



**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the First June Meeting

June 9, 2021

1. Call to Order

Chairman Rajesh Kumbhardare called to order the first June meeting at 6:48 p.m. The meeting was held via Zoom due to the COVID-19 pandemic.

Mr. Kumbhardare reviewed the guidelines for the meeting which included the following:

- We ask you to mute your device when you are not speaking to improve the sound quality for everyone else.
- There will be opportunities for public comment at the beginning of the meeting for general concerns.
 - If you have a question or comment, please click the "raise your hand" feature in Zoom, which is available under the "more" menu on the participant tab.
 - If you have dialed in to this meeting by phone, you can press *9 to raise your hand to speak. When you are called upon, press *6 to unmute your phone, state your name and address and make your brief comment. Please remember to mute your phone by pressing *6 after your comment.
 - Please wait until you are recognized before speaking.
 - Speakers are asked to provide their name and address and limit their comments to 3 minutes.
 - Preference will be given to Township residents, and all speakers are asked to keep a respectful tone.

Those in attendance in addition to Mr. Kumbhardare were:

Theresa Santalucia, Vice-Chairman
Joshua Anderson, Supervisor
Mimi Gleason, Township Manager
Pam Gural-Bear, Assistant Township Manager
Ted Otteni – Public Works Director
Beth Jones – Finance Director
John Weller – Planning Director
Marie Guarneri – Codes Director
Lee Benson – Police Chief
Andrew Rau, Solicitor
Pat Layman – Minutes

ANNOUNCEMENTS:

The Board of Supervisors met on June 7th to discuss personnel matters and prior to tonight's meeting to discuss real estate matters.

PUBLIC COMMENT:

Annette Murray, of 502 Winding Way, asked for confirmation that Sunoco's request for a waiver from the Noise Ordinance to work 24/7 will not be approved. Ms. Gleason explained that she was waiting to hear back from Energy Transfer about the results of their discussions with homeowners whose properties back up to the work area. She explained that if all of them support a waiver to allow 24/7 work, the Township will work with the Meadowbrook Manor Civic Association to try and craft conditions that would be satisfactory for the waiver. She assured Ms. Murray that if even one homeowner was against the waiver, it will not be granted.

Nancy McMullen, of 200 Hillside Drive, said she received an e-mail from one of the homeowners stating opposition to the waiver and would forward it to Ms. Gleason.

Libby Madarasz, of 205 Locust Lane, said she was present at the site of the sinkhole and asked where the Township got the information posted on its website that the tree in the sinkhole had righted itself and come off the electric wires. Ms. Madarasz maintained that if this happened, it would indicate something seriously wrong underground. Ms. Gleason said Sunoco first showed pictures of the tree sitting on the top electric wires, and then showed pictures of the tree after it had shifted, and the branches were only on the lower communication wires hanging from the same utility poles. The workers safely removed the tree at that point without electrocution, proving the tree was not in the electrical wires. Ms. Madarasz expressed the opinion that Sunoco does not act in good faith and tried to cover up the sinkhole matter before DEP and the PUC could arrive to evaluate the situation.

Virginia Kerslake, of 103 Shoen Road, said she was also present at the sinkhole site and expressed concern that this sinkhole was larger than previous ones and was also parallel to the active Mariner East One pipeline. She further maintained that Sunoco did not excavate the sinkhole and probe for voids prior to the first deposit of grout as was noted on the Township's website.

PRESENTATIONS:

1. 2020 Audit Report from the Township's auditors, Maillie LLP

Robert Boland and Rhiannon Schroepfer from Maillie were in virtual attendance to present an overview of the 2020 audited financial statements. Mr. Boland summarized the process of financial verification and review of internal controls. No instances of non-compliance were noted, and a "clean" opinion was issued. He noted that the Township is to be commended that its pension plans are fully funded, and while revenues were down about 12%, the Township still added about \$600,000 to its net financial position. He said Management and Staff were very cooperative and helpful in producing requested documents in a timely manner. Ms. Gleason acknowledged Caroline Partridge, Accounting Manager, for her great work.

