



**WEST WHITELAND TOWNSHIP  
BOARD OF SUPERVISORS**

**BUSINESS MEETING**

Minutes of the second October Meeting

October 26, 2022

**1. Call to Order**

Chairman Rajesh Kumbhardare called to order the second October meeting at 6:38 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  
Ed Culp, Assistant Public Works Director  
John Weller, Planning Director  
Caroline Partridge, Finance Director  
Lee Benson, Police Chief  
Matt Deceder, Police Captain  
Christina McGinty, Codes Administrative Asst.  
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, real estate, and litigation.

The Township will be hosting an Open House on Wednesday, November 2<sup>nd</sup> from 5 to 7 p.m. at the Township building.

Election Day is Tuesday, November 8<sup>th</sup>.

The Township Building will be closed on Friday, November 11<sup>th</sup> for Veterans' Day.

The Craft Fair will be Saturday, November 12<sup>th</sup> from 10 a.m. to 2 p.m. at the Township Building.

**PUBLIC COMMENT:**

Resident Libby Madarasz asked about the status of the Exton Square Mall. Mr. Kumbhardare and Mr. Weller advised that Brandywine Realty Trust (BRT) was purchasing the site from PREIT, but the transaction was not yet completed. BRT has issued an RFP to develop a

Master Plan for the site, as required by the Township, but nothing has been received to date. Mr. Weller said BRT is known for its high quality mixed used projects and is based in Philadelphia.

### **CONSENT AGENDA:**

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

- Minutes of October 12, 2022
- Resolution 2022-43 Disposition of Media

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

### **BUSINESS:**

#### **1. Discussion of Pay-as-you-Throw (PAYT) Survey Results**

The Board discussed the results of the PAYT Survey sent to residents to see if they prefer to continue purchasing trash bags with the PAYT program as it exists today or if they prefer to switch to a more traditional trash collection with no requirement to purchase special bags but continue to pay the \$89 annual recycling fee plus an additional approximate fee of \$130 per year. The survey was mailed to 4,418 households. Of the 2,0332 responses received, 55% voted to stay on the PAYT system and 45% voted to switch away from PAYT, based on the pricing estimates included. Along with the surveys submitted, the Township received 20 pages of comments citing reasons both for and against the PAYT program. Highlights are those comments are listed in the October 21, 2022; Memorandum included in the meeting packet.

Mr. Kumbhardare voiced his opinion that the PAYT system was fair (pay for what you use) and suggested the Township do more to educate residents on the reason behind the program (promote recycling). Mr. Dunn disagreed and expressed concerns for the many busy residents who may not have had the time to complete the survey.

Comments were taken from residents in person and online. Diane Snyder said she was glad the Township was staying with the PAYT program, noting that West Whiteland was one of the highest volume recycling communities in the area. She suggested following up with those against the program and explaining all of the positive aspects.

Chris Paski, a former member of the Municipal Services Commission for 25 years, said the PAYT program was better for the environment. He said a flat rate would be more expensive and questioned if the Township verified that all of the survey responses received were from residents who actually use the program. Ms. Gural-Bear said each address was verified and only one response per household was allowed.

Eric O'Keefe was opposed to PAYT stating that he has observed the hauler picking up bags without the required WWT logo. Ms. Gural-Bear said Staff has discussed this issue with the hauler. Ms. Santalucia said the Township is considering changing the color of the bag so that it is more readily spotted by the hauler. Mr. Kumbhardare said the Township will have a meeting with the hauler to resolve this issue. Mr. O'Keefe said he paid \$500 in bag fees last year while

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his mother in a neighboring municipality paid far less on a flat fee program. He also maintained that neighbors are throwing food scrapes in their yards which attracts animals.

Joe Roscioli said PAYT is not perfect acknowledging that some people try to cheat the system, but felt it was still the fairest. He noted that everyone pays the same flat fee for sewer service whether they are a household of one or five, but PAYT is fair in that you only pay for what you use. He added that it is also the right thing to do for the environment. It puts less waste into the landfills, noting that 90% of the Township's recycling material is sold for reuse. He maintained that with a more traditional program, people will start mixing recycling with trash which will cause the tipping fee to increase, thereby increasing the trash fee for residents.

