

Caln Township Board of Commissioners
253 Municipal Drive
Thorndale, PA 19372
June 8, 2017, 7:30 PM

Call to order and pledge of allegiance.

Attendance – Jennifer Breton, President; George Chambers, Vice President; Joshua Young, Commissioner; John Contento, Commissioner; Charles Kramer, Commissioner; Kristen Denne, Township Manager; Kristin Camp, Township Solicitor; Margaret Driller, Recording Secretary.

Executive Session

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

Citizens to be Heard

No citizens to be heard at this meeting

Commissioner Breton stated that procedurally we are going to change our meetings as we move forward and streamline so that the business portion of our meetings can be done effectively. If someone wants to be heard on any particular agenda items then they must sign up on the clip board under Citizens to be Heard. Commissioner Contento asked why rules are being changed for the Board Meeting. Commissioner Breton stated that these are part of the parliamentary procedures for the meeting, and it gives the person time to talk about the agenda. Commissioner Breton would give them more time to speak if they felt strongly on an ordinance or resolution.

Township Solicitor – Ms. Camp

Miscellaneous Zoning Ordinance Amendment – 2017-01

Solicitor Camp stated that miscellaneous zoning amendments were presented to the Board with exhibits. These amendments were advertised in the Daily Local News on May 27, 2017 and June 1, 2017 and a copy was sent to the Chester County Law Library. She also stated that the Chester County Planning Commission reviewed this amendment on May 11, 2017, for the SALDO review and on May 12, 2017 for the zoning review. On May 23, 2017 the Caln Zoning Hearing Board reviewed the ordinance and recommended approval. The proposed changes are necessary as Pennsylvania enacted laws that allows medical marijuana dispensary and medical marijuana grower/processor. The ordinance also revises the definition of convenience store, and adds a definition for leasing facilities. Commissioner Contento asked that the definition of convenience store should be changed to allow in store consumption of food. Solicitor Camp will make this edit in a future zoning amendment. Commissioner Breton entertained a motion to approve the Miscellaneous Zoning Ordinance Amendment, 2017-01, Moved by Commissioner Young and seconded by Commissioner Chambers. Motion passed 5-0. This amendment will be adopted as is and changes to the definition of convenience stores will be done in the FEMA regulations.

First Amendment to Declaration of Covenants 253 Municipal Drive

There are currently three lots that the Township owns at 253 Municipal Drive which were recently approved for a three lot subdivision. Now it is necessary to amend the Declaration of Covenants that was filed against the Township property when the Township obtained open space funding so that the only lot which is restricted by the Declaration is the lot with the baseball field, Lot 3.

Commissioner Young wanted the township to look at the Thornridge Plan to see if the land that the Township acquired as the Thornridge open space was deed restricted. Ms. Camp indicated that a deed restriction is not included in the deed. There will also need new addresses as there are now three properties .with different uses for the land. Commissioner Breton entertained a motion for the President to sign and approve the First Amendment to Declarations of Covenants, Tax Parcel No. 39-4-110.3 for 253 Municipal Drive. Moved by Commissioner Young and seconded by Commissioner Contento. Motion passed 5-0.

FEMA Floodplain Ordinance Discussion

Solicitor Camp stated that we had a long discussion on the FEMA Floodplain Ordinance at our last meeting and there will be changes to the floodplain area maps adopted on page 10, 12, 20 and 22 and definitions were changed in certain parts of the ordinance. These revisions were approved by Leslie Rhoads (FEMA/DCED Representative). A discussion was held in regard to manufactured homes and a new definition was added. A hearing will be held at our first meeting in July to go over the final Floodplain Ordinance so that it can be adopted by September 2017. Commissioner Contento had a discussion in regard to flood plain and flood way so that no buildings would be constructed in the flood plain or flood way. Solicitor will make changes to the definitions needed and will circulate this to the Planning Commission tomorrow and have the final ordinance ready for the July 2017 meeting. Commissioner Breton asked for any discussions or thoughts about the ordinance and the Board will be ready to approve this item at the July meeting.

Conditional Use Extension Request – Caln Township/Hillview

Ms. Alyson M. Zarro, was present and spoke on behalf of the owner, Mr. Joseph Behrle. He is currently the owner of 60 acres and is requesting a one year extension to obtain additional approvals so that the property located at Black Horse Hill Road which abuts the Villages of Hillview can move forward with the proposal for an age restricted development at the property. There will be new land development plans, sewer expansion and storm water management. He would like to proceed forward with these so that current ordinances can be used before building commences and would need additional approvals and he would like a one year extension until July 2, 2018. A new builder would be used for this new age restricted development. Commissioner Breton entertained a motion to grant a one year (until July 2, 2018) Conditional Use Extension for the Hillview Property for Mr. Joseph Behrle. Moved by Commissioner Contento and seconded by Commissioner Chambers. Motion passed 5-0.

