



**WEST WHITELAND TOWNSHIP  
BOARD OF SUPERVISORS**

**BUSINESS MEETING**

Minutes of the second April Meeting

April 27, 2022

**1. Call to Order**

Chairman Rajesh Kumbhardare called to order the second April 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  
Jen Keller, Executive Assistant  
Ted Otteni, Director of Engineering  
Scott Ryle, Public Works Director  
Ed Culp, Asst. Public Works Director  
John Weller, Planning Director  
Marie Guarnera, Codes Director  
Caroline Partridge, Interim Finance Director  
Lee Benson, Police Chief  
Sean Kilkenny, Solicitor  
Alex Baumler, Solicitor  
Pat Layman, Minutes

**ANNOUNCEMENTS:**

**Swearing in of Lieutenant Jason Madormo**

Chief Benson introduced Lt. Jason Madormo. Lt. Madormo joined the West Whiteland Police Department patrol division in September 2000, following a police career with Marple Newtown School Police, Aldan Borough and Royersford Borough Police Departments. Lt. Madormo is a graduate of the Delaware County Police Academy and earned both a bachelor's degree and a master's degree in Criminal Justice, as well as a master's degree in Public Administration. He is also a graduate of the prestigious FBI National Academy. Since joining the West Whiteland Police Department, Lt. Madormo has held positions in patrol, detectives, the mountain bike unit, the municipal drug task force, Chester County DES as an active threat instructor, and in firearms training unit. He has been assigned to the West Chester Regional Emergency Response Team since 2011 and has held positions as a tactical operator, assistant team leader, assistant team commander, and is now the team commander. Congratulations Lt. Madormo! The Honorable John R. Bailey administered the Oath of Office to Lt. Madormo.

## **Recognition of Volunteers**

April is National Volunteer Month. Board members thanked the Township's many volunteers who give their time and expertise to serve on the Planning Commission, Public Services Commission, Historical Commission, Pension Advisory Board, Zoning Hearing Board, and others. In addition, the Board thanked the Sewa organization for their Earth Day clean up at Miller Park. The Township appreciates everyone's service and talents!

The Board of Supervisors met in executive session on April 21st and prior to tonight's meeting to discuss matters of personnel and litigation.

Mr. Kumbhardare announced that after the initial search for a Township Manager, the Board has decided to continue with Pam Gural-Bear serving as Interim Township Manager until the Board's reorganization meeting in January, 2023.

The Spring Craft Fair is Saturday, April 30, 2022, at 10:00 a.m. at the Township Building.

## **PUBLIC COMMENT:**

Libby Madarasz, resident of Locust Lane, asked if a pedestrian connection to Exton Park could be established through the now-vacant lot in Meadowbrook Manor, as well a stroller-friendly connection to the Chester County Library. Mr. Weller advised that the vacant lot backs up to property owned by the Swedesford Chase HOA. Township Planner Justin Smiley will look at the Township's Bicycle and Pedestrian Plan to see what can be accommodated.

Virginia Kerslake, resident of Shoen Road, thanked the Public Works team for picking up bags of trash collected by West Whiteland Residents for Pipeline Safety during their Earth Day cleanup of the wetlands along the stream near the Chester County Library.

## **HEARINGS & PLANS:**

### **1. Whitford Property, Inc. (Wawa) Conditional Use Hearing**

Mr. Kumbhardare made a motion, seconded by Mr. Dunn, to open the Conditional Use Hearing for Whitford Property, Inc. The motion was unanimously approved.

In attendance on behalf of the Applicant were attorney Michael Gill; Matthew Hammond from Traffic Planning & Design; Michael Spiegel from Wawa; Peter Carakillion of Whitford Properties; and Ryan Whitmore with Landcore Engineering.

Testimony was given by the Applicant's witnesses and public comment was received from resident Joseph Altimari. A record was taken by Court Reporter Elaine Parrish.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to close the Conditional Use hearing. The motion was unanimously approved.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to direct the Township Solicitor to

prepare a Decision and Order granting conditional use approval to the application of Whitford Property, Inc. for the redevelopment of the property at 401-403 W. Lincoln Hwy. as depicted on the 10-sheet plan set prepared by Landcore Engineering Consultant dated August 6, 2021, and most recently revised on April 20, 2022 to include the four (4) conditions listed here:

1. All remaining consultant concerns shall be resolved to the satisfaction of the Township as advised by our consultants.

