

Cain Township
253 Municipal Drive
Thorndale, PA 19372
Board of Commissioner's Minutes
October 30, 2014 7:30 PM

Call to order and pledge of allegiance.

Attendance – John Contento; President, Cynthia Eshleman; Vice President, Jim Kruse; Commissioner, Lorraine Tindaro; Commissioner, Joshua Young; Commissioner, Greg Prowant; Township Manager, Tony Scheivert; Assistant Township Manager, Karen Wertz; Finance Director, Kristin Camp; Solicitor, Jeffrey W. McClintock PE, CFM; Township Engineer, 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

Mr. Carl Williams of 23 Quarry Street had concerns with being responsible for the trash container and having Cain Township's name on his property. The Board explained that residents are responsible to put the containers out not more than 24 hours before pickup and return them to their property in the same time frame, and keep the lid closed. The township will replace any container that is damaged due to no fault of the resident. The township is also planning on replacing the trash containers in ten years.

Noel Bernard of 1508 Cain Meeting House Road stated that the trash containers are being returned with the lids open. Commissioner Kruse stated that the hauler was notified and this issue will be corrected immediately.

Ms. Bernard also asked about the recent township computer issues. Mr. McClintock explained that the township was attacked by a virus known as Cryptowall Version 2 which is malicious software that interrupts normal computer operations, and requests a ransom be paid in order to return the computer to its normal state. The township backup policies and procedures allowed for the township to successfully restore a backup copy of the affected data with minimal data loss. Mr. McClintock noted that, in accordance with the Cyber Situational Awareness Bulletin we received on October 3, 2014, he has been in contact with the Delaware Valley Intelligence Center to report this Ransomware attack.

Ordinances and Resolutions for Consideration

Resolution 2014-13 – Mr. Prowant presented the Board with Resolution 2014-13, establishing a 3% fee for invoices billed by township staff for property damage, property maintenance, and grass cutting services. Commissioner Contento entertained a motion to adopt Resolution 2014-13 authorizing the establishment of a 3% fee on invoices for lawn mowing, property maintenance, and property damage. The motion was moved by Commissioner Kruse and seconded by Commissioner Tindaro. Vote passed 5-0.

Resolution 2014-14 – Mr. Prowant presented the Board with Resolution 2014-14, the disposition for 2004-2007 payroll records. Commissioner Contento entertained a motion to adopt Resolution 2014-14 authorizing disposal of out of date identified financial records. The motion was moved by Commissioner Kruse and seconded by Commissioner Tindaro. Vote passed 5-0.

Ms. Camp presented the Board with a request to authorize a public hearing for zoning changes regarding edits to the zoning ordinance. Commissioner Contento entertained a motion to authorize a public hearing, at the November 20, 2014, meeting

to consider changes to the zoning ordinance specific to regulation of the wireless communication facility. The motion was moved by Commissioner Eshleman and seconded by Commissioner Young. Vote passed 5-0.

Commissioner Contento asked Ms. Camp for an update on the easement agreement with Mr. Detterline. Ms. Camp explained that after meeting with James Detterline, located at 3109 Fisherville Road, he has agreed to an easement agreement that specifies that the township is authorized to go onto his property to perform stream relocation work. Mr. Detterline also requested the reimbursement of his legal fees of approximately \$2,000.00, and plant two trees for every tree removed. Mr. Detterline also has concern about water coming over the bank and affecting other trees, once the stream is relocated, so he would like rip rap around any trees within five feet of the bank of the stream. Commissioner Contento entertained a motion to authorize the Chair to sign a temporary easement for 3109 Fisherville Road. The motion was moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

Public Safety – Fire Chief Cordisco and Police Chief Elias

Police Chief Elias – Police Chief Elias presented his September 2014 report to the Board, with some highlighted information.

- 10/31/14 Halloween 6:00 PM - 8:00 PM
- 48 Marshal Circle cardiac arrest patient revived by Officer Nate Miller and Fireman Ray Stackhouse.

Fire Chief Cordisco – Fire Chief Cordisco presented his September 2014 report to the Board, with some highlighted information.

