

Caln Township  
253 Municipal Drive  
Thorndale, PA 19372  
February 26, 2015 7:30 PM

**Call to order and pledge of allegiance.**

**Attendance** – John Contento; President, Cynthia Eshleman; Vice President, Jim Kruse; Commissioner, Lorraine Tindaro; Commissioner, Joshua Young; Commissioner, Greg Prowant; Township Manager, Jeffrey W. McClintock, PE, CFM; Township Engineer, Kristin Camp; Township Solicitor, and Denise Miller Recording Secretary.

**Executive Session**

Commissioner Contento announced that prior to tonight's meeting, an Executive Session was held to discuss legal and personnel matters.

**Citizens to be heard**

N/A

**Ordinances and Resolutions for Consideration**

**Resolution to submit a Chester County Open Space Grant Application** – Mr. Prowant presented Resolution 2015-03, for Board consideration. Commissioner Contento entertained a motion to adopt Resolution 2015-03 authorizing the township to submit for a Chester County grant for the purchase of a four acre parcel in Thorndale for open space. Moved by Commissioner Young and seconded by Commissioner Kruse. Vote passed 5-0. Mr. Prowant noted, for clarification, the County requires a two page contract submitted with the application which is approved by adoption of the Resolution.

**Resolution to submit a PECO Open Space Grant Application** – Mr. Prowant presented Resolution 2015-04, for Board consideration. Mr. Prowant noted this grant is a complimentary grant from PECO for \$8,750.00. Commissioner Contento noted, for clarification, this land is adjacent and currently owned by the volunteer fire company and will become permanent open space owned by the township. Commissioner Contento entertained a motion to adopt Resolution 2015-04 requesting grant money from PECO for the purchase of the land associated with the fire department. Moved by Commissioner Tindaro and seconded by Commissioner Young. Vote passed 5-0.

**Solicitor Kristin Camp**

Ms. Camp noted Patricia A. Brown ("the Applicant") filed an application for conditional use in order to use units 2219 and 2221 in an existing building located at 2215-2221 East Lincoln Highway for a child day care center pursuant to Sections 155-27.C(4) and 155-70 of the Caln Township Zoning Ordinance of 2005, as amended. The property is owned by Linda and Charles Baker. The order would be to approve the Day Care Center, to grant a waiver from the requirement that requires minimum lot size of two acres, that the daycare must have an outdoor play area provided that "Applicant" provides an indoor play area of sufficient size to meet PADPW regulations, a waiver to waive the requirement that the daycare facilities be located a minimum of 100 feet from the stormwater detention basin in the rear, and 12 proposed conditions of approval, read, by Ms. Camp, and stated in the proposed decision and order. Mr. Contento entertained a motion to approve for conditional use the day care with the associated waivers being under two acres, the absence of an outdoor play area covered by an indoor play area and a waiver on the preliminary of the stormwater basin, as well as the twelve conditions stated by the township counsel. Moved by Commissioner Eshleman and seconded by Commissioner Tindaro. Vote passed 4-0, with Commissioner Young abstaining.

**Public Safety**

**Fire Chief Cordisco** – Chief Cordisco presented his January report, and noted a few highlights.

- Chassis is at the plant.
- Submitted a Federal Grant for 3,600 feet of 5 inch supply hose.
- 31 members participated in 92.5 hours of training.
- Final steps in the hepatitis B shots.
- The three Chiefs met with John Sly to write a “Safer Grant” for retention and recruitment for \$90,000-\$98,000.

Commissioner Contento asked for an update on the Fire Engine. Everything finalized in the change orders with the exception of some exterior lighting. The Fire Research consultant set up a demonstration behind the fire house at night so they could see the penetration and how far the light spread to the side and how deep it went. They also set up a demonstration with the Wayland representative to do the same demonstrations at the same time of the night, so they can compare both demonstrations equally.

Commissioner Young asked Chief Cordisco for a “Community Day” volunteer from the fire department.

Police Chief Elias – Chief Elias presented his January report, and noted a few highlights.

- Lieutenant Nash and Officers Carboni and Reagan are back to work.
- Presentation of a “Letter of Recognition” to Superintendent of Life Safety, Raymond Stackhouse.
- Everyone has completed the Narcan online training and now will be doing the hands on training with the intranasal applicators. There will also be a ten question test.

