

Caln Township Board of Commissioners  
253 Municipal Drive Thorndale, PA 19372  
February 25, 2021 Minutes  
7:30 PM

Attendance – Paul Mullin-President, Jane Kennedy-Vice President, Joshua Young-Commissioner, Lorraine Tindaro-Commissioner, Mark Evans-Commissioner, Kristen Denne-Township Manager/Secretary, Lisa Swan-Finance Director, Bryan Kulakowsky-Township Engineer, Kristin Camp-Township Solicitor (Absent), and Denise Miller-Assistant Township Secretary.

Commissioner Mullin called the Virtual Zoom meeting to order at 7:30 PM. He then called for the Pledge of Allegiance to the flag.

**Commissioner Evans' Township Update**

Welcome everyone, thank you for joining us. Our meetings are “Neutral Ground”, a place to hear and be heard. Just a reminder that we need to all keep our comments civil and non-judgmental, whether addressing Board Members, Township Employees, or our fellow citizens. We're all in this together, and have so much to do, unity is everything.

1. I'm going to keep plugging our local businesses, many are struggling to survive the pandemic, especially our fantastic local eateries. Please support them any way you can – by ordering takeout, safely dining in, or simply leaving a larger tip than you normally would.
2. Our first “Coffee with the Commissioners” virtual Town hall of 2021 will be held Thursday, March 18, 2021 at 7:00 PM. We're proud to announce that our special guest will be Coatesville Area School District Superintendent (“CASD”) Tomas Hanna. In doing some research, I stumbled on one of his quotes that really got my attention. Talking about CASD, he said “Let's dream it, then build it. Let's build something that attracts, keeps, and potentially brings people back.” It hit me that his vision for the school district is similar to this Board of Commissioners mission for Caln Township. It all starts with the dream. And from there we can build, as long as we reject the naysayers and remember that impossible things are accomplished every day. Why not here?
3. Spackman Farm Barn Roof – We're almost there. The contracts have been signed, the pre-construction meeting should be in early March. It's probable that the roof will be completed by late May-early June. Thanks to Bryan Kulakowsky for keeping this going!
4. I would love to report that all of our Committees are full and there's no room for more volunteers, but that is simply not true! Commissions are fun... heck, during COVID, some of the only social interactions I've had has been with my fellow volunteers. Hint, hint... We need you. Come and join us. There's no better way to feel good about your township than by being a part of it.
5. PA COVID-19 (“COVID”) Vaccine distribution is still not what it could be, and Chester County remains in stage 1A, which includes:

- a. Long-term care facility residents
- b. Health care personnel
- c. Persons not directly involved in patient care but potentially exposed to infectious material
- d. Persons ages 65 and older
- e. Persons ages 16-64 with high-risk conditions

If you are in those categories, you can pre-register for the vaccine at Chesco.org.

Not wearing masks in public places is the leading cause of spread for the infection. COVID doesn't just effect the patient, it effects everyone. Mask wearing is not a political statement, it a sign of respect for your brothers and sisters in this thing called life.

### JUST THE NUMBERS:

In Caln, on February 10, 2021 we had 862 cases, we now have 905. We've added about 100 new cases in the last month. Sadly, since our last meeting we lost another two of our neighbors to COVID, our death toll now stands at 31.

Since February 10, 2021 Chester County has added over 1,200 new positive cases, with an additional 18 deaths, both numbers are consistent with the previous two weeks. Caln Township continues to have the 6<sup>th</sup> highest number of cases in the county, and the 7<sup>th</sup> highest number of deaths.

We're not out of this. A new surge is anticipated due to the arrival of more aggressive variants. Please, take the necessary steps to stop the spread. Put love for your neighbor before self-interest. Be a part of the solution.

### Citizens to Be Heard

Ashlee Dadd of 4331 Edges Mill Road asked for the Developer's information for the Dwell Development ("Dwell"). Ms. Denne asked Ms. Dadd to email her and she will provide the information.

Ms. Dadd also requested that the Developer keep the rural landscape in tack and have definite property lines established. She also questions the dog park that will be neighboring her property, a portion of the walking trail that will border her property, and when the property was changed from R1 as it was in 2018.

Ms. Dadd noted that she was not properly notified and she was not aware of any meetings held on this development that happened during COVID. She asked for any help that the township can give her.

Commissioner Mullin noted the approval of the plan happened at the beginning of 2020, and there were meetings held prior to that approval. He asked Ms. Denne if Ms. Dadd should contact the Developer or should the Township ask the Developer to attend one of their meetings, in order to open up conservation. Ms. Denne noted that interested parties should contact the Developer directly.

She also noted that this is an approved plan so the Township will abide by their plan, all of their construction measures, everything they have to for natural conservation, and all that is on the approved plan.

Commissioner Young noted that he will give Ms. Dadd history on the Dwell plan by, this weekend. Ms. Dadd noted that she believes that she met with Commissioner Young about the “flex space” in 2018, and they asked if there was any talk about developing the property behind their house, and at that time the answer was “no”.

