

Caln Township Chester County, Pennsylvania
Board of Commissioners April 25, 2024
7:30 PM Hybrid Business Meeting Minutes

Board Members Present: Paul Mullin-President (Absent), Joshua B. Young-Vice President, Jane Kennedy-Commissioner, Lorraine Tindaro-Commissioner, and Mark Evans-Commissioner.

Staff Members Present: Don Vymazal-Township Manager and Secretary, Denise Miller-Assistant Township Secretary and Administrative Assistant, Lisa Swan-Director of Finance and Township Treasurer, Police Chief Elias, Johnnie Huggins-Director of Public Works, Scot Gill-Director of Municipal Authority, Ray Stackhouse-Director of Building and Life Safety, and Nicole Shannon-Ingleside Golf Course General Manager/Superintendent.

Professionals Present: Kristin Camp-Township Solicitor, Ross Bickhart-Gilmore & Associates, Lowell Leaman-ARRO, Danial Ferris, and Jim Haigney-Civil Engineer representing Daniel Jefferis; Jefferis Family Farm, Chief Taylor-Thorndale Volunteer Fire Company, and Chief Wagner-Minquas EMS Assistant Chief Wagner.

Special Guest: N/A

The Board of Commissioners' (BOC) April 25, 2024, agenda was posted on the Township website, at the Township building on April 24, 2024, and agendas were made available for the public, at the meeting. The 2024 Township BOC meetings were published in the Daily Local Newspaper, on December 27, 2023.

Commissioner Young called the meeting to order at 7:33 PM and Salute to the Flag.

Citizens to be Heard

There were none.

Opening Comments Link

1. Township Solicitor

1.1 Hearing Amending Chapter 33 of the Township Code – Ms. Camp stated that this ordinance was advertised in the Daily Local Newspaper on April 17, 2024, and an email dated April 4, 2024 from Jill Kirk was sent to the Chester County Law Library and the Daily Local Newspaper providing proposed amendment for public inspection.

1.2 Ordinance 2024-02 Amending Chapter 33 of the Township Code – **Commissioner Young entertained a motion to adopt Ordinance 2024-02 amending Chapter 33 of the Township Code Titled “Fire and Emergency Services”. Moved by Commissioner Evans and seconded by Commissioner Kennedy. The vote passed 4-0.**

1.3 Memorandum of Understanding with Downingtown for 4 Delio Lane – Ms. Camp noted that after Hurricane Ida (Ida) there were numerous properties in Caln Township (Caln) that were flooded. The Borough of Downingtown (Downingtown) is participating with the Federal Emergency Management Agency (FEMA) known as the Hazard Mitigation Grant Program (HMGP). Downingtown has applied for grant money under the HMGP to cover the cost of acquiring certain flood prone properties and

demolishing structures located on those properties. One of the properties is located at 4 Delio Lane and owned by Robert and Joan McGlenn. The McGlenns also own the adjacent vacant parcel to the north. 4 Delio Lane is improved with a dwelling and is split between Caln and Downingtown. Downingtown has inquired if Caln will agree to participate in the program and enter a Memorandum of Understanding (MOU) which will memorialize each parties' obligations with respect to the program. Ms. Camp also noted that Downingtown has agreed to acquire the two parcels and demolish the home located on 4 Delio Lane subject to the terms of the MOU. After demolition, Downingtown would convey the parcels to Caln and Caln would be responsible to not allow any development on either parcel and to reimburse Downingtown for its costs in maintaining the parcels. The vacant parcel is largely wooded and will require little maintenance, so there would be little cost.

Commissioner Young entertained a motion to authorize the Vice President to sign a Memorandum of Understanding with the Borough of Downingtown for participation in a FEMA Project for 4 Delio Lane. Moved by Commissioner Evans and seconded by Commissioner Tindaro. The vote passed 4-0.

1.4 Jefferis Family Farm Motion for Final Land Development – Ms. Camp offered a motion of the Preliminary/Final Subdivision and Land Development Application of Jefferis Family Farm, LLC. The Applicant is the owner of an 0.932-acre parcel of land located on the south side of Lincoln Highway, east of Marshallton-Thorndale Road and identified as tax parcel #39-4-137.1A. The Applicant seeks to remove the existing temporary greenhouse and improve the property with a 3,928 square foot greenhouse, an outdoor garden display area, eight off-street parking spaces, sidewalk, connection to public sewer and water utilities, and stormwater management facilities. Ms. Camp noted that this property is in the TV-1 Thorndale Village District and the Lincoln Highway Overlay, Zone 1. The Township consultants reviewed the plan and issued their review letters. At the December 19, 2023, public meeting, the Planning Commission recommended that the BOC grant the plan approval, subject to the Applicant satisfying any outstanding comments in the latest consultant review letters.