Chief Elias gave an update on Commissioner Young’s question, from last month, regarding clearance rates. Chief Elias noted he went back to 2000-2013. There is mandatory reporting to the State Police and the FBI. Part 1 the more serious crimes and part 2 offences the less serious crime. In 2000 their clearance rates were 34% for part 1 offences verses 33% the county average. Part 2 offences being 28% versus 65%. That was the trend through 2003, and it then changed. Part 1 clearance rates 35% for the township versus 28.9% for the county. Part 2 clearance rates for the township 32.98% and 65.8% for the county. Then it keeps going up from that point until the last few years where their clearance rate for part 1 offences are greater than the average clearance rate for the county. Part 2 clearance rate has also been above average. Chief Elias also noted the clearance rates from 2011-2013.

Commissioner Contento asked for the CCIU call status. Chief Elias replied that it is approximately the same as last year, however the CCIU is reporting a very small fraction of the actual number of incidents that are occurring there. Commissioner Young suggested asking the CCIU to get their own security.

Commissioner Eshleman noted she would like to ask Chief Elias a few questions on the in car cameras, that were budgeted for. Commissioner Eshleman asked Chief Elias how many police cars they need cameras for. Chief Elias replied “6”. Commissioner Eshleman asked Chief Elias what is the cost of the cameras. Chief Elias replied the total cost for the cameras, servers and entire system with a five year warranty will be \$47,000 or approximately \$10,400 for five years, lease to own. Commissioner Eshleman asked if there are any anticipated grants. Chief Elias replied he and Mr. Prowant previously discussed a DIVIT grant for \$3,500.

After Board discussion, Commissioner Eshleman made a motion to approve the purchase of six in-car police cameras, from Watch Guard, as discussed and budgeted. Commissioner Tindaro seconded. Commissioner Kruse stated he does not have enough information on the cameras to vote on them. Commissioner Kruse made a motion to table the discussion to purchase the in-car police camera system, pending further information. Commissioner Contento seconded. Commissioner Eshleman noted that the police cameras were previously brought up to the budget committee and put in the budget, and there was a lengthy discussion on why the cameras were needed. Chief Elias noted this quote is very similar to the quote from a year ago. Commissioner Contento called for a vote on the motion to table the discussion to purchase the in-car cameras pending further information. Commissioner Eshleman, and Commissioner Tindaro voted nae. Commissioner Kruse and Commissioner Contento voted yea.

Commissioner Young abstained and asked for a copy of the camera information, and to revisit this at the end of the meeting. Vote failed. Commissioner Contento called for a vote on the motion to purchase in-car cameras. Commissioner Eshleman noted she has been pushing for this since she was elected to the Board and her personal family history with in-car cameras. Commissioner Young made a motion to delay the vote until later in the meeting. Kruse seconded. Commissioner Kruse, Commissioner Contento and Commissioner Young voted yea. Commissioner Eshleman and Commissioner Tindaro voted nay. Vote passed 3-2. The discussion was delayed to later in the meeting.

### **Finance Report-Ms. Smith**

Monthly Report – Ms. Smith presented the January 2015 Finance monthly report.

Tax Claim Bureau–Request for exoneration – Ms. Smith noted the County has asked for an exoneration of \$193.44 for the past seven years on a trailer that has been liened since 2007. By consensus, the Board tabled the request until Ms. Camp has reviewed the document.

Bill List – Commissioner Contento entertained a motion to approve, for expenditure, check number 35478 to 35538 and bond fund checks 1029 to 1031 totaling \$198,120.74. Moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

### **Land Development – Mr. Jeffrey McClintock PE, CFM-Township Engineer**

Kings Grant Status – Mr. McClintock noted the Solicitors office is working with counsel for the Developer and the Bank on a finalized settlement agreement. He noted that progress is being made on the item.

3650 Kings Highway SD 2015 MOA – Mr. McClintock offered a Motion of Approval for a minor subdivision plan for tax parcel #39-01-102.1 for the Board’s consideration. This subdivision proposal will properly configure a lot for the current use on the upper portion of the property and allow the estate the ability to sell off a newly created lot (Lot 2) and retain the remainder of the existing lot (Lot 1). This Motion of Approval consists of nine conditions. Commissioner Kruse asked how many buildable homes will be on this lot and is it residential. Mr. McClintock replied “2 residential lots”. Commissioner Contento entertained a motion to approve the minor subdivision application for tax parcel #39-01-102.1 as presented. Moved by Commissioner Young and seconded by Commissioner Kruse. Vote passed. 5-0.

