at 7:50 PM

Respectfully Submitted,

Kathy Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Virtual Meeting**

April 20, 2020 7:00 PM

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice-Chairman; Sara Shick, Member; Bryan Kulakowsky, Township Engineer; Kathy Shillenn, Township Secretary

Chairman Schneider called the Meeting to order and announced Virtual Meeting Procedures at 7:00 p.m.

Mr. Schneider announced that an Executive Session was held on Tuesday, April 7, 2020 at 9:00 AM to discuss Personnel.

MOTION by Mr. Couris to approve the minutes of April 6, 2020; second by Ms. Shick.
With no comments or questions, *Motion carries 3-0*

Bills List: **MOTION** by Mr. Couris to approve the Bills List in the amount of \$318,711.74; second by Ms. Shick.
With no questions or comments, *Motion carries unanimously.*

Announcements:

Announce Hiring of New Road Master, Mike Hogga – Mr. Schneider announced that Mike Hogga will be the new West Vincent Township Road Master with a starting date of May 1, 2020.

Announce Posting on Website of Anti-Discrimination Ordinance with a 2-Week Comment Period – Mr. Schneider stated that there will be a comment period of 2-weeks; residents should send comments or questions into the township either by email at office@westvincenttp.org or by regular mail. Ms. Shillenn stated that it will be posted tomorrow morning. Ms. Shick wanted to clarify that the township is taking comments on the ordinance itself; the concept of having the ordinance has already been discussed.

Brian Curry via telephone asked where the Anti-Discrimination Ordinance will be posted on the website. Ms. Shillenn stated that it would be posted under Notices.

Correspondence: None.

Presentation: None.

Subdivision/Land Development: None.

Old Business: None.

New Business:

Approval of Appointment of John Granger as Interim Township Manager – **MOTION** by Mr. Couris to approve the appointment of John Granger as Interim Township Manager; second by Ms. Shick.

Brian Curry via Telephone asked if the township had any other potential candidates for that position. Ms. Shick stated yes. Mr. Curry asked if she could tell us who they were. Ms. Shick stated no, but they have done their due diligence. Mr. Schneider stated that there was no problem revealing other candidates; he had an offer from Arro to get Cary Vargo as Interim Manager. Ms. Shick stated that she has also pursued other avenues; she couldn't find anyone as qualified as John Granger.

Mr. Curry stated that he did some looking on the internet and stated that John was let go from Exeter Township, but it sounds like that there were some financial issues that local people were upset with. It sound likes the same thing happened at Towamencin Township. Are we going to be looking at that very carefully with him in this position? Ms. Shick stated again that the Board has already done their due diligence in hiring Mr. Granger as interim manager. Mr. Curry asked if it was a unanimous decision to hire Mr. Granger as interim manager. Ms. Shick stated yes.

With no questions or comments, *Motion carries unanimously.*

Bryn Coed Farms Dairy Complex Demolition – Payment Recommendation #4 – MOTION by Mr. Couris to approve the Bryn Coed Farms Dairy Complex Demolition Payment Recommendation #4 in the amount of \$207,970.58; second by Ms. Shick.

Ms. Shick asked how much is still left to be paid. Mr. Kulakowsky stated that there is \$261,905.47. Mr. Schneider asked if Mr. Kulakowsky felt comfortable that this amount will get us to the completion. Mr. Kulakowsky stated that there is probably a couple of thousand dollars in tippage and less than a week's worth of work for change order #3, which is the asbestos. They would have been finished this work but for the shutdown. There is about two to three more days of field work before they are finished. Arro has been on site monitoring what has been going on to make sure things are good when they submit for their payments. This payment is through March 19th. The contract is currently suspended and will be re-opened when we go back to work.

With no questions or comments, *Motion carries unanimously.*

Approve Letter of Support for Natural Lands DCNR Grant Application – MOTION by Mr. Couris to approve the letter of Support for Natural Lands DCNR Grant Application; second by Ms. Shick.

Brian Curry, via Telephone asked what grant is Natural Lands going for. Mr. Couris stated that it is for a bridge and boardwalk that is going over the wetlands that will tie in with our park. Ms. Shick commented that Natural Lands is not asking for any money, just a letter of support. Mr. Curry said that he is curious about the amount of money natural lands is looking for from DCNR. With no other questions or comments, *Motion carries unanimously.*

Mr. Couris was in touch with Natural Lands last week realizing there is some sensitive land area in the wetlands; right now the farmers will be spreading round-up. The farmers will be putting signs up that round-up is being used so that people on the trail can steer clear.

Approval of the Phoenixville Region Intergovernmental Cooperative Implementation Agreement for Regional Planning – MOTION by Mr. Couris to approve the Phoenixville Region Intergovernmental Cooperative Implementation Agreement for Regional Planning; second by Ms. Shick.

Brian Curry via Telephone asked what the agreement says. Ms. Shick stated that the document is in support of the revision that is incorporating West Pikeland into the region. It's a continuation of the township's commitment to be in regional planning with the other municipalities. Mr. Schneider stated that there is a lot more to it than accepting West Pikeland. We also have a grant from the County because we have to revise the comp plan to include West Pikeland. With no further questions or comments, *Motion carries unanimously.*

French & Pickering Creek Trust's Request for Sponsorship for Iron Tour Bike Event June 2020 – MOTION by Mr. Couris to approve \$1,000 for French & Pickering Creeks Trust's Request for Sponsorship of the Iron Tour Bike Event June 2020, if held, or French & Pickering Creek's Trust may hold the Sponsorship Donation until the next scheduled Iron Tour Event; second by Ms. Shick.

Mr. Schneider said he doesn't understand the second part of the motion; why give French & Pic the money. Ms. Shick said that we are giving it to them for the next Iron Tour when it is held. Mr. Schneider feels that the motion should state approve \$1,000 for the French & Pic Iron Tour Bike Event June 2020, if held.

MOTION is amended by Mr. Couris to approve \$1,000 for French & Pickering Creek Trust's Request for Sponsorship of the Iron Tour Bike Event June 2020, if held; second by Ms. Shick. With no questions or comments, *Motion carries 2-1 with Mr. Schneider voting no.*

Approval of the Police Chief's Contract – MOTION by Mr. Couris to approve the Police Chief's Contract; second by Ms. Shick.

Brian Curry via Telephone asked if both the Police Chief's and the AFSCME contracts will be posted on the website. Ms. Shillenn commented that all of the signed contracts, AFSCME, Police Union and when signed, the Police Chief's contract will be posted on the website under notices. With no further comments or questions, *Motion carries unanimously.*

Public Comment on Non-Agenda Items:

Ms. Shick commented that Ms. Shillenn has agreed to host the committee meetings in the evening via Zoom. It will be available to the committees should they chose to meet.

Mr. Couris wanted to express his appreciation to the entire staff; they've really come through going over and above in these difficult times. Mr. Schneider and Ms. Shick agreed also.

Ms. Shick also mentioned that Mr. Granger attended the meeting today and she wants to welcome him to the township. She is excited to have someone with his level of experience coming on board.

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

Meeting adjourned at 7:30 PM

Respectfully Submitted,
Kathy Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Virtual Meeting**

May 18, 2020 7:00 PM

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Interim Township Manager; Kathy Shillenn, Township Secretary

Chairman Schneider called the Meeting to order and announced Virtual Meeting Procedures at 7:00 p.m.

Mr. Schneider announced that an Executive Session was held on Thursday, April 30, 2020 at 4:00 PM to discuss Personnel.

MOTION by Mr. Couris to approve the minutes of April 20, 2020; second by Ms. Shick.
With no comments or questions, *Motion carries 3-0*

Police Report: Chief Swinger read the police report. In addition, Chief Swinger wanted to thank the following individuals for providing personal protection equipment over the past few month. Sandy Malamud for the cloth face masks, Chris Bechtel and Mark Kimbro for the custom made helmets and face shields, Bob and Shelley Coushatta for the Tyvek suits, Matt Bell for the plastic face shields, Kenny Wang for the N95 masks, Uwchlan Ambulance, Ludwig's Corner Fire Company QRS, and West End Ambulance for the N95 masks and our West Vincent EOC Director Jim Gooding for obtaining masks, sanitizer, gloves and disinfectant spray. On behalf of all the police officers, they sincerely appreciate the generosity and support of the community.

Bills List: **MOTION** by Mr. Couris to approve the Bills List in the amount of \$244,139.46; second by Ms. Shick.

Brian Curry via telephone had several questions that he sent into the office which were answered. Another question he had concerned the Groff Tractor and Equipment backhoe repairs. Transmission work was done on backhoe #1; a complete rear axle was replaced a few months back that was discussed at a previous meeting. The question is, did the previous work affect the transmission somehow? Maybe there should be some additional checking up on this before the bill is paid. Mr. Granger stated that he would take care of this and will have a report by the end of the week.

With no questions or comments, *Motion carries unanimously.*

Treasurer's Report: Mr. Granger reviewed the Treasurer's Report. The General Fund receipts for the month totaled \$405,653.00 and receipts were \$229,775.00 for a total of a little more than \$500,000. That is comparable to the First Quarter in terms of revenues which is generally a little less than 25% due to the Earned Income Tax deposit being made in April. The expenses appear to be on budget at about 19%. Since Mr. Granger was not here during the first quarter of the year he can not comment on any other expenses. He did note that the township did receive the Liquid

Fuels tax receipts for this quarter. Mr. Granger also noted that due to the lack of travel during the first quarter of this year, receipts for next year will be less. Ms. Hogrelius reviewed the fund balance. The General Fund balance is about \$2,248,129.67 which is 42% higher than this time last year. The Open Space Fund balance is \$1.6 million which is about 7% higher than last year. The Sewer Fund is 31% higher than last year but that depends on when the bills go out and receipts come in since the township is on a cash basis. Liquid Fuels is \$260,995 as of March, Capital Projects \$1.5 million ending balance, Capital Road \$1.7 million.

Manager's Report: The administration ordered two PC's; one for the manager and one for the secretary at a cost of \$1,370.00. They were budgeted. Mr. Granger also met with other managers and a few others to put in place Pandemic Response for contractors. The parking lot at Bryn Coed was stoned for a cost of about \$200. The Township received a notice from a contractor working with PennDOT that West Seven Stars Road in East Vincent Township will be closed some time next year to repair the covered bridge. There will be detours (to be determined) affecting some West Vincent Township roads. The highway department repaired a fence at the park and will be putting mulch in the playground area. GVWA planted some trees at Bryn Coed Park through a grant. Tires were replaced on one of the MACK trucks, the tires were very bald. The truck just barely passed inspection.

Mr. Couris asked if the duration of the bridge closure is known. Mr. Granger commented that he thinks it is for one year.

Announcements:

Correspondence: None.

Presentation: None.

Subdivision/Land Development: None.

Old Business:

Anti-Discrimination Ordinance – Mr. Schneider stated that there is a new date for the discussion of the Anti-Discrimination Ordinance. It is deferred until June 15th. Comments on the draft ordinance will be accepted until 4:00PM on Tuesday, May 26th. Ms. Shick asked if the date is presuming that the township will be in yellow or green by then so that we can have a meeting with everyone in the same room. Mr. Schneider stated yes.

New Business:

Authorization to Advertise for Bids for Road Materials for 2020/2021 – MOTION by Mr. Couris to authorize Advertisement for Bids for Road Materials for 2020/2021; second by Ms. Shick.

Brian Curry via Telephone there was some discussion with the previous Road Master about adjusting both the materials and the quantities. Is the request for bids being adjusted on either the types of materials or the quantities of them to reflect what we are using? Ms. Shillenn stated that she spoke with Mike Hogga, our new Road Master. He stated that the township will request the same quantities as last year.

With no questions or comments, *Motion carries unanimously.*

Payment Recommendation #3 for Berg Construction, LLC - 2019 Road Program - MOTION by Ms. Shick to approve Payment #3 (final) to Berg Construction, LLC in the amount of \$74,044.08 for the 2019 Road Program; second by Mr. Couris.

With no questions or comments, *Motion carries unanimously.*

Consider Adoption of Resolution Approving an Application to DCED for a Grant in the Amount of \$35,000 for a Township Wide Park and Trail Master Plan - MOTION by Ms. Shick to approve Resolution No. 13-2020, Requesting a Greenways, Trails and Recreation Program (GTRP) grant of \$35,000 from the Commonwealth Financing Authority for West Vincent Township Parks and Trails Master Plan; second by Mr. Couris.

Ms. Shick discussed this. The Township applied for a Vision Partnership Grant which the Township was not awarded. This grant is following up with a different funding source, although the County said the Township could apply again in the fall. Mr. Schneider asked what the Township's obligation will be for the grant request of \$35,000. Mr. Granger stated that the township obligation would be \$15,000. Ms. Shick stated that this is the same terms that the Vision Partnership was. Mr. Schneider asked what the grant was for. Ms. Shick stated it is for our Parks and Trails so that the township has a unified vision of all parks and trails system. Mr. Granger commented that the state will not supply any grant funding for any parks projects unless there is a Master Plan for the park or the township. Mr. Schneider stated that the township has a couple parks, but there is not major planning to be done; there are trails all over the place, most of which we don't have access to because they are on private property. Mr. Schneider does not know what a Master Plan would do for the township; just like the Multi Modal Plan, it is a waste of money. Ms. Shick stated that the purpose of the plan would be to address those things that Mr. Schneider just spoke about. Part of this plan would be to inventory the trails. Mr. Schneider stated that all you need to do is talk to Bill Holderness and he could give it to the township. Mr. Granger stated that he has not received the trail map that Mr. Holderness was going to send him after the Park and Rec meeting last week.

Brian Curry via Telephone asked why the township would hire someone to look at the trails, when the township has people that are interested in trails and could probably do this.

With no questions or comments, *Motion carries 2-1 with Mr. Schneider voting no.*

Consider Adoption of Resolution Extending the Face Period for Township Real Estate Taxes to December 31, 2020 - MOTION by Ms. Shick to approve Resolution No. 14-2020, Extending the Period in which Real Estate Taxes may be paid at the Base Rate by Adopting a Penalty Rate of 0% for 2020; second by Mr. Couris.

With no further comments or questions, *Motion carries unanimously.*

Consider Adoption of Resolution No. 5-2020 (Revised) - Updating WVT Fee Schedule - MOTION by Ms. Shick to approve Resolution No. 5-2020 (Revised), Updating the WVT Fee Schedule; second by Mr. Couris.

Suzanne Nastase via computer asked what the resolution is? Mr. Schneider stated that this is to correct a typo.

With no further comments or questions, *Motion carries unanimously.*

Consider Approval of Signal Service Traffic Signal Maintenance Agreement at \$950 per Year
- MOTION by Ms. Shick to approve a Two-Year Signal Service Traffic Signal Maintenance Agreement in the amount of \$950 per year; second by Mr. Couris.
With no comments or questions, *Motion carries unanimously.*

Consider Quote from John B. Ward for \$1440 for Treatment of Ash Trees at Evans Park Surrounding Perimeter of Baseball Field - MOTION by Ms. Shick to approve the quote from John B. Ward, Arborist of \$1440 for Treatment of Ash Trees at Evans Park surrounding the Perimeter of Baseball Field; second by Mr. Couris.

