

Meeting Minutes for Caln Township
Board of Commissioners (BOC)
May 25, 2023
7:30 PM
Hybrid Meeting

Call to Order and Pledge of Allegiance: Commissioner Mullin called the Board of Commissioners meeting to order at 7:35 PM. Commissioner Mullin then called for the Pledge of Allegiance to the flag.

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

Staff Members Present: Kristen Denne-Township Manager and Secretary, Denise Miller-Assistant Township Secretary/Administrative Assistant, Lisa Swan-Township Finance Director and Treasurer, Ray Stackhouse-Director of Building and Life Safety Director and the Public Works Department, Scot Gill-Municipal Authority Director, and Ingleside Golf Course Manager and Superintendent-Nicole Shannon.

Professionals Present: Kristin Camp Township Solicitor, and Karl Schmit representing ARRO.

Special Guest: Chief Steward-Minquas Fire Company Ambulance Service and Chief Taylor-Thorndale Fire Company.

The Board of Commissioners May 25, 2023 agenda was posted on the Township website, and at the Township building, on May 24, 2023. Agendas were made available for the public at the meeting. Also provided were the financial report and bill list.

The 2023 Township Board of Commissioners meetings were published in the Daily Local News, on December 27, 2022.

Commissioner Evans' Township Update

Welcome everyone, thank you for joining us. We're all in this together. Just a reminder, only questions or statements regarding an agenda item will be entertained under Citizens to be Heard at the top of the meeting. All other matters will be recognized during Public Comment at the end of the meeting.

1. At our last meeting I reported "News many have been dreading: the long-anticipated detour of Route 322/Manor Avenue has been announced by PennDOT". Surprise: PennDOT has already changed the date to Monday, June 19, 2023. The road will be fully closed 24/7 until the work is completed, the project is expected to take up to 2 weeks. Yes, it will be an inconvenience for us all, but it's got to be done. And with schools out for the summer, the timing couldn't be better.

Hopefully drivers will follow the suggested detour route and not take side streets like Hopewell Road and Edges Mill Road. A detailed map of the detour can be found at calntownship.org.

2. Manor Avenue may be temporarily closing, but Moore Road Bridge is OPEN! The final work on the roadway was completed this week, and it looks great!
3. Wow, Memorial Day is already upon us. It's a time for BBQs with family and friends, parades, "blow out" sales, and the unofficial beginning of the summer season. But the real meaning of Memorial Day is to honor Americans who made the ultimate sacrifice to preserve our fragile democracy. What originated as Decoration Day in the years following the Civil War became an official federal holiday in 1971. Did you know that local Penrose Davis II was killed in action at Guadalcanal? "Who was he?", you ask... come to the Town Tour and Village Walk at Spackman-Davis Farm on July 20, 2023 and find out.
4. Speaking of Spackman-Davis Farm, in just a few minutes from now the Historical Commission will be presenting our "Storyboard" for what promises to be a memorable town tour.
5. We all enjoy a good fireworks display, but many of our neighbors who made it back from war zones are especially bothered by the sound of explosions. And let us not forget how traumatic the noise is for our pets. We can honor our veterans and protect our fur babies by limiting the power and duration of the fireworks we set off this weekend, and by following the township guidelines.
6. SALSA TIME – is coming to Caln as Jimmy Jorge and the Latin Express headline the next Summer Concert Series event at Municipal Park on Friday June 2, 2023. If you've never attended an outdoor summer dance, you don't want to miss this one. Parks and Recreation has worked hard to put together a great night of fun - Philly Hots food truck serving up creative sandwiches, East Coast Mini Donuts bringing dessert! The fun kicks off at 6:00, come early and maybe you can pick up a couple Salsa steps.
7. I read a very interesting post on social media this week that I'd like to share: "I don't know if this is what every township requires, but if a development gets the OK, then they should be required to plant at least one tree for every one they remove. Since it takes many years for trees to mature enough to sequester much CO2 and other pollutants, then maybe two trees for every mature tree removed is the best way to go. This isn't about screwing over developers, though it might just save some mature wooded sites from being developed, and the effect of having more carbon capturing mature trees benefits us all."
8. SPREAD KINDNESS EVERYONE – Anger, grudges, and resentments are not worth our time or energy. Compassion, Empathy, Peace, and Love – these are what make the world go round, and the greatest gifts any of us can give or receive.

Citizens to be Heard

Commissioner Mullin called for Citizens to be Heard on agenda items only. There were none.

Presentations

Scott Risbon, Bondsville Road Apartments – Ms. Camp noted that Mr. Risbon owns Bondsville Road Realty Ventures and has a property which is located at 415 Bondsville Road with two different tax parcel numbers. This process started in 2011 and Mr. Risbon came to the Board and asked them to amend the zoning ordinance to allow a use that was not defined in the ordinance, which is called a Senior Independent Facility. At the time, the Board agreed to change the zoning ordinance, which required conditional use approval to be approved in the R-4 District. Mr. Risbon went through a series of conditional use hearings and received the Board's conditional approval dated December 2013. Because part of the property is in the flood plain and part of the development will disturb riparian buffer, the Applicant also needed to get relief in the form of a special exception from the Zoning Hearing Board. Their 2016 decision allowed the relief to serve as a flood plain for various stormwater management, road crossing etc. as well as disturbance of riparian buffers.

