



**WEST WHITELAND TOWNSHIP  
BOARD OF SUPERVISORS**

**BUSINESS MEETING**

Minutes of the second May Meeting

May 25, 2022

**1. Call to Order**

Chairman Rajesh Kumbhardare called to order the second May 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. A moment of silence was observed for the victims of the recent school shooting in Uvalde, Texas. Mr. Kumbhardare said the Board will entertain a Resolution at the June 8 meeting urging all elected officials in our area to take stronger action to curb such gun violence.

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  
Scott Ryle, Public Works Director  
Ed Culp, Asst. Public Works Director  
Ted Otteni, Township Engineer  
John Weller, Planning Director  
Marie Guarnera, Codes Director  
Caroline Partridge, Interim Finance Director  
Lee Benson, Police Chief  
Alex Baumler, Solicitor  
Pat Layman, Minutes

**ANNOUNCEMENTS:**

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

The Township Building will be closed on Monday, May 30<sup>th</sup> in observation of Memorial Day.

Property Maintenance Code Presentation and Q&A for the public will be held on June 23<sup>rd</sup> from 6:30 p.m. to 8:30 p.m. at the Township building.

**Employee Recognition:** The Board recognized the following employees for their years of service to the Township:

**Michael Gardner** – Officer Gardner has served the Township for 5 years, being hired as a full-time Officer in the Patrol Division in April 2017. Since then Officer Gardner has served as Field Training Officer as well as Officer in Charge and has excelled in both positions. He received

several instructor ratings in the areas of Use of Force and Self-Defense and was awarded the distinguished honor of Officer of the Year in 2020.

**Justin Smiley** – Justin was hired in 2017 as Township Planner, bringing with him 10+ years of planning experience. He previously worked for Chester County and continues serving as an adjunct professor at West Chester University. Justin has played a critical role in managing the Township’s development process and serves as Staff liaison with the Historical Commission. He was the lead planner for the 2019 Bicycle and Pedestrian Circulation Plan as well as for the amendments to the Official Map. He took the lead in contacting the Urban Land Institute to do the study of the Exton Crossroads area and was responsible for securing a major part of the funding for the update to the “History of West Whiteland Township”. Justin was also instrumental in promoting the benefits of Geographic Information Systems (GIS) to help Staff do their job and explain development to residents.

**Jeff McCloskey** – Sergeant McCloskey joined the Township Police Department in October 2002 as a full-time officer in the Patrol Division. He was assigned to the Criminal Investigation Division in 2014 and served in that capacity until 2018 when he was promoted to his current rank of Sergeant. Sergeant McCloskey is responsible for coordinating the Child Safety Seat Installation program, Fatal Crash Investigations, and was recently named Sergeant in Charge of the Criminal Investigation Division. You can always count on Sergeant McCloskey.

**Ed Culp** – Ed has served the Township for 25 years. He was hired in April 1997 as a laborer in the Parks Department and was promoted to Parks & Facilities Superintendent in 2004. His dedication and hard work earned him a promotion to Assistant Public Works Director in 2017. Ed has established a relationship with the Public Works employees, and they lean on him for information and guidance. Ed also represents the Township in several volunteer organizations including Friends of the Parks and the Public Services Commission. You will often see Ed in the Township building or the parks on his day off displaying his passion for maintaining and adding outdoor spaces for the residents.

**PUBLIC COMMENT:**

None.

**HEARINGS & PLANS:**

**1. Adoption of Ordinance No. 469 Amending the Township Zoning Ordinance**

A motion was made by Ms. Santalucia, seconded by Mr. Dunn, to open the hearing. The motion was unanimously approved.

Mr. Weller reviewed his Memorandum dated May 20, 2022, providing background on the amendment to accommodate active adult communities.

A record was taken by Court Reporter Arlene LaRosa.

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

Mr. Dunn made a motion, seconded by Ms. Santalucia, to adopt Ordinance No. 469 to amend the Township Zoning Ordinance to include a new Section 325-45.F to allow active adult communities in the IN – Institutional Overlay district and to revise other sections of the Zoning Ordinance to assure internal consistency. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

## **2. Columbia Cottage Conditional Use Hearing**

A motion was made by Ms. Santalucia, seconded by Mr. Dunn, to open the Conditional Use hearing for Columbia Cottage at Boot Road. The motion was unanimously approved.

In attendance on behalf of the Applicant were attorney Aristidis Christakis of Buckley, Brion, McGuire & Morris, LLP; Stephen Schmid, President of SCG Realty, Inc. and co-developer of the project; James Burnham, Jr., President of Horst Seniorcare; Edward Watson, Jr., architect with MDP Merlino Design Partnership; Andrew Eberwein, civil engineer from E.B. Walsh & Associates; and Frank Tavani, traffic engineer with F. Tavani & Associates, Inc. Also in attendance virtually was Charles Brogan, Director of Operations for Good Fellowship Ambulance.

Testimony was given and a record was taken by Court Reporter Arlene LaRosa.

Public comment was received from Virginia Kerslake, Andrew Papageorge, and Jim Meeks.

