

Meeting Minutes for  
Caln Township Board of Commissioners  
January 26, 2023  
7:30 PM  
Hybrid Meeting

Call to Order: Commissioner Mullin called the Board of Commissioners meeting to order at 7:30 PM. Commissioner Mullin then called for the Pledge of Allegiance to the flag.

Board Members Present: Paul Mullin-President, Jane Kennedy-Vice President, Joshua Young-Commissioner, Lorraine Tindaro-Commissioner, and Mark Evans-Commissioner.

Staff Members Present: Kristen Denne-Township Manager/Secretary, Denise Miller-Assistant Township Secretary, Lisa Swan-Township Treasurer, Ray Stackhouse-Director Codes & Public Works, Scot Gill-Director Municipal Authority, Patrick Taylor-Fire Chief, Chris Ward-Ingleside Golf Course Manager.

Professionals Present: Kristin Camp Township Solicitor, Karl Schmit representing ARRO, Lou Colagreco and Debra Schulski representing 4423 RW Associates, LLC and ESKE Development, LLC. Engineer Mark DeRobertis from DL Howell representing ESKE Development, LLC.

Special Guest: N/A

The Board of Commissioners January 26, 2023 agenda was posted on the Township website, and at the Township building, on January 25, 2023. agendas were made available for the public at the meeting.

The 2023 Township Board of Commissioners meetings were published in the Daily Local News, on December 27, 2022.

Commissioner Evans Township Update

Welcome everyone, thank you for joining us. Our meetings are “Neutral Ground”, a place to hear and be heard. The Board of Commissioner’s (BOC) are here to represent everyone in Caln Township (Caln), and we strive to be sure our decisions address the needs of all. We’re all in this together.

Just a reminder, only questions or statements regarding an agenda item will be entertained under “Citizens to be Heard” at the top of the meeting. All other matters will be recognized during “Public Comment” at the end of the meeting.

1. And just like that, the 1<sup>st</sup> month of the new year is nearly behind us. I’ve heard it said that when we look out over the promise of a new year, and start thinking of it “quarterly”, that January is the month to plan. Broad strokes, at first, as many of the

details will change as plans take shape and process reacts to actions. By the 2<sup>nd</sup> half of Q-1 all the way through Q-3 we should be busy working toward our goals, and Q-4 should be spent wrapping things up and taking an honest look at what we were able to achieve, what could have been done better, and what just plain didn't work. As was our practice in previous years, I've asked my colleagues to share with me some of what they'd like to accomplish as a team in 2023, and I hope to be able to present our 2023 "Wish List" to you at our next meeting. The more the merrier, so feel free to shoot me an email with one or two suggestions of your own.

2. In this world, behind the scenes is where a lot of action goes on. If you haven't taken a look at the Caln website recently, check it out. Because behind the scenes Abbey Swan has transformed that webpage into an amazing resource. If you see her, make sure to thank her for all she does!
3. Along Lincoln Highway, the hits keep coming. This time to Wedgewood. Hyderabad is a very famous city for food in India and Dhaba refers to "A roadside food stall". Fitting that a new restaurant coming to Wedgewood will be called Hyderabad Dhaba. And right next door will be a new meat store, The Corner Butcher Shop. Not sure if they're related to the Corner Butcher Shop in Manheim PA., but these are the types of small businesses we need to come to Caln.
4. For those who live on the east side of town, next week there will be lane restrictions along Lloyd Avenue between Stonebridge and Ayerwood Drive, to accommodate Sewer Main Upgrades.
5. THESE TROUBLING TIMES: All quiet again, thank God. Happy to say the lion sleeps tonight...
6. CLEAN UP TIME: I was so disappointed to see the misinformation on various social media sites about our last meeting, and there was so much of it, I'm not even going to give it the dignity of detail. I think I said this before – 2 people can watch the same movie and come away with completely different stories to tell. The stories are often based on how they view themselves. In the same way, the stories we tell about our Township, about where we live, those stories will either attract folks to Caln, or drive them away. No, nothing is ever perfect. Some things are good, some things could be better, but most things live somewhere in between, in that gray zone where opportunity just waits to be colored in with hope. It would be wonderful if we all spoke the same language.
7. Spread kindness everyone. Grudges and resentments are not worth our time. Compassion, Empathy, Peace, and Love – these are the greatest gifts any of us can give or receive.

