



**WEST WHITELAND TOWNSHIP  
BOARD OF SUPERVISORS**

**BUSINESS MEETING**

Minutes of the First September Meeting

September 8, 2021

**1. Call to Order**

Chairman Rajesh Kumbhardare called to order the first September meeting at 6:30 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  
Joshua Anderson, Supervisor  
Mimi Gleason, Township Manager  
Pam Gural-Bear, Asst. Township Manager  
Ted Otteni, Public Works Director  
Beth Jones, Finance Director  
Marie Guarnera, Codes Director  
Lee Benson, Police Chief  
Andrew Rau, Solicitor

**ANNOUNCEMENTS:**

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

**PUBLIC COMMENT:**

Libby Madarasz, of 205 Locust Lane, asked about Sunoco working on Labor Day and if the mud in the pipe placed the residents in jeopardy. Ms. Gleason said she did not give permission to Sunoco to work on Sunday or Labor Day, but that maintenance work is always allowed. She further explained that the Noise Ordinance prohibits construction work on Sundays and holidays, but maintenance work cannot be prohibited. She urged Ms. Madarasz to call 911 in the future if the work seems like too much of a disturbance. Ms. Madarasz said Annette Murray did call 911, but the police told her that the maintenance work was permissible. Ms. Madarasz added that the fencing behind Linda Becker's home has not been removed, and she believes the fencing caused the storm water to back up in Ms. Becker's home. Ms. Gleason said she asked Energy Transfer to remove the fencing behind Ms. Becker's home and was told it would be removed.

Virginia Kerslake, of 103 Shoen Road, asked for clarification of the Noise Ordinance. Ms. Gleason said the Noise Ordinance regulates construction noise, but not maintenance work. Mr. Kumbhardare said they will get clarification from the Township Solicitor going forward. Chief Benson said decibel readings must be done on a device that has been calibrated to be considered valid.

**CONSENT AGENDA:**

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

- Minutes of August 25, 2021
- Resolution 2021-40 Disposition of Media

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

**BUSINESS:**

**1. Appointment of CPA Firm for 2022 Audit**

Ms. Jones reviewed her September 2, 2021, Memorandum. Five firms responded to the Township's Request for Proposal for auditing services. The proposals were reviewed, and references checked. Barbacane was selected due to their pricing and positive work experience. Pam Baker and Steve Kutsuflakis were present from Barbacane to answer questions.

Ms. Santalucia made a motion, seconded by Mr. Anderson, to appoint Barbacane Thornton & Company as the audit firm for the Township effective with the 2021 audit and to authorize the Township Manager to execute the services agreement. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**2. Adoption of Ordinance Adding a Portion of Hollyview Lane to the List of Prohibited Parking Locations**

Ms. Guarnere reviewed her Memorandum dated September 1, 2021 and explained that the Township had received a request from the Homeowners' Association to limit parking to one side of the street on Hollyview Lane to allow room for emergency vehicles to enter. Property Manager Julia Porter was in attendance and said that residents were made aware of the proposed change via numerous emails and a copy of the advertisement. Resident Chris Seeger was in virtual attendance and said the communication from the HOA read as if the matter was already decided; that the Township was taking the proposed action rather than asking residents how they felt about the issue. After resolution of misunderstandings regarding which side of the street parking would be allowed, the parties were in agreement with the proposed Ordinance. Mr. Otteni said clearance will be provided for the USPS box and branches that currently hide the speed limit sign will be trimmed.

Ms. Santalucia made a motion, seconded by Mr. Anderson, to approve Ordinance #462 amending Chapter 300, Article III, section 300-25 of the West Whiteland Township Code to prohibit parking at all times on the north side of Hollyview Lane. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

### **3. Adoption of Ordinance Addressing Possession of Small Amounts of Marijuana**

Chief Benson reviewed his Memorandum dated September 1, 2021. The proposed Ordinance will give West Whiteland police officers the option of issuing a summary citation for someone with a small amount of marijuana. Other police departments have found similar ordinances to be an effective alternative to a criminal charge.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to authorize and approve Ordinance #463 adding a Chapter 230.A to the West Whiteland Code, addressing possession of small amounts of marijuana, and establishing a mechanism to process related minor nonviolent possession offenses within the Township. Mr. Kumbhardare called for public comment. Mr. Seeger said he likes the Boards' progressive thinking and thinks the change will make for a community that is more tolerant of non-violent crimes and help the community move on further. There being no further public comment, the motion was unanimously approved.

### **4. Authorization for the Temporary Use of Lights in Exton Park**

Ms. Gural-Bear introduced Joshua Willey, football program director for the Greater Valley Community Organization. Mr. Willey said the program for 6- to 11-year-olds recently lost its practice fields at Church Farm School due to a change in COVID policy. The organization would like to use field #1 at Exton Park on Tuesday and Thursday evenings from 5:30 p.m. to 8:00 p.m. from September 14 through October 28. Mr. Willey asked for permission to use lights which will be provided by GVCO. Mr. Kumbhardare suggested using Miller Park because the grass at the Exton field is currently being cut extremely low for the cricket tournament and may experience too much wear and tear from football use. Also, Miller Park has restrooms and more adjacent parking. The Board showed Mr. Willey the layout of Miller Park and suggested he could use it until the cricket tournament was over or he could remain at Miller Park until the end of the practice season. Mr. Willey agreed that either field would fit their needs and thanked the Township for the assistance.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to authorize the use of lights at Miller Park, with Exton Park as a back-up if necessary, by the Greater Valley Community Organization's football program for 6- to 11-year-old children on Tuesday and Thursday evenings beginning September 14 through October 28 from sunset to 8:00 p.m. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