Mr. Couris asked if Mr. Ward is licensed in both pest control and as an arborist? Has Mr. Ward given the viability of the ash trees? Ms. Nastase from Park & Rec Committee stated that Mr. Ward looked at them last fall; there is two trees that are not flourishing. Mr. Couris asked if the treatment will cure not only the ash borer problem but also bring vitality back to the trees. Ms. Nastase felt that Mr. Ward was optimistic about the trees recovering; there is no guarantee but feels that the trees will recover. Ms. Nastase also noted that this is a two-year treatment. All eight ash trees will be treated.

With no other comments or questions, *Motion carries unanimously.*

Authorization to Advertise Ordinance Amending Police Pension Plan in Accordance with MOU Reached with Police Officers - MOTION by Ms. Shick to Authorize the Advertisement of the Ordinance Amending the Police Pension Plan in Accordance with the MOU Reached with West Vincent Township Police Officers; second by Mr. Couris.

Brian Curry via Telephone asked what does the MOU say? What does it cover? Ms. Shillenn stated that the MOU is posted on the website under Township Notices. Ms. Shick stated that this is just the final step to make everything official. Mr. Granger stated that for the benefit plan to be effective, PMRS needs to have them included in the pension document.

With no other comments or questions, *Motion carries unanimously.*

Public Comment on Non-Agenda Items:

Suzanne Nastase, Park and Rec via Computer stated that she sent in a motion that parks and rec had approved in March to charge for the water hook-up for the garden. It was due to go to the supervisors in March, but the meeting was cancelled. At the last Park and Rec meeting it was brought up again. It is a modest charge of \$15.00, \$20.00, and \$25.00 per plot based upon the plot size. Ms. Nastase submitted the motion to be discussed today, but it did not get on the agenda. Mr. Couris asked if this charge is a one-time hook-up charge or a monthly charge. Ms. Nastase stated that it is a seasonal charge. That charge will be assessed each season. Mr. Schneider stated that it would be for a period of five years. Ms. Nastase stated that, at the moment, it will not be paid off in the five years based on the number of gardeners and the amount that was assessed. Mr. Couris asked Mr. Schneider is this could be agreed to be paid out of the general fund. Ms. Nastase stated that the Gardeners voted on this and agreed to pay for the water hook-up. Ms. Nastase stated that with the new season of gardening the committee wanted to start implementing the assessment. Mr. Couris asked if there was any disagreement among any of the plot users. A majority approved the fee. Ms. Hillegas, Park and Rec Committee said that this voting happened in July of 2018. In 2018, the Supervisors unanimously voted to approve the surcharge. Mr. Couris asked if the funds go into Park and Rec or into the general fund. Ms. Hillegas said that it would go into the general fund. Mr. Schneider asked Ms. Nastase to bring

the discussion to the Park & Rec Committee again and bring it forward for next year. Mr. Couris asked if everything should flow through Ms. Shillenn. Ms. Nastase stated that someone needs to be at the garden to assign plots. Ms. Hogrelius can get the information on the costs of the water hook-up and a listing of plots that were paid for. Ms. Nastase thanked Public Works for the railings being replaced and the gardener will be starting also. She will be pulling weeds and doing some plantings.

Ms. Shick thanked Public Works and Mr. Granger also for getting the parking lot at Bryn Coed Township Park stoned and putting arrows on the trail to connect the township parking lot to the Natural Lands trail.

Bill Holderness, Park and Rec Committee commented regarding the trails; there were about five maps, two do not exist, which he will have to draw again. Mr. Schneider asked if Mr. Holderness had mapping for all the public trails. Mr. Holderness stated that one for the Bryn Coed Trail. He also has a map for Veronica Drive (Fox Hollow). French Creek Trail is still being flagged. Mr. Schneider asked what other public trails the township has. Mr. Holderness stated that there are a lot of little stubs. Mr. Schneider commented to Mr. Holderness that there was an approval earlier for a grant for mapping of trails in the township. Mr. Schneider stated that grants are not free money.

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

Meeting adjourned at 8:00 PM

Respectfully Submitted,
Kathy Shillenn
Township Secretary

West Vincent Township

Board of Supervisors
Virtual Meeting
June 15, 2020

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Interim Township Manager, Kathy Shillenn, Township Secretary

Vice-Chairman Couris called the meeting to order and announced Virtual Meeting Procedures at 7:13PM.

MOTION by Ms. Shick the minutes of May 18, 2020; second by Mr. Schneider.
With no comments or questions, *Motion carries unanimously.*

Police Report: Sergeant Russell reviewed the police report.

Bills List: **MOTION** by Ms. Shick to approve the Bills List in the amount of \$183,388.95; second by Mr. Couris.

Ms. Shick questioned the Eckert Seamans item for \$236.00 that attributed to the Police Account that she feels should come out of the General Fund. Ms. Shick would like to see the bill moved into the General Fund before the Bills List is approved. Ms. Hogrelius, Township Treasurer commented that it is always in the general fund, but right now it is being expensed to the Police Budget. Ms. Shick asked why we do that? Do we do that with everything else? Ms. Hogrelius said no. Ms. Shick stated that is her point; it should be from the general fund budget not the police budget.

Ms. Shick would like to **AMEND the MOTION** to read approval of the Bills List in the amount of \$183,388.95 with the Eckert Seamans bills, retroactive to January 2020 be taken out of the General Fund. Mr. Schneider asked if the money was taken out of the police department and not the road department in the past; Ms. Hogrelius stated that was correct, but there were not any AFSCME bill. It was mainly the Eckert Seamans bills that were expensed to the police legal and not the township legal. Mr. Schneider commented that we have a legal account for the police and one for general fund, but we do not have one for the road department or the code department or anything else. How long has the police department had a legal account? Ms. Hogrelius stated that the account creation is not the issue here, it is where we are going to expense the legal expenses for the police negotiations. Mr. Schneider asked if there were any legal expenses allocated in the budget for the police. Ms. Hogrelius stated that for 2019 no, and for 2020 she will have to look and get back to Mr. Schneider.

Mr. Schneider stated that if we had no budget for police legal, then it should come out of the general fund, but if there was money allocated in the police legal, then it should come out of the police budget. Ms. Shick has not checked today, but she is pretty sure it did not come out of the police budget.

There being no other comments or questions, **MOTION IS AMENDED** by Mr. Schneider to approve the bills list in the amount of \$183,388.95 noting that if the police budget shows funds in legal, the Eckert Seamans bills will come out of the budget; if no funds were showing for legal in the police budget, then they will come out of the general fund; second by Ms. Shick. *Motion carries unanimously.*

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Approved

Treasurer's Report: Mr. Granger reviewed the Treasurer's Report. In the General Fund, the total income is \$846,145 and year-to-date is \$1.97million; expenses are \$290,331 with year-to-date being \$1.1million. The net income is about \$645,000 year-to-date. It has been a good month considering COVID-19, which he will report on next. Open Space Fund had revenue of \$19,737 and year-to-date of \$254,704 and no expenses. Liquid Fuels Fund had \$211 in interest income; the year-to-date revenue is \$252,346. Expenses were \$14.00 and total year-to-date expenses are \$58.00.

Mr. Schneider asked if Mr. Granger said liquid fuels had interest. Mr. Granger said yes, it was \$211.

The Sewer Fund had revenues of \$4,165; year-to-date is \$44,628. Expenses \$38,140 with year-to-date expenses of \$79,908 with at total loss of \$35,280 year-to-date. Mr. Granger stated the loss means expenses exceeding revenues. Mr. Schneider asked if that is because we have not billed out the quarterly yet. Ms. Hogrelius stated that the number is correct, and it will balance itself out next month; it is just timing.

Mr. Granger stated that Capital Reserve had income of \$3,096 and expenses of \$524,818 for the month and that was the same for year-to-date, which was for the Bryn Coed demolition expenses. The revenue was \$8159. Ms. Hogrelius pointed out that was for the April 6th approval for the Bryn Coed Demolition project. She wanted to make it clear that this item was not budgeted for 2020 in this fund. This fund will continue to look as if it is over-budget. In the 2020 budget it was originally budgeted as Open Space Maintenance Fund. Ms. Shick said that the budget was amended in April so that it is official that it is not in the Open Space Maintenance Fund.

Ms. Hogrelius stated that the budget was not amended, the budget still stands. Mr. Granger stated that this can be taken care of; Mr. Schneider commented that it will be a simple accounting adjustment. In the capital road the revenue was \$3,844 for the month, the total is \$90,746; expenses were \$182 for the month and \$2611 year-to-date. Finally, in the Escrow Fund, assets were \$310,094.81 and liabilities did not have a lot of change.

Manager's Report: Mr. Granger reviewed his manager's report. Most of what he has been working is reflected in the agenda items.

Impact of COVID-19 on Township Expenses: All of the revenue streams, i.e., real estate tax, transfer tax, and earned income tax and building permits have remained steady. On expenses, the salaries, police department, highway department, general recreation budget and engineering services. It is interesting the real estate taxes is very nominal and varies from the prior year. The transfer tax is going to take a very big hit. We have received \$83,000 less this year than last year. Earned Income taxes are slightly less than last year and could be due to any number of reasons. Surprisingly building permits are ahead from last year during this same period. Deed transfer taxes are going to take a big hit mainly due to real estate transfers not really occurring. All totaled the township is going to be about \$97,000 less in revenue stream primarily due to the deed transfer tax. Earned Income Tax should be close to the budgeted amount; probably about 43% under. Deed Transfer Tax should be substantially less, most likely about 65% to 70% .

On the expense side, Mr. Granger anticipates a net savings of \$15,000 in the manager's compensation including health benefits and about \$25,000 in the highway department. One item that will be over-budgeted is the police department, where the settlement will be about \$25,000 more than what was budgeted.

There was money budgeted for a vehicle in the Codes Department, \$35,000. That money has not been spent yet. Mr. Granger recommends deferring that until later in the year. The other issue of importance is the recreation budget, which is \$94,000. Some has been spent, but not the entire \$94,000. Probably about a third of the amount will be spent, maybe a half at the most. Another is engineering expenses are going to be less than budgeted due to less workload. The Fellowship Trail at \$150,000. There will probably be

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Approved

some engineering expenses, but the construction will most likely be next year. The Township is looking to save approximately \$250,000 to \$330,000 of expenses that will be available. In looking at the big picture, the township will not be impacted heavily from the COVID-19 crisis.

Presentation: 2020 Audit Presentation by Barbacane, Thornton & Company – Steve Kutsuflakis reviewed the results of the Audit Report. Report is on file. A management letter was issued.

Brian Curry, 512 Blackhorse Road commented that there is a DCED Report that is submitted to the state. In the past, we have had the discussions that Mr. Kutsuflakis had done tonight and some handouts. Will these be on the website and if so, where?

Jamie McVicker, Resident asked what the status of the management letter and will it be made public. Mr. Kutsuflakis stated it was issued last week. Mr. Granger stated that it will be included with the other documents on the website. Mr. McVicker asked if changes will be made based on the recommendations.

Harriet Stone, Birch Run Road wanted to make sure that there will be a series of lectures about amphibians. If you are on Mrs. Stone's mailing list, you will be receiving the information when she gets it.

Ms. Shick read a letter that she received by email yesterday. It was a letter expressing gratitude for the Fellowship Garden.

Subdivision/Land Development:

1215 & 1225 Schoolhouse Lane, Minor Subdivision Lot Consolidation, Kenneth and Valentine Witek
– Receipt was acknowledged by the Board of Supervisors.

Consider Subdivision/Land Development Extension Agreement – 1830 St. Matthews Road –
MOTION by Ms. Shick at Authorize the Subdivision/Land Development Agreement for 1830 St. Matthews Road until September 21, 2021; second by Mr. Couris. *Motion carries unanimously.*

New Business:

Road Material Bid Award – **MOTION** by Mr. Couris to accept the Bid for Road Materials from Cedar Hollow Recycling in the total amount of \$77,095.00; second by Ms. Shick.

Mr. Schneider asked if we received multiple bids; Mr. Granger stated no.

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

Consider Adoption of Ordinance No. 187-2020, Amending the Police Pension Plan in Accordance with MOU Reached with Police Officers – **MOTION** by Ms. Shick to Adopt Ordinance No. 187-2020, Amending Police Pension Plan in Accordance with MOU Reached with Police Officers; second by Mr. Couris.

Ms. Shick stated that this is for closing the paperwork for the contract with the Police.

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

Consider Adoption of Ordinance No. 188-2020, Designating a Maximum Speed Limit of 25 MPH for Green Lane between Birch Run Road and Flowing Springs Road – **MOTION** by Mr. Couris to Adopt Ordinance No. 188-2020, Designating a Maximum Speed Limit of 25 MPH for Green Lane between Birch Run Road and Flowing Springs Road; second by Mr. Schneider.

Brian Curry, 512 Blackhorse Road asked if an engineering study was done to establish the 25 MPH and what was the speed limit for and the basis for that. Ms. Shick stated it was not an engineering study it was

a speed study done by the police department. She believes it was a drop from 35 MPH. Mr. Granger explained the speed study. Mr. Curry stated that he is still trying to figure out why the speed limit is set at that point. What is the benefit to the township? Mr. Couris stated it is a matter of safety. Mr. Schneider asked if this is something that the township does on all the roads every year. Ms. Shick stated no, this was a request from people on Green Lane, likewise the one on Hilltop. Chief Swinger does not go out to do a study unless his officer's see an issue or there is a request from residents. Mr. Granger stated that it provides an endorsement opportunity to people who are driving 35 MPH or greater. Mr. Curry agrees on that, but there is still an affect on people because they can accumulate points. Ms. Shick agrees with Mr. Curry. It is about safety.

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

Consider Adoption of Ordinance No. 189-2020, Designating a Maximum Speed Limit of 25 MPH for Hilltop Road, between Flowing Springs and Sheeder Mill Road – MOTION by Ms. Shick to Adopt Ordinance No. 189-2020, Designating a Maximum Speed Limit of 25 MPH for Green Lane between Birch Run Road and Flowing Springs Road; second by Mr. Couris.

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

Authorization to Advertise Ordinance to Designate Speed Limit of 25 MPH on Shady Lane - MOTION by Mr. Couris to Authorize Advertisement of Ordinance No. 190-2020 to Designate Speed Limit of 25 MPH on Shady Lane; second by Ms. Shick.

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

Consider Escrow Release No. 3, Bond Reduction Request of \$206,197.97 for Ewing Tract, Toll Brothers – Sunderland Avenue East – MOTION by Ms. Shick to Authorize Escrow Release No. 3, Bond Reduction Request of \$206,197.97 for Toll Brothers – Sunderland Avenue East; second by Mr. Couris.

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

Authorization to Lease New Copier – MOTION by Mr. Couris to Authorize the Lease of New Copiers for the Administration and Police Department; second by Ms. Shick.

Mr. Schneider asked how old the copiers are and if they are leased now. What is the difference in cost? Mr. Granger stated that it will be \$200 per month in savings.

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

Authorization to Enter into an Agreement with Summer and Zim, Inc. for Maintenance Services for HVAC System – MOTION by Ms. Shick to authorize the agreement with Summer & Zim, Inc. for Maintenance Services for HVAC System; second by Mr. Couris. Mr. Couris asked if the agreement will also include the oil burner. Mr. Granger stated no, that would be a separate agreement. Mr. Schneider asked the reason for getting a maintenance agreement. Mr. Granger stated that it normally would fall to the highway department, which does not have time to do it. Mr. Schneider asked what the annual cost is. Mr. Granger stated is \$1732 and if you take the savings from the copiers and apply it to the maintenance agreement cost, it will be a net expense of \$104 per year. Mr. Schneider asked how many systems the township has. Mr. Granger stated that three or four. Mr. Couris stated that there is a heat pump, cooling system, another heating system on top of the meeting room and the split system in the police department and one system in the highway department.