- Physicals completed on October 19th and 20th with two members being scheduled at a later date
- Hepatitis results pending
- Thorndale Dental Associates donated \$1,700.00 from their Community Day event proceeds.

Finance – Ms. Wertz

Treasurer's Report – Ms. Wertz presented the treasurer's report with, some highlighted information.

- Revenue – \$93,000.00 year to date favorable compared to 2014 to 2013
- \$100,000.00 loss for the year based on the current forecast.

Commissioner Young stated that the Finance Committee would like to have a special meeting, on November 5, 2014, at 6:30 PM to deal with budget issues.

Bill List for checks #34832 to #34936 – Commissioner Contento entertained a motion to approve, for expenditure, check #34832 to check #34936 totaling \$290,945.00. The motion was moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

Community Services Department – Mr. Scheivert

Municipal and Police Building painting bids – Mr. Scheivert presented the Board with four bids for the township and police painting bids, and recommended Tobias J. Mastriani Jr. Drywall & Paint Specialist in the amount \$7,500.00 and \$1,000.00 Township cost. Commissioner Young suggested \$9,000.00 for any unforeseen costs. Commissioner Contento entertained a motion to authorize the expenditure of, not more than, \$9,000.00 for the painting of the township and police buildings. The motion was moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

Mr. Scheivert also reported that there will be a "Christine Ambros Race" on November 6th. G.O. Carlson Road will be closed from 8:00 AM to 10:00 AM.

Land Development – Jeffrey W. McClintock PE, CFM Township Engineer

Kings Grant snow removal – Mr. McClintock presented the Board with a proposed fee schedule from Veteran Construction & Utility Services, Inc. (“Veteran”) for snow removal, as needed, of Kings Grant Development. It was noted that Veteran was the contractor that assisted the Township last winter with the development’s winter maintenance after Eric Schrock of Dewey Companies notified Mr. McClintock that their contractor had maxed out their resources and the Township was instructed to take whatever measures necessary to open up the roadways in Kings Grant. Mr. McClintock also stated that the fees will be charged back to Dewey Homes and make it part of the pending lawsuit. Commissioner Contento entertained a motion to contract with Veteran for snow removal at Kings Grant given the charges presented in their October 6, 2014 letter. Commissioner Kruse abstained because his company subcontracts with Veteran. The motion was moved by Commissioner Young and seconded by Commissioner Eschleman. Vote passed 4-0.

Creek Road Business Park Revised Final LD 2014 – Mr. McClintock stated that the second Creek Road Business Park conditional use hearing was held earlier this evening prior to this public meeting. He indicated that the record was closed and a decision is required on or before December 18, 2014. A draft decision will be presented at the November or December Board meeting. The project still has to go through the land development process, including the need for a special exception.

Report Chart – No action needed.

Engineering Items – Jeffrey W. McClintock PE CFM-Township Engineer

Stormwater Follow Up – Mr. McClintock presented some budgetary numbers as well as a proposal from Becker Engineering as a follow up request made by the Board at the October 9, 2014 meeting. The following information was discussed:

NPDES MS4 \$20,000.00

- Monitor/Inspect Outfalls \$3,000.00
- Inspections/Follow-ups \$2,000.00
- IDDE work \$2,000.00
- Mapping Verification/Updates \$4,000.00
- Grant Application Processing \$7,000.00
- Mailings \$1,000.00
- Water Testing \$1,000.00

Stormwater Management Strategy (“SWM”) \$20,000.00

- Assistance with “SWM”: Advisory Committee \$7,920.00

Special Projects

- Floodplain Ordinance revisions \$580.00
- Community Event information preparation \$1,000.00
- Capital Improvement Plan Development \$7,500.00
- Miscellaneous Requests \$3,000.00

President Contento stated that no action will be taken until the Finance Committee reviews the entire budget and offers their recommendation to the Board.

Bondsville/Lincoln Intersection

Striping Modifications – Mr. McClintock stated that our striping contractor eradicated the existing lines and markings and painted new lines and markings consistent with the revised permit plan provided by PennDOT. This was completed as part of the effort to remove the split phase timing from the intersection. Mr. McClintock received PennDOT’s approval to do this restriping in advance of the signal modifications that he is currently working on.

