

CALN TOWNSHIP  
BOARD OF COMMISSIONERS  
WORK SESSION  
JANUARY 10, 2013

The Caln Township Board of Commissioners held its Work Session meeting on Thursday, January 10, 2013 at 253 Municipal Drive, Thorndale, PA 19372. President Rose brought the meeting to order at 7:35 p.m.

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

Others present  
Township Manager Greg Prowant  
Assistant Township Manager Tony Scheivert  
Township Solicitor Kristin Camp  
Township Engineer Jeffrey W. McClintock, PE, CFM

**All present saluted the Flag.**

President Rose announced that prior to tonight's meeting there was an Executive Session to discuss legal and personnel matters.

President Rose extended a Happy New Year to everyone before proceeding.

**Citizens to be heard**

N/A

**Ordinances and Resolutions for Consideration**

**Ordinance 2013-01: Tax Collector**

Mr. Prowant and Ms. Camp gave some background. There was a change in the State law for First Class Townships. The Ordinance would establish that the Township would now have an elected Tax Collector and appointed Treasurer. The purpose of this Ordinance is to create the position of tax collector and establish annual compensation it is necessary to establish compensation before petitions are filed for someone wanting to run for the position of Tax Collector. Those petitions are due February 19 of 2013. The Ordinance must be passed before then. The position would not be filled until January 7, 2014.

President Rose entertained a motion for Caln Township Board of Commissioners to approve Ordinance 2013-01 an Ordinance of the Township of Caln, Chester County, Pennsylvania, amending Chapter 44 of the Caln Code titled, "Salaries and Compensation," to establish the position of Township Tax Collector and Chapter 48 titled "Tax Collector" to establish the salary for the Township Tax Collector.

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

### **Ordinance 2013-02: Regional Board of Appeals**

This Ordinance will undo Ordinance 2012-02 which was enacted on August 9, 2012. Ms. Camp explained the new Ordinance will repeal 2012-02.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Ordinance 2013-02. An Ordinance of the Township of Caln, Chester County, Pennsylvania, repealing Ordinance 2012-02.

The motion was so moved by Joshua Young and seconded by Lorraine Tindaro. Polled, all aye.

Code Enforcement Officer, Andy Reczek

### **Valley Township Request for Code Enforcement Assistance**

Valley Township approached the Codes Department of Caln Township in regards to helping out with administration of the building code and code enforcement in Valley. Valley Township currently only has one code official. They have been using another township, but since the Code Official for Valley is now a supervisor in West Brandywine, they felt there was a conflict of interest.

Mr. Prowant and Mr. Reczek met with two officials from Valley Township in reference to Caln Township Code Enforcement helping out in Valley over sick days, vacation and training days. Mr. Reczek obtained a copy of the West Brandywine agreement and forwarded that to Ms. Camp to be updated and simplified. Mr. Reczek and Ms. Camp made some changes and have a draft proposed rate schedule and agreement presented for the Board's review. Mr. Reczek asked if the Board is interested.

Commissioner Kruse asked Mr. Reczek to have Mrs. Wertz, Caln Township Accountant, review and ensure that Caln is covered for salary and benefit reimbursement. Mr. Reczek asked if the Board is interested. President Rose told Mr. Reczek the Board is definitely interested, and he should submit the proposed fee schedule to Valley officials for review. The Board would like to see a final presentation on the agreement for action at the next meeting.

Township Engineer, Jeffrey W. McClintock, PE, CFM

**Kings Grant: Pump station off-site sewer dedication**

Mr. McClintock reports that Mrs. Camp put together a letter to the bank, and an estimate has been put together to cover what will be required to complete the project. There will be a release of funds associated with the revised financial security agreement. The Township has reviewed what needs to be done, and it is the Township's hope to get the work done as long as the bank is going to participate. Mr. McClintock hopes to have work done by June 2013. Dewey has signed the release for the Pump Station; however, we need to get signoff from the bank prior to acting on the dedication. Ms. Camp is hoping to get that for the next meeting.