Brian Curry, 512 Blackhorse Road stated that there have been one or two failures of the heat pumps in the last two or three years. Having a maintenance agreement will hopefully give warning that something is not working correctly.

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

Authorization to Solicit Proposals for Structural Engineering Services to Design New Roof for Barn – **MOTION** by Mr. Couris to authorize the Township Manager to solicit proposals for structural engineering services to design a new roof for the barn; second by Ms. Shick.

Brian Curry, 512 Blackhorse Road asked if there is something special about this that we do not run it through the normal township engineering firm. They are doing structural stuff on the Buttonwood Lane Bridge. Is there something different about this? Mr. Granger stated that there is a serious consideration on putting solar panels on the roof, so the township wanted a structural engineer that had some experience dealing with that and to get prices on this. Mr. Schneider stated that nothing stops Arro from putting in a proposal on this. Mr. Curry asked who is writing the proposal that is going out. Mr. Granger stated that he has written three proposals and he is circulating among people that have experience with this type of proposal. Mr. Curry also stated that it was mentioned that the township is also looking at solar panels on the roof. Mr. Granger stated yes, at a later date.

With no further questions or comments, *Motion carries unanimously.*

Authorization to Advertise the 2020 Road Program – **MOTION** by Mr. Couris to Authorize Advertisement for the 2020 Road Program; second by Ms. Shick.

Brian Curry, 512 Blackhorse Road asked if the township did the same thing when the Road Program evaluation was done in 2016. Mr. Schneider stated the question is does the township do the same thing every year. Ms. Shick stated that regarding 2016, she thinks it was just authorized for Cedarville to do it. Mr. Curry asked if this will be advertised through the Penn Bid system. Mr. Schneider asked what is this for? Mr. Granger stated it is for the Tar and Chip of certain roads. Mr. Curry asked if there is going to be a list of what roads and what is being done? Mr. Schneider asked if it corresponds to the township road program. Mr. Granger stated that the roads are S. Chester Springs Road, Douglas Lane, Horseshoe Trail, Miller Road, Fellowship Road, St. Matthews Road (above the gravel side), Flint Road, and a portion of Red Bone Lane. The Road Master and Mr. Granger looked at all these roads along with a contractor. Mr. Schneider asked when Flint Road was paved. Mr. Couris stated that Flint Road was paved about 18 months ago. There was only a course layer put down.

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

Bryn Coed Demolition – Work Restart Order – **MOTION** by Ms. Shick to authorize the Change Order for restarting the work for the Bryn Coed Demolition; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road asked is there was an idea of when this will be completed? Mr. Schneider stated that he thinks it will be October.

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

Discussion on Future Recreation Programming – Mr. Granger discussed this. The Park and Recreation Committee recommended that there be no activities scheduled for the year. Activities that will done after Labor Day, late fall, are there certain events that you would like to see. Mr. Schneider stated that there is a Fall Festival, it just depends on the COVID-19 situation. Ms. Shick stated that maybe we could combine a 5K with the Fall Festival. Mr. Couris stated that this would be very tentative.

June 15, 2020

Approved

Discussion of Goals and Objectives – Mr. Granger discussed this. Throughout his career he has worked with various elected bodies to establish goals and objectives to develop a framework for the development of a budget. He typically works on budgets of multi-year budgets, usually three years. This gives direction to the board and also direction to the committees and public in terms of what the township is working on and how resources are being allocated; and also, the time frame of projects that are being done. Here in the township the committees are very active. They could use some direction and leadership on what they would like to accomplish each year. It provides a lot of direction to the committees and with the Board and the public.

He suggests that the Board authorize the administration to send a letter to the committees to set goals as to what they would like to accomplish in the next three years. The Board agrees with this process.

Public Comment on Non-Agenda Items -

Jason Kremser, Resident stated that he had a question earlier about the recreation program and how young people could help, but he heard that there will be no activity for the rest of the year. Ms. Shick commented that she thinks the township would be open to that; maybe he could help to come up with some things that young people could help with. Mr. Granger asked Jason to give him a call sometime next week to discuss some things that he could come up to help with. Ms. Shick thought that maybe Jason could sit in some of the committee meetings and maybe there would be something that he is interested in.

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

Meeting adjourned at 8:30PM

Respectfully Submitted,
Kathy Shillenn
Township Secretary

July 20, 2020
Approved

West Vincent Township
Board of Supervisors
Virtual Meeting
July 20, 2020

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Interim Township Manager, Kathy Shillenn, Township Secretary

Chairman Schneider called the meeting to order and announced Virtual Meeting at 7:00PM.

MOTION by Ms. Shick the minutes of June 15, 2020; second by Mr. Couris.
With no comments or questions, *Motion carries unanimously.*

Police Report: Chief Swininger reviewed the police report.

Bills List: **MOTION** by Ms. Shick to approve the Bills List in the amount of \$161,211.72; second by Mr. Couris.
With no comments or questions, *Motion carries unanimously.*

Treasurer's Report: Mr. Granger reviewed the Treasurer's Report. Report on File.

Manager's Report: Mr. Granger reviewed his manager's report. Most of what he has been working is reflected in the agenda items; Mr. Granger was also working on Township Goals and Objectives.

Announcement: Chairman Schneider announced that there will be a Board of Supervisors Virtual Workshop via Zoom on August 3, 2020 at 7:00PM during which time a variety of topics will be discussed.

Presentation: None.

Subdivision/Land Development: Approval of Minor Subdivision Preliminary/Final Plan Submission – Lot Consolidation for Witek Property, 1215-1225 Schoolhouse Lane – **MOTION** by Ms. Shick to approve the Minor Subdivision Preliminary/Final Plan for Lot Consolidation for 1215-1225 Schoolhouse Lane; second by Mr. Couris. With no comments or questions, *Motion carries unanimously.*

Old Business: None.

New Business:

Agricultural Building Setback Requirement – Ms. Shick explained this request. The owners would like relief from the side yard setbacks to have a shed for some miniature horses. The homeowners have a letter from their neighbors stating that they are fine with the setback being only 30 feet. Mr. Couris stated that it is also hidden by trees. Mr. McGrory stated that the Board of Supervisors does not have the power to waive the setbacks. Only the Zoning Hearing Board can grant a variance for that. Mr. McGrory stated that you can only waive SALDO, not Zoning requirements. Mr. Granger suggested tabling this request until the

July 20, 2020

Approved

next meeting. The Agricultural Building Setback Waiver will be tabled until the next Board of Supervisors meeting.

Approval of Resolution No. 15-2020, Appointment of John A. Granger as Full-Time Manager, effective August 1, 2020 – MOTION by Ms. Shick to appoint John A. Granger as Full-Time Manager, effective August 2, 2020; second by Mr. Couris.

Mr. Schneider stated that he did look at the agreement and salary and as stated before, this contract will be without benefits, is this correct? Mr. McGrory stated that the agreement does not include health and dental benefits. All others are provided.

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

Approval of Township Manager Severance Agreement – MOTION by Ms. Shick to approve the Township Manager Severance Agreement, effective August 1, 2020 to January 3, 2022; second by Mr. Couris.

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

Approval of Change Order #6, Underground Pipe Removal – Asbestos Contaminated Material – Bryn Coed Demolition at a cost not to exceed \$27,000 – Mr. Granger discussed this Change Order. The company found this pipe during demolition. This is a price per foot plus materials, if it is more than \$27,000 then the company will come back with another Change Order. MOTION by Mr. Couris to approve the Change Order #6, Removal of Underground Pipe Asbestos Contaminated Material with a not to exceed price of \$27,000; second by Ms. Shick.

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

Approval of Change Order #7, Removal of Two (2) Underground Vaults, including the Removal of Oil from One – Bryn Coed Demolition, at a Cost Not to Exceed \$68,000. Contract will also be Extended to November 7, 2020 – Mr. Granger discussed. There are two underground vaults which need to be removed, one of which has oil in it. They were not shown on the original plans. To remove the chemical material and remove the vaults, at a cost not to exceed \$68,500. The Contract will also be extended until November 7, 2020. MOTION by Mr. Couris to approve the removal of two underground vaults, including the removal of oil from one at a cost not to exceed \$68,500; the contract will also be extended to November 7, 2020; second by Ms. Shick.

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

Approval of Recommendation for Payment Application #5 to Reclaim Company, LLC for Bryn Coed Demolition in the Amount of \$63,946.13 – MOTION by Mr. Couris to Approve Payment Application #5 to Reclaim Company, LLC for Bryn Coed Demolition in the amount of \$63,946.13; second by Ms. Shick. There being no comments or questions, *Motion carries unanimously.*

Approval of Special Fire Police Application – MOTION by Ms. Shick to approve Heather McComsey to the Special Fire Police; second by Mr. Couris.

Mr. Schneider asked if this is something we do every year. Mr. Granger stated that the Board of Supervisors must appoint the Special Fire Police.

Larry Stone, Birch Run Road asked what a special police officer is and what do they do. Mr. Granger stated that the special fire police officer manages traffic at fires and accidents. Mr. Schneider asked if this is a

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Approved

position paid by the township or from the budget of the fire company. Mr. Granger noted that most of the special fire police are volunteers but if not, they are paid by the fire company. There being no further comments or questions, *Motion carries unanimously.*

Approval of the Bid for the Tar and Chip Road Program – Mr. Granger stated that there were three (3) bids. Asphalt Maintenance Solutions, LLC was \$169,749, Martin Paving was \$181,299.50 and Asphalt Industries was \$219,183. The low bid was \$169,749 by Asphalt Maintenance Solutions, LLC. All their paperwork was submitted today and is in order. **MOTION** by Ms. Shick to award Asphalt Maintenance Solutions, LLC the bid for the West Vincent Tar and Chip Road Program in the amount of \$169,749; second by Mr. Couris.

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

Approval to Purchase Budgeting Software – Mr. Granger stated that this software provides a far easier program to develop a budget and better reporting to elected officials and to the public. It is a very good tool that will help everyone prepare and explain the budget. **MOTION** by Ms. Shick to approve the purchase of the Budgeting Software as described in the amount of \$10,650; second by Mr. Couris.

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

Discussion of Proposed West Vincent Township Logo – Mr. Granger discussed this. The trees were apparently used a couple of years ago for a bond issue. The color scheme was modified; the blue represents the streams and the water in the community and a tag line was added. The tag line was used in the Open Space Referendum. This very clearly says this is West Vincent and this is what we are about. Mr. Granger is asking the Board of Supervisors to talk about it and if they like it to give authorization to use the logo in all of the township's products, i.e., signs in park, trail signs, business cards, etc. Mr. Couris stated that he liked it. Is this the final drawing? Mr. Schneider asked about using the tree on Flint Road. Ms. Shick stated that if you notice, the tree trunks are a W and a V. **MOTION** by Ms. Shick to adopt the logo and design as presented; second by Mr. Couris.

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

Discussion on Changing Accounting Method to Full Accrual Basis – Mr. Granger explained the difference between the cash basis and the full accrual basis of accounting. You are doing two things; one, you are changing the way you record revenues and expenses. In cash you record revenue when you receive it. In accrual, it is recorded when it is earned. Mr. Couris asked how that helps us. Mr. Granger stated that the other part of the system is the assets and liabilities. You need to record all assets. We do not have the value of land, building, etc. The value is not recorded. All that value needs to be calculated. It is a little more complicated and it is primarily designed to provide to the people you are reporting to the value of the community. Mr. Schneider stated that going to full accrual is high for the township. Mr. Granger stated that it would be a two-step process. The first year would be modified accrual, where you would readjust the 12/31/19 balances to make a full accrual this year but you would not book your assets.

Ms. Shick stated that this has been recommended for several years by the elected auditors and some of the appointed auditors. Mr. Schneider stated that this would show a better picture for the residents. It is a better system. Mr. Couris asked how much this would cost.

Mr. Granger stated there are three expenses. The PMRS expense is minor; they are a defined benefit plan. The big cost would be the valuation; the audit will be more expensive because they must review all the liabilities. Mr. Granger would suggest the modified accrual to start then budget for full accrual the following year.

July 20, 2020
Approved

MOTION by Ms. Shick to approve the recommendation from the Manager and Treasurer that we move to modified accrual for 2020 and to do due diligence of the potential costs and timeframe for full accrual in the future; second by Mr. Couris.

With no further questions or comments, *Motion carries unanimously.*

Public Comment on Non-Agenda Items

Mr. Couris stated that about three months ago he suggested to hold off to have face to face discussion on the Non-Discrimination Ordinance. He recommends having a discussion on this at our next workshop.

Mr. McGrory commented that in all his other townships, they have used the antidiscrimination ordinance to fill a void between federal and state law. Federal and state law have their own provisions to accommodate all classes, but not anything for sexual orientation. Now Supreme Court has said sexual orientation is included in that but only for employment. He suggests limiting to just sexual orientation. The federal and state government would undertake the expense if there is a violation of things covered by the federal and state governments. They have the ability to investigate. Mr. Schneider suggested getting out the old ordinance, sending it to the Board and posting on the website for review before our next workshop meeting.

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

Meeting adjourned at 7:51PM.

Respectfully Submitted,
Kathy Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Workshop & Business Meeting (Virtual)**
This meeting is being held virtually through the Zoom Conferencing System

August 3, 2020 7:00 PM

Attendance: Mike Schneider, Chairman, Bernie Couris, Vice Chair, Sara Shick, Member, Joe McGrory, Township Solicitor, John Granger, Township Manager, Kathy Shillenn, Township Secretary

Chairman Schneider called the Meeting to order at 7:00 p.m.

Presentations:

Discussion of WVT Anti-Discrimination Ordinance – Ms. Shick stated that we are open for comments from the residents on the draft document. Mr. Schneider asked if the public had any comments. Ms. Shick stated that we received one comment by email. Mr. Couris stated that since this has first come about, he has had four people email him in opposition to this ordinance. They were opposed to the mechanics of putting this into place; what authority would people put on the commission have and how that might impact people down the line. Two were concerned about process and the other two were concerned about religious principles. Those who are concerned about the process make a valid point and Mr. Couris would like to hear from anyone as to how this might be done in the future. Mr. McGrory discussed this. He explained that municipalities first pass the ordinance, then appoint a commission and then decide on the rules and regulations and decide on how to handle any complaints. This ordinance just establishes the commission and assigns to them their task. It is exceedingly rare to get any complaints.

Barry DiLibero, Business Owner stated that this is all done on feelings. In his business, he can turn down anyone for any reason if he is not comfortable with the ID or for any reason. For any business in the township, owners would have to defend themselves against a ludicrous claim. Because of someone's perception of how the business owner treated them, now becomes put in front of a jury. Mr. DiLibero stated that Mr. Schneider said it best when he stated that there has never been a problem in the township. The fact of the matter is, that this is all on feelings not on fact. Mr. Schneider agreed with Mr. DiLibero. Mr. Schneider stated that he has a serious problem with this. He feels that the Supervisors do not have a right or ability to regulate perception. He feels that there should never be a law that regulates a person's perception. He feels it will lead to very dangerous regulating of thought in the future. Mr. Couris stated that he has heard the word perception twice. There have been occasions when his wife and he were discriminated against when attempting to adopt because they were not married and again, down the line, they were denied, because they were not Christian.