2. The Applicant shall discuss with SEPTA and the Township regarding improvements to the bus stop along the Lincoln Hwy. frontage, pursuant to comment #1 of the McMahon Associates review dated April 22, 2022.

3. No signage is approved as part of this application. All signage shall comply with Article XVII of the Township Zoning Ordinance, except where the Zoning Hearing Board granted relief to such provisions at a hearing on June 24, 2021, in which case the signage shall be consistent with such relief.

4. Payment of a traffic impact fee in the amount of \$36,225, pursuant to comment #4 of the McMahon Associates review dated April 22, 2022.

There being no further public comment, the motion was unanimously approved.

#### **CONSENT AGENDA:**

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

- Minutes of April 13, 2022
- Resolution 2022-26 Disposition of Media

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

#### **BUSINESS:**

##### **1. Township Network and Security Measures by IT Consultant, System Solutions (SSI)**

Ms. Gural-Bear reviewed her April 22, 2022, Memorandum and introduced Simon Beeny, Damien Malcolm and Mike Petrillo from System Solutions, Inc., the Township's IT Consultant. A presentation was given by SSI outlining the various forms of cyber attacks and the need for a quick response plan. An update was provided on the present state of the Township's network and security measures being taken such as moving software to the Cloud, proactive monitoring, multi-factor authentication, among others to protect 24/7 from possible malware, cyber attacks and ransomware.

**2. Police Policy for Approval – Reporting Deaths in Police Custody**

Chief Benson explained that the proposed policy has been revised to comply with PLEAC Accreditation requirements.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve the policy (Reporting Deaths in Police Custody) noted in Chief Benson's Memorandum dated April 25<sup>th</sup>, 2022, for inclusion in the West Whiteland Township Police Department Policy and Procedure Manual. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**3. Authorization to Advertise Bid for Custodial Contract**

Kimberly Pelcin reviewed her Memorandum dated April 21, 2022. After discussion of custodial needs for both the Municipal building and the new Public Works facility, it was decided to bid the custodial services contract for a two-year term with a renewal option for an additional year for the Municipal building and bid a separate contract for the new Public Works facility when completed.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to authorize the advertisement and posting on PennBid for the custodial services contract. Proposed contract to be for a two (2) year term with a renewal option for an additional year. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**4. Award of the Bid for the General Construction and Plumbing for Exton Park/Swedestford Recreation Area Concession Building**

Mr. Otteni explained that the scope of the restroom has increased from what was described in the original master plan due to its prominent location and desire to provide residents with restroom services year round (requiring heat during the winter months). He estimated the new restrooms would be open by October of this year. Mr. Kumbhardare recommended a porta john be available for use until the restrooms are completed.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to award the bid for the Exton Park – Swedestford Recreation Area Concession Facility General Construction Contract to the low bidder, A.K. Persheim Builders, LLC, in the amount of \$225,400. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to award the bid for the Exton Park – Swedestford Recreation Area Concession Facility Plumbing Construction Contract to the low bidder, Hirschberg Mechanical, in the amount of \$78,750.00. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**5. Appointment of Treasurer – Caroline Partridge**

The resignation of Beth Jones has left the position of Township Treasurer vacant. Caroline Partridge has served the Township for 21 years as Accounting Manager and will be acting as Interim Finance Director until a new Finance Director is appointed. She is qualified to fill the role of Township Treasurer.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to appoint Caroline Partridge to the position of Township Treasurer. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**6. Resolution 2022-27 – Signature Forms for Fulton Bank**

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve the signed Certified Copy of Corporate Resolutions from Fulton Bank, updating the signatories for all accounts. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**7. Authorization to Close Valley Creek Boulevard on Saturday, June 4<sup>th</sup> for Chrissy's Run for Hope**

Mr. Culp explained that St. Paul's Episcopal Church is requesting the closure of Valley Creek Boulevard to conduct the annual Chrissy's Run for Hope. All proper permits and insurance certificates have been provided.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to authorize the closing of Valley Creek Boulevard, in both directions, between East Lincoln Highway and Swedesford Road on Saturday, June 4, 2022, from 8:00 a.m. – 12:00 p.m. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**8. Authorization for Amplified Sound at Exton Park**

Mr. Culp advised that the Philadelphian Cricket League has requested the use of sound amplification in Exton Park at the multi-use fields for cricket games on a number of specific days June through August from 10:00 a.m. to 5:00 p.m. All permits and insurance certificates will be provided.

