



**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the first September Meeting

September 14, 2022

1. Call to Order

Chairman Rajesh Kumbhardare called to order the first September meeting at 6:37 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
Scott Ryle, Public Works Director
Ted Otteni, Director of Engineering
Marie Guarnera, Codes Director
John Weller, Planning Director
Caroline Partridge, Finance Director
Lee Benson, Police Chief
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.

PUBLIC COMMENT:

None.

HEARINGS & PLANS:

1. Cross Gables Estate Conditional Use Decision & Order

A motion was made by Ms. Santalucia, seconded by Mr. Dunn, to reopen the conditional use hearing for Cross Gables Estate. The motion was unanimously approved.

At the conclusion of the hearing on August 24, 2022, the Board directed the Township Solicitor to draft a Decision and Order approving the application of Cross Gables Estate.

A record was taken by court reporter Arlene LaRosa.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to approve the Decision and Order granting conditional use approval to the application of Joe and Theresa Conahan to use Township Historic Resource #322 at 701-703 Old Valley Rd. as a special event venue (i.e., an "inn," as defined by the Township) in combination with a single-family residence. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

2. Keva Flats Conditional Use Decision & Order

A motion was made by Mr. Dunn, seconded by Ms. Santalucia, to reopen the conditional use hearing for Keva Flats. The motion was unanimously approved.

At the conclusion of the hearing on August 10, 2022, the Board directed the Township Solicitor to draft a Decision and Order approving the application of Keva Flats.

A record was taken by court reporter Arlene LaRosa.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve the Decision and Order granting conditional use approval to the application of Keva Flats, LP for the construction of 96 apartment dwellings in two buildings and a floodplain restoration project at 350 Waterloo Blvd. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

3. CPC Westrum Conditional Use Decision & Order

A motion was made by Mr. Dunn, seconded by Ms. Santalucia, to reopen the conditional use hearing for CPC Westrum. The motion was unanimously approved.

At the conclusion of the hearing on July 27, 2022, the Board directed the Township Solicitor to draft a Decision and Order approving the application of CPC Westrum.

A record was taken by court reporter Arlene LaRosa.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve the Decision and Order granting conditional use approval to the application of Commerce Pursuit Capital, LP for the construction of a personal care facility at 50-70 W. Boot Rd. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

CONSENT AGENDA:

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

- Minutes of August 24, 2022
- Final Escrow Release for Horn Plumbing for 302 National

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

BUSINESS:

1. Adoption of Ordinance No. 471 for Unpaid Real Estate Taxes and Municipal Claims for Delinquent Accounts and Authorization for Interim Township Manager to Sign Amendment to Agreement for Collection of Delinquent Municipal Claims

Ms. Partridge reviewed her Memorandum dated September 14, 2022, and advised that the proposed amendment addresses the addition of a \$25 fee required as a result of new guidelines released from the Consumer Financial Protection Bureau.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to adopt Ordinance No. 471 Collection Procedures for Unpaid Real Estate Taxes and Municipal Claims for Delinquent Accounts and to authorize the Interim Township Manager to sign an amendment to the existing contract with Portnoff Law Associates. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

2. Approval of Proposed Settlements Regarding Tax Assessment Appeals

a. PREIT Exton Square Property (Exton Square Mall)

Ms. Santalucia made a motion, seconded by Mr. Dunn, to approve the settlement of the assessment appeal filed by PREIT Exton Square Property, LP in the amount of \$21,818.00. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

b. Keva Flats

Ms. Santalucia made a motion, seconded by Mr. Dunn, to approve the settlement of the assessment appeal filed by Keva Flats, LP in the amount of \$11,791.00. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

3. Approval of Revised Township's Investment Policy ad Strategy

Mr. Kumbhardare explained that because of the higher costs associated with an ESG investment strategy, the Board has decided to take a more competitive investment strategy in light of its fiduciary responsibility to the Township's Pension Plans.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve the revised Investment Policy Statement for the West Whiteland Township's Pension and Other Post Employment Benefit (OPEB) Plans. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

4. Acknowledgement of Minimum Municipal Obligation

The Board acknowledged that they have received and reviewed the 2023 Minimum Municipal Obligation for the Township's pension contributions as required by Pennsylvania Act 205. Ms. Partridge explained that there is a 12% increase over the 2022 obligation driven by the increase in estimated payroll. The total MMO will be offset by State Aid historically received in September of each year. She noted that all Township pension plans are currently 100% funded.

