

Caln Township Board of Commissioners  
253 Municipal Drive Thorndale, PA 19372  
January 31, 2019 7:30 PM

Call to Order and Pledge of Allegiance

Commissioner Breton noted an Executive Session held prior to tonight's meeting regarding personnel matters.

**Attendance** – Jennifer Breton-President, George Chambers-Vice President, John Contento-Commissioner, Joshua Young-Commissioner, Lorraine Tindaro-Commissioner, Kristen Denne-Township Manager/Secretary, Chuck Wilson-Township Treasurer, Kristin Camp-Township Solicitor, Bryan Kulakowsky-Township Engineer, and Denise Miller-Assistant Township Secretary.

**Proclamation for Fire Chief Cordisco** – On behalf of the Board of Commissioners, Commissioner Breton and Commissioner Young presented Fire Chief Cordisco with a Proclamation and Plaque for his years of service and dedication in the Thorndale Volunteer Fire Department, since 1985.

**Citizens to Be Heard**

Tom Parr of 582 Lloyd Avenue, Cheryl Spaulding of 406 Lloyd Avenue, Donna Hetzel of 584 Lloyd, and several other residents had comments and questions regarding the proposed Age Qualified Development.

Jeff Trego of 2 Beaver Run had questions and comments regarding Landscapes and the Caln Comprehensive Plan.

Bob Hetzel of 584 Lloyd Avenue had questions and comments regarding Ingleside Golf Club.

Ms. Camp gave comments to some of the concerns and questions.

Ms. Camp noted that the proposed ordinance for the overlay is not the ordinance that will go before the Board of Commissioners. She also noted there will be an email sent to the residents who provided them to the Township, regarding a rescheduled hearing date and update.

Ms. Camp noted that a property within Caln Township has the right to petition the governing body of the Board of Commissioners to make amendments to the Zoning Code. Procedurally, there is a state law that governs exactly how an amendment to a zoning ordinance has to be enacted, to be lawfully done. First the Board of Commissioners have to decide if they want to consider it, in which case a public hearing would be scheduled. Before it goes to that public hearing the Caln Township Planning Commission has to receive a copy of the ordinance that would be proposed to go to that public hearing and the Board of Commissioners would receive their comments. The ordinance that goes to the public hearing also has to be sent to Chester County Planning Commission for a thirty day review period. The property has to be posted at least seven days prior the public hearing. The public hearing itself has to be advertised for two consecutive weeks not less than seven days and not more than thirty days prior to the date of the hearing, where the Board of Commissioners will take input. At the close of the hearing, the Board can decide to not pass it, pass it with changes, in which case it would have to go back to the Township Planning Commission and the Chester County Planning Commission, enact it the night of the hearing or they can wait, in which they have a period of ninety days from the close of the hearing.

She also noted that the proposed ordinance in this particular case, was proposed to create a different Zoning Overlay District and it also had Zoning Text changes.

### **Township Solicitor – Ms. Camp**

**Subdivision and Land Development Ordinance Amendment Hearing** – Ms. Camp noted a public hearing for Proposed Ordinance 2019-01 which has been advertised in the Daily Local News on January 16, 2019 and January 23, 2019. Because a summary was only advertised, on January 16, 2019 a letter with a full copy of the proposed ordinance was sent to the Chester County Law Library and the Daily Local News, to certify for public inspection. Ms. Camp also noted on January 16, 2019 it was sent to the Chester Planning Commission for review and to provide a review letter which was received on January 9, 2019 noting one of their comments as to modify or relax some of the sketch plan submission requirements to encourage applicants to submit sketch plans. Also received were the Caln Township Planning Commission December 18, 2018 minutes where Mr. Caporale voted nay because he did not see the proposed ordinance in a red line strike out format. Ms. Camp noted that moving forward she will provide that type of document. Ms. Camp also noted that this ordinance is relating to submission of sketch plans, application procedure for preliminary plans and final plans, And fees that must be paid with a Subdivision and Land Development Application.