Larry Stone, 1645 Birch Run Road stated that the discrimination that is being talked about is regarding gays, lesbians, bisexuals; those are people that legally you cannot discriminate against. Mr. DiLibero stated that the ordinance that was described by Chris Carroll was for all people, not just those groups of people. Mr. Schneider stated that he read the ordinance and it reads actual

or perceived. Again, this word perceived must go. Ms. Shick reminded everyone that several months ago it was voted on to have this ordinance. Mr. Couris had asked to delay this ordinance to give the public another chance to comment on this. Ms. Shick asked if this ordinance is workable. Mr. Schneider stated that in his mind it is not; if you take out perceived, yes. Ms. Shick asked if it is just that one word. Mr. Schneider stated yes, where it is stated self-perception and actual or perceived.

Mr. McGrory stated that the perception is what the person believes themselves to be; the individual person not what other people perceive them to be.

David Weber, Resident asked what the difference is between actual and perception. Mr. McGrory stated actual is that you are a guy, perception would be if you think you are a woman in a guy's body. Mr. Weber asked what would determine that you are a guy.

Chris Carroll, 1021 St. Matthews Road stated that the way he sees the ordinance is that if he thinks that someone is gay and he decides not to serve them based upon his perception of them.

Mr. McGrory stated that the perception is how the individual perceives their sexuality. If they believe that they are a woman inside of a man's body, then they are to be treated like a woman. It is the perception of how they see themselves. Mr. Schneider stated that he has a major problem with any law that deals with perceptions and thoughts. He does not want anyone discriminated against for any reason.

West Vincent Clean Energy Transition Team Update - Ken Witek and Kathy McDevitt - Ms. Shick stated that this is a report created by the Energy Transition Team as a result of the Ready for 100 action; it's two members of the Sustainability Committee and two members of the EAC. This is their semi-annual report to the Board. Mr. Witek stated that back in May the township passed a resolution supporting a 100% renewable energy future. There were two goals, 100% clean and renewable energy for electricity by 2035 and 100% clean and renewable energy for heat and transportation community-wide by 2050. The first board members were Kathy McDevitt and Ken Witek from the EAC and Kirk Reinbold and David Weber from the Sustainability Committee. An explanation of what the Clean Energy Transition Team has worked on followed.

Barry DiLibero, Business Owner commented that this looks to be about municipal owned properties; at the bottom he saw something about changing ordinances to help comply. Is this about the municipality itself or on changing ordinances? Ms. McDevitt stated that they can not issue mandates.

Mr. McGrory stated that he has drafted other ordinances that promote sustainability and energy saving devices. He has built them into subdivision and zoning so that people get bonuses for a certain number of sustainable items.

Ms. Shick stated that she thinks this team is amazing. Mr. Couris asked what the township would be on the hook for. Mr. Witek stated it would be \$7,500. The total grant would be in the amount of \$50,000.

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

Workshop Closed at 7:48 PM

Business Meeting

Bills List: MOTION by Ms. Shick to approve the Bills List, as submitted, including the ratified list, in the amount of \$114,473.36; second by Mr. Couris.

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

Treasurer's Report: Mr. Granger read and discussed the Treasurer's Report.

Presentation: Buttonwood Lane Bridge Project Proposal Presentation – McMahon Associates

John discussed the presentation. In about a month or two, you will be able to select the best alternative based on cost. Mr. Granger reached out to McMahon Assocs. and asked for the best low-cost estimate from a design standpoint. Christopher Seaman from McMahon Associates presented the project proposal.

Mr. Schneider asked about the area in red where it shows a one lane bridge built right next to the original bridge. Then the old bridge would be knocked down and rebuilt. Why would you rebuild it? Mr. Seaman commented that it is assumed that the township would want a two lane bridge; if a one lane configuration is what the township would like, they would have to make the one lane bridge a little bit wider. Mr. Schneider stated that the bridge only serves a limited number of homes and a one lane bridge would be cheaper. Steve Giampolo commented that to be clear they are not building two separate structures; they are building one structure. Mr. Seaman is proposing a half-width construction. Half the bridge would be built and utilize the existing one and then shift traffic to the newly built section.

Mr. Schneider also asked about the second option downstream; do you have any feeling on cost between the two? Mr. Couris asked if there is any sense of development back in the Buttonwood Subdivision. Ms. Shick stated that the big issue about the downstream structure, the township would need right-of-way or easement to get across the horse pasture, so we would be taking that horse pasture away and build a new road. Ms. Shick said she agrees with Mr. Schneider that having a one lane bridge would be enough.

Mr. Schneider stated that the township has been working on this for several years. Mr. Granger provided McMahon with the information from the work that Arro had done. Mr. Schneider asked if there would be additional surveying needed. Mr. Giampolo stated that yes there would be additional surveying. This is needed because the survey that was done did not extend far enough. You must go 500 ft. upstream according to DEP.

Ms. Shick stated that if it becomes apparent to do the smaller bridge, we can ask them to let us know and not put effort on Option 2 if it is not going to be viable. Mr. Giampolo stated that it is worthwhile to look at both options, due to DEP requiring alternatives. Mr. Schneider asked why we went to a different engineering firm for this purpose. What was the decision based on? Mr. Couris stated that Mr. Granger worked with McMahon before, so we are taking another look at this. Ms. Shick was shocked at the cost of the preliminary work. Ms. Shick asked Mr. Schneider if he remembered when they did work under the bridge. Mr. Schneider did remember. Arro or Cedarville did the work.

Brian Curry, 512 Blackhorse Road stated that the Buttonwood Bridge has shown up on several years as bills list items. The cribbing was installed to make the weight limit that it is posted at now.

Old Business:

Agricultural Building Setback Requirement Waiver – 905 Jaine Lane - MOTION by Ms. Shick to approve Resolution No. 18-2020, Reduced Setback Requirements for 905 Jaine Lane; second by Mr. Couris.

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

Authorization to Advertise the Anti-Discrimination Ordinance: MOTION by Mr. Couris to authorize advertisement of the Anti-Discrimination Ordinance; second by Ms. Shick.

There being no questions or comments, *Motion carries 2-1 with Mr. Schneider voting no.*

New Business:

Authorization to Retain IT Provider – Help Now – Mr. Granger discussed this. After several issues with the current provider, he asked Chief Swinger to look at other providers to find a company that is used by municipalities and police departments around the county that provides this service. He found Help Now. The administration met with them a couple of times and they did an analysis, which was distributed to the Board of Supervisors. Mr. Granger feels that it is the appropriate time to make a change to upgrade the current system to what we need. Chief Swinger asked several municipalities and Help Now came highly recommended. Mr. Schneider asked if the township pays for the help desk. Mr. Schneider also asked if they service the network products. Mr. Granger stated that they service things that are not third party. Mr. Schneider asked if this is a 3-year contract; and he also asked if there is a reason why we went with a contract. Mr. Granger would rather have a company that can be relied on. MOTION by Ms. Shick to retain Help Now as the West Vincent Township IT Service Provider; second by Mr. Couris.

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

Approval of Contract for Buttonwood Lane Bridge Project – McMahon Associates – MOTION by Ms. Shick to approve the McMahon Associates Contract of \$42,500 for the Buttonwood Lane Bridge Project; second by Mr. Couris.

Mr. Couris asked what the endpoint of the \$42,500 is. Do we know what is covered by the \$42,500? Mr. Granger stated that this contract will work up through November. Then you can decide on whether to go forward. Mr. Couris asked if we will know what each of the projects will cost? Mr. Granger stated that there will be rough estimates.

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

Respectfully Submitted,

Kathy Shillenn
Township Secretary

West Vincent Township
Board of Supervisors
Virtual Meeting
August 31, 2020

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Township Manager, Kathy Shillenn, Township Secretary

Chairman Schneider called the meeting to order and announced Virtual Meeting at 7:00PM.

MOTION by Ms. Shick to approve the minutes of July 20, 2020; second by Mr. Couris.
With no comments or questions, *Motion carries unanimously.*

MOTION by Ms. Shick to approve the minutes of August 3, 2020; second by Mr. Couris.
With no comments or questions, *Motion carries unanimously.*

Police Report: Chief Swinger reviewed the police report. Report on file.

Bills List: **MOTION** by Ms. Shick to approve the Bills List in the amount of \$156,366.66; second by Mr. Couris.
With no comments or questions, *Motion carries unanimously.*

Treasurer's Report: Ms. Hogrelius reviewed the Treasurer's Report. Report on File.

Manager's Report: Mr. Granger reviewed his manager's report. In addition to the items on the agenda, he worked with the IT Company during the transition, worked with the RF100 on the grant application and also charging stations; worked with the Roadmaster on liquid fuels, beginning to work on the budget, and worked on coordinating storm damage with the Roadmaster. Also, newsletter is now being sent to the printer.

August Financial Report: Mr. Granger reviewed the report. He took the liberty of going through the revenue and expenses through the end of the month. He found it very encouraging. The General Fund revenue will be about 95% collectible. The Earned Income Tax collected year-to-date is about \$112,000 more than last year. Deed Transfer taxes are low; about 33% of what they were last year. The Building Permits are around 37% to 40% of the budget. Last year the township issued a little more than 150 building permits for new construction activity of all types. This year it is under 60. He expects that to remain close to 60 for the remainder of the year. Permits for decks and sheds were relatively consistent. It is all about new construction; he expects this to have a major impact on the budget. The township may add about \$285,000 increase to the general fund for the remainder of the year.

Announcement:

Correspondence: **Historic Commission – Demolition by Neglect Letter – Miller Road Barn – Ms. Shick** discussed this. This is a letter from the Historic Commission to make the Board of Supervisors aware

that they were writing to the landowner, who is Natural Lands, to make them aware of the problem and the recommended remediations.

Presentation: None.

Old Business:

Public Hearing: Anti-Discrimination Ordinance No. 191-2020 - Mr. McGrory opened the public hearing by submitting into evidence Board Exhibit 1, Anti-Discrimination Ordinance, Exhibit 2, Proof of Publication when received.

This ordinance has been discussed previously. Mr. McGrory asked if the Board of Supervisors had any questions. There were no questions or comments from the Board of Supervisors or the public.

Mr. McGrory closed the public hearing and re-entered into the public meeting.

Approval of Ordinance No. 191-2020 – Anti-Discrimination Ordinance – **MOTION** by Ms. Shick to adopt Ordinance No. 191-2020, Anti-Discrimination Ordinance; second by Mr. Couris. *Motion carries 2-1, with Mr. Schneider voting no.*

Approval of Resolution No. 17-2020, Revised – 1215-1225 Schoolhouse Road Lot Consolidation – **MOTION** by Ms. Shick to approve Resolution No. 17-2020, 1215-1225 Schoolhouse Road Lot Consolidation; second by Mr. Couris.

With no comments or questions, *Motion carries unanimously.*

Approval of Resolution No. 19-2020 – 352 Blackhorse Road Sewage Facilities Planning Module Adoption – **MOTION** by Mr. Couris to approval Resolution No. 19-2020, 352 Blackhorse Road Sewage Facilities Planning Module; second by Ms. Shick.

With no comments or questions, *Motion carries unanimously.*

New Business:

Public Hearing: Mr. McGrory opened the public hearing by submitting into evidence Board Exhibit 1, Speed Limit Ordinance – Shady Lane, Exhibit 2, Proof of Publication when received. Mr. McGrory asked if the Board of Supervisors or the public had any comments or questions. Mr. McGrory closed the public hearing and re-entered into the public meeting.

Approval of Ordinance No. 190-2020 – Speed Limit Ordinance, Shady Lane – **MOTION** by Mr. Couris to adopt Ordinance No. 190-2020 – Speed Limit Ordinance, Shady Lane; second by Ms. Shick.

With no comments or questions, *Motion carries unanimously.*

Authorize Advertisement of Snowplow Bid - **MOTION** by Mr. Couris to authorize advertisement of the Snowplow Bid; second by Ms. Shick. With no comments or questions, *Motion carries unanimously.*

Authorize Submission of Vision Partnership Program Grant Application – **MOTION** by Mr. Couris to authorize submission of Vision Partnership Program Grant Application. Ms. Shick would like to amend the motion to read, **MOTION** by Ms. Shick to authorize the submission of the Vision Partnership Program Grant Application if there are at least three municipalities participating in the Program; second by Mr. Couris.

Approval of the Amendment to AFSCME Labor Agreement – MOTION by Mr. Couris to approve the AFSCME Labor Agreement Amendment; second by Ms. Shick.

Mr. Granger explained that this amendment bring the Roadmaster into the Union and establishes and sets the rate for a new job classification of Road Laborer II.

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

Approval of Video Surveillance Upgrades – MOTION by Ms. Shick to approve the video surveillance upgrades; second by Mr. Couris.

Chief Swinger explained the upgrades. This is basically upgrading the current analog system to a digital system. There are no additional cameras being added.

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

Approval of Recommendation for Payment Application #6 to Reclaim Company, LLC for Bryn Coed Farms, Dairy Complex Demolition in the amount of \$32,917.50 – MOTION by Ms. Shick to approve payment application #6 to Reclaim Company, LLC for Bryn Coed Farms, Dairy Complex Demolition in the amount of \$32,917.50; second by Mr. Couris.

Mr. Couris asked how much longer it will be before the job is completed. Mr. Granger stated it should be completed by mid-November.

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

Request by the Sustainability Committee to move meeting time from 7:30PM to 7:00PM – MOTION by Ms. Shick to approve the Sustainability Committee Meeting time change to 7:00PM; second by Mr. Couris.

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

Public Comment on Non-Agenda Items

Donna and Jim Bergey, 1433 Birchrun Road commented about the lost power during the last storm for five days and cable for four days and were unable to communicate in anyway. Also cell phone service is non-existent in the valley, so they are completely isolated. The Bergey's are looking for advice with this issue.

Ms. Shick commented that maybe there should be a discussion with Public Safety.

Kirk Reinbold, 1201 Green Lane asked if there is an urgent need and you can't call from your home, where do you go?

Dennis Ray, East Pikeland Township wanted to thank the township for approving the Vision Partnership Program Grant.

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

Meeting adjourned at 7:30PM.

Respectfully Submitted,
Kathy Shillenn
Township Secretary

BOS Meeting
8/31/20
Approved

West Vincent Township
Board of Supervisors
Virtual Meeting
September 21, 2020

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Township Manager, Michele Hogrelius, Township Treasurer, Dan Maschi, Township Solicitor, Joe McGrory, Township Solicitor, Police Chief Mike Swininger

Chairman Schneider called the meeting to order and announced Virtual Meeting at 7:00PM.

MOTION by Ms. Shick to approve the minutes, as amended, of August 31, 2020; second by Mr. Couris. With no comments or questions, *Motion carries unanimously.*

Police Report: Chief Swininger reviewed the police report. Report on file.

Bills List: **MOTION** by Ms. Shick to approve the Bills List in the amount of \$208,673.82; second by Mr. Couris. With no comments or questions, *Motion carries unanimously.*

Treasurer's Report: Ms. Hogrelius reviewed the Treasurer's Report. Report on File.

