

CALN TOWNSHIP
BOARD OF COMMISSIONERS
WORK SESSION
APRIL 11, 2013

The Caln Township Board of Commissioners held its work session meeting on April 11, 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

Absent:
Vice President Charles Kramer
Commissioner Joshua Young

Others present:
Township Manager Greg Prowant
Assistant Township Manager Tony Scheivert
Township Engineer, Jeffrey W. McClintock, PE, CFM
Code Enforcement Officer Andrew Reczek
Township Solicitor Kristin Camp

All present saluted the Flag.

Citizens to be heard:

John Contento 2732 North Barley Sheaf, here tonight as the President of the Barley Green's HOA a thirty four-member association. The Township determined a year ago that the storm water pipe on the west side of North Barley Sheaf road is severely deteriorated and rotted out as evidenced by photographs that Mr. McClintock had available. The cause is unknown. The galvanized corrugating piping is eroded. During routine storm water maintenance about a week ago, it was noted that there is a hillside drain that carries water off Route 30 bypass comes down the hillside onto to the Barley Green common ground and enters said drainpipe travels about 160 feet and then enters the Township maintained storm water system at the end of that roughly 1000 foot run the storm water enters more pipes that are in the common ground for the HOA and then about 200 ft into a retention basin. The HOA asked a contractor to look at that pipe. It is rotted out and disintegrating. The HOA is asking the Township to consider a partnership in replacing the damaged pipe. The Association would pay for the materials piping and stone and any special heavy equipment, but the Township crews would do the job up to the Hillside drain. The Commissioners asked questions. Mr. McClintock and Mr. Scheivert estimated it might take approximately a week. There was some discussion about the excavation. The ability of the equipment that the Township has available. Ms. Camp was asked what easements would need to be provided. Ms. Camp noted that a temporary agreement would be needed with the affected homeowners. The Commissioners had a brief side bar conversation.

The Commissioner's are concerned about setting a precedent. Mr. Reczek was asked if there is any partnership with any other development. Mr. Reczek noted that no current partnership exists. The Commissioner's are concerned that the job could become a huge expense and that the resources are not going to be there for every other HOA in the Township. President Rose feels that the whole board should be present to vote on this matter. Mr. Contento made a final presentation of what he sees as a simple agreement that is mutually beneficial to all parties. President Rose summarized that Mr. Contento should return when all the members of the Board are present.

Ordinances and Resolutions

Public Hearing was opened Ordinance 2013-03

Solicitor Kristin Camp opened a public hearing for the consideration of an ordinance. Ordinance No. 2013-03 an Ordinance enacted pursuant to the local economic revitalization tax assistance law (LERTA). Authorizing tax exemptions from property tax deteriorated industrial, commercial, or other business property; defining eligible deteriorated areas; setting a maximum exemption amount and an exemption schedule; and providing a procedure for securing an exemption.

The Board enacted a resolution at the meeting on March 28, 2013, which identified the boundaries of a deteriorated area in Caln Township. Those areas were identified as all properties located in the TV1, C1, and I1. Tonight's hearing was advertised in the Chester County Daily News on April 4, 2013, mark as Exhibit B1. Ms. Camp also sent copies of the proposed Ordinance to the Chester County Law Library and the Daily Local News, Ms. Camp would like to submit the letters sent in acknowledgment of receipt of those letters as Exhibit B2 and B3.

Ms. Camp reviewed what the state law allows in regards to LERTA. Ms. Camp explained the tax exemption breakdown. If the Board adopts the Ordinance tonight, the next step would be to go back to the Coatesville Area School District and ask that they also agree to join in on the program they would have to adopt their own Resolution. Then the Township would also go to the County Commissioner and ask that they join in as well so that all three taxing districts would be participating. Ms. Camp briefly explained the language that is included in the Ordinance and how she attempted to adhere to the language set for by the State statute. Ms. Camp made minor changes after speaking with a Coatesville Area School District member.

Ms. Camp opened the floor to questions. President Rose asked if there is a transfer of property before, during or after construction and/or within the 10-year period. Ms. Camp read from the document where it states yes it will transfer with the property only if the improvements have been made. President Rose asked if there were any questions from the public, there were none.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve Ordinance 2013-03 An Ordinance enacted pursuant to the local economic revitalization tax assistance law (LERTA), authorizing tax exemptions from property tax for certain deteriorated industrial, commercial or other business property; defining eligible deteriorated areas; setting a maximum exemption amount and an exemption schedule; and providing a procedure for securing an exemption.

