

**CALN TOWNSHIP
BOARD OF COMMISSIONERS
WORKSESSION MEETING
May 8, 2014**

The Caln Township Board of Commissioners held their Worksession meeting, Thursday, May 8, 2014 at 253 Municipal Drive, Thorndale, PA 19372. President John Contento called the meeting to order at 7:30p.m.

Other Board Members Present:
Vice President, Cynthia Eshleman
Commissioner Jim Kruse
Commissioner Lorraine Tindaro
Commissioner Josh Young

Others Present:
Township Manager Greg Prowant
Township Engineer Jeffrey W. McClintock, PE, CFM
Solicitor Kristin Camp
Codes Director Andy Reczek

All present saluted the flag

President Contento noted an executive session was held before the meeting to discuss legal and personal matters.

Citizens to be Heard

Mr. Robinson from Carver Court presented the Board with a letter discussing a problem of water runoff between 45 Foundry and 51 Foundry Street relating to major concerns with sink holes and foundation damage that occurred. He sent Mr. McClintock pictures of the reoccurring problem. He asked if the Board can help them with any assistance with the problem that has been ongoing. Mr. McClintock thinks it is a lot of spring related drainage activity because he has seen a lot going on this year. He noted there is some sort of private pipe that runs from the property to the street that could be clogged. Vice President Eshleman asked whose property it is since it is private property. He replied that it was several people's property. Commissioner Kruse noted a mechanical pig could be used to help unclog the pipe. Mr. McClintock noted there are several areas with spring activity that has been spotted in Barley Sheaf, Baker Lane, and another location. President Contento stated he isn't sure what the Board could do because it is private property. Mr. McClintock noted whomever the owner is could put a storm pipe in to help. President Contento said there is a constant struggle with wanting to help private property residents and they will take it inconsideration.

Ordinances and Resolutions

Resolution 2014-07- Grant Application to DVRPC for Transportation Plan

Mr. Prowant discussed Caln Township is requesting planning grant dollars from the Delaware Valley Regional Planning Commission for the Route 30 Transportation study. This is a multi-municipal

transportation planning effort in regard to Route 30. Caln Township is working with five other municipalities. The study area will run along Route 30 bypass from 322 to route 10. There are two major grant programs, TCDI and the Chester County Planning Commission that will support this effort. TCDI is an eighty thousand dollar grant request. President Contento asked what will be our share financially. Mr. Prowant responded the cost will be a thousand dollars from each municipality or less. The grant will provide for a transportation study that will delineate the six intersections at the bypass and the municipalities that will coordinate land use planning at the municipality level. President Contento asked what was the anticipated capital project funding. Mr. Prowant responded that Penndot Act 89 program with the new state funding coming through.

Mr. Kramer asked if this was just the interchanges. Mr. Prowant noted the plans will also discuss multi-model approaches and they are going to talk about connecting the existing County trail, future trails as well as the airport and the railroad.

President Contento entertained a motion to adopt Resolution 2014-07 grant application for DVRPC for transportation Planning Grant.

The motion was moved by Jim Kruse seconded by Lorraine Tindaro. Polled all aye.

Code Enforcement

Department Update

Mr. Reczek discussed where we stood with condemned properties. He noted he discussed it with Ms. Camp and there are three properties that are preferable to demo. The first would be 15 Fox; it has been condemned since 2006. Mr. Reczek noted the roof is not safe; there have been many occasions we had to go back and board it up. The mortgage company has been leaving it unsecured and they weren't really communicating with us. Also issues with home owner coming back in being in the picture. Ms. Camp responded an appraisal done and there was talk about if the township were to demolish it we would file a lean against the property, and it would ever have sold or tax sale we could get reimbursed. Mr. Reczek noted it is a buyable property but how it sits today it's not very buyable. The other property is 618 W. Bondsville Rd. The property is in very bad condition. We had to work with department of aging to remove the individual that had been living there. Right now both properties on either side of this parcel is being sold and the owners want us to see if we can do something with this property, because it is affecting the value of the neighborhood. The property is a small bungalow and this parcel we could pursue demolition on. Last 2305 Kings Highway was condemned because of a fire. There is a bank that is involved with this property. The bank has been in touch with Steve Miller but the notice of demolition has expired February of this year. Ms. Camp is going to reach out to the mortgagor and see what their position is. She suggested to Mr. Reczek that she will put a one page summary together for each property identifying the owner, do we know where they are, is there a mortgage, is the property subject to tax sale, a course of action, and cost to demo. President Contento asked if there is any way to find out the outstanding mortgage is. Ms. Camp noted we would be able to do that through public records.