Ms. Camp noted that the Board granted preliminary land approval for a 15,397 square foot four story building and fifty-seven independent units in September 2017. Along with all the zoning approval conditions, the preliminary plan has its own set of conditions. Final plan approval was granted in a decision on June 14, 2018. Ms. Camp also noted that the stormwater drainage will be directed out of the back end of the property onto the Township open land therefore there are various legal agreements that were negotiated and attached to the motion of final approval.

Ms. Camp noted that under the Pennsylvania Municipalities Planning Code, when a developer receives preliminary plan approval, they have five years to substantially complete their development and if they do not, the plan does not terminate, it means that the developer is required to analyze the ordinances that were adopted since the day of preliminary plan approval to see if any of those ordinance would affect the ability of their plan to go further. Ms. Camp also noted that today this property is still zoned R-4, still allowed to have an independent living by conditional use, and all zoning approval will still run with the land and this development. The only ordinance that she is aware of is from 2022 adopting the updated stormwater management ordinance. She cannot say how this will affect their plan.

Commissioner Evans asked if a google map of Mr. Risbons' property could be loaded to the screens. Ms. Denne loaded said map.

Ms. Camp noted that Mr. Risbon has indicated that he would like to move forward with this development and do a three-level apartment building instead of a four-level apartment building.

Commissioner Mullin called for Board and public comments.

Commissioner Mullin noted that he appreciated that Mr. Risbon removed the pile of dirt from his property. Mr. Risbon replied that it took some time to remove because he was working on a couple of different larger companies full time, he applied for a grant twice, and he was working on keeping his employees working. Mr. Risbon also noted that in this time he has met a local developer who

specializes in apartments, and they think that they can minimize the density and lower the traffic by removing a level to the building.

Commissioner Young asked Mr. Risbon if they looked to see if the updated stormwater management ordinance would affect his project. Mr. Risbon replied that they have not looked into this that much, however they already have a lot of stormwater management already built. They received permission to put in a basin at the left back corner of the property when they did their grading permit.

Commissioner Mullin asked Mr. Risbon if there is only one entrance and exit. Mr. Risbon replied that there is an entrance to the right side where a bridge will be built, and an emergency access to be used only for emergencies.

Commissioner Evans asked Mr. Risbon how the PennDOT road widening and exit ramp plans will potentially affect his development. Mr. Evans noted that homes will be lost on Manor Avenue exit plans that he has seen, and he asked if Mr. Risbon would be building something to just have it eventually torn down. Mr. Risbon replied that to his knowledge, this will not affect their development, and they are in the process of getting their highway occupancy permit renewed. Mr. Risbon also replied that their Civil Engineer from Commonwealth Engineers has already looked into this, and it will not affect them. Commissioner Evans noted that PennDOT could go right through his property when they do the bypass widening and re-doing all the ramps project. Mr. Risbon replied that to his knowledge it will not.

Commissioner Young asked Ms. Camp if the updated stormwater management ordinance has inspection requirements that the previous ordinance did not. Ms. Camp replied that the old ordinance imposed on the landowner to inspect their facility. Commissioner Young asked if this could be included with all the other agreements with the developer. Ms. Camp replied that it can be.

Commissioner Young asked Mr. Risbon if this development would have a Homeowner's Association (HOA). Mr. Risbon replied that this development will have a HOA. Mr. Risbon noted that the reason this development took so long is because typically no one wants to buy or work with someone unless a development is one-hundred units or more. Mr. Risbon also noted that this development will be sharing HOA's with his partner's two other companies in Chester Springs and Kennett Square. Ms. Camp noted that these units are rentals units because the use itself does not allow the units to be sold.

Commissioner Mullin asked Mr. Risbon how many units there will be with removing the fourth level. Mr. Risbon estimates forty-five to forty-eight units; however, he is not positive because they need to find out what their water suppression will be before they can design the building. Commissioner Mullin asked if there will be a variety of apartments. Mr. Risbon replied that there will be a lot of one bedroom apartments with an office type area, and the end units will be two bedrooms.

Commissioner Evans asked Mr. Risbon about the house with the pool in front of the property. Mr. Risbon and Ms. Camp replied that they had been parties through the whole process. The

audience noted that there are new owners. Commissioner Mullin asked if the new owners should get documentation of the project. Ms. Camp replied “no” because the documents are public record and if they request it then the township will provide it to them. Ms. Camp encouraged Mr. Risbon to reach out to his new neighbors. Mr. Risbon replied that he left a note with his business card and had not heard from them. Mr. Stackhouse noted that the new owners came to the office and spoke with him about the project.