Royal Farms ZTA 2014 – Mr. McClintock presented the Board with a text amendment proposal to add a convenience store or mini market as a conditional use in the Route 30 Bypass Interchange Overlay District and to allow for a maximum of eight pumps and sixteen fueling stations, at the discretion of the Board. Mr. McClintock noted the Board would have to set a hearing date for this text amendment. Requested at the last meeting Mr. Tavani has prepared a letter summarizing the decision from the February 12 meeting, and PennDOT issued their preliminary review of the traffic items. Both letters included in tonight’s Board packet. Mr. McClintock noted the next step is for the Board to schedule a hearing date. Commissioner Kruse asked Mr. Freedman if the two houses to the north of their property driveways will cause a problem. Mr. Freedman replied that those driveways will not cause a problem. Commissioner Young noted his concern of removing the light at the intersection of Lloyd Avenue and US322 when the Archdiocese property is purchased and asked that if he votes to approve the text amendment and a condition is inserted into the conditional use that upon that road being abandoned you would lose the light, could the Applicant agree to that condition? Greg Richardson stated that the signal belongs to the township so it’s at their discretion. Mr. Richardson also stated that they would cooperate with the Board. Mr. Freedman suggested doing the text amendment and conditional use at the same time. Commissioner Contento entertained a motion to set a zoning text hearing date of March 26 at 7:00 PM, before the Board meeting. Moved by Commissioner Kruse and seconded by Commissioner Contento. Vote passed 5-0.

Report Chart Discussion – No items for Board action.

### **Engineering – Mr. Jeffrey McClintock PE CFM-Township Engineer**

**Line Striping** – Mr. McClintock noted that he received a call from East Brandywine where they inquired if they could team with Caln Township on line striping. Mr. McClintock asked for Board approval to proceed with further discussions with East Brandywine, if they so desired. By consensus, the Board authorized Mr. McClintock to explore further with East Brandywine Township.

**Columbia Gas** – Mr. McClintock noted after the February 2014 meeting with Caln, Uwchlan, West Bradford, and East Brandywine Townships, on the Columbia Gas pipeline, they were willing to work with the townships on their local ordinances. However, once Columbia received their FERC permit, Columbia informed Mr. McClintock they were no longer willing to work with the townships to show compliance with the local regulations. During his attendance at the MS4 workshop a couple weeks prior, a representative from PADEP stated that Columbia Gas has to comply with the township's local regulations. Given this conflicting information, Mr. McClintock reached out to the Southeast Regional Office of PADEP and asked for a final determination from them in writing.

**MS4 Workshop** – Mr. McClintock noted that he and Mr. Prowant attended the MS4 workshop, with Mr. McClintock attending the session in Harrisburg and Mr. Prowant attending the session in Morgantown. Mr. McClintock distributed a copy of the binder he received at the meeting to each Board member. A discussion occurred regarding the contents of the binder. Mr. McClintock wanted the Board members to be aware that the requirements of the program are being more closely monitored. He mentioned that PADEP stated there will be administrative inspections as well as field inspections and that a large portion of the session dealt with municipal operations. Mr. McClintock indicated that Mr. Gill, Mr. Fowler, Mr. Fragale, and Mr. Ward will all need to develop good housekeeping plans for each of their respective work areas. Mr. Prowant confirmed that the PADEP indicated the same at the session he attended. Mr. McClintock noted that he would like to discuss the program with the Board in more detail at an upcoming meeting.

**Fisherville Road Slope repair project status** – Mr. McClintock noted this is the slope repair project in front of 3209 Fisherville Road that the Board awarded to Veterans Construction & Utility Services, Inc. barring weather issues, March 20, 2015 is the anticipated completion date. Mr. McClintock showed a few pictures of the work in progress.

**Fisherville Road Slope repair at Caln Meetinghouse Project status** – Mr. McClintock noted this project is the slope repair near the Fisherville Road Bridge at Caln Meetinghouse Road on Fisherville Road. Work is anticipated to be completed in five days.