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

President Rose then closed the hearing at 8:05 p.m.

Zoning Director Andy Reczek

Lincoln Highway Zoning Ordinance Amendment Status Update

Mr. Reczek reported that the Lincoln Highway Committee met last Monday night and there was great conversation on the draft ordinance amendments. There was also conversation about new mapping and making two zones in that district. The committee also reached out to Chester County for help with the new mapping. The Board should see something as far as a revised draft for presentation in the next month or so.

Ms. Camp's directive from the committee was to have the re-draft ready for the next committee meeting at the beginning of May. Then the committee would sign off on the Ordinance and present it in draft form to the Township Planning Commission and then the County Planning Commission.

Miscellaneous Zoning Amendments

Rooftop Solar Units and Telecommunications and Wireless Communication

Mr. Reczek and Ms. Camp have been working on a couple of other Ordinances. The first being the Rooftop Solar Challenge Grant that has been discussed before there is a draft form in the Board packet. This Ordinance is combined by Ms. Camp with the new law that deals with telecommunication and wireless communication facilities. They combined these together to save money in advertising. Mr. Reczek asked the Board for questions. There were questions on inverters and battery storage. Ms. Camp asked if there was anything in the building code in reference to inverters. Mr. Reczek noted that per the building code a third party electrical contractor would be involved. Mr. Reczek will consult a third party electrical contractor and he will also check the NEC (National Electric Code).

There was also discussion about the setbacks for the rooftop mounted solar facilities and whether there would be the option to put them on the ground. Ms. Camp reviewed some questions she had for the Board. Mr. Reczek and Ms. Camp discussed for the Board. There was discussion about limiting residential properties to only having rooftop systems. Possibly providing an acreage limit. There was also talk about limiting the height to 12 ft. They also discussed keeping the setbacks the same as the house. Commercial limits would be ground mounded to for Industrial Zone only not in Commercial district. Height 12 ft. for residential and 20 ft. for Industrial. Building mounted systems only in the Commercial district.

Group Home Ordinance and Compliance

Group Home Ordinance, a draft was distributed at the last meeting. We were notified that our current ordinance is in violation of the Fair Housing Act by HUD. Ms. Camp contacted HUD to confirm that this proposed ordinance complies with what they are looking for. Ms. Camp will forward the draft ordinance to HUD and go from there. Mr. Reczek can only recall one group home submittal and approval in 2008. The township ordinance was not previously reviewed by HUD. .

Caln AA Commercial Cooking Hood

Mr. Reczek asked if the Caln AA would be able to have the fee of \$125 waived to install a Commercial Cooking Hood. Caln Township is the owner of the property and the building.

A consensus vote was taken to waive the fee, the vote was unanimous the fee is waived.

Caln Crest

The contractor has been in touch with Mr. Reczek work has not begun.

Valley Township

We have done inspections for Valley and submitted the billing for those inspections to Valley Township. Mr. Reczek also conducted a few commercial reviews for Valley as well.

Executive Session

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

Township Engineer Jeffrey W. McClintock PE CFM

Land Development

Kings Grant – Pump Station/Off-site Sewer Dedication Update

Ms. Camp and Mr. McClintock had a conversation with the legal representative and hope to have legal documents for the next meeting. Close to having the Financial Security Agreement revised. They do not want to pave all the streets; they will pave the western side and pave the eastern side when it is more developed.

Report Chart/Deadline Chart Review

No action needed.

Commissioner Kruse asked about the section of Lincoln Hwy. that is torn up with the water/sewer lines, will that be fixed soon. Mr. McClintock reports that it will be fixed soon now the pavement plants are open, they will repair from the center line over.

Commissioner Kruse also asked about Bailey Road and Mr. McClintock that will be repaired only where the patches are.

Engineering Items

Barley Sheaf Farms HOA Pipe Replacement Request

Previously discussed.

PAWC Capital Infrastructure – Stirling Street Permit Fee Waiver

PAWC Submitted a check to do 1,621 lineal feet in the Township and they have also submitted the pavement impact fee, they will overlay the entire road. They would like the pavement impact fee to be waived since they are overlaying the entire road.

The Board gave a consensus vote of yes, to waive the fee. Polled, yes (3-0).

Capital Project Committee Discussion Items

Humpton Farms Drainage and Roadway Revisions

President Rose reported that the last meeting there was discussion for a \$1.25 million bond proposal. President Rose wants to know how much of that comes down to the Highway/Roadway repair.