Chuck Kramer of 2704 Kings Highway offered to help the Board with any questions they may have because he was on the Board at the time of this project.

Cathy Callaghan of 931 Bondsville Road asked if Mr. Risbon could design this building to have a modern. Commissioner Evans noted that Ms. Callaghan is very involved with the Township Historical Commission. Commissioner Evans noted that All Fill is designing their new structure on Edges Mill Road to have a period appropriate look to better fit its surroundings. Commissioner Evans asked Mr. Risbon if he would consider using design guidelines to make his building look more appropriate to look at. Mr. Risbon replied that he will take Mr. Evans comments into consideration. Mr. Risbon noted that he appreciates old structures.

Commissioner Mullin asked Mr. Risbon if he could give a more definite number of the apartments. Mr. Risbon replied that there are things to consider, and he does not want to say a definite number in a public forum because there are things that need to be considered.

Commissioner Mullin noted that he has concerns with entering and exiting the development because of the busy traffic on Route 340. Mr. Risbon replied that they already had a traffic impact study done when they received conditional final approval. Commissioner Mullin asked if this needs to be updated. Ms. Camp and Mr. Risbon replied “no”. Ms. Camp also replied that one of the selling points is that this is a 55 and over development so the clientele is different.

Chris Parr of 582 Lloyd Avenue asked if there is parking under the apartments or is it from the ground up. Mr. Risbon replied that it is from the ground up.

Historical Commission Town Tour Presentation –

HISTORIC TOURISM IS A THING – One year ago, the historical commission started talking about the importance of Historic Tourism, and the opportunity we have to capitalize on that market right here in Caln.

We set out to get Caln Township’s rich history into the public eye...

IN THE PUBLIC EYE – Last summer we began exploring the idea of “trying” to host an opening event at Spackman-Davis Farm. Less than 90-days later, with the help of Parks & Recreation, Public Works, and OCHS, 45 guests, including historic preservationists from across the county joined us on a freezing cold, windy November day to cut the ribbon. Two months later we were asked to host one of only ten 2023 Chester County Planning Commission and CCHPN Town Tours and Village Walks. These tours generally attract 250-350 guests. Now, The Chester County

Historic Preservation Network has chosen the Caln Township Historical Commission as recipient of their 2023 Municipality Award... for our work to bring Spackman-Davis Farm back from the dead, and into the public eye.

TIME MACHINE

Guests will travel through time from 1762 to the present. They'll meet the actual people who built Spackman-Davis Farm into the jewel it would become (portrayed by actors).

Thank you to the Township for allowing us to use the farm, for allowing us to use the hill across Kings Highway for parking, Thank you to Public Works for fixing the rain gutter and filling the holes. Thank you to the anonymous OCHS donors who paid for the Trolley rental.

We look forward to thanking the fire police should they be able to help us out with traffic control the night of the event,

We look forward to thanking Ingleside should they allow us to borrow a couple of their golf carts for the evening,

And we thank in advance anyone who'll lend the Steering Com the keys for a June 3 walkthrough.

A presentation of the Tour Storyboard was shared, with narration by Tom Parr and Dawn Coughlan:

1762 – Jane Parke (nee Edge) on hill overlooking Farm

1804 – Isaac Spackman, SE corner of Barn
Heritage, growing family and home, barn

1840 – Thomas Spackman, Bank Barn Interior

Family, uses of a bank barn, arrival of taverns & inns along trade route, Quaker beliefs: passivism, anti-slavery, neighbor & abolitionist Gravner Marsh, Richard Gibbs.

1865 – Hannah Spackman, NW corner of Farmhouse

Typical 1860's day of life on the farm, Beehive Oven, Kitchen, daughter Amanda

1880 – Amanda Spackman, Eastern Outbuildings

Schoolhouse, Smokehouse, Root Cellar, Stable, Springhouse, Chestnut Dell School, Saves the Farm

1920 – Horace Spackman, Springhouse

Sells the Farm

1940 – Penrose Davis, Farmhouse Porch SE corner

Pencroft, Mary saves the day, relation to Spackman lineage, WWII.

1970 – Marion Davis, SW corner of Farmhouse

Her life on the Farm, struggle to keep it going, desire to live out life here, daughter Maryanne and hopes for preservation.

FROM HERE THE TOUR CONTINUES UNGUIDED AROUND EDGES MILLING DISTRICT AND ENDS AT BEAVER CREEK TAVERN.

Township Solicitor – Ms. Camp

4000 Lincoln Highway, Farmhouse Coffee & Espresso Bar Conditional Use Decision – For Board consideration, Ms. Camp offered a Decision and Order for 4000 Lincoln Highway. Ms. Camp noted that Dana Petrizio filed a conditional use application on behalf of the property owner on December 8, 2022 seeking conditional use approval from the Board of Commissioners of Caln Township pursuant to Section 155-26.C(9) to develop said property. Ms. Camp also noted that the only reason the Applicant needed conditional use approval is because it is a commercial drive through. The building and drive through would be used as a restaurant known as “The Farmhouse Coffee and Espresso Bar.” The Applicant and her husband are members of DPP2022 Properties LLC.

