

Caln Township  
253 Municipal Drive  
Thorndale, PA 19372  
January 8, 2015 7:40 PM

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

**Attendance** – John Contento; President, Cynthia Eshleman; Vice Chairman, 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**

**2015-01 Resolution; Ingleside Liquor License Renewal** – Mr. Prowant presented Resolution 2015-01 for the Board's consideration. Commissioner Contento entertained a motion to adopt Resolution 2015-01 authorizing the submittal of a permit application to the Liquor Control Board for the continued sale of malt beverages at the golf course. This motion was moved by Commissioner Young and seconded by Commissioner Kruse. Vote passed 5-0.

**Code Enforcement – Mr. Andy Reczek**

Mr. Reczek presented the Board with a departmental update as well as a resident concern with parking on Granger Lane. Mr. Reczek noted that he has concern with emergency vehicles being able to pass because of the parking and the narrowness of the road. Mr. Reczek also noted that the township ordinance does not include Granger Lane as "prohibited parking" and whether it should be amended into the ordinance. Mr. McClintock indicated that he has discussed this with Mr. Stackhouse and is awaiting word back from the Fire Chief on the fire Department's opinion on the matter.

Mr. Reczek also informed the Board that Jason Ostrum was hired in the codes department as a part time inspector and is currently shadowing him on all residential inspections, and shadowing Mr. Arvay on all rental and U&O inspections. Mr. Reczek answered all Board questions to their satisfaction.

Resident Bob Reymos commented on Mr. Reczek 's report.

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

**Kings Grant Status** – Mrs. Camp noted that litigation is still pending with both Bank of America and DHLP Kings Grant, LLP (Dewey Companies). Mrs. Camp indicated that a draft settlement agreement was presented by Rouse Chamberlin to the Township for consideration. Mrs. Camp noted that she discussed this legal item with the Board and will be discussing this with Rouse. Mr. Saboe (HOA President) was in attendance with Ms. Wingham (HOA Treasurer) on behalf of the HOA. They are interested in seeing the project completed and have been in conversations with Rouse on some of the items.

**Report Chart Discussion**

No action required by the Board on the various projects.

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

Columbia Gas Agreement Approval – Mr. McClintock asked the President if the Columbia Gas agreement approval could be moved up on the agenda. Commissioner Contento agreed. Mr. McClintock presented the Columbia Gas Agreement to the Board for their consideration. Commissioner Contento entertained a motion to sign the lease agreement with Columbia Gas Transmission to start in 2015 for a 12 month period with a cost of \$72,000.00. This motion was moved by Commissioner Eshleman and seconded by Commissioner Kruse. Vote passed 5-0.

Bondsville Road/GO Carlson Signal Modifications – This project is one of the projects contemplated in the 2013 Bond Issue. Said project will move the curb line on the Northwest corner of the intersection back, allowing for a better turning radius. Due to Commissioner Kruse's persistence with PennDOT regarding the need to increase this radius to improve traffic flow on Bondsville Road, PennDOT has issued a revised Traffic Signal Permit Plan showing the increased radius. As noted prior, this revision requires an easement from the adjacent property owner at 102 Bondsville. In working with the Township Solicitor's office, staff has secured the necessary easement agreement and it was offered for consideration. Prior to taking action, the Board discussed the email from Mr. Milne, 105 Bondsville Road. Commissioner Kruse indicated that we need to move 17,500 vehicles through the intersection each day and believes the work will make things better for Mr. Milne. After discussion, Commissioner Kruse moved and Commissioner Young seconded the approval of the easement agreement. Motion passed 5-0.

Mr. McClintock asked the Board for approval to engage a traffic signal contractor to move the pole in accordance with the permit that is in the Boards packet, and then when the weather gets better move the pavement back. The Board gave approval to Mr. McClintock to proceed.

