

Caln Township Board of Commissioners  
253 Municipal Drive Thorndale, PA 19372  
February 28, 2019 7:35 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 (Absent), Kim Venzie-Temporary Township Solicitor, Bryan Kulakowsky-Township Engineer, and Denise Miller-Assistant Township Secretary.

Commissioner Breton noted that under "Citizens to be Heard" you may acknowledge yourself on items referring to the agenda. Items not on the agenda are reserved for "Public Comment".

**Citizens to Be Heard**

Commissioner Breton called for Citizens to be Heard. There were none referring to agenda items.

**Township Solicitor – Ms. Venzie**

**150 Parkside Motion for Preliminary Final Approval** – For Board consideration, Ms. Venzie offered a Motion for Preliminary Final Approval for 150 Parkside. She noted that the Applicant is the equitable owner and developer of the property at 150 Parkside Drive, Caln Township, Chester County Tax Parcel No. 39-2-50.1 and 39-2-2, consists of 18.167 gross acres, and is located in the Industrial (I-1) Zoning District, the Wetlands Overlay District, the Hydric Soil Overlay District, and the Carbonate Geology Overlay District of Caln Township. She also noted that the Applicant seeks to develop the property with forty seven mobile homes in accordance with Preliminary/Final Land Development Plan titled "150 Parkside", prepared by D.L. Howell & Associates, Inc., dated June 2, 2018, last revised November 16, 2018, consisting of fifteen sheets. Ms. Venzie also reviewed the waivers with the Board.

**Commissioner Breton entertained a motion to adopt the 150 Parkside Motion for Preliminary/Final approval. Moved by Commissioner Contento and seconded by Commissioner Tindaro. Krista Carpenter of 11 Rock Raymond Road and Tony DiSario of 251 Loomis Avenue asked the Applicant several questions. He answered that there will be forty seven same size double wide mobile homes, \$580.00 lot rent, starting price of \$139,000, there is a clause for pets "at the discretion of the owner", trail for residents, and there will be internal operating standards in place. Vote passed 5-0.**

**1713 Fisherville Road Temporary Construction Easement Agreement** – For Board consideration, Ms. Venzie presented a temporary construction easement agreement for the Fisherville Road Project, regarding 1713 Fisherville Road. She also noted that the property owners have signed and agreed to the terms of the agreement.

**Commissioner Breton entertained a motion to authorize the Board President and Township Manager to sign an easement agreement for 1713 Fisherville Road. Moved by Commissioner Chambers and seconded by Commissioner Tindaro. Vote passed 5-0.**

**Fisherville Road Project Smith Property Condemnation** – For Board consideration, Ms. Venzie offered a Resolution for the Fisherville Road Project Smith Property Condemnation. She noted that the property owner still can approach the township for discussion and if they agreed on reasonable terms, they would certainly

pursue that. Ms. Denne noted that both property and Arborist gave a market value on the trees on the property and the land. She also noted they were offering well above market value, to avoid going to condemnation.

**Commissioner Breton entertained a motion to adopt a 2019 Resolution authorizing the Fisherville Road Project Smith Property Condemnation. Moved by Commissioner Contento and seconded by Commissioner Contento. Vote passed 5-0.**

Proposed Zoning Amendments for Wireless Facilities – Ms. Venzie presented a draft ordinance to amend certain provisions regarding approval time frames, permit fees, and related regulations for small wireless facilities. The Board tabled the draft wireless ordinance until the March 14, 2019 meeting, for further Board review.

#### **Township Engineer – Mr. Kulakowsky**

Planning Commission Update – Mr. Kulakowsky gave a brief update.

- 1) Mr. Kulakowsky noted he has no report for the January meeting, due to cancellation.
- 2) ARRO is working on the road condition assessment.
- 3) Looked at the cul-de-sac at the end of Dogwood Lane regarding an inlet issue.

#### **Township Manager – Kristen Denne**

Ms. Denne noted a pre-construction meeting was held for the Fisherville Bridge Project. She also noted the bridge to be delivered on or about May 1, and they will be doing boring samples and site preparation beforehand. She also noted that residents who are directly affected, on that road, will have a mailer sent to them a week in advance regarding the detours.

Ms. Denne noted she received a request from a group of developers to do a self-storage unit at 2131 Lincoln Highway. If the Board would be interested, a change or amendment would have to be changed in the zoning, because it is currently in a C1 District. She also noted that John Jaros wanted to know if the Board would be interested in a presentation at their March 14 meeting. Commissioner Young noted that he is not interested in changing the zoning. Board consensus was to hearing a presentation.

Ms. Denne noted all Right to Know request results will be posted on the township website in the Right to Know section, in order to create greater transparency.

