

**CALN TOWNSHIP
BOARD OF COMMISSIONERS
BUSINESS MEETING
DECEMBER 19, 2013**

The Caln Township Board of Commissioners held its business meeting on December 19, 2013, at 253 Municipal Drive, Thorndale, PA 19372. President Vince Rose called the meeting to order at 7:35 p.m.

Other Board members present:
Commissioner James Kruse
Commissioner Lorraine Tindaro
Commissioner Joshua Young
Vice President Charles Kramer

Others present:
Township Manager Greg Prowant
Assistant Township Manager Tony Scheivert
Township Solicitor Kristin Camp
Township Engineer Jeffrey W. McClintock, PE, CFM
Finance Director Karen Wertz, CPA

All present saluted the flag.

President Rose announced that an executive session was held to discuss legal and personnel matters prior to tonight's meeting.

Special Presentation by Police Chief Joseph Elias

Chief Elias said that he was honored to be here speaking to everyone this evening. He noted some highlights on his journey to becoming the Police Chief in Caln Township and thanked the Board for their part in getting him there.

Tonight is not about Chief Elias however, it is about the officers of the Caln Township Police Force. Chief Elias asked Sgt. Parkinson to join him at the front. Sgt. Parkinson's family also joined him.

Sgt. Cusick nominated Sgt. Parkinson, for the honor that is being bestowed this evening on Sgt. Parkinson. Chief Elias quoted Sgt. Cusick in her recommendation letter for Sgt. Parkinson. "Sgt. Parkinson actions demonstrate that he is always on duty in Caln Township and the safety of our residents and visitors outweigh his own personal desires." Sgt. Parkinson was off duty and noted a gentlemen on the Strauss Bridge who appeared to be ready to jump. Sgt. Parkinson stopped and called for assistance, Sgt. Cusick responded and Sgt. Patterson talked the man to safety. Sgt. Parkinson saved this man's life as a train came by within minutes of him being removed from the bridge.

Sgt. Parkinson was presented the Chief's Letter of Commendation, dated December 19, 2013 the Chief read the inscription which details Sgt. Parkinson's actions on October 30, 2013. Sgt. Parkinson wanted to thank Sgt. Cusick for his nomination and also wanted to note the opportunity to serve Caln Township is a privilege.

Officer of the Year

Chief noted that the award of the Officer of the Year is the first time it is being awarded. One officer stood out even as Chief Elias began to get to know the department. That officer was Nate Miller.

Sgt. Sambuco nominated Officer Nate Miller. Chief Elias quoted Sgt. Sambuco, "his passion for serving the residents and community of Caln Township. Officer Miller treats each person he encounters with respect and patience. Officer Miller motivates and drives his fellow officers. Officer Miller makes Caln a better place to live, work and visit." There was a committee that sat down and reviewed the nominations, Officer Miller was selected as the first Officer of the Year. Officer Miller was very humbled when told of his honor. He credited his fellow officers with making him a better officer. Officer Miller said a few words of thanks, particularly to Sgt. Sambuco, he was embarrassed by the depth of Sgt. Sambuco's praise. Officer Miller then thanked the committee and everyone involved.

Vice President Charles Kramer was then recognized by the Police Department for his service as the liaison from the Board of Commissioners. Chief Elias presented a plaque to Charles Kramer in gratitude for his service to the Community and the Caln Township Police Officers.

Vice President Kramer thanked the Department and then offered his own token of thanks to the Police Department. He then presented each of the Police Department members a coin of recognition that he gives to his Airmen in the Air Force. These coins were presented in a handshake to each officer and member of the Police Department including the administration staff.

The Board of Commissioners then each individually thanked the Police Department as well.

Bondsville Road Apartments Conditional Use Discussion

President Rose asked Kristin Camp to take over.

Ms. Camp began to detail the Bondsville Road Hearing and process. Bondsville Realty Ventures filed a Conditional Use Plan to construct a senior independent facility on a parcel of land that they own on the east side of Bondsville Road.