### Citizens to be Heard

Commissioner Mullin called for public comments. There were none.

### Public Hearing

Ordinance 2023-01 – Amending Chapter 149 of the Caln Code Titled, “Vehicles and Traffic”; Section 149-28 Titled, “Special Purpose Parking Zones” to Designate a Handicapped Parking Spot at 3717 Bungalow Glade – Ms. Camp noted that Ordinance 2023-01 was advertised in the Daily Local News Paper on January 17, 2023. It was also sent to the Law Library and sent to the Daily Local News Paper, for public inspection.

Commissioner Mullin called for Board and public comments. There were none.

**Commissioner Mullin entertained a motion to adopt Ordinance 2023-01 amending Chapter 149 of the Caln Code Titled, “Vehicles and Traffic”, Section 149-28 Titled, “Special Purpose Parking Zones” to designate a handicapped parking spot at 3717 Bungalow Glade. Moved by Commissioner Evans and seconded by Commissioner Tindaro.**

**The vote passed 5-0.**

Ordinance 2023-02 – Amending Chapter 141 of the Caln Code Titled, “Taxation” at Section 141-67 Titled, “Discounts; Penalties” to Comply with Act 57 of 2022 – Ms. Camp noted that there was a law passed called Act 57 of 2022, which allows taxpayers who moved into or purchased a property and can demonstrate that they did not receive their tax bill to have the opportunity to file an affidavit with their tax collector and have their penalty and late fee, late, and accrued interest waived. Her office added “However, such penalty shall not be assessed by the Tax Collector if the taxpayer is eligible for a waiver pursuant to Act 57 of 2022 (P.L.701, No. 57) amending the Local Tax Collection Law, as may be further amended.” to the end of Section 141. Ms. Camp noted that this ordinance was advertised on January 17, 2023 in the Daily local News. It was also sent to the Law Library and the Daily Local news for public inspection.

Commissioner Mullin called for Board and public comments. There were none.

**Commissioner Mullin entertained a motion to adopt Ordinance 2023-02 amending Chapter 141 of the Caln Code Titled, “Taxation” at Section 141-67 Titled, “Discounts; Penalties” to comply with Act 57 of 2022. Moved by Commissioner Evans and seconded by Commissioner Kennedy.**

**The vote passed 5-0.**

### Township Solicitor – Ms. Camp

Request for Consideration to Approve a Motion of the Board of Commissioners for the Preliminary/Final Development Plan of 4423 RW Associates, LLC for Colonial Hyundai located at 4423 West Lincoln Highway – For Board consideration, Ms. Camp offered a Motion for the Preliminary/Final Development Plan of 4423 FW Associates, LLC for Colonial Hyundai located at 4423 West Lincoln Highway to the east of Wedgewood Road identified as Chester County Tax

Parcel 39-5-10 and 39-5-10.1. Ms. Camp noted that the property is located in the C-1 Highway Commercial District and the Lincoln Highway Overlay District – Zone 2. The property is already improved with a one-story 21,905 square foot car dealership operating as Colonial Hyundai. The Applicant proposes to refurbish the existing dealership building and build surface bay additions, an oil room addition, new delivery bays, restriped parking, add parking and electric vehicle charging station, a vehicle display pad, additional signage, sidewalks, curbing, and landscaping in accordance with Preliminary/Final Land Development Plans prepared by Howell Engineering on July 15, 2022 and last revised December 14, 2022. dated July 15, 2022.

Ms. Camp noted that the Township and Authority Consultants have reviewed the plans and issued various review letters. The Township Planning Commission reviewed on January 17, 2023 and recommended that the Board grant approval contingent on the Applicant satisfying the outstanding Engineer review letters.

- Gilmore & Associates, Inc. dated January 6, 2023
- ARRO Consulting, Inc. dated January 12, 2023
- Pennoni Associates letter January 12, 2023

Ms. Camp noted that the proposed decision would grant the Preliminary/Final Land Development approval. Ms. Camp also noted that two waivers are needed. A waiver to do this as a combined Preliminary/Final Plan and not have them do two separate plans, and a waiver from the Township Chapter 135 Stormwater Management Section 135-1 305a and Section 135-2 306b. They are not able to infiltrate due to existing site characteristics including a high-water table and soil. They are using Managed Release Concept (MRC) and technically, with that type of system, it is not infiltrating into the ground.