Commissioner Mullin noted that as far as the traffic, a lot of the work on 322 needed to be done upfront. Commissioner Young noted that he is not sure if Ms. Dadd spoke with him in 2018 or someone else. He noted that Dwell is creating a deceleration lane and an acceleration lane. He noted that the light that is now at 322 and the 30 bypass was supposed to be installed by them as well however, the Township received an ARLE Grant before they came along. At one point they had an even larger development because they were going to buy the Darlington property. He also noted that when he first came onto the Board that there was a seventy-four single family dwelling proposed, and then it morphed multiple times into proposed developments before Dwell.

Ms. Dadd noted that she hopes they take into consideration that in 2018, the 322 intersection and Edges Mill Road was rated an “F”.

Paul Stevens of 2116 East Kings Highway noted that PennDot plowed his trash can down the road and he could not find it so he purchased another one. He thanked the Municipal Authority for finding it and returning it to him.

Mark DeYoung 20 Beaver Run Road noted that he is following up on his concern from the last meeting, and sees that Commissioner Young has removed a lot of his political propaganda however, he still has his political buttons and black lives matter reference. They are political in nature and should not be at a Zoom or public meeting. He noted that he will contact whoever he needs to if this is not removed. He also noted the rules for running for an election.

Commissioner Mullin noted that there is nothing that Commissioner Young is promoting for anyone that is running for an election. He also noted that what is behind Commissioner Young is memorabilia, and there is no legal issue regarding this.

Commissioner Mullin also noted Mr. DeYoung’s comment at the last meeting where he stated that he emailed Commissioner Mullin after the January 28, 2021 meeting regarding this issue and did not get a response back from him. Commissioner Mullin noted that he did not receive an email from Mr. DeYoung, and he has always replied to Mr. DeYoung’s emails or phone calls. Mr. DeYoung noted that he only said that he email him and received no response is because someone said that he should have said this “off-line”, and that is what he tried to do.

Commissioner Evans asked Commissioner Young if there are republican buttons also on the board. Commissioner Young noted that there is. Mr. DeYoung noted that it does not matter.

Commissioner Evans asked Mr. DeYoung to send the email he sent him again from his “sent” file to Commissioner Mullin. Commissioner Mullin noted to send the email to the whole Board.

Vince Rose of 135 Turnberry Drive noted that the Township has spent too much time on Mr. DeYoung's comment on what is on Commissioner Young's background. He asked the Board to consider not spending any more time on what any of the Commissioners have on their walls in their homes.

Mark DeYoung of 20 Beaver Run Road noted that he does not think that he should be censored on speaking about a topic in the future. Commissioner Mullin noted that the meetings are an open forum, and everyone is allowed to have a comment and an opinion.

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Commissioner Evans noted that under the previous Board, "Citizens to be Heard" had been reserved for comments on agenda Items only, everything else had to wait for "Public Comment". This Board has been trying to relax things a bit, and would hate to have to return to the previous policy, but may have to consider it.

**Township Solicitor – Ms. Camp**

N/A

**Township Engineer – Mr. Kulakowsky**

Spackman Farm Reroofing Project – Mr. Kulakowsky noted that the contracts are in the Township's possession for execution. He also noted that they are coordinating with the Contractor, Kupex, to coordinate submittals of materials before they can approve the actual materials going onto the roof, and then schedule the preconstruction meeting. The Township has sixty days after the meeting to complete the project.

Mr. Kulakowsky noted that the Planning Commission did not hold a February 16 meeting however, they did hold a workshop meeting. Mr. Kulakowsky noted that the workshop was a general training discussion regarding procedures, policies and ideas on conducting their meetings, and doing work on how they can support Caln Township.

2020 Road Program Payment Recommendation #1 Payable to Berg Construction, in the amount of \$288,250.64 – For Board consideration, Mr. Kulakowsky offered payment recommendation #1, in the amount of \$288,250.64. He noted that the project is 100 percent complete, and they addressed all the items from ARRO's punch list. Once payment is made, the Township will be under a twelve month maintenance bond, with Berg Construction. He also noted that this is portion #1 of the payment, which is the Liquid Fuels PennDot reimbursement portion.

Mr. Kulakowsky noted that payment #2 will be before the Board next month for the change order for North Bailey Road, the portion at the top of the bridge that was fixed, and for the asphalt supplier as requested by the Township.

Commissioner Mullin asked if the second payment is for \$51,000. Mr. Kulakowsky noted that it will be for \$16,568.96. Mr. Kulakowsky also noted that the total job came in at \$51,000 under estimated

cost due to the visual inspection, and upon walking the roads seeing that they were not in as bad of shape as they thought.

Commissioner Mullin asked if the second payment of \$16,568.96 will complete the project. Mr. Kulakowsky noted that it will complete the project. He also noted that due to the snow, the road survey has been delayed until next week, depending on the weather.