**Coatesville Solar Initiative School District Access Easement Language**

Mr. McClintock noted that staff has met with the CSI members. Mr. Jaros is here representing CSI. The Township and CSI has come to terms on the Storm water Facility Management and Maintenance Agreement. The Conditional Use Order has very detailed inspection maintenance routines. The maintenance agreement will be recorded with the plan. These maintenance requirements will transfer with the chain of title for this property. The owner of the properties obligations are detailed in the agreement, with penalties noted. The operation and maintenance of the Filtrex socks are the major component of this agreement. The final document is the Decommissioning and Restoration document. Ms. Camp has the document for review. The final item for discussion is the Fee in Lieu of that normally applies to residential developments. CSI is targeting January 31<sup>st</sup> for conditional preliminary final land development approval.

Commissioner Young asked to speak about the Fee in Lieu Of open space. Ms Camp indicated she would review the ordinance language in light of the fact that this application is not a typical subdivision nor commercial building/business proposal. The Commissioners are concerned about setting a precedent for other developers if the Fee In Lieu Of is simply waived without justification. Ms. Camp is not prepared to make the official recommendation for that at this time.

Commissioner Kruse and Commissioner Young both feel a nominal fee be considered in order to avoid setting a precedent. Ms. Camp will review and get back to the Board.

Commissioner Kruse asked about the Easement agreement there is wording that reads, "the easement would extend solely for the life of the solar production facility on terms and conditions to be memorialized in a written easement agreement and sealed by said authorities."

Commissioner Kruse wants to know what the access will be when the solar farm goes away.

Mr. Jarros reported that once the solar farm ceases to exist and is decommissioned there will be undeveloped property there or another type of development which would then be presented to the sitting Board for approval. Commissioner Kruse asked if the Foundry Street property would be the new access point. Mr. Jarros said at this point, the approved access with the school district is the planned access. There is also access through Dogwood Lane. There were considerable discussion on access and easements. Commissioner Kruse wants recorded access to the property

after the decommissioning of the solar farm and Mr. Jarros again stated that there is no land lock because there is now another access point if necessary. Ms. Camp reported that the current approved plan for this use requires the access be through the School District and that any future accesses would be decided by a future board. Ms. Camp explained that there is no way to predict what access needs to be after the decommissioning of the solar production facility.

Mr. Reymos asked if it is true that the paper street disappeared after 25 years since development and the paper street goes away.

Ms. Camp explained that if there is more than 21 years since the offer of dedication since it showed up as a paper street on the plan, the Township no longer has the right to make it a public street, unless offered again for dedication, but the people that own adjacent properties or anyone that has property contiguous or abutting that paper street still maintains private rights of easement to use that paper street as a means of access. The public interest is lost but the private access remains.

### **Report Chart/Deadline Chart Review**

N/A

### **Osborne Road Bridge**

Currently have ordered the steel and waiting for finalized direction from the engineers. If the weather works out okay and the certifications are available, the bridge could possibly be reopened in February or March. The price of the steel came in about \$9,000.

### **ARLE Grant**

Mr. McClintock met with PennDot late last month and met with Downingtown in an effort to refine the scope of the project to stay within the \$181,000 budget as proposed. They are trying to eliminate the outside Engineering costs. There will be five cameras and two signals on Rt. 322 that the Township owns and some battery back-up a system integration component. There is \$20,000 number for the Township. Downingtown and the Township would like to get this project done this quarter.

### **Capital Projects Committee Update**

McMahon gave the committee a draft report showing the top two intersections as Lincoln Hwy and Bondsville and Olive St/N. Caln/Lincoln Hwy. The numbers are being refined and will be represented once the committee meets again.

Mr. Reymos asked if there is any possibility that the timing on the Red Light on Olive Street off of S. Caln Road be altered. Mr. McClintock asked what time of time. From 3 p.m. to 6 p.m. or 4 p.m. to 7 p.m. that light is locked in coordination with the other lights in the area in order to keep traffic moving east and west on Lincoln Highway during rush hour. Mr. McClintock indicated he will review the timing and report back.

Assistant Township Manager, Tony Schievert

### **Community Services Update**

Mr. Scheivert has a proposal from Kevin Fitzgerald to put a rubberized coating on the Mncipal Building roof; it is actually laying a new layer. Mr. Scheivert hopes to have something for approval January 31<sup>st</sup>. The main building will be done at this time with a partial replacement of the HVAC system as well. The police building will not be re-roofed at this time.

Mr. Scheivert would like the HVAC replaced prior to the repair to the roof. The roof unit will be replaced and attached to the existing duct work.