WAWA Reeceville Sign

Solicitor Camp also spoke about the three foot high wall and Thorndale sign proposed by the WAWA on Bondsville Road. The location of the wall is in the Township's clear the site triangle. The Commissioners would like to have the wall built but not in a location which obstructs sight. Ms. Camp will have further conversations with developer's counsel. Commissioner Contento stated that a new design of a concave wall could be used.

Township Manager- Ms. Denne

Fulton Bank – Roof Loan

Ms. Denne reviewed the proposal for funding of the new roof and it was decided that the township would pay for the \$120,000.00 construction capital improvements using the budget of \$16,000 a year for eight years. Commissioner Breton entertained a motion to accept this capital improvement of \$120,000.00 to be paid to Fulton Bank, at \$16,000 a year for the next eight years. Moved by Commissioner Chambers and seconded by Commissioner Young. Motion carried 5-0. Ms. Denne stated that the loan interest is very low and it would keep monies in our accounts as we accept this proposal for funding.

Proclamation for Twinning

Ms. Denne stated that a proclamation was created to go with her to Calne, England, when she and Commissioner Breton visit for two weeks. There will be a church service when they arrive in memorial of Mr. Tom DeFroschia. Commissioner Breton entertained a motion for the President of the Board to sign this Proclamation for Calne, England. Moved by Commissioner Young and seconded by Commissioner Contento. Motion passed 5-0. Commissioner Breton will have a travel blog to document their trip to England.

Wedgwood Easement Request

Solicitor Camp stated that the HOA would like an easement at Wedgewood but she would rather have a license agreement here which runs with the land, the islands belong to the township. They will need a license to maintain two digital mounted signs and a license will have to be created. The license agreement is in place with our right of way shown on the agreement. They are talking about two digital signs, the Board thinks one sign would be sufficient but they would have the space on the right of way with no maintenance needed for two signs. There was a consensus from the Board to create a license agreement with property maintenance for ten years (with a 5 year automatic renewal if needed). The signs will be near Route 30 and if it was at all possible it would be great to post community events with the HOA. Requestor pays a fee for these signs with some expense and the township can waive the fees with them helping to advertise township events. Flash regulations and terms would have to be developed, ten years agreement for the license terms and revocation clauses would have to put into the easement request. Commissioner Breton stated that they will approve a license agreement for (10 years with a five automatic renewal clause) for two digital signs and Wedgwood would maintain the property during this period. Commissioner Chambers wanted to make sure the brightness of the signs would be regulated which is under our zoning ordinance.

Griffith Farm Land Lease

Henkel's and McCoy requested to have a land lease on this site with the township for \$6,825.00 a month for six months, but can be extended in three month intervals. Commissioner Breton entertained a motion to accept this lease agreement between Henkel's and McCoy for a six month term and it could be renewable at three month intervals with the money to go into the Capital Fund. Moved by Commissioner Young and seconded by Commissioner Chambers. Motion passed 5-0. Commissioner Contento wanted these funds to go to paying off the new roof. Commissioner Young stated that solid waste funds were used to cover the new roof, so Commissioner Young stated these funds should be deposited into the Capital Fund. Ms. Denne stated that we have \$450,000 needed for road repair and some of these funds could be used as needed for road improvements.

Ms. Denne reminded the Board of Commissioners that there is a pending application to appoint Ms. Dawn Coughlin to the Historical Commission. Commissioner Breton entertained a motion to approve Ms. Dawn Coughlin to the Historical Commission with a term ending 12/31/2019. Moved by Commissioner Kramer and seconded by Commissioner Contento. Motion carried 5-0.

Township Engineer – Mr. Tom Wilkes, Cedarville Engineering

Mr. Wilkes report spoke in regard to paving and roads. We have \$450,000 budgeted for road repairs and the roads with the highest priority will be fixed first. Land development is proceeding at WAWA on Bondsville Road, WAWA Reeceville had a pre-construction plan on June 5th that was held and approved. 301 Bondsville Road has no paperwork to move forward with at this time. There will be issues at this site with multiple driveways with safety and sight lines proposals. This will be Northbound of Bondsville with two twins which face out and empty out onto Meadow with a common driveway with access points onto Bondsville. Royal Farms building is continuing and the Sports

Facility should be completed with five plantings of 10-12 foot trees. With the reduced buffering granted at this site, these plantings were to be done. Capital Projects did cost estimates for certain sections of different roadways and were given to the township staff, will be discussed further at the July meeting of the Board. Wedgewood sidewalks had preliminary plans finished and given to us last Tuesday, and we will have a meeting to share the progress so we can meet the requirements by the end of 2017. Commissioner Contento stated he has had several complaints in regard to Route 322 Southbound at Bondsville turning left onto Route 30, with only two cars getting through at a time. Smart signals will need to be added to go through the light and left in front of the McDonalds.