Ms. Camp stated that the Board conducted several hearings on this application the final hearing was on November 18, 2013. Ms. Camp then reviewed the transcript, consulted with members of the Board of Commissioners helped them review the application. Ms. Camp then drafted a decision, which is available on the website and to applicant's counsel. The draft decision would

be to approve the Conditional Use a Senior Independent Living Facility subject to criteria set forth in the ordinance as well as the following conditions. The decision and order will allow the use on the property specifically the plan exhibit 816 recognizes that plan needs further governmental approval. The applicant will need several different permits and approvals. . After this decision is rendered,the applicant will need special exception relief from the zoning hearing board because of the proposed encroachment to the flood plain and the riparian buffer. The people that received notice of the Conditional Use will also receive notice of the Zoning Board hearing and have the opportunity to be a part of that hearing as well. The applicant will need final Land Development Approval. All outstanding comments of the Township Engineer's latest review letter dated October 22, 2013. The applicant will also have to satisfy all the comments in the Zoning Officer's letter dated October 22, 2013. They must comply with Storm water consultant's latest letter October 21, 2013 and the latest consultant Advantage Engineer who looked at the Environmental Impact, the Sewer Consultant's concerns must be addressed as stated in their letter dated October 22, 2013. The applicant must obtain all applicable governmental permits that are required which will include but is not limited to any permits required by Army Corps of Engineers, PA DEP, the Chester County Conservation District, and PENN DOT for the highway occupancy permit to come out on Bondsville Road. The applicant must obtain special exception approval from the Caln Township Zoning Hearing Board for any encroachments to the flood hazard district and the riparian wetland buffer zone. If the Zoning Hearing board requires any modifications to the plan, the applicant must come back to the Board of Commissioners to have those modifications approved. The applicant must also have public water and public sewer. The applicant must submit a lighting plan that complies with the Ordinance. The applicant must construct a fence on the southern side of the access driveway as requested by the neighbors and the installation of the fence must be compliant with the Ordinance and not elevate the flood plain. If the location of the fence falls in the flood hazard district, the applicant must obtain a special exceptionThe applicant shall install sidewalks to the entrance of its facility on Bondsville Road.Itrequires energy efficient lighting fixtures. The parcel referred to as the Edge Property that would be offered in dedication to the Township. The Township is not interested in ownership of that parcel so the applicant would have to pay a fee in lieu of open space. The amount of that fee will be determined in land development approval. The plan proposed drainage to cross-Township property and will grant an easement, in exchange the Township wants a blanket easement to access the Township property that is behind the proposed facility. The applicant must execute a development agreement and a security agreement. This particular decision if accepted by the applicant and not appealed, this decision will run with this land with this use. The Conditional Use will not transfer of ownership transfers.

Ms. Camp then answered some questions relating to the compliance of the criteria set forth through the conditions. Ms. Camp believes that the Applicant, through the testimony of the himself and his professional consultants,has complied with the criteria as set forth in the Zoning Ordinance for a conditional use. Ms. Camp then explained the process if the Board decides to deny this Conditional Use request. Mr. McClintock then spoke about the storm water discharge as designated in the current plan. Ms. Camp spoke about the remedies and mechanisms that will be in place to force the applicant to maintain the storm water systems.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve the Conditional Use Decision and Order for the Bondsville Road Apartments.

The motion was so moved by Charles Kramer and seconded by Joshua Young. Polled as follows:

James Kruse – aye
Charles Kramer-aye
Vince Rose – aye
Joshua Young – aye
Lorrain Tindaro – nay

Commissioner Young offered a statement as to his hesitance to approve this Conditional Use more than his hesitance to see the project move forward. Commissioner Young is not sure that the applicant has the ability currently to get all of the requirements through the Zoning Hearing Board.

Commissioner Kruse’s main concern is the storm water and the safety for pedestrians from that facility.

Mr. Louis DiScuillio asked some questions and Ms. Camp addressed the concerns of a resident in reference to the potential of the project losing funding. Ms. Camp also collected information to email any interested parties. Mr. McClintock and Commissioner Young also answered some questions as well.