President Contento responded that Board should authorize Ms. Camp to put together the list for the Board. Mr. Young noted if he got to look at the commercial properties like the KFC and the Caboose.

Mr. Reczek noted the KFC was ordered to be closed and there is obvious structure danger. There are no mechanical systems in that building that can cause a fire. As a result we posted it with an order of demolition with a one year time period. Mr. Young asked do we have to give them one year. Ms. Camp noted if it is creating a safety hazard or attractive eyesore then we can but this is not the case. She noted in 2012 there is a new state law passed if someone is requesting a permit and has outstanding delinquent bills we can deny the permit, and impose sanctions against the property owner. So if the KFC owner gets back in our jurisdiction we can start fining him.

Mr. Kramer asked if our crews can do the demo on like the Bungalow. Mr. Reczek said our crew could do the Bungalow but for the rest it would be a safety hazard. Mr. Kruse noted it would be hard to justify our cost so if we were to contract it out we could track our cost. He asked about the Caboose. Mr. Reczek noted he could address it and post it. He also addressed complaints about notices being sent to property owners if we could send it to the owner and the renter. Mr. Reczek noted he always sends it to the property owner but he could send it to the owner and renter, and we also do that with permits for contractor/owners.

Mr. Reczek mentioned Bondsville Rd special exception is filed and scheduled for June 5, 2014 and working another date for June 16th. There will be a variance hearing for June 5th as well and a Conditional Use hearing for June 19th at 7p.m. to consider AT& T request. Ms. Camp noted the conditional use hearing being scheduled for June 19th. Mr. McClintock asked if we could do it at 6:30 p.m. Ms. Eshleman noted her main concern would be if any interested parties would want to participate. She just wants to make sure we include all parties.

President Contento entertained a motion to authorize advertisement for the Conditional Use hearing on June 19th at 7p.m. to consider AT&T request.

The motion was moved by Jim Kruse seconded by Cynthia Eshleman. Polled, all aye

Mr. Reczek noted there is one last thing on zoning that Popeye's variance pending land development dumpster enclosure.

Mr. Contento asked if he got together with Mrs. Bernard. Mr. Reczek and Mrs. Bernard responded no.

Township Engineer

Mr. Jeffrey W. McClintock PE, CFM

Land Development

Kings Grant Development Update

Mr. McClintock noted Ms. Camp confirmed the litigation was filed today and they have 20 days to respond. Mr. Contento asked what court was this filed under. Ms. Camp responded Chester County Court of Common Pleas. Once the papers are served officially the defendant has twenty days to respond.

