



**WEST WHITELAND TOWNSHIP  
BOARD OF SUPERVISORS**

**BUSINESS MEETING**

Minutes of the second September Meeting

September 27, 2023

**1. Call to Order**

Chairman Brian Dunn called to order the second 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  
Matthew Deceder, Police Captain  
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  
Sean Kilkenny, 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.

Make a Difference Day has been rescheduled for Saturday, October 7<sup>th</sup> at 8:00 a.m.

The planned detour of southbound lane of Ship Road has been postponed. New dates will be announced when they are confirmed. Ms. Gural-Bear advised that a utility pole still needs to be relocated.

**PUBLIC COMMENT:**

None.

**HEARINGS & PLANS:**

**1. Conditional Use Hearing for Bush Auto Group (aka, 105 Whitford Road, LLC)**

Mr. Dunn made a motion, seconded by Ms. Santalucia, to open the Conditional Use hearing for Bush Auto Group. The motion was unanimously approved.

Board of Supervisors  
Minutes of the second September Meeting  
September 27, 2023

Solicitor Kilkenny asked if anyone would like party status, and no one requested same. Mr. Weller provided an overview of the proposed project to construct a satellite facility for Exton Nissan at the intersection of Whitford Road and E. Lincoln Highway.

Ryan Jennings, attorney with Unruh Turner Burke & Frees; Joseph Bush, Jr., property owner; Justin Brewer, project engineer with Howell Engineering; and Greg Richards, traffic engineer with Traffic Planning & Design, were in attendance on behalf of the Applicant.

Testimony was given by Joseph Bush, Jr., Justin Brewer, and Greg Richards. Public comment was taken from resident JoAnn Kelton. A record was taken by Court Reporter James Finlan.

Mr. Kumbhardare made a motion, seconded by Ms. Santalucia, to direct the Township Solicitor to prepare a Decision and Order approving the conditional use application of 105 Whitford Road, LLC to improve the properties at 390 W. Lincoln Hwy. and 105 S. Whitford Rd. for use as an automobile dealership consistent with the 15-page plan set prepared by Howell Engineering dated March 27, 2023, and most recently revised August 15, 2023, to include the following conditions:

1. The Township shall favorably consider the waivers requested by the Applicant to the extent that they are supported by our consultants or are otherwise deemed to be in the Township's interest and promote the intent, if not the letter, of the regulation at issue.

2. The land development plan shall include a pedestrian crossing of Lincoln Hwy., substantially similar to the conceptual design presented at the hearing. While the Township will cooperate to the extent necessary to facilitate PennDOT approval of this crossing, the Applicant shall bear all costs related to its design, permitting, and construction.

3. The Applicant shall satisfy the five (5) conditions recommended by the Township Historical Commission at their meeting of April 10, 2023.

4. All consultant concerns shall be resolved to the satisfaction of the Township.

5. Removal of comment #9 of the McMahon review letter dated August 30, 2023 (to recommend the Applicant restripe northbound Whitford Road to convert the northbound right-turn land to a shared through/right-turn lane as this would not allow the pedestrian crosswalk across Lincoln Highway as proposed).

6. Continue the hearing to October 11, 2023, at 6:30 p.m. at the Township building.

Mr. Dunn called for public comment, and there were none. 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:

Board of Supervisors  
Minutes of the second September Meeting  
September 27, 2023

- Approval of September 13, 2023, Minutes
- Resolution 2023-38 Disposition of Media

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

## **BUSINESS:**

### **1. Approval of Police Policy: Collection and Processing of DNA Evidence**

Chief Benson reviewed his Memorandum dated September 21, 2023, describing a new policy for the collection and processing of DNA evidence. He advised that the Chester County District Attorney's Office secured funding for a program and invited surrounding municipalities to take part at no cost to the Township. The policy details definitions, administration, collection and processing of DNA evidence.