Jamie McVickar, 407 Blackhorse Road commented that he had several questions based on John Eldridge's spreadsheets of the breakdown of the report. Is there a concern on the shared revenues and Public Safety revenues are so low in relation to the budget; Mr. Granger stated that most shared revenues come in during October and they are lump sum payments and building permits, which are in Public Safety, are abysmal. Mr. McVickar asked what the \$25,000 was that was in the Miscellaneous Unclassified Revenue. Ms. Hogrelius stated that was the insurance money that was received from the Griffith Barn fire. Mr. McVickar asked about the big bump in the data processing from last month; Mr. Granger stated that it was primarily due to the IT company changeover. Ms. Hogrelius also noted that Cleargov also was in there and some other unexpected expenses. Mr. McVickar also noted that the Code Enforcement expenses are way ahead of the budget. Mr. Granger noted that the township building inspector is out on leave and we must use contracted services. Mr. McVickar noted that it is just the opposite with highway maintenance, which is particularly low. Mr. Granger noted that primarily the first quarter of the year was low due to very low activity due to a personnel situation.

Mr. McVickar stated that there are some odd numbers in the Liquid Fuels. The budget for Highway Construction Rebuild Project is \$243,000 and we have spent \$74,000. Is that COVID related. Mr. Granger stated that he thinks the Road Program will come out to about \$180,000. Mr. McVickar also asked about the sewer numbers. They are radically different than what was budgeted. Ms. Hogrelius stated that when budgeting last year, they were not sure when the Courts of Chester Springs would be dedicated.

Manager's Report: Mr. Granger reviewed his manager's report. Report on File.

Announcement: COVID 19 Update – Ms. Shick gave the update. The township has been receiving several calls about re-opening the playground; the township checked with the state and county and our insurance carrier and solicitor and it is still considered a risk to the township. The township will still be following that guidance; having meetings by ZOOM, etc. and will be staying that way for the indefinite future.

Correspondence: None.

Presentation: None.

Old Business: None.

New Business:

1147 Hollow Road – Flather – Zoning Hearing Board to be Rescheduled – Ms. Shick noted that the Zoning Hearing Board was to be held on Wednesday of this week and has been cancelled and will be rescheduled at a later date.

2330 Horseshoe Trail – Twaddell – Minor Subdivision Application – Acknowledge Receipt – The Board of Supervisors has acknowledged receipt of this application.

Bryn Coed Farms – Dairy Complex Demolition – Reclaim Co., LLC Payment Recommendation No. 7 for \$120,272.67 – **MOTION** by Mr. Couris to authorize payment recommendation No. 7 to Reclaim Co., Inc. in the amount of \$120,272.67; second by Ms. Shick.

Brian Curry, 512 Black Horse Road asked what the running total of the Dairy Complex demolition is. Ms. Hogrelius stated that it is \$621,681.28 so far. *Motion carries unanimously*

Township Park at Bryn Coed Name Change Discussion – Mr. Granger discussed. There has been some discussion about the name of the park. Because the township has named Evans Park after an individual, it may be appropriate for the Board of Supervisors to consider naming the Bryn Coed Park after the individual or family who worked with Natural Lands Trust to preserve that space. This would recognize the individual or family and give greater identity to the area. Ms. Shick stated that it would also help reduce the confusion when referring to the township park. Mr. Couris commented that it could be named after the Dietrich Family. Mr. Couris is recommending that this discussion be tabled until next month and to come up with some ideas.

Barry DiLibero, Business Owner commented that the difference with Evans Park is that the Evans' gave the ground to the township for the park, so he sees a reason for the name Evans Park. He does not see a reason to name Bryn Coed Park, Dietrich Park, since the township had to purchase that property.

Jen Hillegas, 2225 S. Chester Springs Road commented that another interesting fact is that the old homestead is Owen J. Roberts. We could call the park Roberts Preserve. Ms. Shick stated that is what we like, more ideas. Mr. Schneider stated that Barry DiLibero does bring up a good point about giving credit to people who really do not deserve the credit. Ms. Shick stated that she disagrees that Dietrich's do not deserve the credit.

Barry DiLibero, Business Owner also commented about the trail that was built a year ago; there was a discussion to name the trail after Bill Holderness, who was the main catalyst behind completing this trail. That whole discussion disappeared, or did the trail get named. Ms. Shick stated that the trail did not get

named. While this was being discussed Mr. DiLibero submitted Mr. Holderness' name to be considered for the trail naming.

Suzanne Nastase, 120 Windgate Drive stated that she is going to send something out to the Park & Recreation Committee regarding the naming of the park.

Jim Bergey, 1433 Birchrun Road feels that the Owen J. Roberts idea is a good idea.

Approval of Resolution for Fellowship Trail – Mr. Granger discussed this resolution. This is a resolution which authorizes the township to submit a DCED Grant for a multi-modal application. The grant is for 70% of construction cost. The project will connect with the existing trail and go through Upper Uwchlan Township and go into the West Vincent Township Evans Park. This has apparently been talked about for a very long period of time. The cost of the project is about \$330,000 and the township local match would be about \$100,000. The announcement of whether the township receives the grant would most likely be early next year. It would be at least two years before construction. Ms. Shick also commented that the Planning Commission signed a letter of support for the Fellowship Trail.

MOTION by Mr. Couris to adopt the resolution to authorize the submission of the grant application to the state for the Fellowship Trail; second by Ms. Shick. *Motion carries unanimously.*

Authorize Purchase of Police Vehicle – Mr. Couris asked what the dollar amount is for the police vehicle. Chief Swinger stated that it is under Costars and it is \$35,400. To put the lights and sirens on it will be \$11,000 on top of it, so we are looking at a total of about \$46,000. The vehicle will be a 2021 Silverado Pick-Up Truck Police Package. Mr. Schneider asked what vehicle is being replaced. Chief Swinger stated that it is the 2015 Silverado which is coming up on 100,000 miles.

MOTION by Ms. Shick to authorize the purchase of a police vehicle, a 2021 Silverado Pick-Up Truck for a total estimated cost of about \$46,500; second by Mr. Couris. *Motion carries unanimously.*

Brian Curry, 512 Blackhorse Road asked about getting electrically powered police vehicles; is there a reason why we are not going with electric powered vehicles. Chief Swinger stated that right now there are no electric trucks available. He really does not know if there is a lot of availability for electric police cars right now.

Kirk Reinbold, 1201 Green Lane asked if the chief had given any thought to a hybrid. Chief stated that he has not seen any hybrids available from Chevy.

Jim Bergey, 1433 Birchrun Road asked about a Tesla truck. When he drives by, he sees a lot of cars available; do you really need to replace a vehicle? How many vehicles does the department have? Chief stated that there are 4 patrol cars and one truck. Mr. Schneider asked if there are ever five officers on at one time? Chief stated that during events occasionally and during the concert.

Jen Hillegas, 2225 S. Chester Springs Road asked a budgetary question; is it budgeted every year or every couple of years for a new vehicle? Mr. Schneider said that it is budgeted; Chief stated that two years ago they started budgeting every year.

Wheeler Aman – Ford Road Issue – Mr. Aman spoke about Ford Road access to Kimbertal Kennels. There seems to be some discrepancy in terms of what the new owner, Steve Austin, knows and where he thinks things are. Mr. Aman discussed the different issues on the property. Mr. Schneider stated that he feels the first thing that should be done is to get an engineer down there. Ms. Shick stated that the 1992 plan was pulled from the parcel file and it does not show an easement past the end of the road where the water comes out and goes down to the stream. Mr. Aman stated that he has two survey documents that show an easement past the end of the road.

Solicitor McGrory recommends that the township engineer go there and do an assessment; then sit down with Solicitor McGrory to discuss. There is a difference between a township issue and a neighbor dispute. Stormwater diversion is a township issue.

Steven Austin, 151-155 Ford Road stated that the trees came down approximately May or June of this year. Mr. McGrory asked Mr. Aman if the neighbor moves the wood out of the right of way, would that make things right? Mr. Aman stated that would be a start. Mr. Austin stated that he would be willing to move the wood. Mr. McGrory asked if Mr. Austin would move the wood to open the right of way. Mr. Austin stated that there is a dispute as to whether there is a right of way. He is not eager to do work that he does not need to do. Ms. Shick asked Mr. Austin if his property line is there, Mr. Austin stated that his understanding is that the wood is on his property. Mr. McGrory stated that Mr. Aman's dispute is that the wood is on the right of way. A property line dispute is not handled by the township, it is a private matter between neighbors. If wood is affecting stormwater, it could be a township matter. Ms. Shick stated that copies of the survey documents need to be reviewed. Mr. Schneider stated that it needs to be figured out if water is being diverted. Mr. McGrory stated that the engineer should go there and meet with the two neighbors to determine what exactly is going on. Mr. Granger stated that he will arrange that.

2020 MMO – Ms. Hogrelius discussed this. This is for the coming year and must be done by the last business day in September. The 2021 estimate for the Police Pension Plan is \$67,260.79.

Public Comment on Non-Agenda Items

Suzanne Nastase, 120 Windgate Drive stated that at the last Park and Recreation meeting a resolution was passed to buy an evergreen tree they would like to put in the park for a holiday lighting ceremony. Ms. Nastase would like to go ahead and look for a tree. Ms. Nastase thinks she could get a tree for about \$300, plus purchasing lights, etc.; all for about \$500 total. The Board of Supervisors are fine with purchasing a tree. Ms. Shick asked what kind of tree. Ms. Nastase stated that she thought maybe a Blue Spruce; Gardner's recommended a Norway Spruce.

Donna Delaney, 2147 Beaver Hill Road commented that maybe you could look at a native tree, possibly a white pine. Ms. Nastase did not see too much in the way of white pines being used for holiday tree lightings.

Brian Curry, 512 Blackhorse Road stated that in the planting of the tree, assume that you will need to replace the tree that is smaller in a certain number of years in the future.

Jim Bergey, 1433 Birchrun Road stated one thing to consider is the grooming and trimming the tree since it will be a holiday tree.

Brian Curry, 512 Blackhorse Road stated that maybe you should speak to someone on a Christmas Tree farm.

David Weber, 2147 Beaver Hill Road stated that he would like to bring this up to the Sustainability Committee since we all lean towards using native species, then maybe talk to the EAC and Parks and Rec. Ms. Nastase stated that after speaking to Sustainability, what would be the process for getting the money.

Jim Bergey, 2225 S. Chester Springs Road commented that another year has passed and the time for road improvement and maintenance is over for the season. Jaine Lane still has lots of dirt washing down into the gutter and road. What is the progress with the state in trying to fix the problem with Jaine Lane? Mr. Granger observed that it is always better to start at the bottom. Mr. Bergey stated that the bottom is the problem; it is only since Jaine Lane was improved that the gravel is washing down into the ditch and clogging the underpass. There needs to be a pipe replaced under the road. Why hasn't that been done?

Brian Curry, 512 Blackhorse Road remembers Ken Miller talking about this issue and trying to get PennDOT to do something, that was about 6 – 8 years ago.

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

Meeting adjourned at 8:30PM.

Respectfully Submitted,
Kathy Shillenn
Township Secretary

West Vincent Township
Board of Supervisors
Virtual Meeting
October 19, 2020

Attendance: Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Township Manager, Kathy Shillenn, Township Secretary, Michele Hogrelius, Township Treasurer, John Ionuzzi, Township Solicitor, Police Chief Mike Swinger. Mike Schneider, absent

Vice-Chairman Couris called the meeting to order and announced Virtual Meeting at 7:00PM.

MOTION by Ms. Shick to table the minutes of September 21, 2020 until the November 16, 2020 meeting; second by Mr. Couris.

With no comments or questions, *Motion carries unanimously.*

Police Report: Sgt. Russell reviewed the police report. Report on file.

Yvonne Brownlee asked if there is any way she can see how this month's police report compares to previous month's police reports. Sgt. Russell noted that all the police reports are listed on the website. He also stated that Ms. Brownlee can call and speak to Ruth McVey, the police secretary, she can get you the information you are looking for.

Bills List: **MOTION** by Ms. Shick to approve the Bills List in the amount of \$322,004.06; second by Mr. Couris.

With no comments or questions, *Motion carries unanimously.*

Treasurer's Report: Ms. Hogrelius reviewed the Treasurer's Report. Report on File.

Manager's Report: Mr. Granger reviewed his manager's report. Report on File. In addition to the items in his report, he worked on the preparation of the budget, he also worked with Mike Hogga on the road program for next year and also the personnel manual and social media policy and the website updates for next year.

Announcement: None.

Correspondence: None.

Presentation: None.

Old Business:

Wheeler Aman Property Line Dispute – Solicitor Ionuzzi advised the Board of Supervisors to listen only and to not make any statements on this matter; it is a private boundary dispute subject to potential litigation. Ms. Shick stated there is only one party in the dispute on the call; it should be tabled. Ms. Shillenn said that Mr. Austin is also attending, as well as, Mr. Aman. Mr. Aman stated that he has been before the Board of Supervisors several times about the problems on Ford Road and each time the engineer is going to come

and look at the problems; so far no one has contacted him about this. Mr. Granger stated that until the plans are received from the respective parties, so that he has an opportunity to review the plans, it is not advantageous to have a meeting. Mr. DiLiberio stated that Mr. Aman said he had not given any plans to the township. Mr. Granger stated that he believes that Mr. Aman gave Tracey Franey, zoning officer, a plan. Mr. DiLiberio asked when the engineer will come out to the property for a meeting. Mr. Granger stated that it should be some time next week.

New Business:

Scott Risbon – 670 Birchrun Road – Permission for Site Work – Mr. Risbon gave a quick overview of the project. It is a four-unit apartment unit in the barn. The Historic Commission had granted approval of what he wanted to do with the exception of the storefront. They wanted to see how he was going to do the front entrance. Mr. Risbon is requesting that the Board of Supervisors sign his plan so he can get it recorded; then get permission from Mr. Kulakowsky to go ahead and put in the public sewer since there is a timing issue. Mr. Risbon stated that he would then sign an agreement that he will go back to the Historic Commission in November with the plan that is completed to get their blessing.

John Ionuzzi, Township Solicitor stated that there are some outstanding issues in the last review letter from the township engineer that have not been addressed. The plan would have to be revised to reflect the changes. There is a LDA and FSA that have not been effectuated yet; also, a trail easement has not been drafted; legal descriptions still need to be revised to be able to draft the trail easement. There is case law that when you release a plan for recording and public improvements, etc. are not addressed, then the municipality must undertake them. Mr. Kulakowsky stated that basically the plans need to be revised to bring the dates current on permits and outside agency approvals and revise the legal descriptions to have the current dates.

Peter Benton, Chair, Historic Commission commented that the Historic Commission approved the plans last January to be approved by the Township apart from the entranceway. The Historic Commission intended to do the approvals so that the project could proceed. Ms. Shick stated that the idea was discussed of putting a façade easement on the barn to carry with the property. Mr. Benton stated that he would support a façade easement and would be happy to help draft it. Mr. Risbon stated that he has satisfied the lion's share of what was required. He does not want to wait another month.

