

**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 Swininger 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 \$0.57.5. 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 Dulchinis 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