5. Authorization to Award Bid for Paving Program

Mr. Otteni reviewed his September 8, 2022, Memorandum and noted that of the seven bids received, all were higher than anticipated.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to award the bid for the 2022 Paving Program to the lowest bidder, Innovative Construction Services, for \$179,227.50 subsequent to approval from PennDOT and receipt of a project number. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

6. Authorization of Budget Amendment for Sewer Construction Fund

Mr. Otteni reviewed his September 9, 2022, Memorandum and explained that the proposed budget amendment would result in a net-zero change in the overall 2022 budget for the Sewer Construction Fund. Additional engineering activities were required for DARA's request for the 537 plan for the upcoming DARA expansion, and the Township's feasibility study for options to extend the sewer system along Hunter Lane and King Road.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to authorize a budget amendment in the Sewer Construction Fund (Fund 03), reducing the budget for the Capital Improvements line item from \$2,145,000 to \$2,025,000 and increasing the budget for the Engineering line item from \$150,000 to \$270,000. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

7. Approval of JMR Engineering Proposal for New Public Works Facility Site Design

Mr. Otteni advised that Staff has reviewed the scope of services and proposed costs for the development of the site design for the proposed Public works Facility (121 Valley Creek Blvd.) and found it to be reasonable and prudent.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to authorize the Interim Township Manager to execute the contract from JMR Engineering for development of the Site design for the Public Works Facility. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

8. 2023 Budget Kickoff Discussion
a. Township Goals and Initiatives
b. General Fund Operating Revenue

Ms. Gural-Bear and Ms. Partridge gave a presentation on Township Goals and Operating Revenue. Because of the Township's continued good financial practices, the Pension Plans are 100% funded and the bond rating remains Aaa. Economic development remains high, and new residents in the Crossroads will bring an increase in Earned Income Tax (EIT). Ms. Partridge explained that EIT is Township's biggest source of revenue followed by Licensing and Permit fees, Real Estate Tax, Real Estate Transfer Tax, and Local Services Tax (LST).

The total 2023 estimated revenue is \$13.5 million, which is down slightly from 2022 due to the receipt of ARPA funds in 2022. The Township's real estate tax rate remains one of the lowest in the area at .714 mills.

The next budget presentation at the September 28th Board meeting will focus on how revenue is allocated.

9. Monthly Permit Report

Board members had no questions on the Monthly Permit Report.

10. Approval of Township Payment Report for September 14, 2022

Staff answered questions from Board members on individual items listed in the Payment Report.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to approve the Township Payment Report dated September 14, 2022. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

11. Township Commission Updates from Board Liaisons

Ms. Santalucia advised that the Historical Commission reviewed a request from Bush Automotive for demolition of various historic resources located at the intersection of Route 30 and Whitford Road. The Commission recommended delaying approval of the demolition permit until more details are received on the future land use of the site, further commitment that the historic Schoolhouse will be preserved, and an investigation is completed regarding adaptive re-use of the historic Tenant House.

Mr. Dunn reported that the Public Services Commission was given a presentation by Wyatt Williams on the Township's sustainability initiatives focusing on energy, waste and community engagement.

Mr. Kumbhardare reported on his attendance at the PSATS Convention in Lancaster. He attended a session on Leadership and Team Building and suggested that each department

develop a tag line for what they do – what is the department’s goal – and display it on the wall. He also attended a session on Liquid Fuels, focusing on required forms and electric vehicles. Mr. Kumbhardare advised that the Planning Commission reviewed a 3-lot subdivision for 296 Boot Road and recommended approval.

12. Staff Updates

Mr. Otteni provided an update on the work at Exton Park and was happy to advise that the utility poles have now been removed by Comcast and Verizon. Work continues on the restrooms.

Mr. Ryle advised that the Shoen Road Bridge project was completed in-house and the grant for reimbursement has been submitted.

Ms. Guarnera advised that work has begun on the 690 E. Lincoln Highway project (Wawa) and work on the 4 Tabas Lane project is scheduled to begin next week.

As part of the Police Department’s upcoming 50 year anniversary, Chief Benson advised that a graphic displaying “Community, Professionalism, Pride, and Respect” will be hung in various locations at the Township building.

ADJOURNMENT

The meeting adjourned at approximately 8:08 p.m.

Respectfully submitted,



Pam Gural-Bear
Recording Secretary