Barley Sheaf Road Swale discussion of Consent to Enter Requirements – As previously discussed, the swale running along Barley Sheaf Road needs to be re-established off of the road edge. Mr. McClintock indicated that he has secured the 8 Consent to Enter Agreements from the various property owners given this swale meanders in and out of the right of way. He will be scheduling Township crews to do this work. This work will be coordinated with the work he is currently seeking a permit for along GO Carlson at Beaver Run. Mr. McClintock is awaiting issuance of the General Permit from PADEP for the GO Carlson work, then we will proceed with renting a machine and doing both jobs in house. Mr. McClintock also noted that Mr. Prowant, Mr. Fowler, and himself will meet, out there, as to what trees will be taken down on Mrs. Keens' property.

2014 Un-Named Trib Beaver GO Carlson Dredging – Mr. McClintock noted that this is a channel dredging/pipe maintenance project where they will be utilizing the township crew to remove the sediment and vegetation overgrowth that has accumulated on the upstream and downstream ends of the multi-pipe culvert system. Mr. McClintock also noted that he is awaiting issuance of the permit from the Pennsylvania Department of Environmental Protection ("PADEP") before they can schedule the work. This work and the work on Barley Sheaf Road will be done back to back as a hydraulic excavator has to be rented to do both jobs.

2014 Williams Way Storm and Waterline Replacement – Mr. McClintock noted that this project is a storm and waterline replacement project being cooperatively pursued by the Township and Pennsylvania American Water ("PAW"). The existing storm pipe is CMP and has deteriorated beyond repair. Since "PAW" is replacing their existing line through this area, the Township needs to replace the failing storm line. "PAW" will be applying separately for the require GP-5 need for the utility work. Mr. McClintock also noted that he submitted this application to Pennsylvania Department of Environmental Protection ("PADEP") last week and is awaiting review and issuance of the permit from "PADEP" before work can be scheduled. It was noted that this work will be paid for using Liquid Fuels funds.

Fisherville Road Slope Repair Status – This project is the slope repair project in front of 3109 Fisherville Road that staff has been working on. It is noted that the Township secured the Temporary Construction Easement from the property owner in November and are ready to proceed with the work. Given the Board's direction at the December 4, 2014 meeting to proceed with contracted services, PADEP is willing to issue an Emergency Permit for this work as long as the Township proceeds within the next few weeks. Given this, section 1802(d)(1) of the First Class Code allows the Township to enter a contract for maintenance, repairs, and/or replacement of public works of the Township without publicly bidding such work if the work does not constitute a new addition, extension or enlargement of existing facilities. Since the scope of this work meets this criteria, the Township Solicitor's Office has opined that we can proceed without publicly bidding this work. Rather, we will be soliciting pricing from contractors and the selection will be made without the need to follow the formal bidding process. I have included the Invitation to Bid form in the packet. We are looking to have bids due by January 26, 2015 and hope to have a recommended low bidder for the January 29, 2015 meeting.

ARLE 2014 Grant Agreement and Resolution 2015-02 – This project is an incident management traffic signal system grant project totaling \$341,507.27, with the grant providing \$290,083.82 of the monies. As is customary with each PennDOT project, there is a resolution that is required to be passed that allows the Board President to sign the Automated Red Light Enforcement Program Project Funding Agreement on behalf of the Board of Commissioners. Mr. McClintock offered the resolution for consideration, noting that the resolution is correct but the agreement in the packet has the wrong dollar amount. Suggested the Board act on the resolution and once the agreement is corrected, Mr. Contento come in and sign the agreement. Motion made by Commissioner Tindaro, seconded by Commissioner Eshleman to approve the resolution as presented. Motion passed 5-0. Mr. Prowant also indicated that the 2015 budget has \$50,000 in the capital reserve account.

Traffic Signal Maintenance Contract – Mr. McClintock presented the Board, for consideration, a contract from C.M. High Inc. as the traffic signal maintenance contractor for 2015, at the rate schedule provided. Commissioner Contento entertained a motion to authorize C.M. High Inc. as the electrical contractor for 2015. This motion was moved by Commissioner Tindaro and seconded by Commissioner Young. Resident Bob Reymos had a question on the motion. Vote passed 5-0.

