



**WEST WHITELAND TOWNSHIP
BOARD OF SUPERVISORS**

BUSINESS MEETING

Minutes of the Second August Meeting

August 25, 2021

1. Call to Order

Chairman Rajesh Kumbhardare called to order the second August meeting at 6:33 p.m. This was a hybrid meeting with participants attending both in person at the Township Building and online via Zoom.

Those in attendance in addition to Mr. Kumbhardare were:

Theresa Santalucia, Vice-Chairman
Joshua Anderson, Supervisor
Mimi Gleason, Township Manager
Pam Gural-Bear, Asst. Township Manager
Ted Otteni, Public Works Director
Beth Jones, Finance Director
John Weller, Planning Director
Marie Guarnera, Codes Director
Lee Benson, Police Chief
Andrew Rau, Solicitor
Pat Layman, Minutes

ANNOUNCEMENTS:

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

The Township Building will be closed on Monday, September 6th in observation of Labor Day

PUBLIC COMMENT:

None.

PRESENTATION:

1. Proposed WCACOG renewable energy power purchase agreement (Will Williams)

Ms. Gleason introduced Will Williams, Sustainability Director for West Chester Borough. Mr. Williams provided a brief background of the Clean Energy initiative supported by the West Chester Area Council of Governments (WCACOG) to transition to 100% renewable energy by the year 2050. Mr. Williams described the process by which energy is currently purchased and explained that while the price is fixed with a 2-3 year contract, we do not know the exact source

or location. A Power Purchase Agreement is a long-term (15 years) commitment for the energy component of and energy supply contract with a clean energy source and a known location of that energy, likely in Pennsylvania. Once the framework for the contract terms of the PPA are approved, an Aggregator will solicit PPAs on behalf of WCACOG. Because a single business day turnaround is required for all participating municipalities after bids are received, the Board must authorize the Township Manager to decide whether to execute the PPA as long as it is equal to or better than the approved terms if it wants the Township to participate in the PPA. The commitment would only be in affect until the end of 2021; if no PPA is in effect by then, the WCACOG will reevaluate where energy prices are then and seek approval again, potentially under a revised maximum price, from each participating municipality.

With a 15-year term, Ms. Santalucia asked if future Board members who may not be in favor of the PPA could exit the Agreement. Mr. Williams said any Township could exit the Agreement, but at a tremendous cost per year. Mr. Williams said four of the six WCACOG municipalities have already agreed, and one is currently deliberating. The proposed PPA would commence in 2024, as the Township's current contract ends in 2023. Mr. Williams said the proposed PPA has already been reviewed by the WCACOG Solicitor.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to authorize the Township Manager to execute a 15-year power purchase agreement and initial 3-year energy supply contract, commencing in 2024, in conjunction with WCACOG municipalities, with a supply cost equal to or less than \$51MWh. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

2. Recommendations from Shoen Road safety study

Brian DiBiase from McMahon Associates (Township Traffic Consultant) presented the findings of the Shoen Road safety study and reviewed proposed improvements. He described the existing conditions at the intersection of Shoen Road with Fairview Drive and Watch Hill Road. The area currently has faded pavement markings, vegetation impairing site distance, and an unwarranted second westbound through lane. Criteria studied included speed, number of crashes, site distance, all-way stop control, and speed reduction.

The primary recommendations are to eliminate the westbound through lane to help reduce speeding and inappropriate passing and enable vehicles from Watch Hill Road to proceed closer to Shoen Road when stopped for better sight distance before proceeding; reducing the lane widths to eleven feet to help reduce speeding; and aligning the left turn lanes in each direction on Shoen Road for better sight distance and to reduce driver confusion. Other improvements include all new pavement markings, new painted crosswalk, new signage and tree trimming. Mr. DiBiase said further improvements will be considered if necessary.

Christine McFadden, resident of Longridge Lane, expressed disappointment with the recommendations, and felt the safety study results described a completely different picture from what residents experience. Mr. DiBiase said the information was collected in the field over a week-long period. The issue of enforcement was discussed, and it was acknowledged that motorists slow down when they know officers are in the area. Chief Benson said he thinks the

recommended improvements will help a lot, noting that the engineering will set the stage for education and enforcement with warnings progressing to citations.

Theresa Barthol of Shoen Road expressed concern for pedestrians and children at the area bus stop. She suggested a flashing light and/or a push button be added to the crosswalk.

Christian McFadden, resident of Longridge Lane, asked about a 4-way stop. Mr. DiBiase said the data does not meet the warrants required by the State for a 4-way stop. Mr. McFadden said he was disappointed but thanked everyone for their work to date and for listening. He added that summer time does not produce a good sample of pedestrian traffic with schools not in session.

Ms. Santalucia suggested residents petition the School District to move the location of the bus stop. Mr. Otteni said the proposed line striping for the area should be completed within the next 2-3 weeks.

