



**WEST WHITELAND TOWNSHIP  
BOARD OF SUPERVISORS**

**ORGANIZATION & BUSINESS MEETING**

Minutes of the Organization & Business Meeting

January 2, 2024

**1. Call to Order**

Brian Dunn called to order the January Organization and Business meeting at 6:43 p.m. The meeting was a hybrid with participants attending both in person and via Zoom.

Those in attendance in addition to Mr. Dunn were:

Rajesh Kumbhardare, Supervisor  
Jo Ann Kelton, newly elected Supervisor  
Pam Gural-Bear, Township Manager  
Jennifer Keller, Operations Manager  
Lee Benson, Police Chief  
John Weller, Planning Director  
Justin Smiley, Capital & Special Projects Mgr.  
Caroline Partridge, Finance Director  
Brannon Tupper, Engineering & Construction Projects Mgr.  
Jim Rieben, Public Works Director  
Ed Culp, Public Works Operations Manager  
Todd Greenawalt, Codes Administrative & Enforcement Mgr.  
Pat Layman, Minutes

**ANNOUNCEMENTS:**

The Board of Supervisors met in executive session prior to tonight's meeting to discuss matters of personnel and litigation.

The Township Building will be closed on Monday, January 15<sup>th</sup> in observation of Martin Luther King, Jr. Day.

**Swearing-in of New Supervisor**

The Honorable Erin Bruno administered the oath of office to newly elected Supervisor Jo Ann Kelton and newly elected Auditors, Ashik Mirza and Michael Kling.

**PUBLIC COMMENT:**

None.

**ORGANIZATION:**

**1. Election of Chair and Vice-Chair of Board of Supervisors**

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to nominate Brian Dunn as Chairman of the Board of Supervisors. The motion was unanimously approved.

Mr. Dunn made a motion, seconded by Ms. Kelton, to nominate Rajesh Kumbhardare as Vice-Chairman of the Board of Supervisors. The motion was unanimously approved.

**2. Tax Collector – Acceptance of Resignation & Appointment**

Ms. Gural-Bear explained that Erin Bruno has resigned as Tax Collector of West Whiteland Township due to her newly elected position as the District Justice for the Magisterial District Court in 15-4-03.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to accept the resignation of Erin Bruno from the office of Tax Collector of West Whiteland Township and to appoint Arati Joshi to fill the remaining term of the Tax Collector until the next municipal election in 2025. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

The Honorable Erin Bruno administered the oath of office to Arati Joshi as Tax Collector.

**3. Appointments**

**a. Staff**

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to make the following appointments for Staff positions:

Secretary	Pam Gural-Bear
Assistant Secretary	Jennifer Keller
Treasurer	Caroline Partridge
Pension Administrator	Pam Gural-Bear
Zoning Officer	John Weller
Assistant Zoning Officer	Todd Greenawalt
Open Records Officer (Administration)	Pam Gural-Bear
Deputy Open Records Officer (Administration)	Jennifer Keller
Open Records Officer (Police)	Lee Benson
Deputy Open Records Officer (Police)	Yvette Johnson

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

**b. Consultants**

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to make the following appointments for Consultants for plan reviews, inspections and Township projects:

Solicitor (General)	Kilkenny Law
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Solicitor (Zoning Hearing Board)	Gawthrop Greenwood, PC
Solicitor (Labor)	Campbell Durrant, PC
Engineer (Township)	SSM Group
Engineer (Sanitary Sewer)	Carroll Engineering Corp.
Engineer (Traffic)	McMahon Associates
Engineer (Grant Writing and Special Projects)	Remington & Vernick Engineers
Planning Consultant	Theurkauf Design & Planning
Historical Commission Consultant	Commonwealth Heritage Group
Third-Party Electrical Consultant	United Inspection Agency
Third-Party Inspection & Plan Review	ARRO Consulting, Inc.