Bondsville Road Pedestrian Bridge – Mr. McClintock, as requested from last meeting, discussed the permitting with the Department of Environmental Protection and they indicated that once a joint permit is issued for a project, it is permit is good for three years so if the Board is interested in proceeding with the permitting at this time, a revised wetlands delineation, resulting in a Jurisdictional Determination, and then locate these wetlands on a surveyed plan as previously mentioned. Mr. McClintock included the proposal from Becker Engineering in the packet for consideration if the Board desires to do so given the process for securing a permit can take 9-12 months. Commissioner Eshleman asked the cost of the project and how long is everything good for. Mr. McClintock replied that it will be under \$10,000.00 for the attached proposal and will take nine to twelve months to secure the permit. Commissioner Kruse suggested tabling the item until we see where the Fisherville Road Slope Repair and Williams Way SWM Repair costs come in. Consensus direction was given to table the item.

Pennsylvania American Water ("PAW") Hydrant Agreements – Mr. McClintock presented the Board with a new fire hydrant agreement for all new hydrants installed as part of the Humpton and Williams waterline work. The agreement is for Humpton Road and Williams Way, and the draft agreement was reviewed by Mrs. Camp. These hydrants were requested by the Superintendent of Life Safety and the Fire Chief to provide for better hydrant coverage of the neighborhood. Commissioner Contento entertained a motion to approve application for four public hydrants and for the Board Chairman to sign the agreements. This motion was moved by Commissioner Young and seconded by Commissioner Kruse. Vote passed 5-0.

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

Park West Sports Lighting Discussion – Dave Hatt, of Spirit Soccer Club, presented a proposal of installing 60 foot high lights and other related improvements. Commissioner Kruse asked if Mr. Hatt spoke with the VA Hospital.

Mr. Hatt responded that he did not. Mr. Hatt also stated that they never had a problem with the 40 foot lights, and 90 foot lights are being installed elsewhere. Commissioner Contento asked Mr. Hatt his thoughts on restrooms. Mr. Hatt responded that he is interested in working with the township to install restrooms, and contributing to the cost. The Board asked Mr. Hatt if he would use LED lights. Mr. Hatt replied “yes”.

Appointments to Boards and Commissions – Mr. Prowant presented the following appointments for Board consideration.

Historical Commission – Commissioner Kruse moved to reappoint Doreen Jacoby, Lois Demchak, and Tom DeFroschia to five year terms. This motion was moved by Commissioner Eshleman and seconded by Commissioner Tindaro seconded. Vote passed 5-0.

CTMA Appointments – Board consensus to table the appointments to the Municipal Authority.

DARA – Commissioner Kruse nominated Commissioner Eshleman to the DARA vacancy position. Commissioner Eshleman politely declined because of her upcoming IT position. Commissioner Contento nominated to reappoint himself. Due to no second, vote failed. Commissioner Young made a motion to appoint Commissioner Kruse to the DARA vacancy position. Commissioner Kruse seconded. Commissioner Young asked for a roll call vote. Commissioner Kruse and Commissioner Young voted yea. Commissioner Tindaro and Commissioner Contento voted nay. Commissioner Eshleman abstained. Vote failed. Commissioner Young made a motion to appoint himself to the DARA vacancy. Commissioner Kruse seconded. Commissioner Contento called for a roll call vote. Commissioner Contento and Commissioner Tindaro voted nay. Commissioner Kruse, Commissioner Young, and Commissioner Eshleman voted yea. Vote passed 3-2. Motion carried to appoint Mr. Young to the DARA Board.

Planning Commission – Commissioner Eshleman recommended tabling the vote until Mr. Prowant can ask the other members if they would be interested. The Board agreed.