Mr. Kulakowsky stated that copies of all permits must be provided, all dates must be updated, and the Financial Security Agreement and Land Development Agreement must be completed so that they can be recorded. Mr. Risbon stated he would have no problem with an Architectural Features Covenant running against the property to protect the front façade. Mr. Granger stated that he does not like to deviate from a process. Mr. Benton stated that the Historic Commission has not yet seen a design for the front and when they do, they may not approve it. Mr. Kulakowsky stated that the front entrance will not have any impact to the engineering plan. Ms. Shick asked if there were any plans in the township that she could look at that shows the outside. Mr. Risbon stated that there are architectural plans at the township and at the engineer's office. Ms. Shick also asked if there are aged receivables due to the township.

Peter Benton, Historical Commission commented on the barn doors; they are not what was envisioned by the historic commission. Mr. Risbon should not construct anything. The historic commission could arrange to have a sub-committee meeting to discuss the doors. Solicitor Ionuzzi stated that he will have the Land Development Agreement and Financial Security Agreement drawn up and should be ready in November. Ms. Shick stated that she is suggesting that the township treasurer send Mr. Risbon a statement of outstanding balances.

Accept Resignations of Suzanne Nastase, Parks & Recreation Committee and Thomaseth Dulchinos from the Environmental Advisory Council - The Board of Supervisors acknowledged both resignations.

Approval of Laserfiche Cloud System Proposal – MOTION by Ms. Shick to accept the Proposal from Scantek for the Laserfiche Cloud Management System in the amount of \$2,300 for the first year and \$1,800 annually starting the second year; second by Mr. Couris.

Mr. Granger explained this system. Right now, the township stores the Laserfiche information on the server. Laserfiche will no longer be storing on servers; the industry, as a whole, will be storing everything onto the cloud. Storing on the cloud allows much more space, allows for working remotely, and it also has a much more robust recovery system.

David Weber, 2147 Beaver Hill Road asked when this information will be accessible to everyone. Mr. Granger stated in about two weeks. Ms. Shick stated that it could probably take longer than a week or two. The township is working on it. *Motion carries unanimously.*

Approval of Stone Wall Proposal – Flowing Springs Road Culvert – MOTION by Ms. Shick to approve the proposal by Vince McClatchy Stonework, Inc, in the amount of \$14,800 for the re-build of the stone walls of the culvert on Flowing Springs Road; second by Mr. Couris.

Mr. Granger discussed this. This will be to repair the existing wall around the influent and out fluent pipe of the existing culvert at the crossing. This work will stabilize the culvert itself and the Public Works Dept. will install the pedestrian railing after the project is complete. This project was identified several years ago; because the contractor will break his work so he will not be in the stream it will not require a permit from the state. *Motion carries unanimously.*

Yvonne Brownlee, asked where exactly this is on Flowing Springs Road. Ms. Shick stated this is just down the hill from the café/post office. It is the first stream crossing that you come to.

Proposed Public Safety Building – Approval of the Proposal from KCBA, Hatfield, PA – MOTION by Ms. Shick to approve the proposal of KCBA, Hatfield, PA to provide professional services at a cost of 5.25% of the contracted price for the proposed Public Safety Building; second by Mr. Couris. Mr. Granger discussed this. The police department is working out of three or four closets. They have a female officer and we do not have a separate locker room for her. The township received three proposals. KCBA is the most experienced in the field. They will do a study for the cost of \$2,500 for the feasibility of the project. *Motion carries unanimously.*

Adopt Resolution 20-2020, Payment of State Aid for Pension Plan - MOTION by Ms. Shick to adopt Resolution No. 20-2020 for payment of State Aid for the Pension Plan; second by Mr. Couris. Mr. Granger discussed this Resolution. This is something that should be done every year; it allocates the state aid between the non-uniformed employees plan and the police plan. The non-uniformed plan has a contribution rate of 5% of compensation. The police have a Minimum Municipal Obligation, MMO, which is the absolute minimum that must be paid. This is the 2020 plan. *Motion carries unanimously.*

Chester County Tax Collection Committee Appointment – MOTION by Ms. Shick to appoint John Granger as the West Vincent Representative to the Chester County Tax Collection Committee; second by Mr. Couris. Mr. Granger is recommending to the Board of Supervisors consider not appointing an individual but consider appointing a position. This committee is required by the state several years ago. MOTION is modified by Ms. Shick to appoint the West Vincent Township Manager to the Chester County Tax Collection Committee; second by Mr. Couris. *Motion carries unanimously.*

Set Special Meeting Date for the Presentation of the 2021 Budget – MOTION by Ms. Shick to set the meeting date of November 9, 2020 for the presentation of the 2021 Budget; second by Mr. Couris.

Mr. Couris asked if the meeting needs to be published. Mr. Granger stated that yes it needs to be advertised. Ms. Shick noted that after this meeting, it will be posted for public comment. Mr. Granger stated that the public discussion would occur at the next Board of Supervisors Meeting, where, at that time, the Board of Supervisors could adopt the preliminary budget or schedule it to be adopted at another meeting. The budget must be adopted on a preliminary basis in November; then the Board of Supervisors would adopt the final budget in December.

Approval of Bryn Coed Change Order No. 8 – Decommission of Deep Water Well – MOTION by Ms. Shick to approve the Bryn Coed Change Order No. 8 to Reclaim Company in the amount of \$4,825; second by Mr. Couris.

Mr. Couris asked why this was not seen back when the analysis was done. Why was it not in the bid? Mr. Kulakowsky stated that documentation that was found showed only two wells; this well was found in the bottom of the water vault that was 14 feet underground. This well was not on any of the documentation that they had access to. Mr. Couris commented then there was no way that this well could be determined ahead of time. Ms. Shick asked what the main water vault did for the barn. *Motion carries unanimously.*

Approval of Bryn Coed Change Order No. 9 – Confirmation of Substantial Completion Date – MOTION by Ms. Shick to approve Bryn Coed Change Order No. 9, Confirmation of a Substantial Completion Date of November 27, 2020; second by Mr. Couris. Mr. Kulakowsky discussed this. The company could not give a timing of calendar days for the contract due to the scope of the work. This change order is to set the completion date to November 27, 2020 *Motion carries unanimously.*

Approval of Bryn Coed Payment Recommendation No. 8 to Reclaim Company – MOTION to approve Bryn Coed Payment Recommendation No. 8 to Reclaim Company in the amount of \$43,937.50; second by Mr. Couris.

Mr. Kulakowsky discussed this. With this payment the contract will be at 92.52%. There are two items left in the contract, i.e. site restoration and demobilization. Everything as far as the demolition is complete. *Motion carries unanimously.*

Approval of Proposal for Televising CMP on Houndstooth Lane – MOTION by Ms. Shick to approve the proposal of YQS based on the hourly rate of \$275 per hour for the televising of corrugated metal pipe on Houndstooth Lane; second by Mr. Couris.

Mr. Granger discussed this. There is corrugated metal pipe that the township believes deteriorated causing the sinkhole on Houndstooth Lane. The township would like to have this pipe televised so that the extent of the damage can be seen and cleaned. This will determine what action will be needed to stabilize the pipe. If the township is successful in doing this, then the administration will recommend televising all the corrugated pipe in the township because every piece will eventually rust out on the bottom. Mr. Couris asked if there is a sense of how old this pipe is. Mr. Kulakowsky stated that the pipe is approximately 30 years old. The plans are from 1988.

Motion carries unanimously.

Authorization of Speed Study by Traffic Engineer on Beaver Hill Road – **MOTION** by Ms. Shick to authorize a speed study by a traffic engineer on Beaver Hill Road; second by Mr. Couris.

Ms. Shick would like to table this discussion until Chief Swininger is present to discuss. Mr. Couris commented that the police department did a study on Beaver Hill Road. On most of Beaver Hill Road you can not drive more than 15 mph. The study was done on a paved area on Beaver Hill Road and it came back for a rate that would be much too dangerous for much of Beaver Hill Road. For the township to lower the speed limit below what the police study came up with, the township would have to hire an independent traffic engineer to do the study. *Discussion is tabled until the next Board of Supervisors Meeting.*

Approval of Escrow Release for Orange Realty - **MOTION** by Ms. Shick to authorize Escrow Release No. 1 in the amount of \$97,021.88 to the Orange Realty Group; second by Mr. Couris.

Mr. Kulakowsky discussed this. This is for the dental office at 1024 Pottstown Pike. Arro is recommending release of escrow for work completed through October 13, 2020 in the amount of \$97,021.88 leaving a balance of \$29,440.80.

Motion carries unanimously.

Public Comment on Non-Agenda Items

Barry DiLibero, Business Owner commented that Brian Curry tried three different ways to enter the meeting. Maria Jacobs also could not get on. Mr. DiLibero stated that there are a lot of other meeting programs out there, you just need to pay a little bit more. Ms. Shick asked Mr. DiLibero to send some recommendations to which Mr. DiLibero said that he would send some recommendations tomorrow morning.

Ms. Shick commented that the Board of Supervisors will soon be looking for appointments to advisory committees next year. There are some vacancies in various committees if anyone is interested in serving. Ken Alan, stated that several months ago he sent a letter to the Board of Supervisors requesting the possibility of lowering the speed limit on Horseshoe Trail from Dewees to St. Matthews Road. Has there been any consideration or discussion on that request? Mr. Granger stated that the request will be investigated.

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

Meeting adjourned at 8:30PM.

Respectfully Submitted,
Kathy Shillenn
Township Secretary

**West Vincent Township
Board of Supervisors
Workshop**

November 9, 2020 7:00 PM

Attendance: Mike Schneider, Chairman; Bernie Couris, Vice Chair; Sara Shick, Member; John Granger, Township Manager; Kathy Shillenn, Township Secretary; Michele Hogrelius, Township Treasurer

Chairman Schneider called the Meeting to order at 7:00 p.m.

Presentations: John Granger, Township Manager discussed a Power Point slide presentation of the 2021-2023 West Vincent Township Budget.

The slides and discussion consisted of Township Goals, Township Goals Attained, and Financial Condition of Township – Budgeted Fund Balances through 2023. The Budget also provides appendixes of fiscal policies and funding.

Mr. Schneider commented that Mr. Granger's Manager's Report contained a lot more detailed reports. Mr. Granger stated that is the actual budget that was attached to his report for the Board of Supervisors review. Ms. Shick thanked Mr. Granger, the Township Staff and the Committees. Mr. Couris stated that over the last 25 years he has never seen a more comprehensive budget prepared.

Brian Curry, 512 Blackhorse Road asked about the major work planned for Sheeder Mill Road since a bunch of work was done on it a while ago. Mike Hogga, Road Master explained that 8-10 years ago from Hilltop down to French Creek, extensive drainage work was done. From Hilltop to Flowing Springs Road is in very poor shape.

Kirk Reinbold, Green Lane stated the Chester County Planning Board is meeting tomorrow and that is when they will find out their success or failure in applying for the VPP grant.

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

Meeting adjourned at 7:30 PM

Respectfully Submitted,

Kathy Shillenn
Township Secretary

West Vincent Township
Board of Supervisors
Virtual Meeting
November 16, 2020

Attendance: Mike Schneider, Chairman, Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Township Manager, Kathy Shillenn, Township Secretary, Michele Hogrelius, Township Treasurer, Police Chief Mike Swininger, Joe McGrory, Township Solicitor

Chairman Schneider called the meeting to order and announced Virtual Meeting at 7:00PM.

MOTION by Ms. Shick to approve the minutes of October 19, 2020 and the Minutes of November 9, 2020; second by Mr. Couris.

With no comments or questions, *Motion carries 2-0, with Mr. Schneider abstaining.*

Brian Curry, 512 Blackhorse Road commented that he is challenging all the motions that occurred during the October 19, 2020 meeting because it appears that it was a closed non-executive session meeting that the public was not admitted to. There is a pattern to this.

Joe McGrory, Township Solicitor stated that people must be allowed to speak; if someone could not speak, that would make the action invalid. As far as addresses, the board can require addresses be stated. To solve this at tonight's meeting, he would suggest making a motion to ratify all the motions from last meeting and then open that up to public comment before the vote.

Maria Jacobs, Non-Resident stated that when entering tonight's meeting, it did require putting in your name and address, however it also said that function was not available. She was trying to do what was asked. She sent a letter to the township manager and supervisors the following day requesting that the meeting be re-held. The minutes to that meeting were not very clear. Not one supervisor or the township manager responded to that letter.

Brian Curry, 512 Blackhorse Road is seconding Mrs. Jacobs request. He stated he has sent several emails to the township manager and supervisors about this issue of not being admitted and did not get any answers. Mr. Curry also asked Mr. McGrory what state law says that addresses must be required. Mr. McGrory commented that the Board can require addresses; if you do not live or have a business in the township you can be prohibited from speaking at a public meeting.

MOTION by Ms. Shick to approve the motions from the October 19, 2020 meeting; second by Mr. Couris

Brian Curry, 512 Blackhorse Road commented that this ratification would take place; he would have reviewed the minutes in greater detail. It is a problem that you are suddenly doing this without giving the public a chance to comment on specific things. One item he had a question on was the proposed public safety building. He did not see anything in the meeting that anyone else was asked for a proposal for this or what was the selection criteria was. Did someone happen to be a friend of someone. Ms. Shick stated that it was bid out. Also Mr. Curry asked about the approval on Bryn Coed Change Order #8, Ms. Shick

asked what the main water vault was for the barn. What did the main water vault do? Ms. Shick stated that it had to do with the water supply, keeping it clean and making sure there was enough water.

Mr. Schneider asked the public if there were any other questions.

There being no other comments or questions, *Motion carries 2-0, with Mr. Schneider abstaining.*

Police Report: Chief Swinger reviewed the police report. Report on file.

Bills List: MOTION by Mr. Couris to approve the Bills List in the amount of \$984,704.20; second by Ms. Shick.

Brian Curry, 512 Blackhorse Road stated that we had a light winter last year and were purchasing salt all through last year; we just received a big bill for 370,000 tons of salt. Why do we need all that salt? Mike Hogga, Road Master, stated that the salt purchased was from the 2019 salt contract that the township was required to purchase. There is still some salt that is required to be purchased, which does not include this year's contract. The township is required to purchase 60% of what the township estimates. We must estimate the salt in the spring prior to that season. Mr. Curry asked if the township has a pile of salt stored somewhere. Mr. Hogga stated that it is stored at Oceanport in Delaware. Our facility is not big enough to store it all. Mr. Curry stated that the township has a contract to purchase 60% of the salt again this year; how much is the township anticipating? Mr. Hogga did not have that number, but he knows that amount was significantly reduced from the previous year. How much is the township paying for rental of storage space for the salt. Mr. Hogga stated he believes that the cost is \$3.00 a ton for the season.

With no comments or questions, *Motion carries unanimously.*

Treasurer's Report: Ms. Hogrelius reviewed the Treasurer's Report. Report on File. Mr. Schneider commented that the township has \$186,000 in Liquid Fuels. Do this have to be spent by the end of the year? Ms. Hogrelius stated that it does not have to be spent; it can carry-over.

Manager's Report: Mr. Granger reviewed his manager's report. Report on File. Mr. Granger also stated that there was an audit of the pension plans. He also worked with staff on preparing the RFP for the auditing of the architectural services firm. There was a meeting earlier this week, with two of the supervisors present to have a general conversation regarding the architectural firms.

Announcements: None.

Correspondence: None.

Presentation: None.