Ms. Santalucia made a motion, seconded by Mr. Kumbhardare, to direct the Township Solicitor to prepare a Decision and Order granting conditional use approval to the application of Horst Seniorcare Co. for the redevelopment of the property at 930-936 E. Boot Rd. as depicted on the 9-sheet plan set prepared by Edward B. Walsh & Associates, Inc. dated June 28, 2021, and most recently revised on March 16, 2022, to include the 9 conditions listed:

1. Prior to the issuance of a Use and Occupancy Permit, the Applicant (including any successor in interest of the Applicant) shall purchase one (1) individual membership to the Good Fellowship Ambulance & EMS Training Institute for each unit available for occupancy. Subject to the last sentence of this condition, these memberships shall be renewed annually, even if no residents occupy a unit at the time of renewal and shall not be permitted to lapse. The cost of such memberships shall be non-discriminatory as applied to the facility and shall not exceed that charged by Good Fellowship to all other individuals for the same membership type. Should the provision of or payment for ambulance services fundamentally change – by way of illustration, services are no longer available from a non-profit organization, or services are paid for as part of insurance coverage or included as part of other health care services the Applicant or subsequent operator of the facility may request relief from this condition from the Board of Supervisors without the need for further conditional use proceedings.
2. Prior to the issuance of a Use and Occupancy Permit, the Applicant (including any successor in interest of the Applicant) shall make a one-time donation of Thirty-One

Thousand Dollars (\$31,000) to Good Fellowship, said sum to be pro-rated based on the final number of units.

3. The eastern portion of the parking area shall be designed as shown on the color rendering presented to the Planning Commission on April 19, 2022 and featured on the main portion of Sheet 1 of the plan set (i.e., not the "alternate parking layout").
4. The Applicant shall apply to the Pennsylvania Department of Environmental Protection ("DEP") for a permit to construct sidewalk within the wetland areas at the western end of the property frontage; should DEP not grant the permit by the time that the building is complete, this requirement may be satisfied by payment in lieu of sidewalk construction, such payment to be an amount equivalent to the construction cost of the segment.
5. The Applicant shall provide an easement to allow for an emergency-only connection to the adjoining Whiteland Enterprises property, meeting the existing easement on that property.
6. The Applicant shall satisfy the compensatory planting requirement by planting larger trees insofar as possible, as recommended by comment #4 of the Theurkauf Design and Planning review dated April 4, 2022. Should the larger trees not be available at a commercially reasonable price, Staff is hereby authorized to approve an alternate means of satisfying this requirement.
7. Resolution of all outstanding consultant concerns to the satisfaction of the Township as advised by our consultants.
8. Payment of a traffic impact fee increased from the amount of \$24,633.00 as described in comment #11 of the review by McMahon Associates dated April 12, 2022, to \$27,531.00.
9. The Applicant shall work with the Township's Emergency Management Coordinator to develop a satisfactory strategy in the event of a pipeline-related emergency.

Mr. Kumbhardare called for public comment, and there were none. The motion was approved 2-1. (Dunn opposed citing safety concerns from the nearby pipeline).

The hearing was continued on the record to June 22, 2022, at 6:30 p.m. at the Township building.

#### **CONSENT AGENDA:**

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

- Minutes of May 11, 2022
- Resolution 2022-29 Disposition of Media

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

**BUSINESS:**

**1. Approval of the Sale of Municibid Items**

Mr. Culp reviewed his Memorandum dated May 19, 2022.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to authorize the sale of the following vehicle and equipment at the bid prices listed in Ed Culp's Memorandum dated May 19, 2022:

2008 GMS 3500 HD – Winning Bid: \$16,800.00, Next Bid \$16,700.00

Miller Curb builder – Winning Bid: \$3,900.00, Next Bid \$3,800.00

HTC Truck Conveyor – Winning Bid: \$9,100.00, Next Bid \$9,000.00

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

**2. Award of Bid for Electricity at Exton Park**

Mr. Otteni reviewed his Memorandum of May 19, 2022.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to award the bid for the Exton Park – Swedesford Recreation Area Concession Facility Electrical Construction Contract to the low bidder, CMSE, Inc. in the amount of \$44,111.00. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**3. Approval of Township Payment Report for May 25, 2022**

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve the Township Payment Report dated May 25, 2022. Mr. Kumbhardare called for public comment. Ms. Santalucia stated for the record that the check made payable to her for reimbursement was due to her securing her hotel reservation for the PSATS conference herself via Expedia at a cheaper rate than that offered by the conference. The motion was unanimously approved.

**4. April Financial Report**

Board members had no questions on the April Financial Report.

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

Mr. Kumbhardare reported that the Planning Commission meeting scheduled for Election Day was cancelled due to the Township building being used as a polling location. The West Chester Area Council of Governments meeting had a presentation by West Whiteland Officers Gardner and Pott on traffic data.

## **6. Staff Updates**

Mr. Culp advised that Staff discussed funding and possible artists with representatives from the Jean-Michel Basquiat Public Art Campaign Fitness Court. Ms. Santalucia said her research on the matter showed that the organization is a "for profit" organization and that other municipalities that adopted the project spent no less than \$150,000. Mr. Kumbhardare said the Board is looking for the project to be funded through sponsors and grants, and not entirely funded with the Township funds. The matter will be looked into more before the July 22 commitment deadline.

Chief Benson advised that police presence has been increased at all local schools in response to the recent Texas school shooting.

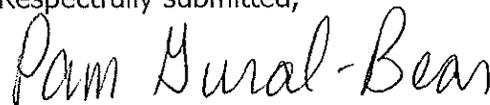
Ms. Gural-Bear said Staff is discussing the PAYT program with the hauler, AJ Blosenski, and cautioned against changes that would necessitate a rebidding at this time. The upcoming Township Newsletter will contain information for residents and seek their feedback.

Mr. Ryle reported that the Public Works team is currently working to repair 20 feet of sagging piping along Country Lane and will be conducting work on Fox Run Lane next.

## **ADJOURNMENT**

The meeting adjourned at approximately 9:25 p.m.

Respectfully submitted,



Pam Gural-Bear  
Recording Secretary