



**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the first September Meeting

September 13, 2023

1. Call to Order

Chairman Brian Dunn called to order the first September meeting at 6:30 p.m. The meeting was a hybrid with participants attending both in person and via Zoom.

Those in attendance in addition to Mr. Kumbhardare were:

Rajesh Kumbhardare, Vice-Chairman
Theresa Santalucia, Supervisor
Pam Gural-Bear, Township Manager
Jennifer Keller, Operations Manager
Lee Benson, Police Chief
Caroline Partridge, Finance Director
John Weller, Director of Planning & Zoning
Brannon Tupper, Engineering & Construction Projects Mgr.
Todd Greenawalt, Codes Administrative & Enforcement Mgr.
Ed Culp, Interim Public Works Director
Alex Baumler, 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.

Volunteer for Make a Difference Day, September 23rd at 8:00 a.m. in Exton Park. Details can be found on the Township's website and Facebook page. Email parks@westwhiteland.org to volunteer.

The southbound lane of Ship Road between Sylvania Rd and Lincoln Highway will be closed to traffic beginning on September 25th. Travelers are encouraged to follow the marked detour route.

Written comments are currently being accepted on an Act 537 Special Study that proposes the purchase of additional sewer capacity for the Downingtown Area Regional Authority (DARA) service area of the Township. The Special Study can be reviewed at the Township Building and on the Township's website. Comments must be submitted by the end of the month to administration@westwhiteland.org

Congratulations to our Township on attaining Gold Certificate status from Sustainable PA as good stewards of the environment.

PUBLIC COMMENT:

Kelly Quigg from the Chester County Library invited everyone to the Library Card Sign-Up Fest being held on Sunday, September 17 from 1:00 p.m. – 4:00 p.m. at the Exton Library. The event will feature free family entertainment, games, literacy activities, ice cream, and a visit from popular children’s book characters.

Also, the Henrietta Hankin branch will be celebrating its 20th Anniversary on Thursday, October 19. All are invited.

HEARINGS & PLANS:

1. 690 E. Lincoln Assoc. (Ship Rd. Wawa): Waiver Request from Lighting Standards

Mr. Weller reviewed his Memorandum dated September 8, 2023. He noted that the Board of Supervisors granted final plan approval to the Applicant on December 8, 2021, with the condition of compliance with the Township’s lighting requirements. The project is now under construction and the Applicant is requesting three waivers from the lighting standards to allow their proposed design:

- Waiver from §281-48.C(2)(b) to allow wall-mounted fixtures that do not have a full cut-off.
- Request to allow exterior lighting at full intensity past 11:00 p.m. (§281-48.C(3)(c) (This is not technically a waiver as 281-48.C(3)(c) allows lighting past 11:00 p.m. when permitted by the Board of Supervisors).
- Waiver from §281-48.C(3)(g) to allow exterior under-canopy lighting brighter than otherwise allowed.

The Planning Commission reviewed this project on September 5, 2023, and passed a unanimous motion recommending approval of the waivers.

Attorney Michael Gill, Mike Spiegel from Wawa, and Travis North from Bohler Engineering were in attendance. In response to questions from Mr. Kumbhardare, Mr. North confirmed that the 3-D rendering provided by the Applicant shows the range of light values and noted that the calculations provided are accurate. He also confirmed that the lights have the ability to be dimmed. Mr. Gill explained that the fixtures proposed are the same as those installed at the Whitford Road Wawa location, but the mounting is different because Whitford location has a sloped canopy while the Lincoln Highway location has an A-framed canopy. The A-frame canopy was requested by the Township to better blend in with the surrounding historic nature of the site. The difference in mounting is creating the higher light levels.

Ms. Santalucia made a motion, seconded by Mr. Kumbhardare, to amend the final approval of the land development plan for 690 E. Lincoln Hwy. as follows:

1. By granting a waiver from §281-48.C(2)(b) of the Subdivision and Land Development Ordinance (“S/LDO”) to allow the wall-mounted fixtures that do not have a full cut-off design, as shown on the Applicant’s plan.

2. To allow exterior lighting at full intensity past 11:00 p.m., pursuant to §281-48.C(3)(c) of the S/LDO.
3. By granting a waiver from §281-48.C(3)(g) of the S/LDO to allow exterior under-canopy lighting brighter than otherwise allowed by this section, as shown on the Applicant's plan.

Mr. Dunn called for public comment. Resident Jo Ann Kelton asked about lighting at the rear of the Wawa. Mr. North explained that the decorative lighting has been removed from the rear, but there will still be safety lighting will full cut-off, that will be shielded so as not to impact the residences to the rear of the store. There being no further comment, the motion was unanimously approved.

CONSENT AGENDA:

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

- Approval of August 23, 2023, Minutes
- Resolution 2023-36 Disposition of Media

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

BUSINESS:

1. Acknowledgement of Minimum Municipal Obligation for Police and Non-Uniform Pension Plans

Ms. Partridge advised that the Township's MMO for the Police and Non-Uniform Pension Plans for 2024 is \$567,000. She noted that the Township will receive State Aid to help offset this, as well as employee contributions.

