

**West Vincent Township
Meeting Minutes - FINAL
Board of Supervisors
March 3, 2025 7:00 PM**

Attendance: Dana Alan, Chair; Bernie Couris, Vice Chair; Charlene Briggs (via phone), Member; Jim Wendelgass, Interim Manager; Dave Onorato, Township Solicitor; Christina Casey, Township Secretary

Mrs. Alan called the meeting to order at 7:03pm and announced that an executive session was held on March 3, 2025 (legal).

Minutes: **MOTION** by Mr. Couris to approve the Minutes of February 18, 2025, meeting; second by Mrs. Alan. *There being no comments or questions, Motion carries unanimously.*

Announcements:

- Tomorrow, the Historic Resources will be hosting a presentation on West Vincent Township's role in the Underground railroad.
- We are looking for residents to volunteer for the Human Relations Commission (HRC). We need between 3 to 5 new members to make this commission healthy (2 alternates). Currently, we do not have enough members for a quorum.

PRESENTATIONS:

- **Phoenixville Human Relations Committee ("PHRC") Presentation;** by Rev. Lee Paczulla
Rev. Paczulla read a statement from the PHRC (*this statement has been scanned and placed under the "Meeting Documents" for this date on our website*).

Mrs. Alan asked how often the commission meets outside of complaints. Re. Paczulla said they have a regular monthly meeting. Mr. Couris asked what the PHRC does during that meeting. Rev. Paczulla said they talk about any situations that have come to their attention; address correspondence from folks who have reached out. She said that right now they are on a reorganizing and rebuilding phase because they had a lot of turnover around the time that she joined the PHRC. The PHRC has spent a lot of time getting back up to speed and doing training during that time. They have also talked about how to do outreach and which community meetings to go to and things like that.

Mrs. Alan asked if the PHRC had any complaints. Rev. Paczulla said they have not had any formal complaints. They explain the formal process to people when they reach out, but they also offer to have conversations between the parties which most people would rather do before filling out formal paperwork, so they have been able to resolve issues informally.

Mrs. Alan asked if Rev. Paczulla was able to look over the proposed changes to our ordinance which expand the protected class. Mrs. Alan wondered if it is the same as the classes for PHRC or additional or comparable. Rev. Paczulla believes that the classes WVT is preparing to add are not currently in PHRC's ordinance, and she read from the ordinance. Mr. Couris asked Rev. Paczulla if they considered adding the category about natural hair. Rev. Paczulla said that it hasn't come up during her time on the PHRC.

Rev. Paczulla read a statement from Phoenixville Borough Council Member Liaison, Beth Burckley.

Mr. Onorato asked if Phoenixville has adopted the expanded procedures. Rev. Paczulla said they have not done that yet but it is written into the ordinance that they can.

Ms. Briggs asked where they target their education and outreach. Rev. Paczulla said Phoenixville has many public events, but they have spent most of the last year developing community connections.

George Dulchinos wanted to know what is the budget for PHRC. Rev. Paczulla said PHRC does not have a budget. There is a process to request funds, but the only expense so far has been for printing flyers for events. Mr. Dulchinos asked what is the population of Phoenixville Borough. Rev. Paczulla estimates it to be 19,000-20,000.

Barry DiLibero wanted to know what is NOT a protected class. Rev. Paczulla imagines it would be any group or demographic of people not listed. However, she noted that every person has an identity that fits into one of those protected classes. Chris Carroll gave additional information, and noted that there are certain classes on the state or federal level that are protected by executive order or interpretation of Title IX which he feels is why we need these ordinances at a local level. Mr. DiLibero said the ordinance list covers everyone so there is no need for the list if everyone is covered. Rev. Paczulla said if a person wants to file a formal discrimination complaint, the situation in which they experienced discrimination has to fall into one of the categories. She gave the example that hair texture is not a current category, so they would not support someone who claims discrimination from this. Rev. Paczulla said the state did training on what is a protected class.

Jim Hanna asked how long Rev. Paczulla has been associated with PHRC. She was appointed in January 2022. He identified there have been no formal complaints in those 3 years in a borough many times the size of WVT. Mrs. Alan noted Phoenixville has 19,354 residents.

Julia Braendel wanted to know what punishments could be given by PHRC for discrimination. Rev. Paczulla It is spelled out in the ordinance what the PHRC powers are as well as the steps PHRC takes. Ms. Braendel asked for an example of a remedy. Mrs. Alan said it is in the ordinance. Julie Foster said the ordinance references the Pennsylvania Human Relations Act in terms of remedies with examples being injunctive relief, compensation for lost wages, making reasonable accommodations, actual damages, and others, but only after a hearing with enforcement through the Court of Common Pleas.

NEW BUSINESS:

Present redlined changes to the Ordinance No. 191-2020: Anti-discrimination Ordinance, as requested by the Human Relations Commission, to add protected classes

Chris Carroll noted the new classes: marital status (not properly codified in current ordinance); veteran status (currently protected on state and federal level); use of guide animals (reiterating protection under ADA); adding - natural hairstyles; and adding - GED in lieu of a HS diploma.