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

### **c. Fire Marshals**

Ms. Kelton made a motion, seconded by Mr. Kumbhardare, to make the following appointments for Fire Marshal:

Fire Marshal	Don Stiteler
Assistant Fire Marshal	Kevin Miller
Assistant Fire Marshal	George Turner

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

### **d. Emergency Management Coordinator**

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to make the following appointments for Emergency Management Coordinator:

Emergency Management Coordinator	Jennifer Keller
Deputy Emergency Management Coordinator	George Turner

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

### **e. Board Representatives**

Ms. Kelton made a motion, seconded by Mr. Kumbhardare, to make the following Board representative appointments:

#### **West Chester Area Council of Governments**

Primary Representative	Rajesh Kumbhardare
Alternate Representative	Brian Dunn

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to make the following Board representative appointment:

#### **PSATS/Chester County Association of Township Officials (CCATO)**

Voting Representative	Rajesh Kumbhardare
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Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to make the following Board representative appointments:

**Chester County Tax Collection Committee**

Primary Voting Delegate	Pam Gural-Bear
Alternate Voting Delegate	Caroline Partridge

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

**f. Commissions**

Ms. Kelton made a motion, seconded by Mr. Kumbhardare, to make the following Board and Commission appointments:

Planning Commission (4 Year Term)	
Virginia Kerslake	Term Ends 12/31/2027
Dan Cote	Term Ends 12/31/2027

Historical Commission (5 Year Term)	
Lee Ann Embrey	Term Ends 12/31/2028

Pension Advisory Board (3 Year Term)	
Denise Bailey	Term Ends 12/31/2026
Jack Ellis	Term Ends 12/31/2026

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to make the following appointment:

Vacancy Board (1 Year Term):	
Todd Peterson	Term Ends 12/31/2023.

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

**g. Township Auditor**

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to appoint Maillie LLP as Certified Public Accountants to audit the 2023 financials. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

**4. Amount of Surety Bond for Manager and Treasurer**

Ms. Kelton made a motion, seconded by Mr. Kumbhardare, to set the amount of the surety bond for the Treasurer and Township Manager at \$1,500,000. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

## **5. Resolution 2024-01 – Appointments to Zoning Hearing Board**

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to enact Resolution 2024-01 confirming appointments to the Zoning Hearing Board of Paul Clery to continue serving until December 31, 2024, and Libby Madarasz to be appointed to a term to expire 12/31/2025 and Guy McCandless to be appointed to a term to expire 12/31/2026. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

Ms. Kerslake questioned the expiration term for Libby Madarasz who is appointed to fill a position left vacant by Jo Ann Kelton. Mr. Kumbhardare amended his motion to reflect the expiration of Libby Madarasz' term to 12/31/2025. Ms. Kelton seconded the amendment motion, and the motion was unanimously approved.

## **6. Resolution 2024-02 – General Fees**

Ms. Kelton made a motion, seconded by Mr. Kumbhardare, to enact Resolution 2024-02 setting Township fees and consultant rates. Mr. Culp noted one addition to the Fee Schedule for the use of the concession stands in the parks consisting of a \$50 fee for Type 1, \$75 fee for Type 2, and \$100 fee for Type 3. Mr. Kumbhardare noted a correction to the December 29, 2023, Memorandum that the 2023 hourly rate for Kilkenny Law was \$175/hr., not \$185/hr. as listed in the Memo. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

## **7. Remaining Organization Motions: Resolutions 2024-03 through 2024-06, Meeting Schedule, and Holiday Schedule**

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to enact Resolution 2024-03 setting rates for sewer rent; to enact Resolution 2022-04 setting trash and recycling fees; to enact Resolution 2023-05 setting emergency service providers; to enact Resolution 2023-06 designating depositories; to adopt the 2024 meeting schedule for all Boards and Commissions; and to adopt the 2024 Holiday schedule for Non-uniformed employees. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

Mr. Dunn congratulated everyone on their appointments, adding that the Township is fortunate to have such great talent from those willing to volunteer their time and expertise to the Township.