Commissioner Mullin called for Board comments.

Ms. Camp noted that the review letters indicated that a waiver was needed from the need to do a traffic study, however; they do not need said waiver because the traffic counts they provided for the proposed addition does not take you over the threshold of when a traffic study is needed.

Commissioner Evans asked if there will be no more unloading of trucks in the middle of Lincoln Highway, once this project is completed. Lou Colagreco replied “correct”.

Commissioner Evans asked how the MRC will interact with the further expansion coming from the Sports Center. Ms. Schulski replied that they will have to control their own stormwater. Ms. Schulski also noted that they are reducing the impervious coverage on this site. Mr. DeRobertis replied that D.L. Howell also designed their stormwater as well so they do know that both operate their own entities. Mr. DeRobertis also noted that he does not foresee any issues. Ms. Camp replied that the Township ordinance would not allow them to have any impact on the adjacent property and vice versa. If the sports center comes in with a new plan their lot will have to be self-sustaining.

Commissioner Evans noted that when this was presented last summer, there was concern with not being able to afford to do some of the amenities that they really like along Lincoln Highway like brick and sidewalks. Commissioner Evans also noted that LERTA is in effect, and they can capitalize on that and spend more money in making it look like the Township wants Lincoln Highway to look like.

Ms. Camp noted that you can have five years of tax abatement attributed to the built improvement, and the first year is 100%. Ms. Camp also noted that you must apply for LERTA when you submit your building permit.

Ms. Camp noted that she will send the LERTA ordinance to Ms. Schulski.

Commissioner Mullin asked if the sidewalk will be along Route 30. Mr. DeRoberts replied that they will be on Route 30 (30) along the right of way.

Commissioner Mullin asked if the square footage of the building is all in the back. Mr. DeRoberts replied that they are adding 4,500 square feet on the right side and towards the back.

Commissioner Mullin asked where the vehicle pad and additional parking is located. Mr. DeRobertis replied that the vehicle pad is towards the front left corner, and they restriped the parking and laid out as much parking as they could get.

Commissioner Mullin asked if the parking lot lights are staying. Mr. DeRoberts replied that they have a proposal with Penn Lighting, and the lights are approximately five years old. They understand that Caln wants to have a certain look along 30. They are considering doing every other light as an ornamental fixture and rewiring and moving them where they should appropriately be with the sidewalk and landscape proposal. Ms. Camp noted that one of the conditions in ARRO's January 12, 2023 review letter states that streetlights are subject to approval of the Board. She asked Mr. Leaman to look at the lighting standard of previous plans. Ms. Camp also noted that moving forward, the Board should develop a standard of light for every developer to do. Mr. DeRobertis noted that they are willing to comply with whatever the Board wants to do.

Commissioner Kennedy asked how many electrical charging stations will be onsite. Mr. DeRoberts replied "4".

Commissioner Tindaro noted that the Township will be installing LED lighting and asked if the business will also be doing LED lighting. Ms. Denne noted that the Township will share the spec with the owner of the Township owned and maintained lighting. Ms. Camp noted again that one of the conditions is that the lighting is subject to the Board approval, and to "speak now or forever hold your peace" if you want LED lights.

Commissioner Mullin called for public comments.

Mark DeYoung of 20 Beaver Run Road asked how to decrease the impervious area. Mr. DeRobertis replied that they are decreasing impervious area by removing pavement and planting grass.

**Commissioner Mullin entertained a motion to approve a Motion of the Board of Commissioners for the Preliminary/Final Development Plan of 4423 RW Associates, LLC for Colonial Hyundai located at 4423 West Lincoln Highway. Moved by Commissioner Evans and seconded by Commissioner Kennedy. The vote passed 5-0.**

Request for Consideration to Approve a Decision and Order for the Conditional Use Application of ESKE Development, LLC for the Duckling's Early Learning Center Day Care Located at 100 Rock Raymond Road – For Board consideration, Ms. Camp offered a Decision and Order for the Conditional Use Application of ESKE Development, LLC for the Duckling's Early Learning Center Day Care located at 100 Rock Raymond Road. The company is the owner of a 3.51-acre of property in the C-2 Regional Commercial District as well as the Route 30 Bypass Interchange Overlay. Ms. Camp noted that the Applicant filed a conditional use application on September 30, 2022 seeking conditional use approval from the Board of Commissioners pursuant to Section 155-28.C(2) to develop the property with a one-story, 11,900 square foot building to be used as a child day care center.