Township Engineer, Jeffrey W. McClintock, PE, CFM

Ordinances and Resolutions for consideration – Motion to Approve

Act 167 Storm Water Management Ms. Camp explained the imposition of this storm water plan.

Ordinance 2013-08: Chapter 135: Storm water Management
This Ordinance will replace the current stormwater Ordinance, Chapter 135, of the Township Code. This Ordinance was advertised on December 11, 2013 and it was sent to the Daily Local and the Chester County Law Library.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Ordinance 2013-08: Chapter 135: Stormwater Management as discussed by Kristin Camp.

The Motion was so moved by Joshua Young and seconded by Vince Rose. Polled as follows:

James Kruse – nay
Charles Kramer – nay
Vince Rose – aye
Joshua Young – aye
Lorraine Tindaro – aye

The Commissioners each contributed their opinions on this matter. John Contento asked if a future board would be able to challenge these Ordinances. Ms. Camp confirmed yes it could.

Ordinance 2013-09: Chapter 136: Grading, Erosion and Sediment Control

The old storm water management ordinance, in the new ordinance there are no provision regulated by the storm water ordinance. This separate chapter refers to earth moving or changing of the grading of the land. The Township then has an ability to enforce the Ordinance in Caln Township.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Ordinance 2013-09: Chapter 136: Grading, Erosion and Sediment Control as described by Ms. Camp.

The motion was so moved by Joshua Young and seconded by Vince Rose. Polled as follows:

James Kruse – nay
Charles Kramer – nay
Vince Rose – aye
Joshua Young – aye
Lorraine Tindaro – aye

Ordinance 2013-10: Chapter 137: SALDO Amendment

This Ordinance was advertised for the meeting on December 5, 2013. It was advertised on November 20, 2013 and November 28, 2013. The draft was sent to the Law Library and the Daily Local News. The Chester County Planning Commission reviewed and issued a letter on December 4, 2013 and the Caln Township Planning Commission reviewed and recommended on November 19, 2013 that the Board adopt this Ordinance. The state law governs these Ordinances. There was some revision made because one section was duplicated.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Ordinance 2013-10: Chapter 137: SALDO Amendment as described by Ms. Camp.

The motion was so moved by Joshua Young and seconded by Vince Rose. Polled as follows:

James Kruse – nay
Charles Kramer – nay
Vince Rose – aye
Joshua Young – aye
Lorraine Tindaro - aye

There was some discussion with the Commissioners about the Utility easements. Mr. McClintock explained the change.

Ordinance 2013-11: Chapter 155: Zoning Amendment

This Ordinance was advertised originally for December 5, 2013 on November 20, 2013 and November 28, 2013. This Ordinance was sent to the Chester County Planning Commission and the Caln Township Planning Commission who recommended this be passed.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Ordinance 2013-11: Chapter 155: Zoning Amendment as described by Ms. Camp.

The motion was so moved by Joshua Young and seconded by Vince Rose. Polled, all aye.

Ordinance 2013-13 Trash Ordinance

Ms. Camp described.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Ordinance 2013-13: Trash Ordinance as described by Ms. Camp

The motion was so moved by Joshua Young and seconded by James Kruse. Polled as follows:

James Kruse – aye

Charles Kramer – aye

Vince Rose – aye

Joshua Young – aye

Lorraine Tindaro – nay

Mr. Hoffman and Mr. Contento had some discussion points. Commissioner Young answered each of the statements.

Resolution 2013-08: Professional Fees

Mr. Prowant explained that the fees available for the Township's professional consultants. These fees are used for paying them as well as for billing in the Township's behalf.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Resolution 2013-08: Professional Fees as described by Mr. Prowant.

Mr. McClintock answered questions from the Commissioners in reference to changes that are included in this resolution.

The motion was so moved by Charles Kramer and seconded by Joshua Young. Polled, all aye.

Resolution 2013-09: Fee Schedules

Mr. Prowant explained this fee schedule lists the fees for various ordinances and codes. There are no changes to the fee schedule.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Resolution 2013-09: Fee schedule as described by Mr. Prowant.