The Board of Supervisors acknowledged receipt and review of the 2024 Minimum Municipal Obligation (MMO) for the Police & Non-Uniformed Pension Plans.

2. Acknowledgement of Change Order #1 for Greentree Lane Bioretention Basin

Mr. Tupper reported that during excavation of the bio-retention basin at 601 East Boot Road, an unforeseen 12" metal pipe with flowing groundwater was found. Additional piping will be needed to ensure that the water reaches the stream. The Township received a PA DEP Water Quality Improvements Grant for this project, but Mr. Tupper believes the project may still come in under budget due to a cost savings from hauling fill to the site of the new Public Works facility. Ms. Partridge said if the final project cost does exceed the budget, the difference will come from Township reserves.

Ms. Santalucia made a motion, seconded by Mr. Kumbhardare to approve Change Order #1 for the Greentree Lane Bioretention Basin project due to an unforeseen condition. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

3. Award of Clover Mill Pump Station (CMPS) Rehab Phase 2 Construction Contract

Mr. Tupper advised that Phase 2 is the final phase of the Clover Mill Pump Station Rehabilitation project and will include replacement of all the plumbing and mechanical equipment. The project was bid with a reduced scope of work option in case bids came in much higher than anticipated. However, four competitive bids were received for full scope that were in line with the engineer estimates.

Ms. Santalucia made a motion, seconded by Mr. Kumbhardare, to award the contract with Pact II, LLC in the amount of \$3,214,900 for the Clover Mill Pump Station Rehabilitation, Phase 2 project. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

4. Approval of Criminal History Information Police Policy

Chief Benson advised that the purpose of the subject policy is to establish guidelines by which a victim and/or defendant in a civil action can obtain criminal investigative information. The policy was created in response to a change in the law (18 Pa. C.S. 9158 et seq.) expanding crime victims' access to criminal investigative records. A model policy was provided by the Chester County District Attorney's Office.

Mr. Kumbhardare made a motion, seconded by Ms. Santalucia, to approve the policy noted in Chief Benson's Memorandum dated 29 August 2023, Crime Victim Right of Access, for inclusion in the West Whiteland Township Police Policy and Procedure Manual. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

5. Approval of Resolution 2023-37 Amended Fee Schedule

The proposed amendment to the Fee Schedule includes fees allowed to be charged for costs incurred to comply with the Crime Victim Right of Access requests. Should a requestor not be able to afford the fee, Mr. Baumler said there is an appeal process to waive the fee. Ms. Santalucia asked how long that process could take and suggested having an on-site waiver form. Chief Benson said he believes the Township can reserve the right to waive the fee but will look into the matter further.

Ms. Santalucia made a motion, seconded by Mr. Kumbhardare, to approve Resolution 2023-37 amending the Fee Schedule to include fees for Crime Victim Right of Access Requests. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

6. Approval of Township Payment Report for September 13, 2023

Staff provided answers to Board members' questions.

Ms. Santalucia made a motion, seconded by Mr. Kumbhardare, to approve the Township Payment Report for September 13, 2023. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

7. 2024 Budget Discussion:

a. General Fund Operating Revenue

Ms. Gural-Bear outlined a timeline for the 2024 Budget advising that from now through the end of November, Staff will be presenting various department budgets. The Board is scheduled to authorize advertisement of the Budget in November in anticipation of approval and adoption in December.

Ms. Partridge then presented an overview of Revenue. The Township's largest sources of revenue are Earned Income Tax (59%), Real Estate Tax (10%) and remaining smaller sources of Licenses and Permits, Local Service Tax, and Real Estate Transfer Tax. While Earned Income Tax and Real Estate Tax have seen a steady increase over the past five years, the cost of services has outweighed that leaving an expected shortfall of \$500,000 in the budget at the end of this year. She also noted that while real estate tax revenue has been increasing, it is based on old assessment values that have not kept up with the current market. The County has not reassessed properties in several years. The Real Estate Tax is the only tax rate that the Board of Supervisors has authority to change. Revenue from permit fees is slowing down as development in the Township slows. While revenue is expected to be down over the next few years, Ms. Partridge said the revenue stream is still "healthy".

Ms. Gural-Bear advised that the Second Class Township Code gives the Township to ability to tax up to a maximum of 3 mills for Fire Protection. A 3 mill tax would generate an estimated \$5,679,305. A chart was provided showing the impact of such a tax on the average residential and commercial customer. Said tax would be in addition to the current tax bill, which for the average resident is \$127/year. The maximum millage allowed for Emergency Services is .5 mills. This would raise an estimated \$946,551.