Mr. Kumbhardare made a motion, seconded by Ms. Santalucia, to approve the policy noted in Chief Benson's memo dated September 21, 2023, for the Collection, Processing, and Preserving of DNA Evidence and inclusion in the West Whiteland Township Police Department's Policy and Procedure Manual. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

### **2. 2024 Budget Discussion**

Following up on the tax increase discussion at the last meeting (September 13), Ms. Gural-Bear and Ms. Partridge presented figures for a proposed general purpose tax increase rather than a specific Fire and EMS tax.

A proposed general tax increase of 1.125 mills would generate additional revenue of \$2.1 million. This could be used for parks, sustainability, stormwater, as well as Fire and EMS. Currently, 90% of residential tax bills are under \$200/yr. A proposed increase of 1.125 mills would result in a \$72/yr. increase for the average residential taxpayer.

Ms. Santalucia reiterated her support for a separate Fire and EMS tax that would guarantee funding for these services in the event that a future Board is not so "friendly" to these agencies. Mr. Kumbhardare pointed out that the Township is responsible to provide Fire and EMS services so funding would be provided, but with a specific Fire and EMS tax, the Township would have no control over how those tax dollars are spent. Funding from a general-purpose tax increase would provide a "checks and balances." Ms. Gural-Bear added that with a general-purpose tax increase, Fire and EMS agencies will continue to come before the Board to present their budgets and proposed projects just as the various Township departments do every year. This would allow the Board to decide what to fund and at what level.

**a. Public Works & Engineering Department Presentations**  
**i. Parks & Facilities**

Mr. Culp advised that with the addition of Exton and Catov Parks, there has been an increase in expenses for mowing (\$30,000), seed and mulch (\$23,000) and supplies in general, but the remainder of the Parks budget remains relatively unchanged.

Proposed projects for 2024 include LED lighting for the parking lot at Miller Park, water fountain, storage shed, and Wi-Fi improvements.

**ii. Municipal Complex**

A vehicle outlet project at a cost of \$35,000 is proposed for the Police area to allow vehicles to be plugged in to save on fuel and overall car maintenance. Upgrading the current EV chargers was discussed. Board members agreed to keep the current idling fee charged to those people who leave their vehicles parked at the charging station after their vehicle has been fully charged.

**iii. Sustainability**

Three projects are proposed for 2024; solar panels at the new Public Works facility, the Municipal Complex, and the Boot Road Park House. In response to a question from Mr. Kumbhardare, Mr. Culp advised that the roof of the Boot Road House is being evaluated to determine its suitability for solar panels. If it is found to be lacking, panels may be placed on the ground.

Ms. Gural-Bear reported that PECO has a program that would allow energy produced from panels at the new Public Works facility to be used to support other locations within two miles of the site. This would include the Municipal building (1.9 miles from the site). This has the potential to greatly decrease the energy bills for the Township building.

The survey for the Plastic Bag Ordinance is expected to go live this week.

**iv. Stormwater**

With the increasing intensity of recent storms and mandated regulations, Mr. Brannon noted challenges for stormwater management to maintain stormwater infrastructure, post construction inspections, pollutant reduction plan, mapping, and other requirements to maintain the Township's MS-4 permit. While no increase in the budget is proposed at this time, Staff will continue to look for grants and work with developers to address stormwater issues. Stormwater maintenance falls within the Public Works budget and is proposed to fund at the same level for 2024.

Staff is currently developing an inventory of all stormwater infrastructure and problem areas. Long standing issues continue to be in the older developments that were built before Best Practices were put in place. Staff has met with SSM who have determined that there are no implementable projects but sited the need for a feasibility study on flood control. Mr.

Kumbhardare noted the problems caused by the karst geology on Clover Mill Road. The big stormwater problems will require collaboration to resolve.