Virginia Kerslake thanked the Township for conducting the survey but felt the results may be skewed toward older residents. She said the manager of the Total Recycle facility did not feel a switch to a more traditional program would impact recycling and that the facility would take recycled materials whether it was rinsed clean or not. Mr. Kumbhardare said the Township will conduct the survey again in 2025 when the contract with the hauler is up.

Ed Frackelton was opposed to PAYT noting that it was inconvenient and antiquated for busy families. He suggested some type of dual system so that those who wish to switch can do so. He added that he would be willing to pay extra for the convenience of not having to purchase special bags.

Mr. Dunn expressed concern that the Township was governing by survey and again questioned the preference of the 3,000 residents who did not respond to the survey.

Libby Madarasz said Birmingham Township uses bright orange bags which makes cheating the system harder.

Erin Eboch said she has a very busy family, yet she found time to answer the survey. She said it was dangerous to speculate what the preferences are of those who did not answer the survey. She felt PAYT was the fairest system, but added that there is an issue with animals tearing the bags apart. Ms. Santalucia suggested spraying the bags with Lysol or the equivalent.

Chris Paski asked if there could be an option of receiving PAYT bags via mail order for those who no longer go to grocery stores. Mr. Kumbhardare felt the Township could arrange something if there was a specific need and did so during the pandemic.

Jim Pease said PAYT was instituted to encourage recycling and felt it was the best thing the Township ever did. He said buying the bags is convenient and cheap. He added "don't fix what isn't broken".

Ms. Gural-Bear explained that the survey was intentionally limited in scope because the current contracts with the hauler don't expire until 2025. If a change is made to the system before the contract expires, the Township must rebid the contract, and currently prices are 40-50% higher.

**2. Resolution 2022-44 Support of Department of Conservation and Natural Resources (DCNR) Grant Application**

Ms. Gural-Bear reviewed her October 25, 2022. She explained that DCNR has an additional 2022 fall grant round that is very competitive, but Staff has completed the application and would like to submit it to cover additional park improvements to the Swedesford Recreational Area. These include various playing courts (tennis, pickle ball, volleyball and basketball), dog park amenities, and connector trails.

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve resolution 2022-44 authorizing the Interim Township Manager to execute the DCNR Community Conservation Partnerships Program Grant Application for the next phase of improvements at Exton Park. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

**3. Appointment of Non-Uniform Employee Representative to the Pension Advisory Board**

Ms. Keller advised that the previous non-uniform representative to the Pension Advisory Board is no longer employed by the Township which has left a vacancy on the Board. Mr. Weller has expressed an interest in serving in this position.

Ms. Santalucia made a motion, seconded by Mr. Dunn, to appoint John Weller as the non-voting employee to the Pension Advisory Board representing the non-uniform township staff. Mr. Kumbhardare call for public comment, and there were none. The motion was unanimously approved.

**4. 2023 Budget Discussion**

**Solid Waste Fund**

Ms. Gural-Bear reviewed the Solid Waste Fund. Revenue for 2023 is projected to be up about 8% with expenditures projected down about 2%.

This year the Retrievr program was instituted for residents to recycle clothing and electronics. Staff evaluated the Recycle Coach software, and while it has been a good tool, it is very labor intensive and will be retired at the end of this year. Staff will focus on educational updates via the website, social media, and the Chester County Solid Waste Authority.

**Department Budgets**

- a. **Administration** – The overall Administration budget is down 4% for next year. This year Instagram was added to the social media outreach in an effort to continue increased communication with residents. Followers for all forms of media increased this year with the exception of Constant Contacts. Staff will work to promote this more. Three newsletters are planned for 2023 and the Annual State of the Township report will be

repeated. The part-time position of "Payroll/Benefits coordinator" is still open. The Right-to-Know work flow process was automated this year.