### **Township Manager – Mr. Prowant**

**Proposal for Pet Washing Device** – Mr. Nelson and Mr. Russo presented a proposal of an 18x13 pet washing station for a cost of \$10.00 for a wash and blow dry. The Board is concerned with having a commercial business in the township park. Commissioner Tindaro asked Mr. Nelson if they would be renting the land from the township. Mr. Nelson replied that they are willing to pay rent or a percentage of what they make. Mr. Prowant noted there is private open space by the school they may want to consider. By consensus, the Board directed Mr. Prowant to review further with Ms. Camp. Mr. Prowant replied he will speak with Ms. Camp.

**Award of Lawn Maintenance Bids** – Mr. Prowant presented two bids; one from Hurricane Hill Farms and one from M&M Contracting. Hurricane Hill Farms is the apparent low bidder, but that could change if we do not select all of the options. Option 15, along the Amtrak Right of Way, is new this year since the township crews have done it before. Option 5 is Park West and is normally waived since the Spirit Soccer group mows and does the lawn maintenance. Commissioner Contento entertained a motion to approve the low bidder Hurricane Hill Farms for grass cutting for calendar year 2015 for the price per cut of \$1,359.50 minus option 5, and the caveat that they must pass the Amtrak training in order to do option 15. Moved by Commissioner Young and seconded by Commissioner

Eshleman. Vote passed 4-0, with Commissioner Kruse abstaining because Hurricane Hill Farms cuts his business location.

Emergency Management Discussion – Mr. Prowant presented Resolution 2015-05 for Board consideration. This resolution outlines the methods and agencies chose to fulfill the public safety needs of Caln Township, for the efficient administration of the emergency communications system of the Chester County Department of Emergency Services. This Resolution also appoints Raymond Stackhouse to serve as Fire Marshall and Emergency Coordinator and Mike Murphy as Assistant Coordinator. Mr. Stackhouse explains his concerns and plans for the Emergency Coordinator position. Mr. Stackhouse noted he would like to expand the committee with the Fire Chief, Police Chief, and Township Engineer. Commissioner Eshleman noted she would like to have a secondary person to Mr. McClintock in case he is unable to get to the Township. Commissioner Eshleman also noted the website needs to be revamped with alert systems. Commissioner Contento entertained a motion to adopt Resolution 2015-05 designating the response territories for emergency service in Caln Township. Moved by Commissioner Eshleman and seconded by Commissioner Young. Vote passed 5-0.

Brandywine Conservancy Proposal – Mr. Prowant noted a letter from the Brandywine Conservancy outlining their proposal to provide Brandywine Creek Greenway municipalities with limited technical assistance to implement the Strategic Action Plan for the Greenway. Their staff proposes to document opportunities for trails along the Beaver Creek Corridor, at no cost to the Township.

- Map natural features including slopes woodlands, wetlands, soils, and floodplains.
- Map opportunities for reforestation, riparian buffer restoration, and other stormwater best management practices.
- Map existing trails, sidewalks, right-of-ways trail easements, and public lands along the trail corridor using Chester County GIS data and municipal staff knowledge.
- Identify trail gaps and trail easement gaps.

Commissioner Kruse noted to hold off proceeding with the Conservancy until the Becker Environmental report is received, regarding the other trail proposal to connect to Downingtown trails. Once that report is received, the Brandywine Conservancy can be informed to proceed.

Chester County Tax Collection Committee Delegates – Mr. Prowant asked the Board to appoint new Chester County Tax Committee delegates or reappoint the current ones consisting of Commissioner Kruse and two alternates Karen Wertz and himself. Commissioner Contento entertained a motion to reappoint Commissioner Kruse as primary delegate and alternates Karen Wertz as secondary delegate, and Greg Prowant as secondary delegate. Moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

Commissioner Contento asked Mr. Prowant the status on the temperature control in the township building. Mr. Prowant noted that with certain walls reconfigured it has caused temperature issues. Mr. Prowant also noted that he is having it looked at to get it resolved.

#### Approval of Minutes

January 29, 2015 – By consensus, the Board tabled the approval of the January 29, 2015 minutes, until Mrs. Miller makes the requested changes stated by the Board.

February 12, 2015 – By consensus, the Board tabled the approval of the February 12, 2015 minutes, until Mrs. Miller makes the requested changes stated by the Board.

