



**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the Second January Meeting

January 23, 2019

1. Call to Order

Chairwoman Theresa Santalucia called to order the second January business meeting at 6:30 p.m. Those present besides Ms. Santalucia were as follows:

Michele Moll	-	Vice-Chairman
Elizabeth Jones	-	Member
Mimi Gleason	-	Township Manager
Pam Gural-Bear	-	Assistant Township Manager
John Weller	-	Planning & Zoning Director
Ted Otteni	-	Public Works Director
Joseph Catov	-	Police Chief
Vince Pompo	-	Solicitor

ANNOUNCEMENTS:

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

The Planning Commission will be meeting on February 5th at 7:00 p.m. to discuss proposed developments and improvements to Ship Road.

PUBLIC COMMENT:

Ms. Moll thanked everyone for coming to express their concerns about the Sunoco pipeline, and assured them that their frustration is shared by the Board of Supervisors. While the Board does not have the authority to stop the pipeline, Ms. Moll outlined the steps the Board has taken to support the residents of West Whiteland in their fight against the pipeline. The steps taken include:

- Request the PUC to share the test results from the pressure and nitrogen tests that were conducted. Response received today that the PUC will share summary data soon.
- Sent a letter of support in the Safety Seven case.
- Petitioned to Intervene in Senator Andy Dinniman's case against Sunoco.
- Sent numerous letters to the PUC, PHMSA, Sunoco, and Governor Wolf requesting them to protect the safety of our residents.
- Contributed to the citizens risk assessment.
- Held public listening sessions on the pipeline, as well as a meeting where the PUC, PHMSA, and DEP were brought in to answer questions from our residents.
- Sent staff to Oklahoma for training in pipeline regulations and safety.
- Supervisors and staff attended pipeline safety trainings at Chester County Public Safety Training Campus.

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- Interceded between residents and Sunoco to mitigate noise and other concerns of the residents.
- Contracted with AccuFacts to propose pipeline safety regulations to present to the PUC, PHMSA and regulators. When that information is received we will be reviewing it and asking residents to support us in calling for legislation that will follow the course recommended by Accufacts.

Ms. Moll said the Board of Supervisors would like to hear suggestions from the residents of anything else that they can do as a way to advocate for the safety of our residents.

Senator Andy Dinniman spoke to the audience about the work that he has been doing regarding the Sunoco pipelines. He explained that the PUC granted Sunoco status as a public utility, but Sunoco is not independently evaluated. The key document that is supposed to protect citizens is Sunoco's Integrity Management Plan. If anyone wants to review it, including the PUC, they have to go to the company and get permission to see it but cannot keep a copy. When the PUC does an investigation, they will not print or share anything with the public until the conclusion, which could take years. In his judgment, it is an agency that is more dedicated to protecting the gas companies than the citizens – an agency that has almost no transparency or public participation. Senator Dinniman described the case he has brought against Sunoco and then outlined what he thinks needs to be done: 1) discuss how we can get more transparency in the PUC's deliberations; and 2) improve the regulatory environment in Pennsylvania.

Ms. Moll said PHMSA does not have authority for siting of pipelines, and the PUC does not have siting regulations to enforce. She asked what can be done to change the laws. Senator Dinniman responded that those who control the legislative process in Harrisburg will not allow bills with new regulations to get beyond committees and come up for a final vote. One hope he sees is that Senators who have blocked his bills in the past are beginning to understand that the oil and gas companies cannot get their product to market because Sunoco has built a wall of resistance in the southeast, and until the citizens are assured that the pipeline is safe, they will continue to resist, they will go to court, and Sunoco will be held up for years. He said they have to be convinced that the present situation is not in their best interest.

Ms. Jones addressed the audience and assured them that while Senator Dinniman said that politics is controlled by money and corporate interest, the West Whiteland Township Board of Supervisors is not. She noted that two of the members were appointed and therefore did not do any fund raising to become elected, and the one member who was elected spent less than \$2,000 on her campaign. While it may feel like the collective government is not supporting the citizens, clearly the Board of Supervisors and Senator Dinniman are. She then asked members of the audience what ideas they had on the matter.

Numerous residents spoke up with suggestions for the Board of Supervisors, including:

- prepare a public awareness mailer and multi-media communications to inform residents about what to do in the case of a pipeline emergency;
- when the police arrive at an incident, do more to respond, including contacting the PUC and questioning Sunoco about what happened rather than merely taking Sunoco's word;
- revoke any permits that the Township has issued until it's determined that the pipeline is safe;

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- devote an entire newsletter to the pipeline issue, and include a list of things that individuals and communities can do to make their voices heard;
- address threatening behavior by Sunoco's private security personnel;
- work to revoke Sunoco's PUC status;
- band together with people from West Whiteland and neighboring municipalities and go to Harrisburg to rally at the Capitol, followed by meetings with state elected officials;
- get the Chester County Economic Development Council involved and educate businesses that it is not in their best interest to have the pipeline going through the heart of Chester County and is necessary to have a point person who knows what to do in case of an emergency;
- look into declaring an emergency;
- notify people whenever there is any kind of pipeline incident, so they can decide for themselves whether to evacuate;
- make it a requirement for people to register their contact information so that they can be notified; and
- respect the privacy of the homeowners whose properties are the sites of pipeline incidents.