Ms. Camp noted that the Board held a public hearing on November 30, 2022 and advertised in the Daily Local News on November 15, 2022 and November 22, 2022. The hearing convened on November 30, 2022 and was continued on the record for a second hearing on December 22, 2022.

Ms. Camp read the conditions in the Decision and Order for Board consideration tonight.

Ms. Camp noted that condition #5 “Applicant shall install sidewalk along Rock Raymond Road in the location depicted on the revised plan admitted as Exhibit A-19 provided that Columbia Gas provides its consent for any improvements that must be built or encroach into the pipeline’s easement. Applicant shall include the Township on all correspondence with Columbia Gas concerning the installation of sidewalk and other modifications necessary that encroach into the pipeline’s easement. Provided Applicant is able to construct the sidewalk as depicted on Exhibit A-19, Applicant shall: (i) pay to the Township a fee in lieu of sidewalk for the remaining linear feet along Rock Raymond where sidewalk will not be installed in the amount of \$4,608.00; and (ii) grant to the Township and PennDOT the necessary easements to allow a future extension of the sidewalk along the remaining Property frontage on Rock Raymond Road”.

Condition #6 “If Columbia Gas does not grant permission to install the sidewalk or to encroach in the pipeline easement with other improvements necessary to install the sidewalk in the location depicted on the revised plan admitted as Exhibit A-19, Applicant shall: (i) pay a fee in lieu of sidewalk in the amount of \$11,268.00; and (ii) grant to the Township and PennDOT the necessary easements to allow a future extension of the sidewalk along the entire Property frontage on Rock Raymond Road”.

Ms. Camp noted that the way condition #5 is written, if they are not able to obtain approval from Columbia they have to pay a fee in lieu of sidewalk for the amount of road footage where they are not able to put the sidewalk. Ms. Camp also noted that the Township must be copied on all communication with Columbia.

Ms. Camp noted that there were no parties at the hearing, so she shared the draft Decision and Order with the Applicant's Counsel, and they discussed it with the Applicant, and they are fine with it.

Commissioner Mullin called for Board and public comments.

Commissioner Evans asked if the do not block the driveway sign will be an enforceable fine. Ms. Camp replied that the shared road is not a public road, and there are easements in place for the use of the shared driveway. Ms. Camp also replied that they can probably rely on the property owners to fix this if it happens.

Mark DeYoung of 20 Beaver Run Road asked where the driveway is. Ms. Camp replied that it is behind Royal Farms and Taco Bell.

Commissioner Mullin asked how long Columbia's easement is. Ms. Camp replied that it is a 50 foot wide easement and the pipeline parallels and goes all the way up Rock Raymond Road.

Tom Parr of 582 Lloyd Avenue asked the capacity of the day care, and how many expected cars. Ms. Camp noted One-hundred twenty children from six weeks old to pre-kindergarten, there can be eighteen teachers, one director, one assistant director, and twelve classrooms. Ms. Schulski noted that the drop off time is between 7:00 AM and 9:00 AM and the pick up time is between 3:00 PM and 6:00 PM.

Mr. Evans noted that the cumulative effectiveness will hopefully drive the next traffic study to warrant a left turn arrow off of Lloyd Avenue onto Manor Avenue.

Commissioner Mullin noted that a traffic study will be performed after the start of the project. Commissioner Mullin also noted that the teachers will be parking their vehicles in the back of the day care.

Mr. Parr asked if the plan can be uploaded to the Township website. Mr. Stackhouse noted that they normally do not do that for conditional use, however; they can do that. Ms. Camp noted that she will send the plans to him tomorrow.

**Commissioner Mullin entertained a motion to approve a Decision and Order for the Conditional Use Application of ESKE Development, LLC for the Duckling's Early Learning Center Day Care located at 100 Rock Raymond Road subject to the presented draft received by the Board. Moved by Commissioner Tindaro and seconded by Commissioner Young.**

**The vote passed 5-0.**

Township Manager – Ms. Denne

Zoning Review Guidelines and Adoption Timeline – Ms. Denne noted that the Township received a second extension, and they would need to go through the County Commissioners to request a third extension. Ms. Denne noted that she spoke with Ray Ott and he chose not to continue working with the Township on the zoning.