Two HVAC proposals for review:

Summers and Zims - \$11,100

Brandywine Valley - \$12,000+

President Rose reiterated that over the last two years, the Board has made the decision not to move the Township operations out of the existing buildings so with that in mind there should be no band-aid approach to building maintenance. There is no borrowing of money to repair the building the Board is using capital budget funds.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve the expenditure of \$11,100 to replace the HVAC unit, the work to be done by Summers and Zims.

The motion was so moved by Charles Kramer and seconded by James Kruse. Polled, all aye.

Summers and Zims verified that there is a warranty through Summers and Zims as well as Carrier has a warranty on the equipment.

Mr. Scheivert included in the packet for the Board to review a proposal to purchase a Street Sweeper. In the past the Township has paid approximately \$7,000 per year to have the streets swept one time and with the upcoming standards in the MS4 program, the streets will need to be

swept multiple times in one year. Mr. Scheivert reviewed information on a Municibid website which will be hosting the bid on January 16 for a street sweeper that is in mint condition. Mr. Prowant and Mr. Scheivert met today with West Brandywine and there are several municipalities going in to purchase the power sweeping. The unit up for bid has only 24,000 miles on it and low hours on the motor. The municipalities interested in splitting are East Brandywine, West Brandywine, possibly Valley Township and Caln Township. Mr. Scheivert asked if the Board is interested in a shared sweeper purchase. Each township would send an employee to be trained to operate and maintenance would be evenly split between the municipalities. The machine would be stored at West Brandywine. A split would have to be agreed upon and the limit on the bid would need to be set as well. There was continued discussion. What was paid out in the past for street sweeping what the potential expense would be if the MS4 is enacted and enforced.

Ron Rambo from West Brandywine did extensive research on this piece of equipment. The machine is currently owned in Montgomery Township. They have maintained it impeccably but it is on a 15 year plan and therefore being sold.

Theising does a great job with the current sweeping, however, if the MS4 regulations hit we will need to have a better handle on the street cleaning.

The Commissioners feel that the maintenance agreement and use schedule would be important. Commissioner Kruse mentioned that we should consider partners for the purchase of the Tar Pot as well.

The Commissioners asked Mr. Scheivert to try to work out a deal with the other municipalities regarding the tar pot. Mr. Scheivert noted he would confirm street sweeping costs for this year for comparison purposes. There was a consensus to support a bid for up to \$10,000 cost for Caln Township.

Township Manager, Greg Prowant

### **Appointments to Boards and Commissions**

Every year there are appointments on Boards and Commissions that have to be re-appointed:

Planning Commission – Jill Hammond  
Jim Benko

Civil Service – James P. Sacco – alternate

Parks/Recreation – Victoria Cloud

Municipal Authority -- Matthew H. Plagens

Zoning Hearing Board -- Thomas Riley -- member  
James Mayrides -- alternate

Historical Commission -- Dorothy L. Johnson

President Rose listed the candidates for consideration and entertained a motion to re-appoint the candidates.

The motion was so moved by Lorraine Tindaro and seconded by Charles Kramer. Polled, all aye.

### **Proposed Bond Issue Update**

Mr. Prowant reported that the rates are still good and our new Township rating of AA Stable puts the Township in a great position to borrow.

### **Regional Online Land Development Map**

Mr. Prowant discussed the convenience and economic benefit of putting together a map describing available sites for development. The manager discussed the proposed *regional available land for development map* for the Western Chester County area as a tool to encourage new development or redevelopment on appropriate sites in our area. The COG communities are being asked to submit more sites for inclusion on the map. This can be posted online and available through links to Chester County. There is no real cost for the communities. It will be set up on the GIS server and locally accessible with ease and no expense. This digital version should be available in a few months.

### **Bill List**

President Rose entertained a motion for the Caln Township Board of Commissioners to pay bill list to include check numbers 31389-31438 with an additional check provided this evening #31439 to the constable.

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

### **Additional Business**

Commissioner Young noted that the 23<sup>rd</sup> is the next COG meeting. The COG now has a Facebook page. The Township still needs to pay the \$250 invoice. The remaining meetings will be held here at 253 Municipal Drive, Thorndale, PA 19372 this is the permanent address for the COG.

Mr. Reymos asked why there was no re-organization meeting this year. President Rose informed him that the first class code only requires re-organization every two years.

### **Public Comments**

N/A

President Rose entertained a motion to adjourn the meeting.

The motion was so moved by James Kruse and seconded by Charles Kramer. Polled, all aye.

The meeting was adjourned at 8:38 p.m.