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

Resolution – Term Loan with Mid Penn Bank – John Deere 1200A Bunker Rake – **Commissioner Breton entertained a motion to adopt a Resolution for a term loan with Mid Penn Bank for a John Deere 1200A Bunker Rake in the amount of \$12,667.29. Moved by Commissioner Contento and seconded by Commissioner Chambers. Vote passed 5-0.**

Resolution – Term Loan with Mid Penn Bank – To purchase a 2019 Dodge Charger AWD with Police Package \$44,056 and a 2019 Dodge Charger AWD Non-Police Package \$29,732.46 – **Commissioner Breton entertained a motion to adopt a Resolution to purchase a 2019 Dodge Charger AWD with Police Package in the amount of \$44,056 and a 2019 Dodge Charger Non-Police package, in the amount of \$29,732.46. Moved by Commissioner Contento and seconded by Commissioner Chambers. Commissioner Young noted these are not his favorite vehicles. He also noted that if someone approaches from the rear, it immediately puts up all the windows, locks the doors, and puts on the lights so an Officer can't be ambushed. Tony DiSario questioned the non-police package. Chief Elias noted the police package is not needed for this vehicle. Vote passed 5-0.**

Resolution – Term Loan with Mid Penn Bank – 2019 Dodge Charger AWD with Police Package – Commissioner Breton entertained a motion to adopt a Resolution for a term loan with Mid Penn Bank for the 2019 Dodge Charger AWD with Police Package, in the amount of 44,056. Moved by Commissioner Young and seconded by Commissioner Chambers. Commissioner Breton noted that this is for a term loan for the same vehicles under the purchase resolution. Vote passed 5-0.

Resolution – Term Loan with Mid Penn Bank – 2019 Dodge Charger AWD Non-Police Package – Commissioner Breton entertained a motion to adopt a Resolution for a term loan with Mid Penn Bank for a 2019 Dodge Charger AWD non-police package in the amount of \$29,732.46. Moved by Commissioner Young and seconded by Commissioner Chambers. Vote passed 5-0.

Resolution – Lease Purchase for Eighteen (18) Taser X2 with Accessories – Commissioner Breton entertained a motion for the lease purchase for eighteen (18) taser units priced at \$345 each and an annual payment of \$6,210 with a total cost of \$29,450. Moved by Commissioner Chambers and seconded by Commissioner Tindaro. Commissioner Young questioned choosing this brand over the current. Chief Elias noted it is a different model. He also noted that there are two probes in the chamber so you don't have to reload if you miss or have one Officer and two Assailants. Vote passed 5-0.

#### **Directors Reports**

Police Department-Chief Elias – Chief Elias noted a few highlights from his January 2019 report, which was previously provided to the Board.

Thorndale Fire Department-Chief Donnachie – Chief Donnachie noted a few highlights from his January 2019 report, which was previously provided to the Board. He also noted that their fund drive letter has been mailed to residents.

Director of Buildings and Life Safety-Mr. Stackhouse – Mr. Stackhouse noted a few highlights from his January 2019 report, which was previously provided to the Board. Mr. Stackhouse offered a Zoning Hearing Board recommendation to reappoint James Mayrides to the Zoning Hearing Board 2019-2021 term.

**Commissioner Breton entertained a motion to reappoint James Mayrides to the Zoning Hearing Board for a 2019-2021. Moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.**

Director of Public Works-Mr. Fragale – Mr. Fragale noted a few highlights from his January 2019 report, which was previously provided to the Board.

Ingleside Golf – Mr. Ward noted a few highlights from his January 2019 report, which was previously provided to the Board.

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

Finance Monthly Report – Mr. Wilson noted a few highlights from his January 2019 report, which was previously provided to the Board. He also noted to call the Township finance department if you have not received your tax bill yet.

Bill List for Approval – General Manual Checks 39 and 40 and General Checks 42901-42970 – Commissioner Breton entertained a motion to approve manual checks 39 and 40 and general checks 42901-42970. Moved by Commissioner Chambers and seconded by Commissioner Tindaro. Vote passed 5-0.

