



**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the Second January Meeting

January 26, 2022

1. Call to Order

Chairman Rajesh Kumbhardare called to order the second January meeting at 6:35 p.m. This was a hybrid meeting with participants attending both in person at the Township Building and on-line via Zoom.

Those in attendance in addition to Mr. Kumbhardare were:

Theresa Santalucia, Vice-Chairman
Brian Dunn, Supervisor
Pam Gural-Bear, Interim Township Manager
Ted Otteni, Director of Engineering
Scott Ryle, Public Works Director
Ed Culp, Asst. Public Works Director
John Weller, Planning Director
Marie Guarnere, Codes Director
Beth Jones, Finance Director
Lee Benson, Police Chief
Sean Kilkenny, Solicitor
Pat Layman, Minutes

ANNOUNCEMENTS:

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

SWEARING IN

1. New Police Officer Matthew Muscari

Police Chief Lee Benson introduced Officer Matthew Muscari, West Whiteland's newest Police Officer. Officer Muscari earned a bachelor's degree in criminal justice from West Chester University in 2015 and is a graduate of Delaware County Municipal Police Academy. He has previously worked for Birmingham Township, West Vincent Township, and Bridgeport. He enjoys bow hunting, running, and traveling with his family.

The Oath of Office was administered by the Honorable John R. Bailey.

PRESENTATIONS/EMPLOYEE RECOGNITION

1. Officer of the Year Presentation

Police Chief Benson presented Detective Scott Pezick with the Officer of the Year award. Detective Pezick has been serving West Whiteland Township for over 20 years and has investigated thousands of crimes and interviewed even more witnesses. Detective Pezick always treats everyone with respect and dignity and gives back to the less fortunate by partnering with local businesses such as Sunrise Assisted Living, Target, Brandywine Valley SPCA, and many others to provide not only holiday cheer, but also much-needed essentials during times of disaster, such as Hurricane Ida. This is the second time Detective Pezick has been recognized as Officer of the Year. Thank you, Detective Pezick!

2. Chiefs Award for Excellence Presentation

Chief Benson presented the Chiefs Award for Excellence to Officer Kyle O'Brien. Officer O'Brien is always ready to do more than is asked of him. He is hard working, diligent and reliable, always arriving early for work and staying late to get the job done. His positive attitude, professional demeanor and show of compassion are greatly appreciated!

3. Downingtown VFW Post 845 Recognition of an Outstanding Police Officer

Thomas Flick, Sr. Vice-Commander of the Downingtown VFW Post 845, recognized Detective Scott Pezick as Outstanding Police Officer for his outstanding service to the community. A \$500 check was presented in addition to this recognition for dedication to the community.

PUBLIC COMMENT:

There was no public comment on items not on the agenda.

CONSENT AGENDA:

Ms. Santalucia made a motion, seconded by Mr. Dunn, to approve the Consent Agenda consisting of the following:

- Minutes of January 12, 2022
- Resolution 2022-13 Disposition of Media

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

BUSINESS:

1. Ratification of Sunoco Pipeline Intervention

Mr. Kilkenney explained that the Township's intervention in the matter of Sunoco Pipeline vs. Public Utility Commission will allow the Township to monitor the matter for residents and be notified of all legal proceedings. While the Board previously authorized the intervention on January 12, there was not the required 24-hour notice to place the matter on the January 12

agenda (the Court requires agenda items to be posted at least 24 hours in advance of a meeting). Tonight the Board will ratify the decision to intervene.

Ms. Santalucia added that Sunoco is appealing its responsibility for maintenance of the easements involved.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to ratify the Township's Intervention in the case of Sunoco Pipeline vs. Public Utility Commission. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

2. Approval of Manager's Separation Agreement

Mr. Kilkenny provided highlights of the Separation Agreement between the Township and the previous Township Manager, Mimi Gleason. Ms. Gleason was not reappointed to the position on January 3, 2022. The Agreement provides Ms. Gleason with 3 months of salary and healthcare, one full year of HSA/FSA funds, 2.75 weeks of vacation compensation rolled over from previous year, one additional week of vacation pro-rated for 2022, plus various releases from both parties.