The motion was so moved by James Kruse and seconded Joshua Young. Polled, all aye.

Resolution to borrow funds from the General Fund – Fund Balance

Mr. Prowant described that this would provide for buying trash carts for the entire Township.

Mr. Prowant noted that the actual borrowing up to \$100,000 to purchase trash carts.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve a Resolution to borrow funds from the General Fund – Fund Balance.

The motion was so moved by Joshua Young and seconded James Kruse.

Vice President Kramer is strongly against buying the trash carts; he feels the new Ordinance that requires watertight containers negates the purchase of the trash carts. The other point is there was a ROI with the recycling carts because people are recycling and reducing the amount of trash. Vice President Kramer does not feel that waiting on a grant that the Township might get is a waste of the resident's tax dollars. Commissioner Young defended the purchase of the trash carts. Commissioner Young also noted that previously there were three yes votes for the purchase of the trash carts. President Rose supports Vice President Kramer objection. Mr. Reymos had some comments as well.

Polled as follows:

James Kruse – aye

Charles Kramer – nay

Vince Rose – nay

Joshua Young – aye

Lorraine Tindaro – nay

The Resolution fails by a vote of 2 affirmative to 3 negative.

2014 Budget

Ordinance 2013-12:2014 Budget

Mr. Prowant reviewed the accounts are all balanced and the 2014 is presented as discussed previously in another meeting. President Rose asked how the Resolution that was voted down affects this budget. Mr. Prowant said the funds would remain in Solid Waste fund until disbursed.

Commissioner Young congratulated the staff and the Board on maintaining a balanced and responsible budget without raising taxes.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Ordinance 2013-12:2014 Budget as presented.

The motion was so moved by Joshua Young and seconded by Charles Kramer. Polled, all aye.

Mrs. Noel Bernard asked for a few minutes to speak as a citizen to be heard. Mrs. Bernard broke down the numbers of the budget into simple small numbers. Mrs. Bernard pointed out that the two large items in the budget are the Police and Trash. Mrs. Bernard broke down the cost of the Police protection per day and per person in the census. There was lengthy discussion about pension expenses. The large portion of the budget that is devoted to pensions. Mrs. Bernard reminded the Board that the Caln Township Police Department is paying disability to an officer who formerly worked for Caln Township and was injured covering another municipality. Mr. Reymos also supported Mrs. Bernard's discussion.

Mr. Reymos asked how much was put into the initial budget for trash collection 2014, Commissioner Young answered \$1,145,814.00, and the savings for this year was approximately \$130,000.00.

Financial Director, Karen Wertz

Finance Report

Karen Wertz highlighted the finance report for the Board and the residents in attendance. There was discussion on revenue and expenditures and the percentage based on 2013 Budget information.

President Rose Entertained a motion for the Caln Township Board of Commissioners to approve Bill List Check #33208-#33279 and Check #1011

The motion was so moved by Joshua Young and seconded by Charles Kramer. Polled, all aye.

Township Engineer, Jeffrey W. McClintock, PE, CFM

Land Development

Report Chart Review – N/A

Engineering Items

Columbia Gas Expansion: Motion to Approve Easements

Rough draft for an easement with Perchion Group. They would like to present a Letter of Intent for a one-time fee of \$159,000. To acquire an easement near Lloyd Park. This is just a request for a letter of intent.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve entering a Letter of Intent with Columbia Gas.

The motion was so moved by Joshua Young and seconded by Charles Kramer. Polled, all aye.

Sabic Request: Discussion Item

Mr. Dave Cruz from Sabic is having issues with truck traffic from S. Bailey Road into their facility. Mr. McClintock has had some discussions with Mr. Cruz and Chief Elias about possibly using some spare equipment we have left over from the closed loop project in order to address the traffic issues. Mr. Cruz would like to use some of this spare traffic control equipment to help address the traffic issues they are currently experiencing.

President Rose asked the Board for a consensus vote to allow Sabic to utilize the spare traffic equipment to be installed at Sabic's expense. Consensus granted.