## **BUSINESS MEETING:**

### **1. Resolution 2024-08 Creation and Appointment of Stormwater Task Force**

Ms. Gural-Bear explained that the Board of Supervisors has the authority to create a temporary advisory body to advise and assist on the best approaches and practices in addressing stormwater management needs. The Stormwater Task Force will provide a forum for community stakeholders to recommend potential stormwater service activities to address citizens' needs and meet state and federal mandated requirements.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to adopt Resolution 2024-08 creating a Stormwater Task Force. Mr. Dunn called for public comment. Mr. Dunn said all the appointed members are residents of the Township and highly qualified professionals in the area of stormwater management. Ms. Gural-Bear introduced the appointed members, Jason Bailey, Michael Dunn, Scott Jeffers, and Gabriel Pankratz. There being no further public comment, the motion was unanimously approved.

**Plans:**

**2. 1430 Grove Ave. Subdivision**

Jack Robinson of JMR Engineering was in attendance of behalf of the Applicant. Mr. Weller reviewed his December 20, 2023, Memorandum and provided a brief summary of the proposed plan to subdivide a 4.42 acre residential lot into three lots; one to accommodate an existing house, two lots to be sold as building lots for single-family dwellings, and the final lot to be conveyed to the adjacent property at 537 W. Boot Rd. Mr. Weller said the plan meets all of the Zoning Ordinance requirements for the R-1 Residential zoning district.

The Township Planning Commission reviewed this plan at their meeting on October 31, 2023, when several neighboring residents were in attendance to voice concerns about the impact of the project upon existing stormwater runoff. It was noted that the project will need to comply with the Township's Stormwater Management Ordinance, which requires the Applicant to demonstrate a reduction in the rate of runoff, thereby assuring that the project will not have an adverse impact and may even improve the situation. At the conclusion of discussion, the Planning Commission unanimously passed a motion recommending Board approval of the plan with the conditions listed in the Recommended Motion. The plan was also reviewed by the Historical Commission which also passed a motion recommending approval.

Mr. Weller said there was an issue regarding connection to the sewer, but the Applicant has since resolved this issue, and there are no remaining concerns. The Applicant will pay a fee-in-lieu of constructing sidewalk and will pay a fee-in-lieu of providing open space, and there is no traffic impact fee as the site is outside of the Transportation Service Area.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to approve the subdivision plan entitled "Site Plan for 1430 Grove Avenue," a 4-sheet plan set prepared by JMR Engineering, LLC, dated October 3, 2023, and most recently revised November 20, 2023 (the "Plan"), with the eight (8) waivers and conditions here below:

1. The Plan is approved as a Final Plan pursuant to §281-10.D of the West Whiteland Township Subdivision and Land Development Ordinance ("S/LDO").
2. Waiver of §281-16.D(2)(b) of the S/LDO such that the footprints of the proposed buildings need not be shown, pursuant to comment #1 of the Spotts, Stevens and McCoy ("SSM") review dated December 12, 2023.
3. Waiver of §281-31.A such that no sidewalks need be provided, pursuant to comment #2 of the SSM review dated December 12, 2023, subject to the Applicant donating to the Township sidewalk

fund the sum of \$22,525, which is equivalent to the construction cost of the sidewalk that could be required pursuant to the said Section. Such donation shall be made in full prior at or before such time that the Plan is recorded at the Office of the Recorder of Deeds.

4. Waiver of §281-32.A of the S/LDO such that no curbs need to be provided along the Grove Ave. frontage, pursuant to comment #3 of the SSM review dated December 12, 2023.

5. Driveways for Lot 2 and Lot 3 shall both be within the indicated easement area.

6. Payment of a fee<sup>2</sup> in lieu of preservation of permanent open space in the amount of \$8,317.40, pursuant to §281-47.B(2) of the S/LDO. Said fee shall be paid in full at or before such time that the Plan is recorded at the Office of the Recorder of Deeds.