Capital Projects

Bondsville/ GO Carlson Intersection

HOP Proposals

Mr. McClintock included three proposals for the Highway Occupancy Permit design in the Board's packet. Mr. McClintock discussed the terms and conditions of each proposal. As of now, Cedarville Engineering Group, LLC and DL Howell and Associates, Inc. have submitted their proposals. These proposals, as well as the one coming from McMahon, are only for the design phase. He will solicit a price from the successful bidder for bid spec preparation, bidding assistance, and construction management once the project progresses to that phase. He noted the amounts of the two proposals received: CEG's price is not to exceed \$46,875.00 and does include updating the existing Traffic Signal Permit Plan, and DLH price is not to exceed \$44,800.00 but does not include updating the existing Traffic Signal Permit Plan. The estimate for this work, if needed, is \$7,500.00. Mr. McClintock recommended that we engage Cedarville Engineering with the condition that the solicitor assure that the terms and conditions meet the Board's satisfaction. Mr. Kruse thinks the price is way out of line. Mr. Contento asked what the construction estimate was for the work. Mr. McClintock noted the estimate is around \$400,000.00. Mr. Kruse suggested we should take it back out and rebid it and give someone else a chance. The Board noted they need to think about this further. Mr. Contento asked in terms of the construction estimate where did that come from. Mr. McClintock asked McMahon ball park numbers and they are saying \$700,000.00. Commissioners Young and Eshleman asked if we could get assistance from PennDOT. Mr. McClintock noted we may be able to get some assistance with resurfacing. Mr. Contento noted the Board will follow Mr. Kruse suggestion and get at least one more quote. Mrs. Eshleman noted her concern with the RFP is we can't control those that are PennDOT savvy. She suggested we do at least three additional quotes. Mr. Contento noted we had a consensus on three additional quotes. By consensus, Mr. McClintock will proceed with soliciting additional price proposals from Traffic Planning and Design, Pennoni, and Gilmore and report back at an upcoming meeting.

Humpton Rd Reconfiguration/ Reconstruction Project

Mr. McClintock noted that a staff level meeting was held on May 1 that included Mr. Contento, Mr. Kruse, Mr. Prowant, and himself to discuss the Humpton project. At that meeting, there was discussion about the various alternatives developed for the project by DL Howell. Mr. Contento suggested the item be tabled based on the staff level meeting and the need for further information.

Penndot district 6-0 Signal Retiming Initiative

Mr. McClintock indicated that the agreement is still in draft form and that he is working with PennDOT, DVRPC, and their consultants to finalize the agreement. Mr. McClintock noted the agreement not signed yet.

Engineering Items

Osborne Road Update

Mr. McClintock noted he does not have the report back from LTAP regarding their review of Osborne Road. Regarding the Federal Aid Bridge Replacement Project, PennDOT's land acquisition consultant is giving Mr. & Mrs. Anderson until May 15th to respond to offer. If the offer is not accepted by May 15th, Staff will proceed with filing the condemnation paperwork as previously approved.

Traffic Signal Preventative Maintenance Contract

Mr. McClintock noted there are seventeen traffic signals and three flashing warning devices included in our traffic signal system. He is requesting permission to authorize annual inspection proposal that was included in the packet, for a price of \$3,705.00 as provided by Charles A. Higgins & Sons, our traffic signal maintenance contractor.

President Contento entertained a motion to authorize the inspection proposal with Charles A. Higgins & Sons for \$3,705.00.

The motion was moved by Jim Kruse seconded by Lorraine Tindaro. Polled, all aye

Mr. McClintock also mentioned the recent April 30, 2014 storm event. He provided some updates on the various items related to the storm.

Township Manager

Mr. Greg Prowant

Police Agreement

Mr. Prowant discussed the new contract as well as attachments to the Board of Commissioners. He asked for the approval of the execution of the proposed Police Contract between the Caln Township Police Association and the Caln Township Board of Commissioners including the related pension side letters for the years 2013 through 2016 pursuant to the provisions of Act 111 of June 24, 1968.

President Contento entertained a motion to approve the execution of the Police Contract between the Caln Township Police Association and the Caln Township Board of Commissioners including the related pension side letters for the years 2013 through 2016 pursuant to the provisions of Act 111 of June 24, 1968.

Mr. Kramer asked what the difference came down to. Commissioner Kruse responded we were down to three percent total. Now the total is around five percent. Mr. Reymos wanted to know what the amount of the agreement was. Mr. Prowant stated we don't have a set amount. Mr. Kramer asked what the percent of the budget that ties into this. Mr. Prowant noted the current budget includes what is seen in the agreement. There was a discussion if this puts the budget over fifty percent for police related costs. Mr. Prowant noted this does not put the budget over fifty percent. The total cost for police is \$3 million. The current budget is \$6.5 million. He stated the budget for the police by itself is \$2.5 million plus a half a million for the pension. Mr. Kruse and Young had believed it was over the fifty percent.