Old Business:

Discussion of 2021-2023 Budget – Mr. Granger discussed this. This budget addresses several additional needs; there will be no tax increase. There is a pretty robust road program. It establishes an equipment fund. As was discussed earlier this year, the township will move to a modified accrual basis of accounting. The township will depreciate the road equipment going forward. Mr. Granger will recommend to the Board

of Supervisors to consider borrowing \$500,000 to acquire some of the more expensive equipment. Also, the budget provides for an additional police officer for the half year.

Mr. Schneider noticed that an equipment fund was started. In the past these were expensed in the different departments. When the depreciation portion of any of those expenses needs to be a line item in that department. Also, regarding borrowing \$500,000; he can not see why the township would go out and borrow money. A discussion on the borrowing of money followed. He also noticed that public safety was 30% of revenue in 2020, 2021 34%, 2022 35%, 2023 36% of revenue. That department alone is increasing on percentage of revenue. Mr. Granger said part of the reason for that analysis is a new officer. Also, the police department gets a larger increase by contract than the other employees. Mr. Schneider also questioned the cost of the secretary. \$61,000 was budgeted for 2020. The forecast is \$78,000 in 2020. In 2021 a part time secretary is added. Mr. Schneider wants to know why. Mr. Granger stated that everyone gets a raise; for the secretary and treasurer there are two expenses budgeted next year; one is overtime, and the other is payment of accrued time off that was not taken but paid for. Mr. Schneider also asked about the solar panels; it says they create 2000 kwh per month. Do you know what size the array is? Mr. Granger will check on that.

John Eldredge commented further on the borrowing. He thinks moving operating expenses into a capital account and then borrowing money against it is a dangerous practice. If you cannot afford something, you raise taxes. He feels this complicates accounting.

MOTION by Ms. Shick to adopt the preliminary budget; second by Mr. Couris. There being no further comments or questions, *Motion carries 2-1 with Mr. Schneider voting no.*

Authorize Advertisement of the 2021-2023 Preliminary Budget – **MOTION** by Ms. Shick to authorize advertisement of the 2021-2023 Preliminary Budget; second by Mr. Couris.

There being no comments or questions, *Motion carries 2-1, with Mr. Schneider voting no.*

New Business:

Discussion of Mr. and Mrs. Helm's Request to Construct a Home on Lot 1B, Tax Parcel 25-10-0001-0100 – Mr. Granger discussed this. The Helm's recently submitted correspondence asking the Board of Supervisors reconsider the matter to be allowed to build a home on Lot 1B. Several years ago, the matter was litigated, and the court found in favor of the Township. The Court stated that no home could be built on this lot, which also has a Conservation Easement.

Jim Helm, Veronica Lane that the litigation did not involve the Helm's. It involved a previous owner of the property. It was not in the property file, and it was not mentioned that this conservation easement was done between the township and the Helm's. Mr. Helms is requesting the Board to allow a use of the property that is granted under their agreement. They own a farm in the middle of a subdivision. They are asking the Board to validate that the agreement with the Helm's and the Township is accurate and is good for the time. Mr. Helms also stated that a precedent was set with the owner of 670 Birchrun Road. The property was covered under a legal agreement; the owner signed a restrictive covenant that he would accept the agreement. The Board of Supervisors, within months, changed it and granted the building of four units on the property.

Ms. Shick commented that the agreement pertains to the conservation article for the Southdown Subdivision. The density of the whole subdivision was based on having one home on the Helms property.

Mr. Schneider stated that township will have the Solicitor look at this agreement to determine what can or can not be built on Lot 1B and add to the Board agenda after review. Mr. Schneider would also like to look at the Risbon agreement also.

A resident gave an explanation on conservations easements. Another resident also asked why, since it is two separately deeded lots, you can not build on the one lot.

Mr. Granger stated that this will be added to the December Board of Supervisors Agenda for discussion.

Discussion of 670 Birchrun Road – Historic Commission Issues – Mr. Brachwitz from the Historic Commission discussed this. This pertains to the facade of the building. The Historic Commission felt that if Mr. Risbon kept with what was presented in the rough drawing, the divided light windows and doors on the front of the building, the Historic Commission was o.k. with moving forward. Peter Benton, Historic Commission, added that before any construction is done, the proposed details are provided to that it can be confirmed that Mr. Risbon is keeping with the discussions that were approved. This Historic Commission asked for Mr. Benton and Mr. Brachwitz will be the members to deal with the property owner. Bryan Kulakowsky, reviewed the exhibit plan, the land development plan, and the legal description for the trail easement, and approved the documentation for the trail easement.

MOTION by Ms. Shick to accept the trail easement for the 670 Birchrun Road Project; second by Mr. Couris.

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

MOTION by Ms. Shick to approve the Façade Exhibit with the condition that the Façade Exhibit was approved by the Historic Condition; second by Mr. Couris.

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

Resolution 21-2020, Establish Written Procedures to Select Pension Plan Professional Services – Mr. Granger stated that this is the result of an audit of the township's pension plans. The selection of a professional to provide services to pension plans has been less than good over the decades across the state. The state has issued regulations that each municipality must comply with the regulations in terms of process to retain consultants for pension plan management. The township did not have any standards; he is recommending that the Board of Supervisors adopt a Resolution setting forth the standards that are identical to the state standards.

MOTION by Ms. Shick to approve Resolution 21-2020, Establish Written Procedures to Select Pension Plan Professional Services; second by Mr. Couris.

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

Resolution No. 22-2020, Appoint Township Manager as Chief Administrative Officer for the Township Pension Plans – Mr. Granger explained that each pension plan must have an administrator. The records for the township indicate that Jim Wendelgass is the plan administrator. This was found in the audit. In order for the township to not be found in the same position going forward, Mr. Granger recommends that the Board of Supervisors appoint the Township Manager as the Chief Administrative Officer. The Board will be appointing a position and not an individual.

MOTION by Ms. Shick to approve Resolution No. 22-2020, Appoint Township Manager as Chief Administration Officer for Pension Plans; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road commented that if the township manager is the chief administrative officer, will this be part of the requirements for future township managers? Mr. Granger stated that it is a typical thing that township managers do. Mr. Curry also stated that there is no detailed information on the resolutions that are being passed; is there some reason that these resolutions are not being posted with the meeting notices?

Authorize Administration to Advertise RFP for Plan Administrator & Plan Actuary – Mr. Granger stated that this is for the Non-Uniformed Pension Plan. The Police Pension Plan is managed by the Pennsylvania Municipal Retirement System, which is excellent. The Non-Uniformed Pension Plan is a defined contribution plan and is a little more difficult to manager. The current plan administrator is less than good. The number of findings that the auditor illustrated could have been resolved had the administrator would have been involved and provided guidance.

MOTION by Ms. Shick to authorize Administration to Advertises an RFP for Plan Administrator and Actuary; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road asked if the township has an idea of what the cost will be for the plan administrator and actuary. Mr. Granger stated that they are about \$5,000 each. The pension plan pays those costs. Mr. Curry asked who developed the RFP, what are the requirements? Mr. Granger stated that it will be posted on the website.

Mr. Schneider asked who the plan administrator is currently. Ms. Hogrelus stated that it is PA Retirement Solutions.

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

Appoint Margaret R. Pierson- Robinson as a Special Fire Police Member – **MOTION** by Ms. Shick to appoint Margaret R. Pierson-Robinson as a Special Fire Police Member; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road asked what is the special fire police member? Ms. Shick stated that these are people who work with the fire company. Do we pay them or are they covered under township insurance? Mr. Granger stated that they are covered un the township's workman's comp insurance.

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

Accept Proposal for Garage Doors at Maintenance Building at Bryn Coed Park – Mr. Granger explained this proposal. Mr. Hogga received proposals from one company. This is to install garage doors at the maintenance building at Bryn Coed. There are two small doors and one large door. The cost is about \$15,000. The man door and the windows will be handled by Public Works. The garage doors we can not do. Mr. Granger said that the township really needs to secure this building. Mr. Hogga stated that there are still people going into this building.

MOTION by Ms. Shick to authorize the administration to purchase garage doors at a price not to exceed \$15,000; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road has no objection to that. The building needs to be closed. You really are supposed to have three telephone bids and there might be a problem with supply and demand.

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

Accept Proposal from OZ Properties for Township Snow Plowing – Mr. Granger stated that the work was bid out twice; this is the same company that did work for the township last year.

MOTION by Ms. Shick to accept the Proposal from OZ Properties for the Snow Plowing of Township roads; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road stated that it occurred to him that this would be an on-demand basis. What other facilities would have the same issue? It occurred to him that local small airports. Why does not the township talk to small airports and ask what they do when they need to get someone in to plow.

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

Discussion of Proposed Event Ordinance – Mr. Granger was prepared primarily by the Chief. It is primarily to address provision of services to public events. It is something that is worth the Board of Supervisors attention. It provides a mechanism for the event planner to participate in the planning process with the police and for the police department to be reimbursed for events to provide a service to a third party. It will not cover birthday parties, weddings, or funeral events. This is mostly for large events where traffic management will be an issue. Mr. Schneider agrees with this, but he read this is for 50 or more people. There are some things that need to be taken out of this.

Chief Swinger stated that the township needs some type of structure for promoters for large events. This would be to address a method for applying for and going through all the steps for a permit. Also, to address all public safety issues, including police, ambulance, fire, fire police and zoning. And also to make sure these agencies would be reimbursed for their services. This is just a place to start to get something into place. Mr. McGrory thinks that a really good job on this ordinance. It is well thought out. Ms. Shick also provided some comments to the application.

Brian Curry, 512 Blackhorse Road asked if it could be posted on the website.

Barbara Van Horn stated that she is very involved with the horseshoe grounds. She feels that this is pointed directly to the horseshow grounds and feels this is eminent domain all over again in a different form. They are trying to do things for the community. This ordinance is outrageous. They have dealt very closely with the police. It is clearly directed to the horseshow and the township is trying to shut things them down. Ms. Shick stated that it is not targeted at the horseshow grounds; there are other places that have large gatherings.

Steve Bazil commented that he is outraged over this ordinance. They run everything by the township. They are struggling to keep the grounds open. A discussion of this followed.

Resident stated since they have not seen the actual ordinance, but her understanding is that the police department wants input on what is being scheduled. Chief Swinger stated that this is not to target the horseshow; this is to put structure in place. There are other events in the township. One thing that we have

learned is that there is a lot of bases to cover. Chief had hoped that he could sit down and talk to the horseshow about this; he was not aware that this was put on the agenda. He wants a process that is far to everyone.

Ed Bacon commented that he questions this. If it did apply to the horseshow, it is very troubling. There is a lot in this that would not let the horseshow or dog shows continue. He would be glad to come in to speak with anyone regarding this. He was wondering where this came from.

Barbara Mueller commented that she thinks she sees where the chief is coming from. She oversees a couple of events. She feels that the number of people could be tweaked. And also maybe the fees should be looked at. She does not feel that this is an attack straight at the horseshow grounds.

Maria Jacobs asked chief if there have been large events where the township has not been reimbursed. Isn't that what the police department is there for? The police get paid their salaries, overtime and then you expect other people to reimburse for other things. Did the police get reimbursed for other large events? You did get reimbursed for the concert, so is there really a problem? It sounds like the township already has a mechanism to get reimbursed. Where is the problem? Chief feels that promoters are looking for a process. It makes having an event extremely difficult. A longer discussion followed.

Wendy ? is involved in the Labor Day weekend event. She wanted to address some items in the ordinance and a discussion followed.

Ed Bacon stated again that he is willing to sit with anyone to discuss this ordinance; he would like to work through the details with someone.

Barbara Van Horn agrees with what the other folks have said. She would really like to sit down and discuss it. We should set up a meeting.

Brian Curry, 512 Blackhorse Road stated this is almost a prime example of having information of various proposed ordinance and resolutions; it is obvious that some people have seen this. Have people put in written comments and then focus on something that works. Chief completely agrees. We need to sit down and bring everyone to the table.

Barbara Van Horn appreciates and really wants to meet with the Chief. She is appalled that someone would cut and paste an ordinance from another township.

Approval of Renewal of Miller and Guest Farm Leases – Mr. Couris stated that the Sustainability Committee has been weighing in on this. This is to make sure that if the farmer is not going to renew their lease that they leave the soil in good condition. They do not have all the wording put together yet. Mr. Couris would request to put this off for another couple of months. Ms. Shick disagrees with this. The farmers need to know what is available to them. Mr. Schneider stated that the leases expire December 31st. Mr. Couris will take this back to the Sustainability Committee and see if they can get language in the lease before the end of December. Ms. Shick disagrees. She feels that farmers already leave the land better than when they got it. Some of the leases have been continued since 2005. Mr. Hogga stated that they have taken soil samples from the Fellowship Road property. Ms. Shick said the farmers have been talking to the Sustainability Committee for 2 ½ years now. A discussion on this continued.

MOTION by Ms. Shick to approve the Renewal of the Miller and Guest Farm Leases for the term of a One -Year Lease at the same rates contingent on Farmers accepting a one-year lease; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road agrees with a one-year extension. This has been talked about for years. No one has ever come up with what will be tested. Whatever criteria you are going to come up with should be in place by September.

With no further comments or questions, *motion carries unanimously.*

Approval of Payment Application No. 9 to Reclaim Company in the amount of \$63,578.75 for the Bryn Coed Demolition – **MOTION** by Ms. Shick to approve payment application No. 9 to Reclaim Company in the amount of \$63,578.75 for the Bryn Coed Demolition; second by Mr. Couris.

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

Approval of Weatherstone Commercial II Escrow Release No. 1 in the amount of \$468,560.13 – **MOTION** by Ms. Shick to approve the Weatherstone Commercial Escrow Release No. 1 in the amount of \$468,560.13; second by Mr. Couris.

Brian Curry, 512 Blackhorse Road asked how many more releases there are and what is approximate total of other releases. Mr. Kulakowsky stated that this is the first release request from the Commercial Phase II area, and they have approximately 36% of the initial escrow still being retained by the township.

Nick Hartman, Hankin stated that they are starting the remaining 36% and once that is done, they will probably request the least amount.

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

Public Comment on Non-Agenda Items

Ms. Shick soliciting volunteers for many committee appointments for next year. Consider looking on the township website and send it in.

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

Meeting adjourned at 9:35PM.

Respectfully Submitted,
Kathy Shillenn
Township Secretary

West Vincent Township
Board of Supervisors
Virtual Meeting
December 7, 2020

Attendance: Mike Schneider, Chairman, Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Township Manager, Kathy Shillenn, Township Secretary, Michele Hogrelius, Township Treasurer

Chairman Schneider called the meeting to order and announced Virtual Meeting at 7:00PM.

New Business:

Discussion and Authorization to Advertise Ordinance for the Refinancing of Existing Township Debt

– Mr. Granger discussed this Ordinance. Mr. Granger was looking into purchasing equipment and reached out to Jeff Calhoun of Delaware Valley Regional Financing Authority. Mr. Granger had a discussion with Mr. Calhoun about equipment, future financing needs and also about township debt. Mr. Calhoun then forwarded a proposal on a Pro Forma to finance existing debt and prepared an Ordinance. These are both shown on the township website. This will be a fixed rate; the rates are significantly less which would save the township about \$220,000 in interest, which is significant.

Mr. Calhoun discussed and answered questions from the Board of Supervisors. Mr. Schneider, Mr. Couris and Ms. Shick were all pleased with the information.