A possible scenario presented by Staff for the Board to consider is:

- .125 mills for EMS which would generate \$236,638
- .75 mills for Fire Protection which would generate \$1.4 million
- .25 mills for General Purpose which would generate \$473,000

This scenario would cost the average resident an estimated \$199/year.

Ms. Gural-Bear stressed that no decision was needed by the Board at this time but was merely providing options for consideration. Mr. Kumbhardare suggested a flat increase would save the extra Staff time required to account for the restricted funds earmarked specifically for Fire and EMS and would allow the Township more flexibility in how the revenue is used. Staff will provide more information on this at the next meeting.

b. Public Safety Department Presentations

Ambulances

Tom Wilcox and Charles Brogan of Good Fellowship Ambulance gave a presentation on the service provided and the upcoming budget. Good Fellowship provides service to 10 municipalities. West Whiteland accounts for 4% of Good Fellowship's call volume.

Operating expenses have increased 10-12% and vehicle expenses are up 40+%, with steep increases in insurance and salaries. Recruitment and retention of qualified staff is big concern as many people left the field during the pandemic. Good Fellowship is requesting \$25,263 from the Township, an increase of 8.6% over last year.

Kathi Cozzone and Tammy Whiteman gave a presentation for Uwchlan Ambulance Corps. Uwchlan covers 8 municipalities of which West Whiteland is the largest and accounts for the greatest call volume (41%), far exceeding the other municipalities served.

Uwchlan initially requested \$160,000 for operating expenses for 2024, plus an additional \$10,000 toward HVAC replacement. At the meeting, Ms. Cozzone requested an additional \$10,000 toward an unexpected roof replacement, for a total of \$180,000. Ms. Cozzone advised that the formula used to arrive at the requested amount is one year behind actual costs. The request would have been \$295,000 if current costs were used. Much of the shortfall is driven by Medicare and Medicaid not covering the actual costs of service.

Ms. Santalucia suggested that any new tax that the Board may decide on should be earmarked to ensure the money goes to Fire and EMS, noting that future Board members may not be as "ambulance friendly" as this Board and could deny future requests.

Ms. Gural-Bear asked about the status of a possible merger of Good Fellowship and Uwchlan. Mr. Brogan said they are working with a consultant and have begun exploring the matter. Ms. Cozzone said she did not believe a merger would show a savings but more likely a slower increase in costs.

Fire Department:

Ms. Gural-Bear was happy to report that the Fire Company is up 27 volunteers for a total of 67.

Requests for 2024 include among others, funding for tires, electrical work, testing, vehicle and equipment maintenance. In addition, the Township contributes to the purchase of fire vehicles, the cost of which has increased greatly. While no vehicles are scheduled for purchase next year, Ms. Partridge said the amount budgeted per year for such purchases needs to be increased to \$500,000 in order to meet future needs.

The request for administrative costs for 2024 is \$189,000 vs. \$140,000 requested last year.

8. Township Commission Updates from Board Liaisons

Ms. Santalucia reported that the Historical Commission reviewed the Valley Creek Homes plan to construct an age-restricted residential community. The historic Pickwick Mansion onsite will be preserved and sold as a separate lot, but nine vacant structures previously used as faculty housing for Church Farm School are proposed for demolition. The Commission will begin considering properties for the Historic Preservation Awards. Also, resident Helene DeCray donated some historical maps and deeds to the Township.

Mr. Dunn advised that the Public Services Commission continues to review design options for Parks wayfinding signage and was given a presentation on Stormwater Management by Mr. Tupper.

Mr. Kumbhardare reported that the Planning Commission reviewed 3 projects: Bush Auto, Valley Creek Homes, and 690 E. Lincoln Highway (Wawa lighting request). The Bush Auto plan proposes a satellite location for Exton Nissan and will reduce the number of access points at the site from 4 to 2. Valley Creek Homes proposes to construct stormwater basins on Township property per a previous agreement which is no longer valid.

Ms. Gural-Bear reported that Friends of the Parks has changed banks to eliminate fees. She then shared marketing slides and a course map for the Skoogie and Main Street at Exton 5-K Run scheduled for November 11.

9. Staff Updates

Chief Benson was happy to report that escaped prisoner Danelo Cavalcante has been captured and thanked all those in law enforcement for their tireless efforts, including the West Chester Regional Emergency Response Team comprised of several West Whiteland Officers.

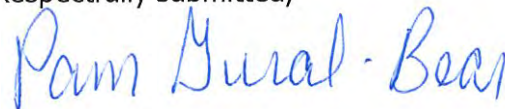
Chief Benson reported that the food drive "Fill a Cruiser" held last Saturday was a big success with over 1,000 pounds of food collected for the local food bank.

Clovermill Road has been closed due to a sinkhole, but Mr. Culp said it is expected to open this weekend. Mr. Culp also confirmed that the water fountains at Exton Park will be winterized.

ADJOURNMENT

The meeting adjourned at approximately 8:34 p.m.

Respectfully submitted,



Pam Gural-Bear
Recording Secretary