Ms. Camp noted that Commissioner Evans asked if the sidewalk along the frontage, approximately 80 linear feet will have brick inlay installed similar to some of the current developments on the western side of the Township. Ms. Camp also noted that Commissioner Mullin asked if a condition can be added that if in the future the eastern portion of the property would be developed then a sidewalk would have to be installed along the frontage. The Applicant’s Council accepted this condition.

Commissioner Mullin entertained a motion to approve the Conditional Use Decision for the, Farmhouse Coffee & Espresso Bar located at 4000 Lincoln Highway. Moved by Commissioner Evans and seconded by Commissioner Kennedy.

The vote passed 5-0.

The owner of the Craft House (“the building”), Mr. John Hashem asked if he could speak while the Historic Commission members are present because what he has to say might interest them. Commissioner Mullin gave Mr. Hashem permission to speak.

Mr. Hashem noted that he has been trying to sell the property and has had three interested buyers. There has been a slight representation that the Township has an interest in the property. Commissioner Evans replied that the Historical Commission Chair and Vice Chair met with that gentleman, and he was also present as the secretary. That gentleman made some suggestions that he recalls that Chair Stevens told him that it was a great idea. Commissioner Evans noted that an email was sent between him and said gentleman stating that he would have to go through Mr. Stackhouse and the Township before the Historical Commission could say whether they would give their blessing and they like that he wants to use the restaurant, do events, and put in an office. Commissioner Evans noted that he will send Mr. Hashem the email if he would like. Mr. Hashem replied that he would like the email sent to him. Mr. Hashem noted that this was the second person interested in the property who was given the impression that he would not be able to make mixed use of the property of the office and restaurant. This gentleman emailed him and said that Mr. Stackhouse told him that he would have to apply for a zoning variance. Mr. Hashem noted that he was trying to do a zoning variance before he sold the property and what was conveyed to him was that they were stuck with the property, and he would not be able to do anything else with the building.

Mr. Hashem noted that today he received the third potential prospect who contacted Mr. Stackhouse with the concept that he presented to the Township in 2018 of an age restricted

sixty-two apartment units in the building as a three-story structure, which the Board at the time liked. Mr. Hashem presented his 2018 plan which would require cooperation from the Township because the first tee on the golf course would have to be relocated. Mr. Hashem noted that the third potential prospect contacted Mr. Stackhouse today and was given the impression that this would not be possible because the Township does not want anything there other than a restaurant, and it has to stay as its current use. Mr. Hashem noted that he contacted the Township in confidence to see if they are interested in purchasing the building for a reduced price. He also noted a \$15,000.00 tax bill is possibly making him consider a demolition permit and other options.

Commissioner Mullin asked Mr. Hashem what the first offer was for. Mr. Hashem noted that the first offer was for a restaurant but that fell apart because the offeror realized that it was not viable. The second offeror wanted to have a real estate office, restaurant, and banquet facility, however that fell apart because somewhere there was an inclination that the Township had a vested interest in the building. Commissioner Evans noted that he suggests that this offer fell apart because the offeror kept saying that he was not sure how he was going to do the financing. Mr. Hashem replied that he received this offeror's financial statements, and they were seven figures. Mr. Hashem noted that the third offer set him off because the offeror said that it sounds like the Township does not want to do anything other than a restaurant and they could not do his 2018 apartment proposal.

Mr. Hashem noted that one of his ideas is to give the Township the building in exchange for an approval to build twelve to fifteen townhomes behind the building, headed to G.O. Carlson. Commissioner Mullin noted that this is township owned land and not a possibility. Mr. Hashem asked what the reason was. Commissioner Mullin, Commissioner Evans, and Ms. Camp noted several reasons such as bond issues, covenants, and grant money. Ms. Camp and Commissioner Mullin noted that this was researched in 2022 and it is not feasible. Mr. Hashem reiterated himself to say that he would like to do an exchange. Ms. Camp noted that this would be illegal.

Ms. Denne asked Ms. Camp if you could demolish an existing building with a mortgage. Ms. Camp replied that it is a violation of the mortgage. Ms. Denne noted that it is very unfair to hold the audience to the belief that you are going to demolish a building that you have a mortgage on. Mr. Hashem responded that he does not want to demolish the building. Mr. Hashem also responded that they are selling their liquor license and paying off their mortgage.

Ms. Camp noted that anyone can petition the BOC for a zoning change. Ms. Camp also noted that she believes the conversation with Mr. Stackhouse was that under current zoning, the property is zoned R-5. The restaurant is a non-conforming use therefore the restaurant use can continue if someone has a different use to propose and petition the BOC. It must be a very specific and concrete proposal so they can analyze all the issues, not just the zoning.