Fisherville Road Construction Stakeout – Motion

This is a right of way request and easement request. The homeowner would like the property that is going to be worked on be staked out. Mr. McClintock asked for approval of a fee not to exceed \$777 to be paid to Howell/Kline Survey to stake out the construction limits of the project.

President Rose entertained a motion that the Caln Township Board of Commissioners approves the expenditure as detailed.

The motion was so moved by Joshua Young and seconded by James Kruse. Polled, all aye.

Fisherville Road Emergency Repair Project

Due to preliminary cost estimates coming in substantially higher than anticipated, Mr. McClintock indicated that he and Mr. Scheivert will be working with PADEP on an alternative that is hopefully going to be less costly than what is currently permitted under the stated issued Emergency Permit.

Departmental Updates

Assistant Township Manager, Tony Schievert

Community Services

The crews have been working on plowing with all of the recent snow storms and doing a great job. The department has had to replace 4 mailboxes due to slippage of plow.

Township Manager, Greg Prowant

2014 Meeting Schedules – Motion to approve

Mr. Prowant asked for approval to advertise the meetings for all of the Commissions and Boards for the year.

President Rose entertained a motion that the Caln Township Board of Commissioners approved the 2014 Meeting Schedule for advertisement and posting.

The motion was so moved by James Kruse and seconded Lorraine Tindaro. Polled, all aye.

Approval of Minutes

October 10, 2013 Meeting Minutes – President Rose Abstaining

President Rose entertained a motion that the Caln Township Board of Commissioners approve the minutes from the October 10, 2013 Board of Commissioners Work Session Meeting.

The motion was so moved by Joshua Young and seconded by James Kruse. Polled, four aye with President Rose abstaining.

November 21, 2013 Meeting Minutes – Vice President Kramer Abstaining

President Rose entertained a motion that the Caln Township Board of Commissioners approve the minutes from the November 21, 2013 Board of Commissioners Work Session/Business Meeting.

The motion was so moved by Joshua Young and seconded by Lorraine Tindaro. Polled, all four aye with Vice President Kramer abstaining.

Boards/Commissions Update

Parks/Recreation – Christmas Home Judging

1. 1101 Bondsville
2. 2944 and 2984 Honeymead
3. Corey Lane

Tree lighting was held and successful.

The movie was cancelled due to the cold.

Green Task Force

No quorum, but had Holiday party.

COG

N/A

Historical Commission

December 3rd Caln Meeting House Christmas luncheon.

Additional Business:

Charles Kramer thanked everyone for what they do and thanked the residents of the Township and the Police Department, fellow Board Members as well. Grateful to have served.

Commissioner Young thanked everyone and noted that he was young when he first came to the Board and really found the experience humbling and wonderful.

Commissioner Kruse wanted to thank Karen Wertz and her department for the work that she does. He also thanked Bambi Warren for her hard work. Commissioner Kruse noted that although everyone is not always recognized they are appreciated. Commissioner Kruse also wanted to wish everyone a Merry Christmas and he thanked Vice President Kramer and President Rose for the amazing job that they did. Commissioner Tindaro wished everyone a Merry Christmas and thanked everyone. President Rose thanked everyone for the opportunity to serve the Township and he has learned so much and expects the unexpected!!! President Rose also thanked the staff for the hard work that they do on a daily basis, it is a tough job to keep the Township running.

Public Comments:

Mr. Reymos asked for 5 minutes, Mr. Reymos has mixed feelings about saying goodbye to the departing Commissioners. He has bittersweet feelings about this.

Mr. Reymos also asked about a check that he missed asking about earlier.

Mr. Robinson also wanted to thank everyone on the Board and the staff for making it so easy to work with them.

Mrs. Bernard is looking for 2014 and new accomplishments.

Adjournment

President Rose entertained a motion for the Caln Township Board of Commissioners to adjourn the meeting.

The motion was so moved by Charles Kramer and seconded by Vince Rose. Polled, all aye.

The meeting adjourned at 10:40 p.m.