Ms. Camp noted that in order for the Township to have the zoning completed by the end of June, it would have to be submitted to the Township Planning Commission by the end of April. Ms. Denne asked the Board what they could give to staff to get this done.

Commissioner Evans asked if there is anything preventing the Township from working with Nancy Sarcenella to complete this. Ms. Denne replied that the contract was with Mr. Ott. Ms. Camp replied that Ms. Sarcenella is a subconsultant to Mr. Ott.

Commissioner Evans asked if the Township could amend the contract. Ms. Denne replied that it would be difficult at this point because they are in jeopardy of not finishing this.

Commissioner Mullin noted that they have the qualified people to get this completed.

Commissioner Young noted that they asked for the reversed dates, last time. Ms. Denne replied that the reversed date is that this will have to go to the Township Planning Commission by the end of April.

Kristin Camp presented the critical topics and provisions to address in the Zoning Ordinance amendments. Ms. Camp also noted that she reviewed the existing code with Ray and Ms. Denne and changed what they thought were problems.

Analyze the existing Zoning Map and determine if the Board is satisfied with how parcels are zoned. Focus on large undeveloped parcels and make sure the Board is okay with the existing map – Ms. Camp noted that this will not take long.

Uses in Commercial Districts – Board to determine if they are happy with uses allowed and by what process (by right or CU) – Ms. Camp noted that she kept R1 to R5 as it currently is. She also noted that focus needs to be on the commercial districts. Currently the ordinance is set up as things that are 7,500 square feet and less in size are a by right uses. If the same use is 7,500 square feet and greater then it requires conditional use.

Definitions and Identification of New Uses such as short-term rentals, food trucks, etc. – Ms. Camp noted that with Mr. Stackhouse they almost completed this except the ones to be added such as short-term rentals.

Historic Resources – Ms. Camp noted that this has been completed.

Signs – Ms. Camp noted that Mr. Stackhouse asked her to review the sign ordinance two years before this started. Ms. Camp noted that she has a draft of the sign ordinance for Board review.

Design standards for Lincoln Highway – Board must be clear what they are looking to require for parcels along Lincoln Highway – Ms. Camp noted that she needs direction from the Board on their vision for Lincoln Highway.

Design standards for townhomes – Ms. Camp noted that Eli Kahn attended a Township meeting regarding the Cohen Property and indicated a proposed township development at the Cohen property. Mr. Kahn said that he cannot comply with the Township townhouse design standards. Ms. Camp noted that this is an opportunity for the Board to review their current design standards versus what the industry standard is or what builders are building. Ms. Camp recommended reaching out to the County Planning Commission.

Parking/Loading – Commissioner Evans noted that the plan from Mr. Ott was for business to set their own parking needs. Commission Evans and Commissioner Mullin noted that the Board is comfortable with this.

Eliminate PRD? Do we still need this? (MiPlace is being developed under the PRD regs.) – Ms. Camp noted that when MiPlace came in as a planned residential, first from Dwell, development, Mr. Colagreco represented the applicant and there was an amendment to the ordinance to add the Planned Residential Development (PRD). Ms. Camp asked if the Board wants to keep this in place because it is not required to have a PRD section in the code.

Supplementary Regulations – Incorporate edits made by Ray and KSC in Ray Ott Version – Ms. Camp noted that with Mr. Stackhouse and Ms. Denne this has been completed.

Ms. Denne suggested every Wednesday evening in February to hold workshops. Ms. Denne also noted that the meetings will need to be advertised if there are three or more Board members in attendance.

Cheryl Spaulding of 406 Lloyd Avenue asked if Mr. Ott was hired to help the Township with the zoning ordinance and he no longer wants to move forward. Commissioner Evans replied that he was not addressing what the Township is trying to do so they mutually parted ways.

Mark DeYoung asked what the difference is between what Mr. Ott wanted and what the Township wants. Commissioner Mullin replied that Mr. Ott had a different vision. Commissioner Mullin noted that after the Township received the extension, Ms. Denne called Mr. Ott and he did not want to continue with the Township. Ms. Denne replied that the type of zoning Mr. Ott presented to the Board is form-based zoning and that does not fit the vision of what the Board wants to accomplish.

Tony DiSario of 251 Loomis Avenue asked if the Township will lose the grant if the zoning is not completed. Commissioner Evans replied that the Township will have the zoning done and will not lose the grant.