Ms. Camp noted that this property is currently condemned and has significant building and fire code violations; therefore, nothing can happen. Mr. Hashem responded that it is registered as vacant not condemned. Ms. Camp replied that this structure currently cannot be occupied. Beyond the zoning issues, there are a host of other issues that must be taken care of before it can be used. Ms. Camp also noted that everyone wants to see this structure succeed. This building is an important historic building in the Township.

Commissioner Young noted that under today's code you cannot occupy two different uses in one single building. Ms. Camp noted that nothing is impossible; however, there are procedures and processes that must be followed. Ms. Camp also noted that you could apply for a zoning amendment to the code, or you could go to the zoning hearing board.

Mr. Hashem asked if the Township is doing a re-zoning. Commissioner Evans and Commissioner Mullin replied that they are in the process of doing a re-zoning. Mr. Hashem noted that he does not know if that parcel would be included in the TV District, it would make the property more viable. Also, he does not know if the TV District allows for multi-use on a property.

Mr. Hashem noted that this concept was presented and well received in 2018 and no further research was done on it. The most recent land swap proposal was "off the books". Ms. Denne noted that a land swap is clearly illegal, and all land owned by Municipalities must be put out for public bid.

Ms. Denne noted that she doesn't want anyone to leave tonight with the misconception that the Township is interested in doing a land swap. Commissioner Young noted that the BOC researched to see how they could make this work and it was clear that it will not work.

Ms. Denne noted that the direction that Mr. Hashem should have tonight is that if he has a concrete application then it must be in writing, memorialized and given to the BOC in a public sphere.

Commissioner Mullin noted that they need to move on with the agenda.

Request for Consideration to Authorize the Board President to Sign the Temporary Access and Construction Easement Agreement Between Caln Township and Stephanie L. DeForno Owner of 3105 Zinn Road for the G.O. Carlson Blvd. Retaining Wall Repair Project to Install Temporary Shoring and Stabilization on the Property – For Board consideration, Ms. Camp offered a temporary access and construction easement agreement signed by Stephanie L. DeForno owner of 3105 Zinn Road.

Commissioner Mullin called for Board and public comments.

Commissioner Mullin asked if the driveway area is being protected. Ms. Camp replied "yes".

Tony DiSario of 251 Loomis Avenue wanted to make sure that boulders were not dumped into the creek like they were on the north side. Mr. Stackhouse replied that the walls are going to be shored up and the next step is to evaluate exactly what is going on and make plans to fix the wall permanently.

Commissioner Mullin entertained a motion to authorize the Board President to sign the Temporary Access and Construction Easement Agreement between Caln Township and Stephanie L. DeForno owner 3105 Zinn Road for the G.O. Carlson Blvd. Retaining Wall Repair

Project to install temporary shoring and stabilization on the property. Moved by Commissioner Young and seconded by Commissioner Evans.

The vote passed 5-0.

Township Engineer

Request for Consideration to Approve Payment Application #4 to Construction Masters Services LLC., in the Amount of \$137,039.60 for the Moore Road Bridge Replacement Project for Work Completed Through April 30, 2023 – For Board consideration, Mr. Schmit offered payment application #4 to Construction Masters Services LLC., in the amount of \$137,039.60 for the Moore Road Bridge Replacement Project for work completed through April 30, 2023. Mr. Schmit noted that this project has been completed and is open to traffic.

Commissioner Mullin called for Board and public comment.

Commissioner Mullin asked Mr. Schmit what was removed from the project in the amount of \$4,632.00. Mr. Schmit replied that it is for the drainage enhancement that did not make this payment application and will be in the final payment application.

Commissioner Young asked Mr. Schmit to provide an update on all the projects.

Commissioner Mullin entertained a motion to approve payment application #4 to Construction Masters Services LLC., in the amount of \$137,039.60 for the Moore Road Bridge Replacement Project for work completed through April 30, 2023. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro.

The vote passed 5-0.

Request for Consideration to Approve Payment Application #2 to KBC Construction LLC., in the Amount of \$9,666.60 for the North Bailey Road Drainage Improvements Project for Work Completed Through March 28, 2023 – For Board consideration, Mr. Schmit offered payment application #2 to KBC Construction LLC., in the amount of \$9,666.60 for the North Bailey Road Drainage Improvements Project for work completed through March 28, 2022. Mr. Schmit noted that this project has been completed and this is their final payment.

Commissioner Mullin called for Board and public comments. There were none.

Commissioner Mullin entertained a motion to approve payment application #2 to KBC Construction LLC., in the amount of \$9,666.60 for the North Bailey Road Drainage Improvements Project for work completed through March 28, 2023. Moved by Commissioner Young and seconded by Commissioner Tindaro.

The vote passed 5-0.