ARLE-2014 Grant Award – Mr. McClintock stated that the township was successful in obtaining the 2014 ARLE Incident Management grant for \$290,083.00, total cost of \$341,507.00 with a township match of 15%. He provided the Board with a copy of the grant award notification PennDOT published on October 23, 2014.

Township Manager – Mr. Prowant

Recycling P & M proposals – Mr. Prowant advised the Board that he would like to table this until the November 20, 2014 meeting.

Chester County SPCA proposal – Mr. Prowant presented a Chester County SPCA Full Contract Option for 2015 for the Boards consideration. Commissioner Contento entertained a motion to approve the 2015 full contract with the Chester County SPCA according to the submitted schedule. The motion was moved by Commissioner Young and seconded by Commissioner Kruse. Vote passed 5-0.

Deposit of state pension funds – Mr. Prowant stated that the township has received the annual state contribution of \$255,596.88 for the 2014 pension plans. Mr. Prowant asked the Board for a motion to approve the annual deposit into the pension funds including this year's state contribution of \$255,596.88, and approve the expenditures into the Police and Non Uniform pension funds. Commissioner Contento entertained a motion to approve the expenditure into the police pension fund of \$468,734.00 and \$168,000.00 for non uniform pension plan to include the deposit and use of the general municipal pension fund state aid in the amount of \$255,596.88. The motion was moved by Commissioner Young and seconded by Commissioner Eshleman. Vote passed 5-0.

Vision Partnership Grant approvals – Mr. Prowant stated that the County has confirmed approval of a \$37,500.00 grant for the Comprehensive Plan Update and a \$20,000.00 grant for the Route 30 Regional Study.

Wireless Cell Tower approval to advertise – This was approved for advertisement at the beginning of the meeting.

Additional Business

A resident thanked the Board for the township yard waste program.

Minutes for approval

September 11, 2014 minutes – Commissioner Contento entertained a motion to adopt the September 11, 2014 minutes as presented. The motion was moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

September 30, 2014 minutes – Commissioner Contento entertained a motion to adopt the September 30, 2014 Civil Service Commission and Board of Commissioners joint minutes, as presented. The motion was moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.

Boards and Commissions Updates--Summary by applicable Board Liaison:

Park and Recreation – Mr. Scheivert reported that there will be a Halloween Party On October 25th and tree lighting and children holiday party on December 7th and an outside Christmas movie on December 13th.

Green Task Force – Mr. Scheivert reported that the local Chamber of Commerce event was held on October 7th.

COG – Commissioner Young reported that their meeting was cancelled and their November meeting will be moved to November 26th and will have to be advertised. They also reviewed their by-laws and will have their elections in January.

Municipal Authority – Commissioner Kruse reported that they discussed their allocation numbers, taking over the total trash and sewer, and authorized Mr. Gill to purchase a sewer camera.

Lincoln Highway Committee – Commissioner Young reported that their meeting was cancelled.

Historical Commission – Commissioner Tindaro reported a luncheon at the Thorndale Inn on November 1, 2014 at 1:30 PM with a presentation on the Hibernia program

Fire Board – Commissioner Kruse reported that their budget was discussed and the fire truck schedule.

DARA – Commissioner Contento reported that the wastewater treatment plant is now in compliance.

Zoning Hearing Board – Commissioner Contento reported that he has nothing to report.

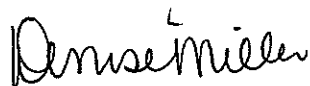
Planning Commission – Commissioner Contento reported that they recommended the approval of the Softmart Application.

Public Comments:

Noel Bernard of 1508 Caln Meeting House Road had budget questions and would like to meet with Ms. Wertz to go over some other questions. Ms. Wertz and several Board members answered Ms. Bernard's questions that she had tonight.

Adjournment: Commissioner Contento entertained a motion to adjourn the October 30, 2014 Board meeting at 9:00 PM. The motion was moved by Commissioner Young and seconded by Commissioner Kruse. Vote passed 5-0.

Submitted by,



Denise Miller
Recording Secretary