Mrs. Bernard asked what they meant by three percent and five percent. Mr. Kramer state this is where we were at with negotiations at the end of last year. Mr. Young noted that the rate of the increase in the Police Department is causing the budget to increase. Mrs. Bernard asked for clarification on the three percent and the five percent. Mr. Contento explained for an example if we were spending ten thousand dollars and we said when we negotiate we don't want that ten thousand dollars which covers salary, benefits, pension, and health. We don't want that expense to go up more than three percent, which

means we authorize three hundred dollars on the ten thousand. That's how much we have to pay out to the Police. What Mr. Kruse is saying, is we actually negotiated five hundred dollars for every ten thousand in expenditures. Mr. Contento stated the arbitration did not go all the way through. There was no arbitration order since we settled. Mrs. Bernard stated she was confused on how we did not know what those numbers are. Mrs. Eshleman stated if someone was to work overtime we have to look at it taxing that, so we don't know where that number would fall. Mr. Contento noted in the first year the Police are getting a three percent raise but we have to pay social security and health care. Then you have to factor in what is going to happen with pension. The four to five percent covers everything. Mrs. Bernard stated for the record if taxes go up because of the Police and the increase in this contract, she will have a tremendous amount of comments and she wants to talk to Mr. Prowant further. Mr. Young noted this wouldn't be the only factor it would be many more factors.

The motion was moved by Cynthia Eshleman and seconded by Lorraine Tindaro. Polled President Contento aye, Vice President Eshleman aye, Commissioner Tindaro aye, and Commissioner Young aye. With one nay from Commissioner Kruse.

Police Pension Ordinance Amendment

Mr. Prowant asked for a motion to advertise Police Pension Ordinance He prepared a draft for advertisement to amend the Police Pension Plan regarding the two contract items; spouse death benefit, and age 54 retirements.

President Contento entertained a motion to advertise the Police Pension Ordinance Amendment.

The motion was moved by Cynthia Eshleman and seconded by Jim Kruse. Polled all aye

HUD Block Grant Program

Mr. Prowant discussed another round of Chester County Block Grant applications are due June 16th. We can apply again even though the last grant is hung up with administrative issues. There is no decision needed tonight.

Proclamation for JSM Unit 1 Field Day

Mr. Prowant noted Commissioner Eshleman has offered to attend the field day on May 28th. Commissioner Eshleman will be recognizing a student and presenting a proclamation. Mrs. Eshleman wants to approve the proclamation but wants some clarification.

Mr. Contento entertained a motion to authorize the proclamation for JSM Unit 1 Field day.

The motion was moved by Cynthia Eshleman and seconded by Josh Young. Polled all aye

Mr. Young asked about the \$200,000 grant we received. Mr. Prowant noted it was for reimbursement for the first batch of recycling carts and to buy another chipper.

Bill List for checks 33947 through 33012 & Bond 1015

President Contento entertained a motion for the Caln Township Board of Commissioners to authorize payment for bill list checks #33947 - #33012 and Bond 1015.

The motion was moved by Josh Young seconded by Jim Kruse. Polled, all aye

Minutes of January 30, and March 27, 2014

President Contento entertained a motion to approve the January 30, and March 27, 2014 minutes.

President Contento noted there were three mistakes on the March 27th minutes to be corrected

The motion was moved by Josh Young seconded by Cynthia Eshleman to approve the minutes as corrected. Polled, all aye

Additional Business

Commissioner Eshleman noted National Police Week will be next week.

Public Comments

Mr. Kramer wanted to applaud the Caln Police with the recent incidents with Caln Elementary.

Adjournment

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

The motion was so moved by Jim Kruse and seconded by Josh Young. Polled, all aye.

The meeting was adjourned at 9:36 P.M.