Request for Consideration to Approve Payment Application #2 to MOR Construction Services Inc., in the Amount of \$64,284.30 for the Barley Sheaf Swale Reconstruction Project for Work Completed Through May 7, 2023 – For Board consideration, Mr. Schmit offered payment application #2 to MOR Construction Services Inc., in the amount of \$64,284.30 for the Barley Sheaf Swale Reconstruction Project for work completed through May 7, 2023. Mr. Schmit noted that this application is 31% of the budget.

Commissioner Mullin called for Board and public comments.

Commissioner Mullin asked if one of the houses is getting a new culvert. Commissioner Young replied that each driveway will get a new culvert.

Commissioner Mullin entertained a motion to approve payment application #2 to MOR Construction Services Inc., in the amount of \$64,284.30 for the Barley Sheaf Swale Reconstruction Project for work completed through May 7, 2023. Moved by Commissioner Young and seconded by Commissioner Evans.

The vote passed 5-0.

Request for Consideration to Accept Longs Asphalt in the Amount of \$308,653.55 for the 2023 Road Program Bid Award – For Board consideration, Mr. Schmit offered Longs Asphalt in the amount of \$308,653.55 for the 2023 Road Program lowest bidder.

Commissioner Mullin called for Board and public comments.

Ms. Denne and Mr. Stackhouse noted that this also includes Oak Street from Coatesville City limits to 17th Avenue, 15th Avenue from Olive Street to Oak Street, 16th Avenue from Olive Street to Oak Street, and 17th Avenue from Olive Street to Oak Street. Ms. Denne noted that because the bids received were so low, they were able to add the “add alternate” of the municipal park parking lot. Commissioner Young asked if the paving will be continued down into the park. Ms. Denne replied that it will not. Commissioner Young asked if the humps in the parking lot that go into the parking space are considered speed humps. Mr. Stackhouse replied that if it is a speed hump then it is not in the proposed plan and therefore it will be eliminated during the paving. Commissioner Mullin asked about the first line of \$750.00 in the Longs Asphalt bid. Ms. Denne noted that the PA bidding law is the overall price and not the unit price. It would be different if you did it as an “add alternate”. Commissioner Young noted that they could be using someone in-house instead of hiring a flagger company. Mr. Stackhouse noted that Long’s Asphalt did the 2022 paving, and they did a really good job. Ms. Denne noted that she and Mr. Stackhouse discussed that they moved through the 2016 capital plan for the streets, and they will re-evaluate the plan in 2024. Ms. Denne also noted that Reed Street and that part of the township was done because the stormwater and sanitary sewer project will be done in that area. Commissioner Young asked Ms. Denne if the capital plan left over money could be used for a new capital plan. Ms. Denne replied “yes”. Commissioner Young noted that there is a large piece of asphalt coming up on Barley Sheaf Road near the construction and one at the other end ¾ up the hill. Commissioner Young asked if the park parking lot will be striped. Mr. Stackhouse replied that striping is included, identifying parking spaces, and there will be handicap access to the sidewalk to the south side.

Joseph Daniel Hagen of 217 Park Drive asked if there is consideration for the Park Drive basin. Mr. Schmit noted that the basin is designed on a particular area and the water that comes in from that area. Since that contributing basin of area has not changed then the stormwater basin is sufficient as it has been designed. For the last part of the project, they improved the way the water gets out of the culvert into the basin and then over to the outfall structure. Mr. Schmit noted that normally you want to get the water into the basin as fast as you can. Basins are designed to hold water for a longer period. You rush the water in and then you bleed the water out so no additional volume is coming in therefore the basin should perform as it has always been designed. Commissioner Young noted that the basin fails dramatically during storms. Mr. Stackhouse replied that they recognized towards the end of the project that the outfall was lower than the rest of the basin, which they are assuming has been the case for a long period of time. Mr. Stackhouse also noted that at the end of the outfall they dug out and trenched out to the overflow that goes into the stream. Ms. Denne replied that the Bondsville Road apartments plans are available for Mr. Hagan to review at the Township office. Ms. Denne also replied that as part of the Township stormwater ordinance, all new construction must have zero impact to the surrounding area.

Mr. Schmidt noted that this is not on the agenda, however; Ms. Denne asked him to present pictures of the eight projects the Township is working on. Mr. Schmidt gave a brief description of the beginning, middle, and end of the eight projects.

Commissioner Mullin asked Mr. Schmit the total number of inlets installed on the Park Drive Project. Mr. Schmit replied that three new inlets were installed, and a series of pipes were upgraded, and the drainage easement from the roadway was replaced and upgraded.

Commissioner Mullin asked Mr. Schmit if the basin is part of the HOA. Mr. Schmit replied that it is part of the Township, and the Township mows it. Mr. Stack noted that he does not know that all the issues will be resolved because there are a couple of issues, however; this should significantly improve the current situation.