2. West Whiteland's Approach to Sustainability Practices:

Intern Eric West gave a presentation on Environmentalism in West Whiteland. Eric has been working since January with Caroline O'Connor, Public Works Coordinator, and the West Chester

Area Council of Governments on the Clean Energy initiative. He stressed that environmentalism is global in scale and local in nature. While a global response is needed, there are things that West Whiteland can do at the local level, such as revising the solar permitting process, regulations for electric vehicle charging stations, purchase of hybrid vehicles, and supporting the Clean Energy Future program. Eric explained the importance of consistency among neighboring municipalities when it comes to permitting and regulations for solar energy, and the need to make the process more user-friendly for smaller projects. Stressing federal tax credits available for clean energy renovations, involving the public in both passive and active ways, encouraging student experiences, local research projects, and essay writing competitions to foster motivated students are also things that can be done now to support Clean Energy.

CONSENT AGENDA:

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

- Minutes of May 26, 2021
- Resolution 2021-29 Disposition of Media

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

BUSINESS:

1. Resolution 2021-30 Acquiring Right-of-Way for the Ship Road Couplet

Ms. Gleason reviewed her June 3, 2021, Memorandum explaining that the Township's Transportation Capital Improvement Plan of 2015 proposed the Ship Road Couplet to ease traffic congestion around the Ship Road/Lincoln Highway intersection. Developers are paying for and building the southern portion of the Couplet, and the Township will be constructing the northern portion, which will be paid for with a \$940,000 grant from PennDOT and matching funds accumulated through Act 209 fees. Construction of the northern leg requires a right-of-way through Sunoco's Exton Terminal. The proposed Resolution authorizes approval of the agreement of sale in the amount of \$200,000 and execution of the deed of dedication for the right-of-way.

Mr. Kumbhardare called for public comment.

Tim Hubbard, of 697 Stonegate Court, asked how the amount of \$200,000 was arrived at and what future maintenance costs will be to the Township if PennDOT does not agree to take ownership of the Couplet. Mr. Kumbhardare and Ms. Gleason explained that an appraisal was done that valued the property higher, but the Township had previously budgeted \$200,000 for the right-of-way. This figure was offered to Sunoco and accepted. Mr. Otteni explained that the Township is currently in discussions with PennDOT regarding ownership of the Couplet and Ship Road. Should the Township take ownership, PennDOT would either make repairs to Ship Road or pay the Township to do. Through liquid fuels funding from the state gas tax, the Township would receive about \$12,000 annually for maintenance of the road.

Virginia Kerslake suggested it may be premature to purchase the right-of-way for the northern leg if the developments paying for the southern leg have not yet been approved. Mr.

Weller said that the developments have received conditional use approval. He then explained how Act 209 fees are collected and managed. Mr. Otteni said it was highly unlikely that the southern leg would not be built, but even if that were the case, the northern leg would still be constructed and would bring traffic relief to the area.

Ms. Santalucia made a motion, seconded by Mr. Anderson, to approve Resolution 2021-30 to acquire right-of-way for the northern leg of the Ship Road Couplet. There being no further public comment, a vote was taken, and the motion was unanimously approved.

2. Authorization to Sell Vehicles

Mr. Kumbhardare made a motion, seconded by Mr. Anderson, to authorize the advertisement and sale on MunicBid of two decommissioned police vehicles and to authorize the direct sale of a decommissioned police cruiser to the Maryland State Police Training Agency operated and run by the State of Maryland. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

3. Approval of Budget Amendment for Drainage Projects

Mr. Otteni reviewed his Memorandum dated May 27, 2021 and explained that one of the projects budgeted for 2021 was a carryover from the prior year, and additional materials are needed to complete the project. Also, the bids for the paving project came in less than expected. The requested budget amendment will provide sufficient funding to allow the drainage projects to be completed with a net-zero change in the overall 2021 budget for the liquid fuels fund.