Barry DiLibero, Business Owner asked what the township would be saving on this refinance. Mr. Calhoun stated savings, as of close today, would be about \$250,000. Is the term or the repayment being reduced? Mr. Calhoun stated that the interest rate is being lowered. It seems to Mr. DiLibero that the township is borrowing money at a lower rate and pocketing money. Mr. Schneider stated that the payments are being lowered each year.

John Eldridge, 1634 Hilltop Road commented that it looks like from the end of the year audit statements that the township will owe \$1,700,000; it looks like this loan will be \$4,300,000. Is he missing something? Mr. Calhoun stated that the township is having the principal paid down as time goes on. This will become effective December 2021. Mr. Schneider asked what the note will be? It will be \$4,300,000. The rate will be fixed now for the call date of December 2021.

Brian Curry, 512 Blackhorse Road stated that he read through the ordinance. Has the Board of Supervisors read through the ordinance? Mr. Curry read a portion of page two and asked what bike land is. Mr. Shick stated that this is a typo; it should be bike lane. Is there a listing somewhere of what was done with the money from the last bond issuance?

John Eldridge, 1634 Hilltop Road stated that there were two bonds that were combined in 2016. Mr. Calhoun stated that they track back all the money. Ms. Hogrelius stated that the bonds are separate. Mr. Granger stated that the bonds are separate in how they are paid for. Mr. Granger stated that the bonds must be separate.

MOTION by Ms. Shick to authorize the advertisement of the ordinance to refinance the township debt; second by Mr. Couris.

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

Public Comment on Non-Agenda Items

Brian Curry, 512 Blackhorse Road asked if this a workshop or a board meeting. Mr. Schneider stated that this is a Board Meeting. Mr. Granger stated that this was advertised as a board meeting.

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

Meeting adjourned at 7:30PM.

Respectfully Submitted,

Kathy Shillenn
Township Secretary

West Vincent Township
Board of Supervisors
Virtual Meeting
December 21, 2020

Attendance: Mike Schneider, Chairman, Bernie Couris, Vice-Chairman; Sara Shick, Member; John Granger, Township Manager, Kathy Shillenn, Township Secretary, Michele Hogrelius, Township Treasurer, Joe McGrory Township Solicitor, Bryan Kulakowsky, Township Engineer

Chairman Schneider called the meeting to order and announced Virtual Meeting at 7:00PM.

MOTION by Ms. Shick to approve the minutes of the November 16, 2020 Board of Supervisors Meeting and the December 7, 2020 Board of Supervisors Meeting; second by Mr. Couris.

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

Police Report: Sgt. Russell reviewed the report; Report on file.

Bills List: **MOTION** by Mr. Couris to approve the Bills List in the amount of \$305,223.56; second by Ms. Shick.

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

Treasurer's Report: Ms. Hogrelius reviewed the report; report on file.

Manager's Report: Mr. Granger reviewed his report. The administration signed an agreement with Shank Door for the installation garage doors on the maintenance building at Bryn Coed. The cost is \$14,823. That is \$2,500 less than the original estimate. Bids were received from two other vendors, Overhead Door Co. of Chester County for \$26,032 and Winfield Garage Doors for \$25,000.

Public Hearing: **Ordinance No. 192-2020, Refinancing Existing Township Debt** – Mr. McGrory, Township Solicitor opened the Public Hearing at 7:12PM. Mr. Granger then discussed this ordinance. Mr. McGrory asked if the Board of Supervisors had any questions; there were none. He then asked if the public had any questions; there were none. There being no questions or comments, Mr. McGrory closed the public hearing at 7:15PM and reconvened into the public portion of the meeting.

Old Business:

Adopt Ordinance No. 192-2020, Refinancing Existing Township Debt – **MOTION** by Ms. Shick to adopt Ordinance No. 192-2020, Refinancing Existing Township Debt; second by Mr. Couris.

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

Request of Mr. & Mrs. Helms to Construct Home on Lot1B, Tax Parcel 25-10-0001-0100 – Mr. McGrory discussed this. He reviewed all the information concerning the Helms' request to build a house on this property. Mr. McGrory agrees with the Zoning Officer's determination that a house can not be built on this lot. The situation was already litigated, and it was decided by the Commonwealth Court where it was indicated that the conservation easement prevents the construction of a house on the lot. The Helms' counter that they were not the owners when the case was litigated. This case runs with the land. It has nothing to do with who owns the land. Mr. McGrory's opinion is that the Helms' can not build a house on the land. Mr. Schneider stated that Mr. Helms mentioned a covenant that was done by the township. Mr. McGrory stated that only amendment that was done was to change the metes and bounds. It had no change to the conservation easement. Ms. Shick stated that the metes and bounds were only changed on the trail portion.

Jim Helm, Veronica Drive stated that he did not ask to look at the litigation. Mr. Helms re-stated what was litigated in 2005. The Helms' signed an agreement in 2016 with the township. Mr. Helms cited two precedents where a restrictive covenant was changed, with one recently changed to allow four apartment units in a barn. Mr. Helms stated that the Board of Supervisors are not abiding by the signed agreement. Ms. Shick stated that the two precedents that Mr. Helms is citing are the same settlement agreement between Hankin and West Vincent Township; this was used by Hankin to get those changes. Hankin's and their lawyers' position was that the changes requested were covered by the settlement agreement.

Mr. McGrory asked if the Board of Supervisors are inclined to allow a house on the property; does the Board of Supervisors want to lift the conservation easement?

Mr. Schneider stated that he does not want to go against anything that was already litigated; Mr. Couris stated that he also does not want to go against the litigation. Ms. Shick also stated that she also is going with the court's findings.

Mr. Helms asked the Board of Supervisors for clarification on the Board of Supervisors decision. Mr. Helms stated that the Board of Supervisors had 15 years to change the agreement. Mr. McGrory stated that the only thing that changed in 2016 was the metes and bounds to accommodate the trail. Mr. Helms stated that he is asking for a position from the Board of Supervisors before he would take it to the Zoning Officer. Mr. McGrory stated that the Board of Supervisors will not make any changes. Mr. Helms claims that the Board is electing to default on the agreement. Mr. McGrory stated no, the Board is not defaulting on the agreement; the Board is not going to change the conservation easement that has already been litigated. Mr. McGrory stated that no other action needs to be taken. Mr. Helms claims that this is complete favoritism.

Adopt the 2021 Budget – **MOTION** by Ms. Shick to adopt the 2021 Budget as advertised; second by Mr. Couris.

John Eldridge, Hilltop Road stated that he thinks it is bizarre to have the new reserve. The township has six funds, now there will be seven or maybe eight. Mr. Schneider agrees with Mr. Eldridge.

There being no further questions or comments, *Motion carries 2-1, with Mr. Schneider voting no.*

Discussion of Farmer Leases – Mr. Granger discussed this. Last month, it was the Board's position to have two leases; one for Mr. Guest and one for Mr. Miller. Prior to the boards action, the administration did receive a letter from Mr. Miller requesting a five-year lease. Mr. Granger did not tell Mr. Miller about the one-year lease. He hasn't had a conversation with any of the farmer's. Next year he will get authorization to bid out Mr. Guest's lease unless he has authorization to give Mr. Guest a five-year lease. Ms. Shick stated the leases are at three different rates. Next year she feels that there should be an increase

for all at the same price per acre. Mr. Couris and the Sustainability Committee will be adding some language to the leases, they are going to tighten up the leases so that they are closer to all being the same but it hasn't been completed yet. The leases are up the 31st of this month. Mr. Schneider stated that maybe they should give Mr. Miller and Mr. Guest a two-year lease so that they all end at the same time. Mr. Couris stated that this would give the Sustainability time to look at language for the leases. The farmers are really not held to any standard so that the land is not misused and the soil is not exhausted.

MOTION by Ms. Shick to authorize the extension of the two leases for two-years, as discussed; second by Mr. Couris.

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

New Business:

Approve Resolution No. 23-2020, Establishing 2021 Real Estate Tax Rate – **MOTION** by Mr. Couris to establish the 2021 Real Estate Tax Rate; second by Ms. Shick.

John Eldridge, 1634 Hilltop Road commented that the West Vincent tax rate is higher than all adjoining townships and are winding up with excessive reserves. Mr. Schneider stated that a lot of that is due to the Open Space Fund. Mr. Schneider commented that the taxes should be lowered due to the fund balance.

Brian Curry, 512 Blackhorse Road typed a comment reiterating what Mr. Eldridge stated regarding lower taxes of surrounding municipalities. Has anyone looked at what they are doing vs. what West Vincent Township is doing. Ms. Shick stated that Upper Uwchlan, for example, has a lot of commercial businesses. Mr. Schneider stated that West Vincent has a lot of road, a police department. Other examples are?

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

Approve Resolution No. 24-2020, Adoption of 2021 Fee Schedule – **MOTION** by Mr. Couris to adopt the 2021 Fee Schedule; second by Ms. Shick. Mr. Schneider asked if there were any changes. Mr. Granger stated no.

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

Establish Fiscal Performance Policies - **MOTION** by Ms. Shick to establish the Fiscal Performance Policies; second by Mr. Couris.

John Eldridge, 1634 Hilltop Road commented that on page 2 it says all budgets will be adopted consistently with gap, except for depreciation and applicable. Are you going to go to prepaid expenses approved accounts payable according to gap or is this a misprint. Mr. Granger stated that next year we will do modified accrual system and will put in a depreciation schedule of all equipment which will show in the 2022 budget. Mr. Eldridge also stated that it says it will show depreciation except in applicable funds. Mr. Granger stated that fiduciary funds are not depreciated. More discussion of fiscal policies with Mr. Eldridge followed.

Ms. Hogrelius read Brian Curry's questions on the fiscal performance policies. There were 23 total questions asked and answered.

John Eldridge, 1634 Hilltop Road asked a question from a prior discussion. He read a paper from the PA General Assembly 1993 Act regarding the Board of Supervisors may annually make appropriations from the general township fund to the operating reserve fund.

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

Authorize Advertisement of Meeting Schedule for 2021 –

Set Re-Organization Meeting Date for Monday, January 4, 2021 at 7:00PM – Mr. Schneider announced the 2021 Reorganization Meeting date as, Monday, January 4, 2021 at 7:00PM.

Discussion of Stormwater Management Ordinance Waiver Requests – Mr. Kulakowsky discussed the waiver requests. This is a request from Toll Brothers for three waivers of the stormwater ordinance. First waiver request is for 305A, post construction run-off volume; second waiver is for 306C, the infiltration and the third waiver is for relief from section 308A, reduction of the peak flow rates. This is a discussion on the Stormwater Basin for Toll Brothers approved since 2003 for the Sunderland Avenue Extension. This was constructed in 2019. This basin was designed and approved as an infiltration basin. Toll Bros. was working to finish the basin this year. During construction Toll Bros. encounter ground seep. Done multiple testing and remediating the bottom and have not had any luck reducing the water. Toll Bros. contacted DEP and the Conservation District to do a corrective action plan for the basin, since it is now in violation of the NPDES permit. The concept that they are proposing is a managed release concept, this is an alternative method approved by DEP when infiltration is not feasible on the project. Mr. Kulakowsky continued the discussion on the basin. Mr. Kulakowsky stated that ARRO has no objection to approving of these waivers. Mr. Schneider asked if there are any issues with the MRC. Mr. Kulakowsky stated no. Is the township liable if the basin fails? Mr. Kulakowsky stated no, the landowner is required to manage the basin. Mr. Couris asked where the managed release water go to? Has the Conservation District bought into this? Mr. Couris asked if this is just stormwater. Mr. Kulakowsky stated yes. The location of the water has not changed, just the method. Ms. Shick asked what effect this will have on getting the road open. Mr. Kulakowsky stated that Toll Bros. work must be completed before the road can be open. Road signs also must be ordered and placed. The last step would be for Mr. Kulakowsky to present a letter of consistency saying the project is consistent with the ordinance. Mr. Kulakowsky can not provide this letter until the waivers are granted.

Mr. Schneider asked what the Board is approving this evening. Mr. Kulakowsky stated that if the Board grants the waivers, then he can issue a consistency letter, then the Conservation District can provide their approval. Once the Conservation District issues their approval, then Mr. Kulakowsky can issue a formal final approval letter to authorize construction.

Ms. Shick stated that the Sunderland Avenue project is fairly new; was there no indication of problems when the grading was done? Mr. Kulakowsky stated that the Sunderland Avenue Extension was part of the original approvals; the basin was part of that.

MOTION by Mr. Schneider to grant all three waivers requested with the condition of approval by the Chester County Conservation District be provided to the township; second by Ms. Shick.

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

Public Comment on Non-Agenda Items

Brian Curry, 512 Blackhorse Road (question read) – Mr. Curry asked that when there is a return to physical meetings, will everyone be required to identify themselves; going around the room introducing themselves. Mr. Schneider stated that no, it will continue to be done as it was in the past. Also, Mr. Curry asked who is monitoring the township email account for those attending the meeting late, attending by phone. Ms. Shillenn monitors the email account; she stated that the link is on the website, so anyone can enter the meeting. What are the other services from the registration page? Not quite sure what the other services are. Also, why was the Go To Webinar tested during the meeting not before the meeting. The Go To Webinar was tested during some of the other township committee meetings. Mr. Schneider asked why we can not see everyone that is attending the meeting; only the attendees can see the panelists; the panelists do not see the attendees. The attendees are required to register for the meeting. This is a requirement of the Go To Webinar platform.

Yvonne Brownlee, Flowing Springs Road had a question relating to the Stormwater Management Waiver Requests. She stated that developers are known to have the opportunity to close over springs that are over properties. That only means that the water will go somewhere else. She is very concerned about this issue. You cannot just close over springs and say they do not exist anymore. Ms. Brownlee considers that a big problem in water management.

Bryan Kulakowsky stated that is the main crux of Toll Bros. problem. This design is proposing a stone bed under a bed of compost. This will allow the spring to flow into the basin and leave and get to the stream. They are not looking to cap off the spring.

Barry DiLibero for Wheeler Aman, Resident, Mr. Aman questioned the problem with Ford Road. There was supposed to be an engineer out to look at the road. He is asking for help from the township. This is an historic road. Mr. DiLibero stated that an engineer was going to be out there within a week after they last spoke at the last meeting. Mr. Granger stated the without the road being marked, we are spinning our wheels. He suggests having the township survey the parcel, mark it, and put flags in and have the property owners help to pay for the survey. That will solve the problem. Mr. DiLibero asked if Mr. Granger stated that the engineer did not come out? Ms. Shick stated that there was a question that there was supposed to be surveys from both property owners and a legal issue that put this on hold. Mr. DiLibero stated an engineer did not come out. The question is, does the right of way exist? Mr. Granger said yes it does. Mr. DiLibero asked if things could be placed in the right of way. Mr. DiLibero asked who does the survey and who pays for it. Mr. Granger stated that the township will select the surveyor and the parties involved will pay 1/3 each. Mr. Schneider stated that a complete survey needs to be done. Mr. Granger will send a letter to the owners; he will get the agreement from both parties and then move forward. Discussion continued. Mr. Granger will get an estimate for a survey for the full length of Ford Road from Pughtown Road down to the stream.

MOTION by Mr. Couris that the township will pay 1/3 of the cost along with Mr. Wheeler Aman and Mr. Steve Austin with the township handling the logistics; second by Ms. Shick.

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

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

Meeting adjourned at 9:15PM.

Respectfully Submitted,

Kathy Shillenn
Township Secretary