### **5. Authorization for After Hours Event at Waltz Park**

Mr. Culp said West Side Little League has requested after hours use of Waltz Park to have a "Movie in the Park" event. The surrounding neighborhood will be invited. The event will run from 6:30 p.m. to 10:30 p.m. on September 25, with a rain date of October 2, 2021. A representative from West Side Little League was in attendance to answer any questions.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to authorize the afterhours use of Waltz Park for an outdoor movie on September 25, 2021 (rain date October 2, 2021). Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**6. Authorization for Sound Amplification at Miller Park**

Mr. Culp reviewed his September 2, 2021, Memorandum. A resident has requested the use of sound amplification for a birthday party on October 9 (rain date October 16) from 1:00 p.m. to 6:00 p.m. Mr. Culp said he will provide contact information to the Applicants so they can provide advance notice to the surrounding property owners.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to authorize the use of sound amplification in Albert C. Miller Park for a birthday party on October 9, 2021, from 1:00 p.m. to 6:00 p.m. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**7. Authorization to Sell Utility Trucks**

Ms. Santalucia made a motion, seconded by Mr. Anderson, to authorize the advertisement and sale on MunicBid of two public works utility vehicles with snow plows:

2011 GMC Sierra 3500, VIN#1GD322CL0BF219254, mileage 87,950  
2011 GMC Sierra 3500, VIN#1GD322CL4BF210301, mileage 69,250

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

**8. Award of Bid for Electrical Modification Project at Clover Mill Pump Station**

Mr. Otteni reviewed his September 3, 2021, Memorandum. Seven bids were received for the electrical modification project at Clover Mill Pump Station. Mr. Otteni explained that costs have increased since the project was budgeted.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to award the bid for the Clover Mill Pump Station – Electrical Modification Project contract to the low bidder, BSI, in the amount of \$1,054,900. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**9. 2022 Budget Discussion:**

**a. General Operating Revenue**

Ms. Jones noted that revenue projections are strong with only the local services tax under the projected amount. Earned income tax, permit fees, and real estate transfer tax are all good. However, COVID still impacts expenses with higher demand and pricing for some goods and services.

The real estate tax remains flat, with increases from new development offset by numerous approved reductions in assessed value for individual properties. It has been almost 25 years since the last county-wide reassessment with growing divergence between assessed values of older properties versus new developments. Property owners – particularly owners of new

properties – are expected to continue to receive approval for reductions in the assessed value, which is the basis for the application of the real estate tax rate. While a real estate tax rate increase will not be needed for 2022, Ms. Gleason encouraged the Board to begin thinking about how best to increase the property tax rate in the future. The Township currently has a tiny rate of 0.0714%, one of the lowest rates in the area. Because the rate is so low, it would take a larger percent increase to generate any significant new revenue when a rate increase is needed, even though the dollar amount would not necessarily be large for most homeowners. Looking ahead, the Board could consider smaller increases every year or every other year as opposed to a larger one-time increase.

#### **b. Capital Projects Plan**

Ms. Gleason reviewed the list of capital improvement projects and asked the Board to let her know if there were others to add or if they wished to change the priority or order of proposed projects. Implementing the findings of the Exton Crossroads study done by the Urban Land Institute could include a streetscapes plan to lay out how to beautify the area along Routes 100 and 30 and improve intersection crossings for pedestrians and bicyclists. Additional projects include the Route 100 Congestion Mitigation in front of the Exton Train Station, the Ship Road Couplet (north leg), continued phasing of Exton Park development, Stormwater MS4 Pollutant Reduction Plan and the new Public Works Facility.

There was discussion about the need for a pedestrian bridge over Route 100. Ms. Gleason said the scope of work for the streetscapes plan includes evaluating possible locations for a pedestrian bridge across Route 100. It may be difficult to find a location with sufficient room to meet ADA requirements limiting grade changes that is also financially feasible, but the question keeps coming up and is worth at least investigating.

Mr. Otteni said both legs of the Ship Road Couplet, including discussions with Aqua for right-of-way at the southern terminus and with PennDOT regarding a turn-back of Ship Road. Mr. Otteni said staff is gathering information about the pros and cons of taking back Ship Road from the State.

#### **10. Approval of Accounts Payable Warrant Report**

Mr. Anderson made a motion, seconded by Ms. Santalucia, to approve the September 8, 2021, Accounts Payable Warrant Report. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

#### **11. Township Commission Updates from Board Liaisons**

Mr. Kumbhardare reported that the Public Services Commission reviewed the Development by Design video and had good comments. The Parks Improvement Plan was reviewed, which included \$40,000 for the resurfacing of the Meadowbrook Manor tennis courts.

The Planning Commission reviewed the conditional use plan for Columbia Cottage, a proposed 72-unit senior living facility to be located along Boot Road close to the Ship Road intersection. Several residents were in attendance at the Planning Commission meeting expressing traffic and stormwater concerns. One resident said the improvements promised with

the nearby Corner Park development were never completed. Mr. Kumbhardare checked into this and found that the sidewalks and perimeter landscaping were delayed due to the pipeline construction but are being completed now.

## **12. Staff Updates**

Ms. Guarnera advised of 6 new businesses going into the Exton Mall and 3 new restaurants in the food court. Also, the Best Western Hotel plan on Coeway Lane near Target that was approved in 2017 but never built, is starting the permitting process.

Mr. Otteni said the parking lot at Exton Park has been paved. The Public Works crew worked long hours through the hurricane monitoring the pump stations and Police Officers worked to keep people safe from flood waters. The Board thanked everyone for their tremendous efforts.

## **ADJOURNMENT**

The meeting adjourned at approximately 8:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Mimi Gleason', written over a horizontal line.

Mimi Gleason  
Recording Secretary