Commissioner Evans asked Mr. Schmit the completion date of the Municipal Drive Bridge. Mr. Schmit replied that they are on schedule for completion in July 2023. Commissioner Evans also asked the status of their FEMA reimbursement. Ms. Denne replied that the Township will not receive any reimbursement until they submit all the invoices. Commissioner Young asked if FEMA reimbursement is reimbursed for all the projects at once or for individual projects. Mr. Stackhouse replied that he has been sending the bid specs as they are approved. Mr. Stackhouse also replied that he is currently working on all the projects that are completed and once he receives proof of payment, he will submit those to FEMA.

Township Manager – Ms. Denne

Caln Township Police Officers Association Collective Bargaining Agreement – Ms. Denne noted that the Chief is absent because he is handling Township issues. For Board consideration, Ms. Denne offered a police contract for the Board to ratify. Ms. Denne also noted that this contract has been reviewed by her, the officers and the officer's council and they have accepted the provisions of the contract.

Commissioner Mullin called for Board comment and public comment.

Commissioner Mullin thanked Ms. Denne, Commissioner Young, and the police officers on this agreement. Commissioner Young noted that they came in working towards a contract and not arbitration.

Commissioner Mullin entertained a motion to ratify the Caln Township Police Officers Association Collective Bargaining Agreement. Moved by Commissioner Evans and seconded by Commissioner Young.

The vote passed 5-0.

DCED Grant Request for Beaver Creek Trail – Ms. Denne gave full credit to Abbey Swan for continuing to work on the Beaver Creek Trail. Ms. Swan is applying for another grant through DCED in the amount of \$142,800.00, with a \$25,000 match. This grant will finish Segment 5.

Commissioner Young asked if this portion covers Lloyd Park to the Township Building. Ms. Denne replied that this portion is for Lloyd Park.

Commissioner Mullin entertained a motion to approve the Township applying for Segment 5 grant in the amount of \$142,800.00 with a \$25,000.00 Township match. Moved by Commissioner Evans and seconded by Commissioner Kennedy.

The vote passed 5-0.

Updates on SR 322 Horseshoe Pike – Commissioner Denne noted the dates and contractor have been established and the work will be done by Brubacker. There is potential that PennDOT will be doing work around the East Reeceville area; however, they still need permits from the Conservancy, and they still are trying to get people out there for utility relocation. Ms. Denne also noted that the contingency is that the car route will go Bondsville Road and the truck route will be Route 30 to Route 82.

Ms. Denne noted that PennDOT will be paving the Township this year from the entire Caln Road from Fisherville Road to Lincoln Highway. Dates to be determined.

Ordinances and Resolutions for Consideration

N/A

Minutes to Approve

Request for Consideration to Un-Table the April 27, 2023 Board of Commissioners Meeting Minutes – **Commissioner Young entertained a motion to un-table the April 27, 2023 Board of Commissioners meeting minutes and seconded by Commissioner Evans.**

Commissioner Mullin called for Board and public comments. There were none.

The vote passed 5-0.

Request for Consideration to Approve the April 27, 2023 Board of Commissioners Meeting Minutes – Commissioner Mullin called for Board comments/changes or corrections. There were none.

Commissioner Mullin entertained a motion to approve the April 27, 2023 Board of Commissioners Meeting Minutes. Moved by Commissioner Evans and seconded by Commissioner Kennedy.

The vote passed 5-0.

Request for Consideration to Approve the May 11, 2023, Board of Commissioners Meeting Minutes – Commissioner Mullin called for Board comments/changes or corrections. There were none.

Commissioner Mullin entertained a motion to approve the May 11, 2023 Board of Commissioners meeting minutes. Moved by Commissioner Young and seconded by Commissioner Evans.

The vote passed 4-0 with Commissioner Mullin abstaining, due to absence of the meeting.

Acknowledgement of the Planning Commission Minutes

N/A

Finance Department - Lisa Swan

Financial Report – Ms. Swan noted that the Municipal Authority audit has been completed and the Township audit will be completed in June. Ms. Swan also noted the CD interest income so far for the year is \$80,000.00.

Request for Consideration to Approve the Accounts Payable Bill List for Checks 50119 to 50176 and Manual Check 291 – **Commissioner Mullin entertained a motion to approve the accounts payable bill list for checks 50119 to 50176 and manual check 291. Moved by Commissioner Young and seconded by Commissioner Tindaro.**

Commissioner Mullin called for Board and public comments. There were none.

The vote passed 5-0.

Directors Reports

Police Chief Elias – Chief Elias noted a few highlights from his department's April 2023 report, which was previously provided to the Board.

Biannual Memorandum of Understanding with Coatesville Area School District – For Board consideration, Ms. Denne offered a Biannual Memorandum of Understanding with Coatesville Area School District. Ms. Denne noted that this agreement is made every two years.

Commissioner Mullin called for Board comments. There were none.

Commissioner Young made a motion to approve the Biannual Memorandum of Understanding with Coatesville Area School District and seconded by Commissioner Evans.