Ms. Camp noted that because this is in a Lincoln Highway Overlay District, the Board has the authority to modify the otherwise applicable parking requirements. They are asking that the plan be approved with eight spaces. There is a shared driveway with Midas, to the west. Ms. Camp also noted that Mr. Haigney provided her with an email from Midas stating that they are willing to grant an easement to formalize this if there was an easement and it was expired. The Applicant is willing to reaffirm and re-record that easement. Pennoni Engineer Mike Snyder recommended the statement to say that if they do not get that then the Township will require a complete full traffic study and implement improvements with site driveway.

Mr. Haigney noted that the Township Engineer requested a loading space as per the Subdivision and Land Development Ordinance (SALDO) requirement which they consider to be on the large size given the very small delivery trucks that they will be dealing with getting things from the farm, which is approximately three miles away from the site.

Ms. Camp asked if the loading zone that is shown on the plan is a separate area or parking spaces. Mr. Haigney replied that they are proposing to reduce it from a 12X45 loading zone to 8X20.

Mr. Jefferis noted that he will unload his F-150 personal van on the side of the building to unload and park in a parking space for the day.

Ms. Camp asked the Board if they are comfortable with reducing the size of the loading zone as shown on the plan and the exact dimension should be determined through consultation with the Township Engineer. Commissioner Young replied that this would be acceptable.

Commissioner Young entertained a motion to approve the Jefferis Family Farm, LLC, Motion for Preliminary/Final Land Development for 3982 Lincoln Highway with the earlier mentioned edits by Ms. Camp. Moved by Commissioner Evans and seconded by Commissioner Tindaro. The vote passed 4-0.

2. Engineering

2.1 Reed Street Project – Mr. Bickhart noted that this project is substantially completed with a sewer system and the road paving completed.

2.2 Storm Sewer Condition Assessment – Mr. Bickhart noted that the field work has been concluded in conjunction with public works and the municipal authority. There were 2300 to 2400 drainage features evaluated for their condition. The next steps are to take this information and update the Geographic Information System (GIS) and submit a written report in June.

3. Ordinance

3.1 An Ordinance Amending Chapter 128 of the Caln Code for Advertisement – Mr. Vymazal noted that this ordinance is a change in the Environmental Protection agency (EPA) limits for certain types of materials that go through the septic system and to the treatment plant. The local municipality has the enforcement authority establishing and updating the local limit to match the EPC standards. They would allow the township to enforce, if necessary. Mr. Vymazal also noted that this would only apply to industrial and commercial properties. This lowers the limits to allow for safe treatment of the product before it is released.

Commissioner Young entertained a motion to approve the advertisement for an Ordinance amending Chapter 128 of the Caln Code Titled “Sewers” Section 128-18 Titled “Promulgation of Rules by Caln Township” to adopt as part of its rules and regulations the local limits contained in the Downingtown Area Regional Authority’s Resolution 2024-02 adopted March 18, 2024. Moved by Commissioner Evans and seconded by Commissioner Kennedy. The vote passed 4-0.

4. Resolutions

4.1 2024-10 Section 902 of Act 101 Recycling Program Grant – Mr. Vymazal credited the Municipal Authority for working with State Officials. If approved, the Township will be submitting for a chipping truck for the chipping program and 65 and 95 gallon residential recycling carts. Mr. Vymazal noted that there is a 10% match. Two years ago, part of the funding for items purchased exceeded the grant costs by \$20,000.00. The state is allowing the Township to apply that amount to the match for the grant.

Commissioner Young asked if the total grant amount for \$170,682.00. Mr. Vymazal replied “correct.”

Commissioner Young entertained a motion to approve Resolution 2024-10 submitting a grant application to the Pennsylvania Department of Environmental Protection for a Municipal Recycling Program Grant Under Section 902 of Act 101. Moved by Commissioner Evans and seconded by Commissioner Tindaro. The vote passed 4-0.

4.2 2024-11 CU/Escrow Amendment – Mr. Vymazal credited Mr. Stackhouse and Ms. Camp for their research on this resolution. Mr. Vymazal noted that this resolution is to modify and update the fee schedule. Mr. Stackhouse noted that he believes that these fees will no longer lose money for the Township and will no longer be a burden to the small business owners coming to the Township.

Commissioner Young entertained a motion to approve Resolution 2024-11 amending Resolution 2023-01 Fee Schedule to revise the residential application and commercial applications for conditional use and escrow fees. Moved by Commissioner Evans and seconded by Commissioner Kennedy. The vote passed 4-0.