### **Additional Business**

Recall of vote on the in-car police cameras – Commissioner Contento recalled the vote on the previously made motion and second to purchase six in-car cameras with associated software, hardware, servers, warranties, technical services, and training etc. Commissioner Young made a motion to amend the motion to approve this proposal, as submitted, pending questions that Commissioner Kruse and Commissioner Contento have, within one week. This motion was seconded by Commissioner Kruse. Commissioner Young asked if this is a CoStar price Mr. McClintock replied “yes”. Resident Noel Bernard had comments and questions on the motion. Commissioner Contento called for a vote on the motion to approve this proposal, as submitted, pending questions that Commissioner Kruse and Commissioner Young have. Vote passed with 3 voting yea and 2 abstentions. Commissioner Contento called for a vote on the purchase order of six in-car cameras according to the price quote received on February 11, 2015. Mr. Kruse noted this item is not on the agenda. Vote passed 5-0.

Mr. Prowant asked the Board for consideration in moving the Boards and Commissioners Liaison Update and or the Finance report to the Board work session meeting to balance out the length of the meetings. Commissioner Contento noted that he will give this some thought. Commissioner Eshleman noted her frustration in getting Board packets not in sufficient time to review the documentation in a timely manner before the meetings. Commissioner Contento would like the Board packets to be sent to them the Friday before the meetings. Commissioner Young would like to see the agenda items more specific in detail on what the topic is. Mr. Prowant stated that he will do the best he can with the staff he has. Commissioner Eshleman requested pending and current court litigation from the code department on a monthly basis. Mr. McClintock stated that he will review the Edmunds system to see if there is a report for this information.

### **Boards and Commissions Update by applicable Board Liaison**

Park and Recreation – Commissioner Young noted no meeting held in January. Commissioner Young also noted the Easter Egg Hunt on March 28, and Caln Pride Day on April 18.

Green Task Force – Commissioner Young noted no meeting held in January.

COG – Commissioner Young noted the election of Terry Bruno as COG Vice President. Mr. Young also noted they are moving into their committee structure and appointed Mr. Voltz as Chair of the Fiduciary Committee, John McHugh Chair of Public Safety, and Operations is currently vacant. Meetings are held the last Wednesday of the month, and anyone from the public in the COG area can join.

Municipal Authority – Commissioner Kruse noted discussion on Dwell and a possible Municipal pump station across the street, flows to DARA and PAWC, with a representative from PAWC in attendance to give an introduction to possible PAWC buying out the Caln Township Municipal Authority sewer system.

Fire Board – Commissioner Contento noted the next meeting on April 14.

Planning Commission – Commissioner Contento noted a brief discussion on the Comprehensive Plan and Daycare proposal.

Historical Commission – Commissioner Tindaro noted March 15 there will be discussion on Colonial Tavern sponsored by East Brandywine Historical Commission at the Beaver Creek Tavern, and on May 9, the Caln Historical Society will have a Flea Market on the Caln Township lawn.

Zoning Hearing Board – No report.

### **Public Comments**

McClintock noted he received an email today from the PennDOT's Electronic Contract Management System (ECMS) program asking for approval on the construction inspection contract that had been negotiated by PennDOT on the

township behalf. As a point of background, at the August 28, 2014 meeting the Board recommended to PennDOT that we use the services of McCormick Taylor for inspection services. At that time their technical price proposal had a value of \$120,979.75. Through the negotiation process PennDOT and McCormick Taylor finalized a negotiated price of \$125,300.52. Mr. McClintock requested the Board approval for the price increase. Commissioner Contento entertained a motion to accept a negotiated price of \$125,300.52 for the inspection services associated with the Osborne Road Bridge project, amounting to an additional \$108.32 for Caln Township. Moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

Noel Bernard asked if there are reports for Public Works and Sewer. Mr. Prowant noted the sewer report is done at their own meetings and Mr. Scheivert used to include them in his report. Commissioner Young noted Public Works also gives a report twice a year, and he will ask them to come to one of the next meetings. Mrs. Bernard also asked about the code department working for Valley Township. Commissioner Contento noted it is a \$70,000 revenue source to the township and with the loss of Steve Miller working here, it may be time to address the issue. Mrs. Bernard also defended the township staff for their good work.

### **Adjournment**

Commissioner Contento entertained a motion to adjourn the February 26 meeting at 11:05 PM. Moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

Respectfully Submitted by,

Denise Miller  
Recording Secretary