Ms. Camp and Township Engineer, Brian Kulakowsky answered several resident questions regarding proposed Ordinance 2019-03.

**Commissioner Breton entertained a motion to adopt Ordinance 2019-01 Amending the Subdivision and Development Ordinance of 1978. Moved by Commissioner Chambers and seconded by Commissioner Tindaro. Rick Urban of 54 Carlson Way and Jeff Trego of 2 Beaver Run had questions on the motion. Vote passed 5-0.**

**Motion for Preliminary Plan Approval for Taco Bell** – Ms. Camp noted Gina Gerber in attendance representing Downingtown Investors, LLC. For Board consideration, Ms. Camp offered a proposed Motion for Preliminary Plan Approval for a proposed Taco Bell, located at 50 Rock Raymond road with 1.74 acres, located in the C-2 Regional Zoning District as well as the Route 30 Bypass Interchange Overlay. Ms. Camp also noted that there are still some outstanding conditions from ARRO's letter of January 21, 2019, Sewer Consultant letter of November 15, 2018, and the Traffic Consultant's January 8, 2019 letter, which have to be met and complied with before the Board could act on a final plan. She also noted that the property and development have to comply with the terms of the Zoning Ordinance, Subdivision and Land Development Ordinance, Stormwater Ordinance, terms of the Conditional Use and Zoning Hearing Board approval, and the latest Township review letters she just outlined, Sanitary Sewer Capacity Reservation Agreement that is consistent with the Caln Township Municipal Authority's regulations (CTMA) , Operation and Maintenance Agreement that has to be entered with the CMTA, because there is going to be a grinder pump on the property. Ms. Camp also noted that this preliminary plan would approve the location of the speaker, and previously reviewed the waivers with Mr. Kulakowsky. She noted that this order would also require them to pay \$2,353.82 fee in lieu of open space.

Traffic Planning and Design Traffic Engineer, Matt Hammond responded to Susan Parr, Tom Parr, Rudy Husband, and several other resident questions regarding a traffic study and several other questions. He noted that a traffic study was completed early 2018, and revised in April 2018. They also coordinated with the Township Traffic Engineer and received three review letters from them. He also noted the traffic study was performed in the AM peak hour of 7:00 AM to 9:00 AM, the PM peak hour of 4:00 PM and 6:00 PM, and Saturday mid-day from 11:00 AM to 1:00 PM.

**Commissioner Breton entertained a motion to approve a Motion for Preliminary Plan Approval for Taco Bell. Moved by Commissioner Contento and seconded by Commissioner Chambers. Vote passed 5-0.**

**150 Parkside** – Ms. Camp noted that the Applicant asked to have 150 Parkside removed from the agenda because they want to be in attendance of the discussion. She noted that at the last meeting she attended the Applicant requested that the Board grant an easement for purposes of obtaining a stormwater basin that would have to be built with the development and that is on a parcel of property that is adjacent to the Applicants

parcel, in which the Township owns the thirteen acres that is accessed off of Water Park Way. Commissioner Young had asked that as consideration for the easement, we would request the Developer pave or improve an access to the thirteen acres and she wants to incorporate this in the motion. Ms. Camp asked what kind of access, what purpose, and what purpose would this land be used.

Ms. Camp also noted that the Applicant requested in their plan, a waiver from their requirement to provide land for recreation or open space and suggested when the prior owner MGJAD, owned it, they dedicated the thirteen acres to the Township and the Applicant felt that they should be given credit for that. Ms. Camp asked the Board to think about this because it could have some impact on what you would like to see happen with this plan.

**Township Manager-Kristen Denne**

Proclamation Designating April as "Pennsylvania 811 Safe Digging Month" – For Board consideration, Ms. Denne offered a Proclamation Designating April as "Pennsylvania 811 Safe Digging Month". Board consensus was to approve and send PA One Call a Proclamation from Caln Township.

Fisherville Road Bridge Contract – For Board consideration, Ms. Denne offered the First Addendum to Contractor Agreement, for the Fisherville Road Bridge Project.