Resident Libby Madarasz questioned how far the sound will travel and if it will reach her neighborhood of Meadowbrook Manor. Mr. Kumbhardare explained that only one microphone will be used by the game commentator in connection with televising the games via Sling. Mr. Kumbhardare added that no complaints were received last year when the same sound configuration was used. Ms. Madarasz confirmed that she did not hear the sound last year. Virginia Kerslake, speaking for a resident who could not be in attendance, but lives on Swedesford Road across from Exton Park, expressed concern that the sound would violate the Township's Noise Ordinance. Board members agreed that should a complaint be received, the permit for sound will be revoked.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to authorize the use of sound amplification by the Philadelphia Cricket League in Exton Park for cricket games on June 25 and 26, July 2, 3, 4, 30 and 31, August 13 and 14, 2022, with the condition that should a complaint of noise be made, the permit will be revoked. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**9. Authorization for Amplified Sound at Albert C. Miller Park**

Grace Covenant Church has requested the use of sound amplification for Church services on June 26 and August 28 from 9:00 a.m. to 1:00 p.m.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to authorize the use of sound amplification in Albert C. Miller Park for church services on June 26<sup>th</sup> and August 28 of 2022, from 9:00 a.m. to 1:00 p.m. Mr. Kumbhardare called for public comment. Virginia Kerslake requested a condition be added that should a noise complaint be received, the permit will be revoked. Ms. Santalucia objected to the request and asked that a warning be issued first. Board members agreed.

Mr. Dunn made an amended motion, seconded by Ms. Santalucia, to authorize the use of sound amplification in Albert C. Miller Park for church services on June 26<sup>th</sup> and August 28 of 2022, from 9:00 a.m. to 1:00 p.m. with the condition that should a reasonable complaint be made regarding noise, a warning will be issued to the Church. There being no further public comment, the motion was unanimously approved.

**10. Approval of Township Payment Report for April 27, 2022**

Ms. Santalucia made a motion, seconded by Mr. Dunn, to approve the Township Payment Report dated April 27, 2022. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**11. March Financial Report**

The Board had no questions on the March Financial Report.

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

Mr. Dunn reported that the Pension Advisory Board met and discussed options for investing in a challenging market and had a presentation from PFM Management on cryptocurrency.

Ms. Santalucia reported on her attendance at the annual PSATS Conference where she attended sessions on administrative management, media relations, and Right-to-Know law. Other topics covered included legalization of marijuana, liquid fuels and LGBTQ rights.

Mr. Kumbhardare advised that the Planning Commission reviewed the conditional use plan for Columbia Cottage, a 72-unit personal care facility to be located on Boot Road close to the Boot/Ship Road intersection.

### **13. Staff Updates**

#### **a. Pay-as-you-Throw (PAYT) Program Review**

Mr. Dunn showed a Power Point presentation on his proposal to discontinue use of the PAYT trash bag system, maintaining it would save time, effort, and money, as well as help rid the environment of additional plastic bags. After comments both for and against the PAYT bags, it was decided to conduct a survey of residents to see what they prefer. It was emphasized that the survey should include numbers of actual costs and alternatives. Ms. Gural-Bear said the numbers will be confirmed by the Finance Department and addressed in the next Township Newsletter to residents.

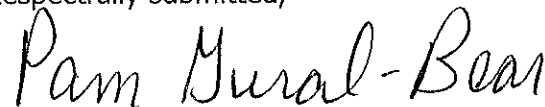
#### **b. Property Maintenance Code**

Ms. Guarnere reviewed her April 22, 2022, Memorandum describing the Property Maintenance Code (IPMC) which is part of the International Code Council (ICC) family of codes that addresses minimum standards for continued use and maintenance of existing building elements and structures. Adoption of the Code would provide the Township with consistent standards to enforce and resolve conditions that impact the health, safety and welfare of residents and would regulate the conditions and maintenance of all property, buildings and structures within the Township. Mr. Kumbhardare expressed support for the Code but requested that it be adequately advertised so the public is aware of its possible adoption and has time to voice their comments and concerns. The next step is to discuss the matter with the Public Services Commission at its meeting on May 4, with advertisement and discussion scheduled for May 18.

### **ADJOURNMENT**

The meeting adjourned at approximately 9:30 p.m.

Respectfully submitted,



Pam Gural-Bear  
Recording Secretary