7. All remaining consultant and Staff concerns shall be resolved to the satisfaction of the Township.

8. Payment of all outstanding Township invoices within 45 days of the date of Final Plan approval by the Board of Supervisors.

Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

Ms. Kelton noted that there is no curb construction on Grove or Boot Rd. and asked if this is a best management practice. Mr. Weller said the lack of curbing does encourage sheet flow, which is a generally preferred method, especially in low density areas such as this one. Mr. Robinson responded that in this particular case, the lots all drain down to the road, so curbing would not have a helpful impact.

### **3. Chic Studios Land Development**

Mr. Weller reviewed his December 20, 2023, Memorandum. The plan proposes consolidation of two parcels located at 321 N. Pottstown Pike. A partial demolition of the existing building is proposed along with construction of a 2,529 sq ft. addition and off-street parking. The plan complies with all Zoning requirements, and the Personal Service use proposed is permitted by-right. Due to the small size of the building, no conditional use approval is required. The Planning Commission reviewed the plan last year and issued a unanimous motion recommending approval.

The existing access from Pottstown Pike will be eliminated and all future access will be through Coeway Lane. Mr. Kumbhardare asked about increasing the width of Coeway Lane. Mr. Weller said the Villas project (located at the end of Coeway Lane) proposes to connect to sewer located in Pottstown Pike. This construction will necessitate repaving of Coeway Lane. If the Villas project is not completed within three years of approval of this Chic Studios plan or is withdrawn, the Applicant will be required to widen after three years.

Ms. Kelton made a motion, seconded by Mr. Kumbhardare, To approve the land development plan entitled "Preliminary/Final Land Development Plan of 321 N. Pottstown Pike"

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as depicted on the 17-sheet plan set prepared by D.L. Howell dated June 20, 2023, and most recently revised November 17, 2023 (the "Plan") with the twelve (12) waivers and conditions here below:

1. The Plan is approved as a Final Plan pursuant to §281-10.D of the West Whiteland Township Subdivision and Land Development Ordinance ("S/LDO").
2. Waiver of §270-20 of the Stormwater Management Ordinance such that stormwater infiltration need not be provided, pursuant to comment #1 of the Spotts, Stevens and McCoy ("SSM") review dated December 4, 2023.
3. Waiver of §270-29.E of the Stormwater Management Ordinance to allow storm sewer pipes less than fifteen (15) inches in diameter, pursuant to comment #2 of the SSM review dated December 4, 2023.
4. Waiver of §281-69.A of the S/LDO such that no crosswalk need be provided across Coeway La., pursuant to comment #3 of the McMahon review dated December 6, 2023. 2
5. Waiver of §281-69.C(2) of the S/LDO to allow the sidewalk widths and configuration as shown, pursuant to comment #1b of the Theurkauf Design and Planning ("Theurkauf") review dated November 29, 2023.
6. The portion of the Coeway La. cartway abutting the project site shall be widened to be not less than eighteen (18) feet wide, pursuant to comments #1 and #2 of the McMahon review dated December 6, 2023. At this time, the Township expects that the full length of Coeway La. will be repaved as part of a different development project. For this reason, the Applicant shall be required to pave only the additional width at this time; however, should the full length of Coeway La. not be repaved within three years of the date of final plan approval of this project, the Township may require this Applicant to repave the full width of Coeway La. along the entire Coeway frontage of this tract.
7. Payment of a fee in lieu of preservation of permanent open space of \$2,754.17, pursuant to §281-47.C(2) of the S/LDO. Said fee shall be paid in full at or before such time that application is made for the first Building Permit for this project.
8. Payment of a traffic impact fee of \$4,347.00 pursuant to Township Ordinance No. 427 and comment #5 of the McMahon review dated December 6, 2023. Said fee shall be paid in full at or before such time that application is made for the first Building Permit for this project.
9. All remaining consultant and Staff concerns shall be resolved to the satisfaction of the Township.
10. Execution and recording of the Township's Stormwater Facilities Maintenance Agreement and Landscaping Restrictive Covenant, pursuant to Township practice. If the Applicant makes no material revisions or additions to the standard form of the said documents, then the Board hereby authorizes the Township Manager to sign these forms on behalf of the Township.



