

RP WYNSTONE LP
2312 North Broad Street
Colmar, PA 18915.

PRESS RELEASE

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Public Records Reveal New Hanover Paid \$300,000 in Legal Fees to Stop Developments, New Jobs & Business from Coming to Township

Summaries of Invoices obtained through Right-to-Know records list hundreds of charges paid by taxpayers over two-year period

New Hanover, PA – As part of an effort to examine New Hanover Township’s expenditures, an analysis of public records recently revealed that township taxpayers absorbed \$307,322 over the last two years for legal fees that were associated with efforts to stop land development projects.

RP Wynstone LP, a local development team with projects in New Hanover Township, filed an Open Records Request (Right-to-Know) for financial records relating to legal fees paid to the township’s solicitor, Andrew Bellwoar and other attorneys. While the township denied the original requests and would not produce the expenditure records, the denials of the requests were overturned by the Pennsylvania Office of Open Records (OOR) through appeals. The OOR directed New Hanover Township to turn over the invoices.

Of the hundreds of individual charges billed to taxpayers from May 2019 through June 2021, 340 were identified as costs that related to land development projects or issues. The more than \$300,000 in legal costs amounted to almost 70 percent of the total charges Bellwoar and other attorneys billed the township for all services during this period.

According to the summaries of invoices provided by New Hanover, the township spent more tax dollars on challenging development projects than it did for legal services involving police, fire, recreation, and code enforcement.

“The township has spent a lot of time, resources and tax dollars to prevent new opportunities from coming to New Hanover,” said Ben Goldthorp, a project developer with development team. “These are opportunities that can bring new jobs, new grocery and retail, new dining, and overall convenience for residents who are currently forced to travel outside the township for these offerings.

“The township could be generating hundreds of thousands of dollars in new tax revenues with these opportunities rather than spending the same amount in tax dollars to prohibit them.”

The summaries of invoices do not include the specific services provided for each of the legal charges. However, the charges associated with development projects were identified by

individual charges that were categorized under sections such as “Special Litigation” and by specific development projects. A breakdown of the legal charges by year:

- 2019: \$132,845
- 2020: \$83,782
- 2021: \$90,695 (January through June 2021)

Almost \$200,000 of the total legal charges that related to development projects were recorded under the Special Litigation category. This included almost \$11,000 in charges recorded as “OOR Appeals”, which would indicate tax dollars spent to challenge public records requests, such as those the township recently lost.

“It’s important that citizens know how their tax dollars are spent,” said Goldthorp. “This is a matter of public record and government agencies must be held accountable for the decisions they make and how they spend tax dollars. Money doesn’t grow on trees in New Hanover, or any other municipality.”

In addition, the township spent more than \$50,000 over the selected period to delay progress for the New Hanover Town Center. Several sets of plans for the mixed-use development have been requested by the township and provided by the development team. All submissions were processed and reviewed by the township, and all have been designed to comply with the township’s ordinances.”

“The township’s actions have resulted in multiple litigation filings. This has put an unnecessary burden on the county’s legal system just as it has been forced to navigate a pandemic that has lasted almost two years,” said Marc Jonas, attorney for RP Wynstone representing the development team in multiple disputes with the New Hanover Township.

According to the Montgomery County Prothonotary’s Office, there were more than 25 legal cases filed against New Hanover Township from 2019 through 2021. Most cases involve development projects based on the plaintiffs’ descriptions. Fifteen of the total cases are listed as having an “Open” status. By comparison, most nearby townships had fewer than seven litigation cases filed against them going back to 2017.

“There is no other nearby township that comes close to the number of times New Hanover has been taken to court,” said Jonas. “It is apparent that New Hanover doesn’t mind spending tax dollars to obstruct development and business which ultimately would serve to benefit all residents.”

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