Discuss meeting dates and acceptable reasons for official meetings for the Human Relations Commission beyond complaints

Mrs. Alan asked how often the WV HRC would need to meet. Mr. Carroll said that the HRC can meet outside of handling complaints. Mrs. Alan is looking for meaningful meetings that don't

waste resources. Mr. Carroll asked if the HRC could meet on their own, but Mr. Onorato noted it would be a violation of the Sunshine Act to conduct HRC business this way; meetings need to be advertised. Mr. Carroll can't see the HRC meeting more than every couple of months after they get everything on their checklist done; there is not that much there, it is just raising awareness. And training. Mr. Onorato said the changes will need to be formally adopted, so he will need time to come up with the language.

Ms. Braendel asked for clarification on the hair-portion of the ordinance. Mr. Carroll said that African Americans can grow their hair many different ways. He asked why should someone be refused an apartment because they have a certain hairstyle. Ms. Braendel wanted to revisit Mr. DiLibero's question of doesn't everyone fall under a protected class. Mrs. Braendel wanted to know who does not fit into a protected class. She is worried about township businesses. She gave an example of a relative in Philadelphia who spent \$40,000 to defend their coffee shop business against a discrimination lawsuit brought by a former employee who was fired due to poor performance but claimed it was for being transgender. Ms. Braendel wanted to know how we protect businesses in the township from similar situations. Mr. Carroll said that he can sue anybody for any reason he wants in this country, and it is up to the courts to decide if it has merit or not, and with expanded procedures it's going to end up in court the way the ordinance is written. The nature of the commission is to try to resolve it through mediation and not the court system.

Julie Foster noted how the complaint process for WV HRC works: 1.) mediation which is voluntary; 2.) expanded procedures are enacted leading to an investigation with HRC or a third-party investigator, and if no evidence is found, procedures stop; 3.) if evidence is found, conciliation happens; 4.) if conciliation fails, there is a hearing at the commission level.

MOTION by Mrs. Alan to authorize Mr. Onorato to make the changes discussed and prepare the documents; second by Mr. Couris.

Mr. DiLibero said there is no need for this ordinance and there has never been an issue in this township. He has asked multiple times over the years if there have been any issues and it has always been zero, and there is no need for this ordinance or committee.

Mr. Hanna came out several years ago to a couple of meetings, and he will ask the same question: can anyone in the room give us an example of feeling discriminated against, feeling slighted, feeling insulted in our Township. Some people said yes but did not come to the microphone. Mrs. Alan said the ordinance is not being repealed but rather making it right so we can stop wasting resources.

Mr. Dulchinos said that over two years ago at a township meeting, the solicitor raised concerns over some of the ordinance's provisions and the manager was worried it might open the township up to six or seven-figure lawsuits. He is wondering what happened to these concerns. Mrs. Alan said the concern was around the expanded procedures which are not available at this point. Mr. Onorato said the BOS would need to empower the expanded procedures, and his interpretation is the expanded procedures are not available right now. Mr. Dulchinos noted that the expanded procedures would give the HRC the power to subpoena. Mr. Dulchinos asked if an adult community would be discrimination, and Mr. Onorato noted there are regulations for this. Discussion ensued on this.

There being no comments or questions, Motion carries unanimously.

Approval of Resolution No. 9-2025: Destruction of Public Records - This is to shred already scanned Road Occupancy Permits from 2008 through 2024. **MOTION** by Mr. Couris to approve Resolution 9-2025: Destruction of Public Records; second by Mrs. Alan. ***There being no comments or questions, Motion carries unanimously.***

Public Comment on Agenda and Non-Agenda Items

- **Beth McDonnell** noted she completed the paperwork and would volunteer for the HRC.
- **Kirk Reinbold** mentioned the kickoff meeting via phone today for the Shared Energy Manager Program which works with townships on their energy usage. It is a free service, and he can use their engineers through the end of the year. Some of the initial items talked about were: review of existing potential fleet electrification options including police and road crew vehicles; review of feasibility of solar project for on top of Public Works garage; confirm the solar array on township building has been registered for a generator of electricity in the Commonwealth of PA (Mr. Couris said he already did this); looking at solar-ready ordinances and electric vehicle-ready ordinances. They will get back to him with some action items. Mr. Reinbold will need to also provide them with documentation.
- **Davey Waters** said she goes by the building a lot at night and lights are on all night frequently. People in charge of the meetings need to be more responsible.
- **Chris Carroll** Solar is great, but a lot of places in the world are losing farmland to solar farms so roof mounts should be encouraged. He also wanted to know when to expect re-appointing members to the HRC. Mrs. Alan said possibly the next meeting.

There being no further comments or questions, the meeting adjourned at 8:09pm.

Respectfully Submitted, Christina Casey (Township Secretary)