February 14, 2019 Board of Commissioners Minutes– **Commissioner Breton entertained a motion to accept the February 14, 2019 minutes. Moved by Commissioner Young and seconded by Commissioner Contento. Vote passed 5-0.**

### **Additional Business**

**Commissioner Breton entertained a motion to offer conditional employment for the vacant position of Police Officer to Sandeep Klair. Moved by Commissioner Young and seconded by Commissioner Contento. Vote passed.**

**Commissioner Breton entertained a motion to offer conditional employment for the vacant position of Police Officer to John Colyer. Moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.**

**Commissioner Young made a motion, seconded by Commissioner Tindaro, to waive the \$150 event application permit fee for the United Way Color Run to be held on G.O. Carlson Boulevard April 28. Vote passed 5-0.**

### **Public Comments**

Ms. Spaulding of 406 Lloyd Avenue asked Commissioner Young to explain his comment where he stated publicly that he is opposed to 55 and over developments. Commissioner Young noted that he thinks there is a glut of 55 plus housing in Chester County, and is concerned with what happens in thirty years when there are not enough people to sustain those neighborhoods, do they come back to the Board of Commissioners and ask to rescind the 55 + development because they can't make it work. He also noted that he is not against 55 plus communities, it's just the amount that are in Chester County. Ms. Spaulding also asked Commissioner Young if he is actively interested in supporting commercial use on Lloyd Farm, because he doesn't like 55 plus. Commissioner Young replied "No".

Mark Evans of 103 Ayerwood Drive presented the Board with a petition which reads that Wild Meadows, LLC has purchased Lloyd Farm upon which stands a historic farm house, barn, and other eighteen and nineteen century outer structures. He asked the Board to void their demolition permit because it was stamped received December 31, 2019. Ms. Denne noted that demolition permits are not only by the Township Ordinance, it is by the Uniform Construction Code. Mr. Stackhouse noted that he cannot deny the permit because of a clerical error. Ms. Venzie noted the applicant submitted an application or asked for a permit, it was reviewed, and they complied with everything they needed to comply with in order for a demolition permit to be issued, so the Township is required to issue it. Ms. Venzie also noted that the date stamp is not relevant to the process. Commissioner Breton noted that even if they issued an Ordinance today this property would not be affected. Commissioner Breton also noted that this property is not owned by the township nor has it been owned by the township. It was owned by the Archdiocese and on the market for several years, and then sold. Mr. Evans asked where the Board stands on this. Commissioner Young replied by stating he thinks he can speak for all the Board Members, that if they were in a different place they would love to say save the house and make it part of a park or have someone buy that section and fix the house. He noted they are handcuffed by the law, and the law is that they have the property rights to a demolition permit. Commissioner Tindaro noted that Senator Katie Muth has an interest in the property and they should be hearing from her.

Tony DiSario of 251 Loomis Avenue, Mark DeYoung of 20 Beaver Run Road, Sarah Martin of 112 Stonebridge Lane, Krista Carpenter of 11 Rock Raymond Road, Joe and Cheryl Spaulding of 406 Lloyd Avenue, Francis Duraski of Buck Run Road, Pat Wakefield of 165 Appledore Drive, Mark Evans of 103 Ayerwood Drive, and Licia Carini of 103 Ayerwood Drive had concerns and questions regarding the Lloyd Farm. Other concerns and questions were discussed regarding the Lloyd Farm were; traffic, density, personal safety, demolition permit, zoning, preservation, asbestos, communication with Regal/Wild Meadows/Harry Miller, 2017 Senator Rafferty possible funding to purchase Lloyd Farm, traffic studies, Lloyd Avenue Bridge, and the Township Comprehensive Plan.

Charlotte Myer was in attendance on behalf of Senator Katie Muth to inform the audience that Senator Muth is aware of their concerns. She noted that she will take comments back to the Senator.

Ms. Denne answered several questions that were asked. She noted that the Township Solicitor is not working on another version of the Age Qualified Overlay, and she has not received any communications with the Applicant within the last four weeks,

Ray Stackhouse and Ms. Denne noted that when a submittal is made to PennDot, that document is sent to the Township. The Township does not review it unless there is a Land Development Application submitted to the Township so they don't spend money for consultant review fees for projects that may never proceed.

Commissioner Young noted that he does not recall Senator Rafferty offering possible grant money in 2017.

Tony DiSario of 251 Loomis Avenue informed the Board that there is a big pothole in front of the Welfare Office. He also noted the Barley Sheaf and Boulevard dip. Ms. Denne noted the dip is in the prospects for the road program. Mark Evans also commented on the pot hole. Mike Fragale noted that they have been putting cold patch in it until they can get hot mix.

Marie Huggins of 6 Toth Avenue requested camera's installed on Toth Avenue, because her car has been hit twice from cars speeding. Chief Elias stated they he will contact Ms. Huggins on this request.

**Adjournment**

**Commissioner Breton entertained a motion to adjourn the February 14, 2019 meeting at 9:45 PM. Moved by Commissioner Young and seconded by Commissioner Chambers. Vote passed 5-0.**

Respectfully Submitted by,

Denise Miller  
Assistant Township Secretary