11. Execution of a Developer Agreement and a Financial Security Agreement pursuant to Township practice. The amount of such security shall be based upon construction cost estimates for the site improvements, including landscaping, to be provided by the Applicant, which shall be reviewed and deemed sufficient by SSM and Theurkauf. If the Applicant makes no material revisions or additions to the standard form of the said agreements, then the Board hereby authorizes the Township Manager to sign these forms on behalf of the Township.

12. Payment of all outstanding Township invoices within 45 days of the date of final plan approval.

Mr. Dunn called for public comment. Representing the Applicant, Mr. Dennis Howell said the Applicant agrees to widen Coeway Lane to the recommended 18 feet, however, the Applicant will be working with SSM to pursue a partial waiver to control less of the impervious that will be installed on the opposite side of Coeway Lane. Mr. Howell said based on the site conditions and the crowning of Coeway Lane, all the water is going to flow into the inlet that is on the corner of Coeway Lane and Pottstown Pike. From his perspective, there is no feasible way to capture that stormwater and meet the rate reduction requirement as specified by the Township, so while the Applicant will meet all rate reduction requirements for the rest of the site, they will be working with SSM to obtain a partial waiver in the future. There being no further comment, the motion was unanimously approved.

#### **CONSENT AGENDA:**

#### **4. Approval of December 20, 2023, Minutes**

Mr. Kumbhardare made a motion, seconded by Mr. Dunn, to approve the Minutes of December 20, 2023. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved 2-0. (Ms. Kelton was not a Supervisor at the time of the December 20, 2023, meeting so did not vote).

#### **5. Whiteland Tech Center Closeout**

Mr. Smiley explained that the 2018 parking expansion project for Whiteland Tech Center is now completed to the satisfaction of the Township, and the final escrow can be released. Ms. Partridge explained that in this particular case, the escrow funds are held via Letter of Credit, not cash. She added that any time that cash is received for escrow, it is held in a separate account.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to approve the final escrow release in the amount of \$220,374.00, along with any accrued interest and to authorize the Township Manager to execute the Certificate of Completion releasing all remaining funds of the Whiteland Technology Center escrow account. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

#### **6. Authorization to Advertise Bids for Lawn Maintenance**

Mr. Culp explained that the current contract for lawn maintenance has run out. Responding to a question from Ms. Kelton, Mr. Culp explained that with the current staffing numbers and equipment, it is more cost effective to have a third-party perform lawn maintenance.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to authorize the advertisement for the solicitation of bids for lawn maintenance at the Township-owned parks, right-of-way, and sewer easements. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

**7. Approval of Township Payment Report for January 2, 2024**

Staff answered questions from the Board.

Mr. Kumbhardare made a motion, seconded by Ms. Kelton, to approve the January 2, 2024, Township Payment Report. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

**8. Township Commission Updates from Board Liaisons**

None.

**9. Staff Updates**

Ms. Gural-Bear introduced Jim Rieben, Jr., the Township's new Public Works Director. Mr. Rieben is a Township resident and previously worked for the city of Lancaster. Welcome Jim!

Chief Benson reported that the Police Department received 15,251 calls for service last year. This number is up from 14,000+ in 2022 and 12,000+ in 2021.

Mr. Greenawalt advised that the homes scheduled for demolition on Namar Avenue have now been demolished or are in the process of being demolished.

**ADJOURNMENT**

The meeting adjourned at approximately 7:41 p.m.

Respectfully submitted,



Pam Gural-Bear  
Recording Secretary