Ms. Santalucia made a motion, seconded by Mr. Anderson, to authorize a budget amendment in the Liquid Fuels Fund, reducing the budget for the overlay line item from \$350,000 to \$300,000 and increasing the budget for the drainage account from \$10,000 to \$60,000.00. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

4. Award Bid for Pavement Markings

Mr. Otteni reported that only one bid was received for the 2021 pavement markings project, but this was not a concern as the bid received was less than the amount estimated and under the bid threshold of \$21,000.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to award the 2021 Pavement Markings Control to Alpha Space Control Company, Inc. in the amount of \$16,312.50. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

5. Authorization to Advertise Bids for Traffic Signal Maintenance Contract

Mr. Otteni explained that the Township owns and maintains 42 traffic signals and 4 flashing signals. The contract is for the annual preventative maintenance of all traffic signal equipment.

Ms. Santalucia made a motion, seconded by Mr. Anderson, to authorize the advertisement of the Traffic Signal Maintenance Contract and placement on PennBid. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

6. Clover Mill Pump Station

Mr. Otteni explained that the Clover Mill Pump Station is the largest pump station in the Township and is undergoing a much needed renovation. The authorizations on tonight's agenda are for the first phase of the renovation.

a. Authorization to Advertise for Bids: Electrical Modifications

Ms. Santalucia made a motion, seconded by Mr. Anderson, to authorize advertisement for bids for the Clover Mill Pump Station Electrical Modification Project. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

b. Authorization to Acquire New Generator

Ms. Santalucia made a motion, seconded by Mr. Anderson, to authorize the acquisition of a new generator for the Clover Mill Pump Station Rehabilitation project from a vendor on Costars at a cost not to exceed \$125,000. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

7. Authorization to Advertise for Bid for Traffic Signal Pole Relocation

As part of the Primrose daycare facility, a portion of Whitford Road is being widened to provide an additional northbound lane from Lincoln Highway to Waterloo Boulevard requiring the relocation of the existing traffic signal pole. The project will be paid for with funds from traffic impact fees paid by developers as a part of the Township's Act 209 transportation capital improvement plan.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to authorize advertisement for bid for the relocation of the traffic signal pole on the north side of the intersection of Whitford Road and Lincoln Highway. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

8. Authorization to Sign Highway Occupancy Permit Condition Statement

Ms. Santalucia made a motion, seconded by Mr. Anderson, to authorize the Township Manager to sign the PennDOT Highway Occupancy Permit Condition Statement, for the proposed road which will be constructed in conjunction with the Exton Knoll development. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

9. Accounts Payable Warrant Report

Ms. Santalucia made a motion, seconded by Mr. Anderson, to approve the Accounts

Payable Warrant Report dated June 9, 2021. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

10. Township Commission Updates from Board Liaisons

Friends of the Parks is updating the 2021 events with a Craft Fair scheduled at Miller Park on July 17 and concerts to be held in August. They are still searching for a band for Community Day and continuing work on the Parks Passport program encouraging people to visit all of the Township parks.

The Planning Commission reviewed the Ship Run land development plan and issued a motion recommending approval with conditions. In response to concerns about the proximity of the proposed homes to the existing valve station, Mr. Weller advised that the Township's Solicitor has since issued a determination that Section 325-28 of the Township's Zoning Ordinance regulates the siting of pipeline facilities and not residential buildings. Dunwoody Drive Outdoor appeared informally before the Commission and will be on the June 15 Planning Commission agenda for a full review.

Mr. Kumbhardare reported that the Public Services Commission reviewed the Recycle Coach platform, available as an app or on the Township's website, to provide answers to residents' trash and recycling questions.

11. Staff Updates

Because of the COVID pandemic, the Township had placed a hold on the collection of delinquent recycling and sewer bills. Portnoff is ready to move forward with the collection process if the Board is in agreement. Ms. Jones explained that it will take 3-4 months before Sheriff Sales are scheduled should any property owners get that far in the collection process; delinquent payers will have several opportunities before that to pay their bill or set up a payment plan. Board members were in agreement to move forward with collection.

Ms. Jones advised that per the American Rescue Plan Act, the Township will be receiving \$2.06 million in two installments: the first at the end of this month and the second next summer. The funds must be encumbered by the end of 2024 and spent by the end of 2026. Ms. Jones said a more detailed discussion with the Board will take place in mid to late July when the federal government is expected to issue final rules on the matter.

ADJOURNMENT

The meeting adjourned at approximately 9:00 p.m.

Respectfully submitted,



Mimi Gleason
Recording Secretary