Commissioner Kruse and Commissioner Young noted that discussion was held about the numbers for financing. There was considerable discussion about what could be done with either option for borrowing.

If they borrow \$875,000 they would pave from Municipal to Rt. 340 and rework that road to where it narrows then widen that road and continue on and take our really sharp curve. The drainage that would have been put along there would now go onto the surface. If repair can be made without going across Bondsville, they can do it for \$875,000. There would still be a sidewalk planned for but no curbing.

Karen Wertz ran some numbers for either the \$60K bond purchase or the \$95K bond purchase. There was further discussion about what could be done for Humpton Road. Mr. McClintock explained the concept that they hope to finance. Discussion continued about the other part of Humpton, the re-striping and paving. A concern is reducing the amount of water that ponds on Humpton Road. There was discussion about underground drainage versus surface drainage. There was also discussion about Right-of-Ways as well. There was discussion about the difference in the expenses to the homeowner in the underground versus surface swale debate.

There was discussion about when the project will actually start and at the earliest it is looking to be second quarter 2014 due to the need for redesign and putting the project out to bid.

Bondsville Road Pedestrian Bridge

The committee believes they can do the bridge for approximately \$125,000. There are some concerns about the DEP and geotechnical impact and bridge coordination. If DEP becomes too difficult they will rework. There is no argument from the Board that the bridge is necessary.

President Rose asked to turn the discussion back to the amount of funding. There is a general consensus to go for the higher number in order to avoid coming up short after funding.

The Commissioners believe borrowing the higher amount is the way to go.

Bondsville Road/G.O. Carlson/Lincoln Concept

There is a \$12,100 for a concept plan. There will then be a HOP (Highway Occupancy Permit) design plan which will run approximately \$40,000. Mr. McClintock recommends having Mr.

Williams and Mr. Waltenmeyer from County come back and possibly form a partnership in Federal or State money. Final plan, get more detail and have the Committee discuss and present a plan.

South Bailey/Hazelwood Intersection Analysis Proposal

This job will be done in house. The Township will add one stop sign.

Hazelwood/Thorndale-Marshalton Intersection Analysis Proposal

Mr. McClintock will work with PennDot and see what they can do for the Township.

Lincoln Highway Camera/Signal Analysis Proposal

Mr. McClintock will work with PennDot's District 6 office and try to reconfigure this project into the ARLE project focusing efforts on Lincoln Highway. The video detection will be considered for ARLE as well.

Official Map Proposal

Hold that may seek another firm for help on that project.

Lincoln Hwy. & North Caln/ Olive Conceptual

Hold for price evaluation.

Others: G.O. Carlson Blvd.-East Geotechnical Review Proposal

Mr. McClintock met with Mr. Martin from Martin Paving. They looked at G.O. Carlson East. There is a four year old report having Advantage Engineering come in and look at G.O. Carlson and decide what can be done with it. Tar and chip or double Tar and chip at Beaver Run Knoll. Mr. McClintock believes the work could be finished up by May 9th.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve the contract for Advantage Engineers Geotechnical Engineering Services for G.O. Carlson Blvd. East not to exceed \$2,250.00.

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

Fisherville Road Embankment Retaining Wall Design Proposal

There is a slope failure Mr. McClintock showed photos. The roadway is peeling off because the bank is starting to fail. Possibly use a Gabion basket to stabilize the area, as long as DEP approves moving the stream. The job would possibly be done in house and under an emergency permit. This will require a survey, geo-technical analysis and the wall or Gabion basket design, depending on what the DEP is looking for.

The Board asked Mr. McClintock to get more information from DEP and report back in two weeks.

ARLE Grant

Will be writing a letter to PennDot and separate some tasks out of the overall project.

Lloyd Park Pavilion

Mr. Prowant discussed the location of the pavilion proposed in the Capital budget. There was discussion about a water line for the dog park. Put the water/sewer where the bathroom will be located. There was discussion about leaving the porta potty at the dog walking area and put a handicapped accessible permanent bathroom facility. There was considerable discussion about the proposed bathroom facility. Mr. McClintock posted a photo of Lloyd Park for review. There was discussion about dog wash location also.

Assistant Township Manager Tony Scheivert

Community Services

Trailer Mounted Asphalt Vehicle

A Tar Pot has been discussed and Mr. Fragale and researched for purchase. There are three prices in the Board packet.