After the Board discussion, Ms. Denne noted that she will send out a doodle poll to the Board to set these meetings up.

EMS Territory Resolution – Commissioner Young noted an email from Mr. Stackhouse regarding Washington Hose Company (Washington Hose) is concerning. Why is the Township using them if they are not available most of the time? Mr. Stackhouse noted that he would not say “most of the time” and the problem is that it is sporadic. There are times when there are no medic units logged up, times when there is just a medic unit logged up and that unit is not in Caln. Mr. Stackhouse also replied that at this time it is not a stable service versus the alternative service, which is Minquas Fire Company (Minquas). Commissioner Evans noted that he is happy that Washington Hose is going with Advanced Life Support (ALS), however; they are just starting. He would feel comfortable going with someone the Township knows and who has experience with ALS. Mr. Stackhouse noted that Minquas has committed to doing a system status management type service once they are up and completely running and if they are providing inter-service to the entire township.

Commissioner Young noted that his only concern is what does the Township do if Minquas is not available, or both are out, and someone has a membership with either Minquas or someone else. What does the Township do about Washington Hose not honoring their membership. Mr. Stackhouse replied that if the Board can figure that out, they will resolve most of the County issues. He also replied that unfortunately a lot of areas in the county have a universal understanding of that. He does not think it will ever be overcome unless it is a county system or if you have one provider providing service throughout the whole county.

Commissioner Young noted that Minquas EMS Chief Andrew Steward previously stated that if someone joined Washington Hose that they would honor their membership. Mr. Steward replied that they will honor any membership pretty much across the commonwealth. If you have someone visiting from Pittsburg or Eric and they have a membership to a service there, they will honor it.

Commissioner Mullin asked Chief Steward how Minquas will be ready to take over the entire township if the Board votes that way. Chief Steward replied that they currently have four MICU-capable transport units in the station and ready at any time. They also have two chase vehicles. They have not purchased the fifth transport yet and possibly a sixth transport to make sure they have reserves for backup units. Minquas will have four capable transport units during peak hours and two to three during off peak hours with a chase vehicle being a supervisor or captain or higher certified that would drive the system status management to make sure trucks are in the correct spot.

Commissioner Mullin called for public comments and further Board comments.

Cheryl Spaulding of 406 Lloyd Avenue noted that the Township needs to have less complication when picking someone up by ambulance.

Commissioner Tindaro noted that it makes more sense to go with one fire company. Chief Steward noted that they will bill the patients’ insurance and then the membership will cover the remaining

balance of the bill. Chief Steward also noted that Minquas has a joint membership with certain fire companies. Minquas' membership is \$50.00 for a senior meaning anyone sixty years of age and older, senior couple \$65.00, and family \$100.00.

Ms. Denne noted that the current Resolution reads that Minquas is the ALS provider and provides BLS for the east side, and Washington Hose provides BLS only for the west side. The Board would need to direct her to amend the resolution to say which provider and what territories they want. Commissioner Mullin noted that the Township wants Minquas to take over the entire Township for ALS and BLS.

**Commissioner Young made a motion to direct the Township Manager to amend the EMS resolution to ALS and BLS to be covered by Minquas and seconded by Commissioner Mullin.**

**Washington Hose Fire Company Chief Scott Thornton noted that he is not clear as to why they are losing the BLS. They made a commitment to Caln with their substation located behind the Giant grocery store for seven more years. Chief Thornton also noted that he would like the opportunity to maintain the BLS side. They still reciprocate all memberships. This will be a huge hit for their community involvement.**

**Commissioner Mullin noted that Ms. Denne followed up on the resident that had a membership for another fire company and was told by Washington Hose that they have to pay their bill. Ms. Denne followed up with this resident and they were not contacted by anyone at Washington Hose. Chief Thornton replied that he could not get information from the November meeting. He also noted that this was resolved. Mr. Stackhouse noted that when he followed up on the resident they were not contacted by Washington Hose. Mr. Stackhouse also noted that the bottom line is that the Township had to follow up on the resident. Chief Thornton replied that if this is so then he apologizes.**

**Commissioner Young noted that the Board has a motion on the floor and requested the Board President call the question. Commissioner Mullin thanked Chief Thornton and took a vote.**

**The vote passed 5-0.**

Ms. Denne turned the floor over to Mr. Schmit.