Mr. Kumbhardare then read a statement thanking Ms. Gleason for her 7 years of service to the Township and wishing her well in future endeavors.

Mr. Dunn made a motion, seconded by Ms. Santalucia to approve the Manager's Separation Agreement. Mr. Kumbhardare called for public comment. Resident Joe Altimari asked if Ms. Gleason agreed to a "Do Not Disclose" clause. Mr. Kumbhardare said she did not. Mr. Altimari asked if Ms. Gleason previously vetted a number of law firms and if her report of same had anything to do with his dismissal. Mr. Kumbhardare said he was not aware of a Report, but merely a list of names of firms. He said the dismissal of Ms. Gleason was the Board's decision. The motion was unanimously approved.

3. Approval of Implementation of the Hometown Heroes Banner Program

Chief Benson reviewed his Memorandum dated January 21, 2022 and presented a sample of the proposed banners that would be attached to the existing light poles along Commerce Drive as a way to honor local veterans. The VFW will seek out sponsors for the cost of the banners that the Public Works team will hang from Memorial Day to Veterans Day. While all banners will follow a consistent style, the text can be tailored as to dates served, etc.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve the implementation of the Hometown Heroes Banner Program. Mr. Kumbhardare called for public comment. Mr. Flick, of the Downingtown VFW, thanked Chief Benson for his work on the project. Mr. Kumbhardare offered to sponsor the first banner. The motion was unanimously approved.

4. Acceptance of Resignation of Chet Woolard from the Board of Auditors

Ms. Jones advised that the Second Class Township Code requires that auditors must reside in the Township from which elected. Mr. Woolard notified the Township that he is moving out of

the Township and will no longer be able to serve on the Board of Auditors. Mr. Kumbhardare thanked Mr. Woolard for his many years of service to the Township.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to accept the resignation of Chet Woolard from the Board of Auditors. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

5. Authorization of the Advertisement of the Proposed Pollutant Reduction Plan

Mr. Otteni reviewed his January 20, 2022, Memorandum providing background on the Township's MS4 permit and the EPA's mandate to reduce sediment into streams by 10% of the estimated Township-wide sediment loading. Staff has been working with consultant SSM Group to identify best management practices and locations to implement same to reach the 10% goal. While grant funding has been received, work on the proposed projects will not begin until the Plan has been approved by DEP.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to authorize the advertisement for public review and comment of the proposed Pollutant Reduction Plan, a mandated component of the National Pollutant Discharge Elimination System permit renewal for Municipal Separate Storm Sewer Systems. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

6. Authorization for the Interim Township Manager to Sign PennDOT Right-of-Way Stormwater Management Facilities Agreement with Ship Run Developers, LLC

Mr. Otteni provided a brief background on the matter noting that when stormwater management facilities are installed within PennDOT's right-of-way, the local municipality must assume maintenance responsibilities. The developer pays a lump sum of 50% of the estimated construction costs of the drainage facilities, and the money is placed in a dedicated Township account to be used for future maintenance. Since the facilities last a very long time and rarely require maintenance, the 50% and interest earned covers the cost of any anticipated maintenance.

Ms. Santalucia made a motion, seconded by Mr. Dunn to authorize the Interim Township Manager to sign the PennDOT Right-of-Way stormwater Management Facilities Agreement with Ship Run Developers, LLC for the Ship Run Land Development, which includes a requirement for a lump sum contribution of \$15,409 for future maintenance. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

7. Authorization of Sale of Pennypacker House

Ms. Jones explained that when the Township acquired the historic Pennypacker House from Church Farm School in 2006, it was with the obligation to return the House to Church Farm School, prior to selling to anyone else. The House is in need of extensive and expensive repairs and remediation. Church Farm School has agreed to retake possession of the property.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to authorize the Interim Township Manager to execute the Conveyance Contract to transfer ownership of Pennypacker House to Church Farm School and to authorize the Interim Township Manager to execute all related transfer documents. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