The Board thanked everyone for coming out and providing their suggestions and reminded all that they can always reach the Board via e-mail or phone as listed on the Township website.

HEARINGS & PLANS:

1. CSH Exton, LLC

The Conditional Use application of CSH Exton, LLC (Capital Seniors Housing) is for construction of a 3-story, 99-bed assisted living facility on a 4-acre lot in the Oaklands Corporate Center. Conditional use review is required by §325124.A of the West Whiteland Township Zoning Ordinance to allow a non-residential building with more than 20,000 sq.ft. of floor area. Mr. Pompo noted receipt of an email from Stephan Pahides, the Applicant's attorney, confirming continuance of the hearing until February 13, 2019.

The hearing was continued to February 13, 2019, at 6:30 p.m. A record was taken by Court Reporter Elaine Parrish.

CONSENT:

Ms. Jones made a motion, seconded by Ms. Moll, to approve the Consent Agenda consisting of the following:

- Minutes of January 7, 2019 (Business and Organization Meetings)
- Accounts Payable Warrant Report dated January 23, 2019
- Resolution 2019-09 Disposition of Media

Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

BUSINESS:

1. Township Commission Updates from Supervisors

Ms. Moll urged every to attend the next Planning Commission meeting on February 5, 2019, at 7:00 p.m. for a discussion on traffic and development surrounding Ship Road and Lincoln Highway. Mr. Pompo said that all Supervisors could attend the meeting, but not deliberate.

Ms. Jones reported on the Pension Advisory Board meeting of January 23. The volatility of the current market was discussed, and the performance of the pension plans was reviewed. Both the Police and Non-Uniformed plans continue to be well funded. The Pension Advisory Board is investigating changing an international fund.

2. Bicycle and Pedestrian Plan Recommendations

This matter was rescheduled to the February 13, 2019 meeting.

3. Review of Trash and Recycling Survey

Ms. Gleason reviewed her Memorandum dated January 18, 2019. By the end of May, the Board of Supervisors must decide whether to exercise the final year option for the trash and recycling hauler contracts. Should the Board decide not to exercise the option, Staff has been exploring alternatives for trash and recycling collection, and has prepared a survey to obtain resident feedback on the current Pay as You Throw system.

Board members reviewed the draft survey and suggested specific revisions to make the survey clearer and gain more information from residents on their trash preferences.

4. Municibid Auction Results

Ms. Jones made a motion, seconded by Ms. Moll, to authorize the sale of the vehicles and equipment listed in Denise Serino's January 16, 2019 Memorandum which included: 2003 Econoline Trailer, 2002 Ford Explorer, 1997 Ford F-800 Dump Truck, 1998 3 Point Hitch Mower Deck, 2 2012 Dodge Chargers, 2006 GMC 3500 Dump Truck, 2004 Ford F-450, 2008 Chevy Impala, 2013 Bobcat Sweeper, and 2009 Crestron Projector. Ms. Santalucia called for public comment and there were none. The motion was unanimously approved.

5. Staff Updates – Plowing and Potholes

Mr. Otteni reviewed the snowplowing process noting that each storm is unique. A lot of preparation is done to ensure that the team is always ready. Brine is sprayed on the roads ahead of a snow-only event. If rain is expected before turning to snow, brine cannot be used effectively as the rain would simply wash it away. The Public Works Department works closely with the Police and Fire Departments when storms occur after normal work hours. The Police Department will call the Roads Superintendent if the roads start to get icy or snow-covered.

During big storms, plow drivers focus on keeping roads passable first. They also will respond to a call to clear a road ahead of emergency responders going to an incident. Then, as the storm allows, plowing curb-to-curb and down to the pavement is done. Rooms are reserved at the Holiday Inn so that workers who live further away can rest after a 12-16-hour day and then mobilize again quickly to continue plowing.

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Routine complaints received after any storm include inability to see over snow banks and damaged mailboxes. The Township will replace damaged mailboxes or reimburse residents up to \$100 should they wish to replace their own mailbox.

The Township receives numerous complaints about PennDOT roads that have not been plowed or have potholes. PennDOT roads are listed on the Township's website along with a number to call to report concerns.

ADJOURNMENT

The meeting adjourned at approximately 9:00 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mimi Gleason', with a long horizontal flourish extending to the right.

Mimi Gleason
Recording Secretary