**Commissioner Breton entertained a motion to adopt the Addendum to the Fisherville Road Bridge Contract. Moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.**

Advertisement of the 2019-2020 Lawn and Property Maintenance Bid – For Board consideration, Ms. Denne offered the 2019-2020 Lawn and Property Maintenance bid for advertisement, with the addition of the snow removal for the walkway on G.O. Carlson, as an alternate in the case the Public Works Department needs extra help. She also noted a mandatory pre-bid meeting at 10:00 AM on February 21, 2019 where notification will be given that Amtrak training and certification is needed to do those lawn areas.

**Commissioner Breton entertained a motion to advertise a 2019-2020 Lawn and Property Maintenance Bid. Moved by Commissioner Young and seconded by Commissioner Chambers. Mr. DiSario had a question on the motion. Vote passed 5-0.**

**Township Engineer-Mr. Kulakowsky**

Planning Commission Update – Mr. Kulakowsky presented items from their January 22, 2019 meeting.

- 1) The Planning Commission recommended Preliminary Approval for Taco Bell, to be voted on at tonight's meeting.
- 2) The Planning Commission voted to recommend a positive recommendation to the Board for Preliminary Final Approval for 150 Parkside, conditioned upon the Applicant addressing comments contained within ARRO's and Alfred Consulting's January 18, 2019 review letter and Gilmore and Associates December 12, 2018 review letter. The Planning Commission recommended supporting eleven of the thirteen waivers, not including ten and eleven (curbing and sidewalks).

2019 Road Program Work Order – For Board consideration, Mr. Kulakowsky offered a \$17,840.00 work order for the 2019 Road Program. He noted this work order is to authorize ARRO Consulting to do Part 1 of the project regarding field measurements, provide the mapping, and cost estimates of these roads which were discussed with the Township Manager and Public Works Director. The roads discussed were: The entire length of Caln Meeting House Road, G.O. Carlson Boulevard from 340 to the other end, 11<sup>th</sup> Avenue, South Bailey Road, Wayne Avenue, Hazelwood Avenue, and Kingsway Drive.

**Commissioner Breton entertained a motion to accept the work order for the 2019 road program in the amount of \$17,840.00. Moved by Commissioner Chambers and seconded by Commissioner Tindaro. Mr. DiSario had a question on the motion. Vote passed 5-0.**

Ms. Spaulding asked where fee in lieu of money goes. Ms. Denne noted that it goes into a separate fund for future improvements.

### **Ordinances and Resolutions for Consideration**

**Ordinance 2019-01 Amending the Subdivision and Land Development Ordinance of 1978** – Adopted after the Subdivision and Land Development Ordinance Amendment Hearing

**Resolution 2019-02 Disposition of Administration Documents** – **Commissioner Breton entertained a motion to adopt Resolution 2019-02 for the Disposition of Administration Documents. Moved by Commissioner Young and seconded by Commissioner Chambers. Vote passed 5-0.**

**Resolution 2019-03 US Bank Lease and Authorization for the Township Manager to Execute a Police Department Copier**– **Commissioner Breton entertained a motion to adopt Resolution 2019-03 for the US Bank Lease and authorization for the Township Manager to execute the police department copier contract. Moved by Commissioner Tindaro and seconded by Commissioner Young. Mr. Wilson noted the lease is for \$168.00 per month with a \$13,000 saving over the current copier. Vote passed 5-0.**

**Resolution 2019-04 Chester County Comprehensive Plan Endorsement** – **Commissioner Breton entertained a motion to adopt Resolution 2019-04 for the Chester County Comprehensive Plan Endorsement. Moved by Commissioner Chambers and seconded by Commissioner Tindaro. Jeff Trego commented on the Township commitment of this plan. Vote passed 5-0.**

**Resolution 2019-05 Disposal of Township Property** – **Commissioner Breton entertained a motion to adopt Resolution 2019-05 for the Disposal of Township Property. Moved by Commissioner Tindaro and seconded by Commissioner Chambers. Ms. Denne noted that this resolution is for the sale of a 2008 and 2010 Ford Escape, through Municibid. Vote passed 5-0.**