May 2017 Finance Report

The Finance Report was submitted ahead of time to accommodate the Board. Commissioner Contento asked that Mr. Wilson look at Fund 30 Sewer Capital Fund which has a balance of \$2,075.00 which are residual funds left over from Municipal Authority; it can be eliminated as it was for a Sewer Capital Fund that no longer needs to exist.

Bill List – General Check’s # 39981- # 40044 – Motion to approve

Commissioner Breton entertained a motion to approve the Bill List General Check’s #39981 - #40044, moved by Commissioner Young and seconded by Commissioner Kramer. Motion passed 5-0. Questions were raised in regard to late fees on check #39984 and what we were paying on check # 39990. Ms. Denne stated that the late fees were waived and check #39990 was payment of taxes for cell tower owed and it will be reimbursed to us at a later date.

Approval of Board of Commissioners Minutes of April 27, 2017, May 11, 2017 & May 25, 2017

Commissioner Breton entertained a motion to approve the April 27, 2017 Board of Commissioners Meeting Minutes without any changes. Moved by Commissioner Young and seconded by Commissioner Contento. Motion passed 3-0, with two abstentions. Commissioner Breton entertained a motion to approve the May 11, 2017 Board of Commissioners Meeting Minutes, with a change being noted by Commissioner Contento and added to the final report. Moved by Commissioner Young and seconded by Commissioner Contento. Motion passed 4-0 with one abstention. Change was needed that Commissioner Chambers made a motion and Commissioner Contento seconded to nominate Commissioner Breton as a President. Commissioner Contento stated in the meeting minutes that he is not opposed to a bike lane in our township and wanted to have the zoning board and police department look at the bike lane before it was created. The minutes were changed to reflect this. Commissioner Breton entertained a motion to approve the May 25, 2017 meeting minutes with a small change noted to be added to the final report. Moved by Commissioner Chambers and seconded by Commissioner Young. Motion approved 4-0, with one abstention.

Board and Commissions Updates – summary by applicable Board Liaison

Park and Recreation – First summer series, next Friday at 6:30 PM, Trolls is the movie, and popcorn, DJ’s and games with fun for all.

COG – No Report

Municipal Authority – Updated the status of two sewers, with Dogwood-Scott to roll out.

DARA – No report

Fire Board – Still no meeting scheduled for Interagency Agreement

Planning Commission – The 2017 Comprehensive Plan Update was approved after a long discussion and many hours of hard work by the township, and it is now concluded.

Historical Commission – Ms. Lorraine Tindaro, Vice Chair, is planning to purchase a memorial bench for Mr. Tom DeFroschia, past Historical Commission Chair. She needed to know if the township had any requirements so it can be put in to their satisfaction.

Zoning Hearing Board – No report

Additional Business

A pothole still needs to be fixed by PennDOT on Kings Highway and Reeceville. Ms. Denne stated she called PennDOT twice but it was too deep an angle for the township to fix. Mr. Fragale has called twice and Commissioner Young was going to talk to Representative Harry Lewis to get this fixed.

Commissioner Contento stated that there was a challenging intersection plan created, and Commissioner Young stated we paid a lot of money for the report but it was not effective to use. Commissioner Contento stated that some intersections had safety issues and with minimal effort they can still to be resolved, but with all 22 intersections the matrixes were not designed correctly. Commissioner Young stated that we need a new study for the intersections in the township. He is not happy with the report and would like to get a price for each intersection to be fixed, with Mr. Fragale to look at and prioritize each intersection. In order to have additional time to discuss the challenging intersections we have in the township, a 7:00 PM workshop was suggested prior to the 7:30 PM meeting on July 13, 2017. We may have to reschedule an interview, but if we could do it at 6:45 PM that would be fine.

A meeting will also be held on July 27, 2017 at 6:45 PM to discuss the Inter-Agency agreement between the Fire Department and the Township.

Lawn sign policy or practices for advertising is still being discussed. The township may have to enforce these issues with code enforcement issuing citations. The Board does not want to do this at this time. If the signs are up for over 30 days for a business they need to come down, and how far does the Board want to change the rulings still needs to be discussed.

The Board wanted to welcome Commissioner Kramer to the Board. We are happy he is our fifth Commissioner and will be a great help to the township in the days ahead. He stated that the Board meetings are as exciting as he could remember.

Public Comments

Commissioner Kramer was congratulated for being the newest Board member.

Adjournment

Commissioner Breton entertained a motion to adjourn this meeting at 9:15 PM. Moved by Commissioner Young and seconded by Commissioner Chambers. Motion carried 5-0.

Respectfully Submitted by,
Margaret Driller, Recording Secretary