The vote passed 5-0.

Fire Department Chief Taylor – Chief Taylor noted a few highlights from his department's April 2023 report, which was previously provided to the Board. Chief Taylor encouraged new developments to call PA One Call before digging. Chief Taylor also noted that you can call the Red Cross if you need a smoke detector or go to the fire house and see where you can get one.

Commissioner Evans asked about the new fire truck. Chief Taylor replied that he will present information to the Board shortly.

Director of Building & Life Safety & Public Works Mr. Stackhouse – Mr. Stackhouse noted that he was on vacation therefore he did not have an April 2023 report however his May report will be combined. Mr. Stackhouse noted that the things that Mr. Hashem said about giving false information is completely wrong. He only alluded to tearing the building down would be met with resistance.

Mr. Stackhouse noted that his department issued 112 property maintenance notices. 53 of them were for high grass. Mr. Stackhouse also noted that his department received a road Right of Way road opening permit from Aqua for South Lloyd Avenue, the relocating of their lines. The lighting program has started, and they received a few complaints regarding the brightness of the new lights. Commissioner Evans noted that the lighting can be worked on. Mr. Stackhouse replied that he does not want to do anything until they are looked at and all of them are installed, and he forwarded those complaints to the contractor to evaluate. Commissioner Young asked the status of the decorative lights on Lincoln Highway. Ms. Denne replied that they are waiting to receive them.

Ms. Denne and Mr. Stackhouse noted that the Public Works Department are redoing the cross walks on Municipal Drive and down G.O. Carlson Boulevard, after 16th Avenue then 50 James Buchanan Drive will get new stormwater work at the two entrance drives.

Commissioner Young noted that a cross walk sign is needed at North Bailey Road. Mr. Stackhouse replied that they will look at that. Commissioner Young also inquired about the crosswalk signs on G.O Carlson. Mr. Stackhouse replied that they will evaluate those.

Commissioner Evans asked if there is a time frame on issuing a use and occupancy to Precision Eye Care on Manor Road. Mr. Stackhouse replied that most of the rough-framing and drywall has been completed and they recently hooked up to public sewer.

Commissioner Young asked if the tree work was going to be cleaned along the railroad track. Mr. Stackhouse replied that he will ask someone from AMTRAK if he sees someone.

Commissioner Mullin noted that the Caln Township Welcome sign at the corner of G.O. Carlson needs cleaned, and flowers planted. Mr. Stackhouse replied that his department will do that.

Mr. Stackhouse noted that the public works department finished 450 linear feet of stormwater pipe replacement, curbing, and paving. Mr. Stackhouse also noted that they are proceeding to do 16th Avenue to replace pipes and inlets across 16th Avenue at Stirling Street in anticipation for the 2023 Road Program.

Commented [AS1]: Should this go up under Ray's report?

Minguas Fire Company Ambulance EMS Chief Steward – Chief Steward noted a few highlights from his department's April 2023 report, which was previously provided to the Board.

Chief Steward noted that they had their Chester County Awards Banquet and had eight recipients receive clinical stage awards for cardiac arrest. Commissioner Evans inquired about their ambulances. Chief Steward replied that they have six ambulances fully stocked with four in service during the day.

Ingleside Golf Course Manager/Superintendent Nicole Shannon – Ms. Shannon noted a few highlights from her department's April 2023 report, which was previously provided to the Board.

Expenditure Request for Phase I of Automated Sprinkler System – Ms. Shannon presented \$22,344.70 in quotes for two proposed expenditures for an upgraded irrigation sprinkler system, which includes a radio, computer system, installation on-site, map of the golf course irrigation system and twenty-two new sprinklers. There are 239 sprinklers which must be turned on individually every day, which takes multiple hours, and fifty sprinklers running at approximately 50%. Commissioner Evans noted that the total cost is being met by removing items from their budget to cover this cost. Ms. Shannon replied that they budgeted for a ball picker, tree work, and bridge reconstruction. Ms. Shannon noted that she will do the tree work and she will go out with Mr. Fragale and repair the bridge in-house and possibly move it.

Mark DeYoung of 20 Beaver Run Road commented in favor of Ms. Shannon as the Ingleside Golf Course new Manager.

Commissioner Mullin entertained a motion to approve the proposed proposals in the amount of \$22,244.70 for Phase I of the Automated Sprinkler Systems. Moved by Commissioner Evans and seconded by Commissioner Kennedy.

The vote passed 5-0.

Additional Business

Commissioner Mullin called for additional business. There was none.

Public Comments

Commissioner Mullin called for public comments. There were none.

Adjournment – Commissioner Mullin entertained a motion to adjourn the May 25, 2023 Board of Commissioners minutes at 10:15 PM. Moved by Commissioner Evans and seconded by Commissioner Young.

The vote passed 5-0.

Respectfully Submitted,

**Denise Miller,
Assistant Township Secretary**