**Resolution 2019-06 Bank Depository Designation** – **Commissioner Breton entertained a motion to adopt Resolution 2019-06 for the Bank Depository Designation. Moved by Commissioner Young and seconded by Commissioner Chambers. Commissioner Breton noted that this resolution is for the designation of all the Commissioners to be signatories on the bank account of Downingtown National Bank and Pennsylvania Local Government Investment Trust. Vote passed 5-0.**

### **Directors Reports**

**Police Department-Chief Elias** – Chief Elias noted a few highlights from his 2018 annual report, which was previously provided to the Board. He also thanked Mr. Cordisco for his service for the Fire Department, and noted Corporal Ashe's retirement leaving three vacancies for the department. Commissioner Chambers commented on the higher traffic citations issued over last year. Chief Elias noted that they have made a more conservative effort, particularly in the areas where there has been a spike in crime. Comments were made on the speeding issues on Lloyd Avenue and G. O. Carlson. Chief Elias noted that they are making efforts to address that.

**Thorndale Fire Department-Chief Donnachie** – Chief Donnachie noted a few highlights from his 2018 annual report, which was previously provided to the Board

**Director of Buildings and Life Safety-Mr. Stackhouse** – Mr. Stackhouse was absent however, a recommendation was made from the Zoning Hearing Board to reappoint Mr. Coxson to the 2019-2023 term. **Commissioner Breton entertained a motion to reappoint Charles Coxson to the Zoning Hearing Board**

**for the 2019-2023 term. Moved by Commissioner Contento and seconded by Commissioner Chambers. Vote passed 5-0.**

Director of Public Works-Mr. Fragale – Mr. Fragale noted a few highlights from his 2018 annual report, which was previously provided to the Board. Commissioner Young asked Mike to plant perennials at the entrances at Municipal and the Caln Park sign, to cut down on the weeding.

Ingleside Golf – Mr. Ward noted a few highlights from his 2018 annual report, which was previously provided to the Board. For Board consideration, Mr. Ward offered Goose Control Technology for \$1,500 which would handle all the eggs and obtain a Fish and Wild Life permit. He also noted using laser for the ponds. Commissioner Young asked for a proposal for the amount of lasers needed for the ponds.

**Commissioner Breton entertained a motion to approve a \$1,500.00 proposal for Goose Control Technology. Moved by Commissioner Young and seconded by Commissioner Chambers. Vote passed 5-0.**

#### **Finance Department Report-Mr. Wilson**

Finance Monthly Report – Mr. Wilson noted a few highlights from his December report, which was previously provided to the Board.

Bill List for Approval – General Manual Checks 35 to 37 and General Checks 42764 to 42841

**Commissioner Breton entertained a motion to approve general manual checks 35 to 37 and general checks 42764 to 42841. Moved by Commissioner Chambers and seconded by Commissioner Young. Vote passed 5-0.**

January 10, 2019 Board of Commissioners Minutes– **Commissioner Breton entertained a motion to accept the January 10, 2019 minutes. Moved by Commissioner Young and seconded by Commissioner Chambers. Vote passed 5-0.**

**Commissioner Breton directed Mrs. Miller to note Mr. DiSario' s request for correction regarding the comment in prior minutes from shooting the geese to euthanizing them.**

Acknowledgement of December 18, 2018 Planning Commission Minutes – **Commissioner Breton entertained a motion acknowledging the December 18, 2018 minutes. Moved by Commissioner Young and seconded by Commissioner Chambers. Vote passed 5-0.**

#### **Additional Business**

Commissioner Breton called for additional business. There were none.

#### **Public Comments**

Commissioner Breton called for public comments. There were none.

#### **Adjournment**

**Commissioner Breton entertained a motion to adjourn the January 31, 2019 meeting at 8:30 PM. Moved by Commissioner Young and seconded by Commissioner Chambers. Vote passed 5-0.**

Respectfully Submitted by,

Denise Miller  
Assistant Township Secretary