

**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