Alternate to the Zoning Hearing Board – Commissioner Eshleman recommended tabling the vote until Mr. Prowant can ask Mr. Hinkle if he is interested. The Board agreed.

Sale of Golf Carts – Mr. Prowant presented the Board with a 2011 Golf Cart Fleet bid certification form for their consideration. After Board discussion, Commissioner Contento made a motion to authorize the beginning of the bid process to purchase 45 Yamaha 2011 gasoline golf carts along with the second alternative for the sale, by the Township, of 43 Yamaha 2004 golf carts as a trade-in, and a third bid alternative allowing the bid anywhere from 1 to 43 of the same 2004 Yamahas. This motion was moved by Commissioner Tindaro and seconded by Commissioner Young. Vote passed 5-0.

Comprehensive Plan Update – Mr. Prowant noted the township was previously awarded \$37,500.00 to complete the Comprehensive Plan update. Later this month a contract will be submitted from the county and the Board of Commissioners will need to approve that contract as well as the agreement with the consultant, Urban Research and Development Corporation (URDC). Mr. Prowant also noted the proposal to ask the Planning Commission to serve as the plan advisory group along with a Commissioner and one or two citizens. Mr. Prowant stated that he will put something on the website to see if any residents want to volunteer for the advisory group.

Open Space Acquisition Grants – Mr. Prowant noted applications are due February 27, 2015 for a Chester County Commissioners open space grant and the Department of Conservation and Recreation (DCNR) which is due April 16, 2015. Mr. Prowant also noted the property we would like to acquire is a 5.4 acre open space parcel owned by Thorndale Volunteer Fire Company, which connect the School/Fire Company area to the Bondsville Road area near Exxon. Mr. Prowant asked the Board for approval of \$1,500.00 for the property appraisal and submission of the grant application. Commissioner Contento entertained a motion to authorize an expenditure not to exceed \$1500.00 for the appraisal of the Fire Company’s property, and authorize staff to submit an application for grant money for

the open space. This motion was moved by Commissioner Eshleman and seconded by Commissioner Tindaro. Vote passed 5-0.

Mr. Prowant noted there is a hand drawn graphic painting of Lloyd Park hanging in the new PetValu pet store, located in the Thorndale shopping center. It is very well done and does a good job of highlighting our dog park area.

**Bill List** – Commissioner Contento entertained a motion to approve check #35249 through check #35302 in the amount of \$226,651.25. After all questions from Resident Noel Bernard and the Board were answered by Mr. Prowant, this motion was moved by Commissioner Young and seconded by Commissioner Eshleman. Vote passed 5-0.

**Minutes – Motion to approve**

December 8, 2014 minutes – Commissioner Contento entertained a motion to accept the Commissioners December 8, 2014 as submitted. This motion was moved by Commissioner Tindaro and seconded by Commissioner Kruse. Vote passed 5-0.

December 18, 2014 minutes – Commissioner Contento entertained a motion to accept the Commissioners December 18, 2014 minutes, as submitted. This motion was moved by Commissioner Tindaro and seconded by Commissioner Kruse. Vote passed 5-0.

**Additional Business**

N/A

**Public Comments**

Noel Bernard would like her address out of the minutes approved tonight. Mrs. Bernard would also like the document presented at the December 18, 2014 meeting attached to the minutes. Commissioner Eshleman stated that she believes the document was handed in at the December 4, 2014 meeting. Commissioner Eshleman made a motion to amend the December 4, 2014 minutes to remove Mrs. Bernard address to just reflect “Caln Township Resident”, and her comments that were provided to the Secretary be added as an appendix to the December 4, 2014 meeting minutes. This motion was moved by Commissioner Kruse and seconded by Commissioner Young. Vote passed 5-0.

**Adjournment:** Commissioner Contento entertained a motion to adjourn the January 8, 2015 meeting. This motion was moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

Respectfully Submitted by,

Denise Miller  
Recording Secretary