#### Preconstruction Meeting Municipal Road Bridge –

Mr. Schmidt noted that the preconstruction meeting was held with LOBAR Site Development Corporation (LOBAR) at the Township building on January 20/2023. They discussed main points regarding their schedule, meeting their obligation from their signed agreement, and the substantial completion date of June 27, 2023. LOBAR was not prepared at this meeting to say yes or no. Mr. Schmidt also noted that this is a pre-fabrication product that goes through a shop drawing process and gets approved and then they start the fabrication. Mr. Schmidt also noted that it sounded like LOBAR is not going to miss the deadline. They did resolve all the issues regarding

the storm sewer line, and the PECO poles are in the way of the crane activities to place these components. They have not been able to have PECO attend a meeting.

Ms. Denne noted that she reached out at the state level and the Public Utility Commission (PUC) to try and get someone to assist the Township.

Commissioner Mullin asked Ms. Denne what happens regarding FEMA if this project goes over the January 27, 2023 date. Ms. Denne replied that they made it extremely clear in the meeting that liquidation damages will be sought, and then their lawyer will be in charge. Ms. Denne also replied that there will not be a change order to alleviate the missed date.

Commissioner Evans asked if the original date was late March 2023. Ms. Denne noted that the actual FEMA deadline for completion of the project is March 10, 2023.

Mr. Schmit noted that he previously said twelve weeks, however; he should have clarified that the twelve weeks is for fabrications of the larger elements of the Municipal Bridge. The date has changed now that LOBAR has provided their schedule on what they can do with their workforce and materials being ordered, and fabricated.

Commissioner Mullin asked Mr. Schmit to give an update on the ARRO projects.

Moore Road Bridge Replacement Project – Mr. Schmit noted that there is an exposed pipe assumed to be a PECO gas line that is active, and they have been trying to engage with PECO. This project is predicated on what PECO does. Commissioner Tindaro asked if there is a completion date for this project. Mr. Schmit replied that they had a pre-construction meeting on January 24, 2023 and he has not received their construction schedule yet, however; they have a contract substantial completion date of May 17, 2023 and a final date of June 6, 2023.

North Barley Culvert Repair Project, Barley Sheaf Swale Reconstruction Project, and South Lloyd Streambank Stabilization Project – Mr. Schmit noted that these three projects have a substantial completion deadline of March 7, 2023.

North Bailey Road Drainage Improvements Project – Mr. Schmit noted that the this project has started and has a completion date of mid-February 2023.

Park Drive Stormwater Conveyance System Replacement Project – Mr. Schmit noted that the completion deadline is April 11, 2023. They are underway with material ordered.

Golf Course Spring House Demolition Project – Mr. Schmit noted that the deadline is March 17, 2023. They are currently doing a lead evaluation and once they get the clear, it will take five days.

Authorization to Advertise for Bids for DPW Garage Renovations –Mr. Schmit noted that this project is approximately \$30,000.00 and will go out to bid with Board approval.

Commissioner Mullin called for Board and public comments.

Mark DeYoung of 20 Beaver Run Road asked the Board to go to the Federal and public officials and copied on all correspondence.

**Commissioner entertained a motion to advertise for bids for the Public Works Garage Renovation. Moved by Commissioner Evans and seconded by Commissioner Kennedy.**

**The vote passed 5-0.**

Ordinances and Resolutions for Consideration

Request for Consideration to Adopt Ordinance 2023-01 Amending Chapter 149 of the Caln Code Titled, "Vehicles and Traffic"; Section 149-28 Titled, "Special Purpose Parking Zones" to Designate a Handicapped Parking Spot at 3717 Bungalow Glade – Commissioner Mullin moved consideration to adopt under Township Solicitor – Ms. Camp.

Request for Consideration to Adopt Ordinance 2023-02 Amending Chapter 141 of the Caln Code Titled, "Taxation" at Section 141-67 Titled, "Discounts; Penalties" to Comply with Act 57 of 2022 – Commissioner Mullin moved consideration to adopt under Township Solicitor – Ms. Camp.

Minutes to Approve

Request for Consideration to Approve the January 12, 2023 Board of Commissioners Meeting Minutes – Commissioner Mullin called for Board comments.

Commissioner Mullin noted the Fire report changed from Commissioner Young to Commissioner Mullin.