8. Amendment to the Comprehensive Plan

Mr. Weller advised that the Planning Commission has been working on proposed revisions to the Township's Comprehensive Plan originally adopted in 1995 and updated in 2015 and 2019. While no new policy is proposed, the amendment will combine the original 1995 Land Use Plan map with the revision made in 2015 and consolidate existing policy into a single document along with other updates to allow for an age-restricted development on land previously approved as a business park (Valley Creek Corporate Center). This is a more compatible use with the surrounding land uses and more viable given the declining demand for office space. The Planning Commission reviewed the proposed revisions on January 4 and January 18, 2022 and passed a unanimous motion recommending the Board authorize Staff to initiate the amendment process.

Mr. Kumbhardare thanked the members of the Planning Commission for their hard work on the project.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to direct Staff to initiate the process to amend Section 3, "Land Use Plan," of Chapter Three of the Township Comprehensive Plan with the text and map presented tonight. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

9. Authorization of Budget Amendment to Fund 50

Mr. Ryle explained that the Boom Mower attachment slated for purchase in 2022 has increased in cost from the original estimate by \$30,000. In addition, Staff has identified an immediate need for an additional Brine Application Tank and a Truck-Mounted Hopper Salt Spreader to increase safety on winter roads and operational efficiency. The Brine Tank has an estimated cost of \$12,950 (currently in the Equipment Replacement Plan for 2027) and the Salt Spreader has an estimated cost of \$6,978 – not listed in the Equipment Replacement Plan.

To offset these purchases, Staff suggests postponing the purchase of a new Pavement Roller until 2024 (\$42,000) and removing the purchase of a new Paver in 2024 (\$225,00), determining that it will be more cost effective to rent a paver when needed. After these proposed changes to the Equipment and Vehicle Replacement Plan, there is a \$9,928 difference between the 2022 planned expenses and 2022 budgeted amount. Staff requests the Equipment Replacement Fund be increased by \$10,000 to provide for these purchases.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to authorize a budget amendment adding \$10,000 to 50-5500.3213 of the Equipment Replacement Fund (50) to include the purchase of a Salt Spreader and Brine Tank in 2022. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

10. Approval of Township Payment Report for January 26, 2022

Ms. Santalucia made a motion, seconded by Mr. Dunn, to approve the Township Payment Report for January 26, 2022. Mr. Kumbhardare called for public comment, and there were none. The motion as unanimously approved.

11. December Financial Report

Board members had no questions on the Financial Report. Ms. Jones advised that the numbers in the Report are unaudited. The Auditors will be onsite the week of March 14, with a draft expected by the end of April.

12. Township Commission Updates from Board Liaisons

Friends of the Parks approved its 2022 operating budget and is contemplating whether to continue its subscription with the marketing company, Vista Today.

Mr. Kumbhardare reported that the Planning Commission reviewed proposed amendments to the Comprehensive Plan Future Land Use Map and text.

13. Staff Updates

Mr. Weller reported that West Chester University students will be conducting a studio project for Spring semester on the Exton Crossroads area, beginning with a kickoff meeting with Staff on February 7.

Mr. Ryle notified the Board of an emergency repair at the Grubbs Mill Pump Station. Two valves need to be replaced at an estimated cost of \$35,000-40,000.

Ms. Guarnera said the Exton Grove development has received permits and expects to break ground by the end of February, anticipating sale of the first home in May. The full package for the new Public Works Facility is scheduled to be presented to the Board on February 9. The foundation for the electronic billboard is complete and the property is up for sale.

Mr. Kumbhardare asked Chief Benson if the Police Department will consider full electric cars in the future. Chief Benson replied that at this time, many cars are in use 24/7 and cannot be taken out of service for the lengthy charging time. The Department will continue its use of hybrid vehicles.

Mr. Weller presented the annual planning report to the Board. The report is required by the Municipalities Planning Code and details the land development activity of the Planning Commission over the previous year.

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ADJOURNMENT

The meeting adjourned at approximately 8:00 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Pam Gural-Bear". The signature is written in a cursive style with a large initial "P" and "B".

Pam Gural-Bear
Recording Secretary