CONSENT AGENDA:

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

- Minutes of August 11, 2021
- Resolution 2021-39 Disposition of Media

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

BUSINESS:

- 1. Police Policies for Approval**
 - a. Towing Policy**
 - b. Authorized Tow Providers**
 - c. Use of Force Policy**
 - d. Drug and Alcohol Policy**

Chief Benson reviewed four policies for the Board's approval. All policies have been thoroughly vetted and meet current police accreditation standards. The towing policies have been revised to add hyperlinks to current law, require providers to be local, and provide additional details on abandoned vehicles. The Use of Force policy was originally approved October 14, 2020 and contains only minor word revisions. The Drug and Alcohol policy provisions were originally included in the Collective Bargaining Agreement, but negotiations resulted in agreement to remove this from the CBA and include in the Police Policy and Procedure manual.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to approve the policies noted in Chief Benson's Memorandum dated August 19, 2021, for inclusion in West Whiteland Township Police Policy and Procedure Manual. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

2. Main Street at Exton Comprehensive Sign Package Amendment

Mr. Weller reviewed his Memorandum dated August 20, 2021 and explained that the Applicant has requested an amendment to their existing comprehensive signage package to allow placement of a new monument sign at the northwest corner of Pottstown Pike and Bartlett Avenue, and relocation of the existing sign at this location to the Pottstown Pike frontage. The new monument sign is 30 feet high and 35 feet wide. Mr. Weller supported the proposed sign stating that the size of the Main Street at Exton site warrants a larger sign, and many of the businesses are not visible from Pottstown Pike. Also, the overall design is consistent with many of the Main Street buildings.

Mr. Kumbhardare said he understands the need for the sign but objected to its size and requested some type of visual to better consider the size. Ms. Santalucia also objected to the size of the proposed sign.

Steve Wolfson, owner and developer of Main Street at Exton, was present and explained that he cannot fill the vacant commercial spaces without providing signage. Motorists traveling at 55 mph on Pottstown Pike cannot see the retail stores in the back of the site and will not notice a small sign. Mr. Wolfson agreed to set up a helium balloon test rising to the height of 30 feet to provide a better visual for Board members to assess the proposed sign.

3. Authorization for Temporary Closure of Swedesford Road

Mr. Culp reviewed his August 17, 2021, Memorandum. Mr. Kumbhardare expressed concern for people wishing to go to Exton Park during the time of the proposed road closure. Ms. Gural-Bear said the Fire Police onsite could allow people into the park. Ms. Gleason suggested that signs be posted the week before the event advising of the road closure.

Ms. Santalucia made a motion, seconded by Mr. Anderson, to authorize the closing of Swedesford Road between Ship Road and Valley Creek Boulevard in both directions, on Sunday, September 12, 2021, from 8:00 a.m. to 2:00 p.m. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

4. Authorization to Advertise an Ordinance Addressing Possession of Small Amounts of Marijuana

Solicitor Rau said he worked with Chief Benson, the District Attorney's Office, and Staff on the proposed ordinance that would give Officers the option of issuing a summary citation for someone with a small amount of marijuana. This has been found to be an effective alternative to a criminal charge.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to approve legal advertising of an ordinance to add a Chapter 230.A to the West Whiteland Code, addressing possession of small amounts of marijuana, and to establish a mechanism to process related minor nonviolent possession offenses within the Township. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

5. Authorization to Advertise an Ordinance Adding Hollyview Lane to the List of Prohibited Parking Locations

Ms. Guarnera said the Homeowners' Association expressed concern that emergency vehicles did not have adequate room to safely access the development with the current parking of vehicles on both sides of Hollyview Lane. Ms. Guarnera said she conducted a review and found adequate internal/overflow parking in the cul-de-sac area and recommended "no parking" on the south side of Hollyview Lane. Mr. Otteni suggested the "no parking" be moved to the north side of Hollyview where the driveway entrances are located since the south side has more room for parking. Board members requested Ms. Guarnera confirm that the HOA has notified all residents of the proposed change. In addition, residents should be notified that the proposed Ordinance will be considered for adoption by the Board on September 8, so that residents can voice any concerns they may have.

Mr. Anderson made a motion, seconded by Ms. Santalucia, to authorize advertisement of an amendment to Chapter 300, Article III, section 300-25 of the west Whiteland Township Code to prohibit parking at all times on the north side of Hollyview Lane. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

6. 2022 Minimum Municipal Obligation for Pension Plans

Ms. Jones reviewed her Memorandum dated August 16, 2021.

The Board acknowledged receipt of the 2022 Minimum Municipal Obligation totaling \$604,041 for the Police and Non-Uniformed Pension Plans.

7. Approval of Accounts Payable Warrant Report

Mr. Anderson made a motion, seconded by Ms. Santalucia, to approve the August 25, 2021, Accounts Payable Warrant Report. Mr. Kumbhardare called for public comment, and there were none. The motion was unanimously approved.

8. July Financial Report

Ms. Jones presented the July Financial Report. The Board had no questions.

9. Township Commission Updates from Board Liaisons

Ms. Santalucia announced that Exton Park Community Day is scheduled for September 25, 2021, from 3:00 p.m. to 7:30 p.m.

Mr. Kumbhardare reported that the Planning Commission meeting scheduled for August 17 was cancelled when the only Applicant on the agenda requested to be rescheduled to have time to address consultant concerns before a review by the Planning Commission.

10. Staff Updates

Mr. Kumbhardare thanked all those involved in the storm cleanup last week – 4.5 inches of rain received in 2 hours!

Mr. Otteni thanked Mr. Kumbhardare for the effort to notify the Whiteland Woods community of the Route 100 Pump Station troubles requesting residents to use less water if possible until the issue could be resolved.

Chief Benson said 42 applicants for the open Police officer position will be participating in the physical agility test on Sunday.

Mr. Otteni said work continues on the signal timing problem on Route 100.

ADJOURNMENT

The meeting adjourned at approximately 9:22 p.m.

Respectfully submitted,

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

Mimi Gleason
Recording Secretary