5. Township Manager

5.1 ARLE Grant Pre-Application – Mr. Vymazal noted that over the past decade there have been pedestrian and bicycle impacts on Lincoln Highway and the results of those are based on insufficient lighting and insufficient markings on the roadways. Mr. Vymazal also noted that the pre application would call for PennDOT to contact the Township and work through the preliminary application and make recommendations or changes before the final application is submitted in June 2024.

Commissioner Evans commended Chief Elias and Mr. Vymazal on moving forward with this grant, after the discussion of “Vision Zero.”

5.2 Honorary Street Name Designation Signs – Mr. Vymazal presented Honorary Street Sign samples for Bishop George L. Eggleston and Thelma Vaughn.

Commissioner Kennedy stated that she would like to take the sample to Bishop Egglestons’ family before it is ordered. Commissioner Young noted that he prefers “Honorary” versus “Dedicated to” or “way” after their names. Commissioner Young also noted that he would like a standardized sign for the whole township.

6. Board Minutes to Approve

6.1 April 11, 2024 – **Commissioner Young entertained a motion to approve the April 11, 2024, Board Workshop Minutes. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. The vote passed 4-0.**

7. Finance Department

7.1 Financial Report – Ms. Swan gave a brief report on the April 2024 financials. Ms. Swan noted that the Township collected 25%-30% in revenue and the same in expenses. Ms. Swan also noted that the Municipal Audit will be presented to the Board at the beginning of May or the middle of June.

7.2 Check Approval – **Commissioner Young entertained a motion to approve checks 51873 to 546 and manual check 302. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. The vote passed 4-0.**

8. Monthly Director Reports

8.1 Building and Life Safety – Mr. Stackhouse reported on Township projects. Mr. Stackhouse noted that when he heard from FEMA on the reimbursement for all the Hurricane Ida work, and they said that it continues to be reviewed. He has not heard since then. Mr. Stackhouse also noted that Chief Elias has been working with him to incorporate the firefighter program into the Civil Services Rules.

8.2 Ingleside Golf Course – Ms. Shannon noted that March brought in \$50,000.00 and was their best month so far for 2024. A local driving range closed, and a large number of their people are coming to Ingleside. They are going to order more range golf balls to accommodate them. Ms. Shannon also noted that the West Chester University Athletic Department will have an event on April 28, 2024, they have a clinic with thirty kids from West Bradford Youth Athletics, they are researching to see if they can have more clinics and build a summer camp.

Commissioner Tindaro asked how the solar eclipse event went. Ms. Shannon replied that it was perfect and went as planned. Commissioner Kennedy asked the status on 3201 Edge Lane. Ms. Shannon replied that she is working with the Township Manager to devise a plan that keeps the owners safe and their lawn undamaged.

8.3 Minquas Fire Company Ambulance – Chief Wagner gave a brief report for April 2024. Commissioner Young asked if their operation is stable and if their ambulances were sold. Chief Wagner replied that they are very stable, and they sold one ambulance and one support vehicle to Tower Health.

Police Chief – Chief Elias noted that Mr. Stackhouse made him aware that cars are parking on the sidewalk on Olive Street. An officer went out to give those owners a warning and let them know that they could not do that. Chief Elias also noted that they have seen a wave of cryptocurrency related frauds through emails, phone calls, all social media, and popup ads on computers, started police applicant testing on April 14, hiring three officers.

8.4 Public Works – Mr. Huggins gave a brief report of their daily maintenance. Mr. Huggins noted that they started stormwater infrastructure on Glenridge Drive and it should be complete in approximately one and a half months.

a. Line Striping Bid Award – Mr. Huggins recommended Guidemark, Inc., for the 2024 Line Striping in the Lamount of \$20,217.80.

Commissioner Young asked the number of roads to be stripped. Mr. Huggins replied that it will be the roads north of the Township building.

Vice President Young entertained a motion to authorize the Board Vice President to sign the quote from Guidemark, Inc. pavement marking contractor as the lowest responsible bidder, in the amount of \$20,217.80, for the 2024 Line Stripping on various Township roads. Moved by Commissioner Evans and seconded by Commissioner Tindaro. The vote passed 4-0.

Commissioner Young asked if there could be more signage such as the “yield to pedestrians” crossing on G.O. Carlson Boulevard and North Bailey Road.

- 8.5 Thorndale Volunteer Fire Company – Chief Taylor asked the public to stop running lights, racing them to get ahead of them or behind them and to slow down on the bypass and move over. It has become a dangerous situation for them. Chief Taylor noted to be aware of where you are disposing of your cigarette outside.
9. Additional Business – There was none.
10. Public Comment – There were none.
11. Adjournment – **Commissioner Young entertained a motion to adjourn the April 25, 2024, business meeting at 9:02 PM. Moved by Commissioner Evans and seconded by Commissioner Tindaro. The vote passed 4-0.**

Respectfully submitted,

Denise Miller,
Assistant Township Secretary