- b. Codes** – The Codes budget is down 1.3% for 2023. The Township continues to use a third-party inspector. Weekly coordination meetings with consultants were instituted this year and has been helpful. The online permitting/payment process will go live by year-end and will include fillable forms. Feedback is still being sought on the Property Maintenance Code.
- c. Finance** – The overall budget for Finance is up with bank fees from credit card payments. Staff is looking at revenue streams to offset this. Mr. Kumbhardare suggested Staff investigate whether a reduced fee is available for government entities. A new procurement officer was hired this year. Staff will continue to promote transparency and evaluate internal controls in the new year.
- d. Municipal Complex** – Mr. Culp advised that the budget for the municipal complex will increase next year due to the aging HVAC system. More efficient options are being explored. In addition, Staff is investigating the logistics for creating a single point of entry into the Township building so residents can conduct all of their business at one stop.
- e. Planning & Zoning/Historic Preservation** – Mr. Weller presented the changes and accomplishments of the department which include: Justin Smiley promoted to the new position of Manager of Capital Improvements and Special Projects; Caroline O'Connor joined the department as Asst. Township Planner and Michelle Jones is shared with the Public Works Department to assist with administrative tasks; creation of the "Development by Design" brand as an educational tool for residents to understand development within the Township; completion of update to the future land use element of the Comprehensive Plan; completion of comprehensive update to the "History of West Whiteland" including a reassessment of historic resources; coordination with others on the finalization of plans for the Ship Road Couplet; coordination with others to get the new northbound lane for Pottstown Pike on PennDOT's Transportation Improvement Program; presentation by Mr. Weller and Mr. Smiley of "Development by Design" strategy at a webinar sponsored by the Pennsylvania chapter of the American Planning Association and an in-person session about suburban centers at the annual conference.

The overall budget is up 1.1% with an increase in contracted services to update the transportation element of the Comprehensive Plan and an increase in training for planner certification for Ms. O'Connor. In the new year, Staff will continue to meet with HOA's to answer resident questions.

- f. Police** – Chief Benson and Captain Deceder presented the Police budget for the department of 29 fulltime officer and 2 fulltime civilians with a proposed increase of less than 1%. While the department is still down one officer, no additional staff is proposed until 2024. The Police department addresses more than law enforcement as it also deals with addictions, mental health, and quality of life concerns. Community policing activities were increased this year in an effort to build trust with the community. The School Liaison

Officer program was initiated to allow school students to become more familiar with Officers. Goals for next year include reducing reportable crashes and a reduction in retail theft which can be accomplished with the use of license plate readers.

- g. Post-Retirement Health & Life Insurance Fund** – Ms. Gural-Bear explained that the OPEB Trust is fully funded to cover benefits. Board members had no questions.
- h. Tax Collection & Debt Service** – Ms. Partridge presented the debt service through to maturity. Board members had no questions.

## **5. Approval of Township Payment Report for October 26, 2022**

Mr. Dunn made a motion, seconded by Ms. Santalucia, to approve the Township Payment Report dated October 26, 2022. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

## **6. September Financial Report**

Board members had no questions on the September Financial Report.

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

Ms. Santalucia advised that the Veterans Breakfast sponsored by the Recorder of Deeds Office is scheduled for November 1. The CCATO fall conference is scheduled for November 10.

Mr. Dunn reported on the Pension Advisory Board meeting held earlier in the day. Market performance remains depressing with double-digit negative returns, but at least rates on money market accounts are increasing, and there is hope that the policies of the Federal Reserve will be able to get inflation under control.

Mr. Kumbhardare reported that Gravers Road Advertising once again pulled its conditional use review off of the Planning Commission's agenda, but the Commission did review the land development plan for construction of a Bank of America branch office with drive-thru to be located on the southwest corner of the Raymour & Flanigan parking lot. No action was taken by the Commission.

## **8. Staff Updates**

Mr. Culp advised that work continues on the restrooms at Exton Park with the flooring, electrical, and plumbing work completed.

Ms. Gural-Bear reported that PennDOT will be repairing the sinkhole near the Route 30 bypass. Staff has been meeting with a geologist to evaluate sinkhole issues on Clover Mill Road.

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**ADJOURNMENT**

The meeting adjourned at approximately 8:47 p.m.

Respectfully submitted,



Pam Gural-Bear  
Recording Secretary