**Commissioner Mullin entertained a motion to approve the January 12, 2023 Board of Commissioners meeting minutes with the said change. Moved by Commissioner Evans and seconded by Commissioner Tindaro.**

**The vote passed 5-0.**

Acknowledgement of Planning Commission Approved Minutes

Request for Consideration to Acknowledge the Receipt of the November 15, 2022 Planning Commission Minutes – Commissioner Mullin called for Board comments. There were none.

**Commissioner Mullin entertained a motion to acknowledge the Board receipt of the November 15, 2022 Planning Commission minutes. Moved by Commissioner Evans and seconded by Commissioner Kennedy.**

**The vote passed 5-0.**

## Finance Department

Financial Report – Ms. Swan presented her December 2022 departmental financial report, which was previously provided to the Board. Ms. Swan noted that they are closing out the year and audits have begun. Ms. Swan also noted that she expects a finalized audit by March or April of 2023.

Request for Consideration to Approve General Checks 49497 to 49577 – Commissioner Mullin called for Board comments. There were none.

**Commissioner Mullin entertained a motion to approve general checks 49497 to 49577. Moved by Commissioner Tindaro and seconded by Commissioner Young.**

**The vote passed 5-0.**

Commissioner Kennedy asked Ms. Denne if the Township has any kind of cyber-attack protection. Ms. Denne replied that they have their server protected through the Township IT Company. Ms. Denne also replied that they also have an insurance policy that covers some cyber protection.

## Directors Reports

Police Chief Elias – Chief Elias noted a few highlights from his department's 2022 annual report. Chief Elias noted that the police department is back to responding to cardiac arrest, choking, and some of the more serious.

Chief Elias noted that there is a section in the vehicle code trespass by motor vehicle if it is on private roads or private driveways. The police cannot enforce on private property except for the various serious ones like homicides by vehicle or if private property is posted.

Chief Elias noted that they have two sponsored cadets enrolled in Montgomery County and one in Delaware County. Chief Elias also noted that the police department has one probational police officer resignation.

Fire Department Chief Taylor – Chief Taylor noted a few highlights from his department's 2022 annual report. Chief Taylor said that there are 8,760 calls in a year. Their membership spent 6,320 hours and two minutes either training, responding to calls and that is the only ones that they calculated.

Director of Building & Life Safety & Public Works Mr. Stackhouse – Mr. Stackhouse noted a few highlights from his department. Mr. Stackhouse gave a brief update on the Building and Life Safety department. Mr. Stackhouse noted that they mailed thirty-one vacant commercial letters and seven residential letters. They have seen replies from those letters come into the office.

Mr. Stackhouse noted that they have received hundreds of job applications for various jobs. Interviews will be scheduled shortly.

Mr. Stackhouse noted that due to the weather, they were able to do a stormwater pipe replacement on North Barley Sheaf Road.

Mr. Stackhouse noted that PAWC is doing three watermain upgrades. One on Olive Street extension, Harmony Street, the entire length from 13<sup>th</sup> Avenue to the dead end. And Foundry Street from 11<sup>th</sup> Avenue all the way down Red Raider Way. Commissioner Mullin asked how old the pipes are. Mr. Stackhouse replied “old”.

Commissioner Kennedy asked about the Dairy Queen renovation. Mr. Stackhouse noted that it is a total renovation with storage on the second floor.

Ingleside Golf Manager Mr. Ward – Mr. Ward noted a few highlights from his department’s 2022 annual report. Mr. Ward noted that it has been sixteen years that the Township has been operating the golf course.

	<u>2023</u>	<u>2022</u>
Rounds –	2,737	2,728
Revenue –	\$912,661	\$887,235
Expenses –	\$716,661	
Golf Course Fund	\$22,000 positive	

#### Additional Business

Commissioner Young noted that the Downingtown Mayor sent him an email regarding a stormwater grant with East Caln and Downingtown. They would like Caln Township to be included. Commissioner Young also noted that he will forward the email to Ms. Denne to do more research on this.

#### Public Comments

Lou Stevens representing men and women who work and live in Chester County and Caln Township. Mr. Stevens asked the Board to consider adopting responsible contractor language. He also noted that there is concern with the vetting process for projects in Caln Township.

#### Adjournment

**Commissioner Mullin entertained a motion to adjourn the January 26, 2023 Board of Commissioners Meeting at 9:55 PM. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro.**

**The vote passed 5-0.**

Respectfully submitted,

Denise Miller,  
Assist Township Secretary