#### **v. Roads & Fleet**

Mr. Culp advised that no real increases or major projects are proposed for the Roads & Fleet budget. Mr. Tupper advised that the recent damage to Burgoyne Road encompasses a very large project that will require DEP permitting, stream management, etc. Burgoyne Road will be stabilized as a "band aid" until such time as the road can be rebuilt.

A small increase is proposed for the maintenance of vehicles and equipment, which has seen a 10% increase (approximately \$20,000).

#### **vi. Liquid Fuels (Road Maintenance) Fund**

Mr. Culp explained that the Township receives approximately \$500,000 per year in Liquid Fuels money. This is used to pave roads, five of which are scheduled for next year. Roads are assessed for their condition on an ongoing basis and usually require re-paving every ten years.

#### **vii. Equipment Replacement Fund**

Ms. Partridge presented a spreadsheet that lists all of the Township vehicles and equipment. Revenue for Equipment Replacement comes from the General Fund at a rate of \$150,000-\$300,000 annually. Transferring this amount to this Fund has always allowed the Fund to maintain a surplus. However, the 12% increase in the cost of vehicles has basically "destroyed" this plan. She noted that funding at the current level would take the Township through the year 2030 but said an annual increase of \$800,000 is needed (a total of \$950,000) to keep the Fund viable into the future.

Ms. Partridge cautioned against using Liquid Fuels money to purchase trucks as the cost for road maintenance has also increased greatly.

### **b. Public Safety Department Presentations**

#### **i. Police Department**

Chief Benson and Captain Deceder presented the 2024 Police budget, which overall remains flat. Current staffing is sufficient with 29 Officers and 2 civilians. While much of the Police budget contains items beyond the Department's control, of those items that can be controlled, a reduction of 4% has been accomplished without any reduction in services provided.

Goals for 2024 include a continued excellence in service and response to and resolution of problems. Training and technology do escalate, and a three-year plan to improve firearms with red dot sight feature is proposed at a cost of approximately \$5,000. The Department's second re-accreditation for PLEAC is scheduled for next year but at a cost of \$12,000 that was previously budgeted. There is no cost to the Township for the next 3 years for BODE Technology as this is paid for with a grant secured by the County. Should the funding not continue after the

initial 3-year period, the Township can decide whether to continue with the DNA evidence program at a cost of \$160 per DNA submission.

Captain Deceder advised that the license plate readers for vehicles are working throughout the Township. The recent retail thefts seen throughout the country were briefly discussed and the need for retailers to lock up their high-end merchandise.

**3. Approval of Township Payment Report for September 27, 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 27, 2023. Mr. Dunn called for public comment, and there were none. The motion was unanimously approved.

**4. August Financial Report**

Board members had no questions on the August Financial Report.

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

Mr. Kumbhardare reported that the Planning Commission reviewed a land development plan for construction of athletic fields for Collegium Charter School, a conditional use plan for an affordable housing project at the end of Coeway Lane (Villas at West Whiteland), and a proposed Zoning Ordinance amendment to the R-1 Residential district regulations that would allow a "large tract residential cluster option" for the Weston tract.

**6. Staff Updates**

Mr. Greenawalt said letters were sent to 80 people advising them of the scheduled demolition next week of two homes in Cedar Crest. He said a resident has expressed interest in purchasing the properties to demolish the homes and rebuild on the lots but would require approval from the Zoning Hearing Board.

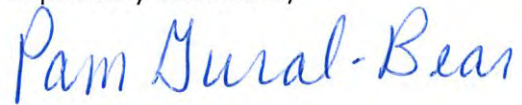
Chief Benson said the Police Department will once again be participating in the "Bluebeards for Charity" program over the months of October – December. You can expect to see Officers growing their beards for charity. He noted that last year \$50,000 – 60,000 was raised.

Board of Supervisors  
Minutes of the second September Meeting  
September 27, 2023

**ADJOURNMENT**

The meeting adjourned at approximately 9:35 p.m.

Respectfully submitted,



Pam Gural-Bear  
Recording Secretary