Mr. Fragale recommends a Crack Pro 125B from Sealmaster. It is a 2002 leftover model custom built and never picked up. It has an engine cover and spicket on the back for a bucket full if needed. All three vendors are on Codestar so there is no bidding involved. \$33,510, which is a budgeted item. Mr. Scheivert also spoke to some people in the COG about sharing the purchase.

President Rose entertained a motion for the Caln Township Board of Commissioners to approve the purchase of a Crack Pro 125B Sealer from Sealmaster in the amount of \$33,510 from Codestar.

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

Commissioner Kruse had some questions for Mr. Scheivert, can we rent it, he is concerned about maintenance, manpower to run and maintain it. Mr. Scheivert shares Mr. Kruse's concerns. He made it clear to Mr. Fragale that if this equipment is purchased it will need to be used and roads will need to be sealed. The decision is to purchase the Tar Pot.

President Rose asked if there will be street sweeping anytime soon, in particular in the golf course parking lot.

Township Manager Greg Prowant

DVRPC Marketing Event

Mr. Prowant reviewed the DVRPC Marketing Event in Philadelphia that was held April 5. Caln Township was one of the 14 municipalities offered the opportunity to be showcased. Chip Clavier, Tony Scheivert, Greg Prowant and Donna Siter all attended. Harry from Thorndale Press made a poster that was also converted as a cover page for the booklet that was handed out at the event. A fact sheet, a contacts and links page, a section on LERTA, and a Community map. They stood and talked to everyone and had a fishbowl that you could enter a business card

and win golf came at Ingleside. Mr. S. Kluggs was the winner. Mr. Eli Kahn who is a developer in West Chester and Downingtown, mentioned Caln Township as a good example of how to entice business using the LERTA program. Mr. Prowant felt that the event was a worthwhile experience and a great marketing tool. Tony Scheivert added that he spoke to people from New Jersey and Philadelphia and it was great getting the word out about Caln. Chip Clavier was a great promoter, Caln Township was the only Township with business owners there and Mr. Clavier handed out a Caln Township flashlight/level that he provided.

President Rose asked that the Township prepare a letter of thanks to Mr. Clavier.

LERTA Update

Mr. Prowant noted that the next step is to present everything to the School District and the County. Hopefully that will all go through without any complications.

County Transportation Improvement List

The Township received information from the county Planning Commission about the Transportation Improvement Plan. Mr. Prowant had nothing to add to the list, he did not have any suggestions for additions. He wants to make sure that although there is no funding currently we need to be on the list for when the funding becomes available. Osborne Bridge is not on the list it is being funded already.

Mr. McClintock spoke to Mr. Chris Williams today and he suggested that Mr. Prowant and Mr. McClintock look at the study and sit down with Mr. Waltenmeyer and Paul Fretz T-MAC and hopefully get some ideas in the forefront.

Commissioner Kruse is wondering why Fisherville Road Bridge over Beaver Run is on the list, why is it? Mr. McClintock asked if that should be removed? There will be an August inspection on that bridge. We should leave it on the list for further consideration.

2013 Bond Issue Update

Mr. Prowant reviewed looking at refinancing the existing bond and that would net \$450,000 would be used for the items discussed. The new bond fund would be for the Humpton Road project and the Bondsville Road pedestrian bridge.

Mr. Prowant would like to return at the next meeting with a proposed ordinance that would be voted on. Then in about a week start the bidding process, on the internet with the banks bidding online. The Bond closeout would occur at the end of May or early June.

Mr. Prowant asked for a consensus vote.

The Board gave a consensus vote of yes to proceed with the bond process. Polled, all 3 yes.

Bill List

President Rose entertained a motion for the Caln Township Board of Commissioners to approve the Bill List for check #31832-31913 and remove check #31884.

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

Additional Business

Mr. Scheivert noted that April 20th is Caln Pride day meet at Township Building at 8 a.m. and lunch at 11:00 a.m. Shredding and electronic recycling will be at Kmart parking lot from 9 a.m. to 1 p.m. 4 recycling pieces and/or boxes per person.

President Rose asked about the roofing and confirmed that doing the Trusses plan was voted on.

President Rose said that the Fire Company Utility Vehicle looks great.

Mr. Prowant announced that on Thursday, April 25th at 7:30 p.m. the Township will swear in the Police Chief Joseph Elias.

Public Comment

N/A

President Rose entertained a motion that meeting be adjourned.

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

The meeting was adjourned at 9:55 p.m.