**Commissioner Mullin entertained a motion to approve payment #1 to Berg Construction, in the amount of \$288,250.64. Commissioner Mullin called for public comment. There were none. Moved by Commissioner Young and seconded by Commissioner Tindaro. Vote passed 5-0.**

Lloyd Avenue Traffic Signal – Mr. Kulakowsky noted that PennDot has a preliminary design, and ARRO is working with PennDot's and the Chester County Bridge Engineer to determine the location of the actual poles.

Commissioner Evans asked if the poles could be something suitable to the historic bridge. Ms. Denne noted that it has been discussed with PennDot's Engineer, and they will be using a brushed ornate kind of black pole.

**Township Manager – Ms. Denne**

Emergency Declaration Extension – For Board consideration, Ms. Denne offered an Emergency Declaration Extension for an additional thirty (30) days.

**Commissioner Mullin entertained a motion to extend the Emergency Declaration. Moved by Commissioner Evans and seconded by Commissioner Tindaro. Vote passed 5-0.**

11 Brooks Lane – Ms. Denne noted that Mr. Stackhouse has gone into the structure with a Structural Engineer. The Structural Engineer's report noted that the structure will make it through the winter and through to Sheriff's sale. She also noted that she will continue to work with the Chester County Economic Development and Chester County Housing to try and market this house as a property rehab, and first time home ownership.

**Ordinances and Resolutions for Consideration**

Resolution 2021-07 A Resolution updating the Tax Collection Committee Representatives – **Commissioner Mullin entertained a motion updating the Tax Collection Committee Representatives adding Finance Director Lisa Swan as the First Alternate Voting Delegate. Commissioner Mullin called for Board and Public comments. There were none. Moved by Commissioner Tindaro and seconded by Commissioner Evans. Vote passed 5-0.**

Resolution 2021-08 A Resolution appointing Lisa Swan as the Township Treasurer – **Commissioner Mullin entertained a motion appointing Lisa Swan as the Township Treasurer. Commissioner Mullin called for Board and Public comments. There were none. Moved by Commissioner Tindaro and seconded by Commissioner Young. Vote passed 5-0.**

Resolution 2021-09 A Resolution Ratifying the Declaration of a Snow Emergency within the Township Limits and Streets Identified in Chapter 149 of the Township Code – Commissioner Mullin

asked Mr. Fragale how the new snow emergency resolutions are working. Mr. Fragale noted that they are working well, and they are also working with the police department. He noted that two to three tickets were given to vehicles parked where the “no parking” signs were but not where the “snow emergency” signs were.

**Commissioner Mullin entertained a motion ratifying the declaration of a snow emergency within the Township limits and streets identified in Chapter 149 of the Township Code. Commissioner Mullin called for public comments. There were none. Moved by Commissioner Evans and seconded by Commissioner Tindaro. Vote passed 5-0.**

Resolution 2021-10 A Resolution Establishing the Fire Police Officers for Thorndale Volunteer Fire Company for the Year of 2021 – Commissioner Mullin noted that he has to swear in the Fire Police before this resolution can be passed. Ms. Denne noted a zoom meeting for March 3, 2021 has been scheduled.

Ordinance 2021-01 An Ordinance of the Caln Township Board of Commissioners Amending Caln Township’s Code of Ordinances, Part I Administrative Legislation, Chapter 48 Tax Collector, Article II Compensation, Section 48.3 Compensation of Tax Collector – **Commissioner Mullin entertained a motion amending Caln Township’s Code of Ordinances, Part I Administrative Legislation, Chapter 48 Tax Collector, Article II Compensation, Section 48.3 Compensation of Tax Collector. Commissioner Mullin called for Board and Public comments. There were none. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Vote passed 5-0.**

Ordinance 2021-02 An Ordinance of the Commissioners of Caln Township Chester County, Pennsylvania Amending The Code of Ordinances of Caln Township Specifically Part II General Legislation, Article V Snow and Ice Emergencies, Chapter 149 Vehicles and Traffic, Section 149-40(B) Parking Prohibited on Certain Streets – For Board consideration, Ms. Denne offered a parking prohibited ordinance for the following streets.

<u>Name of Highway</u>	<u>Limits</u>
Foundry Street	entire length
Brook Lane	entire length
Courtney Lane	Ingleside Drive to dead end
Lisa Drive	Ingleside Drive to dead end
Ingleside Drive	North Bailey Road to GO Carlson Boulevard
Jewell Avenue	Hazelwood Avenue to dead end

Ms. Denne noted that the roads have been posted for two weeks, and the ordinance has also been advertised. She also noted that Mr. Fragale will put the signage up, once this ordinance is finalized.

**Commissioner Mullin entertained a motion adopting Ordinance 2021-02 amending the Code of Ordinance of Caln Township Specifically Part II General Legislation, Article V Snow and Ice Emergencies, Chapter 149 Vehicles and Traffic, Section 149-40(B) Parking Prohibited on Certain Streets. Moved by Commissioner Evans and seconded by Commissioner Tindaro. Vote passed 5-0**

Resolution 2021-03 A Resolution Designating the 2021 Response Territories for Emergency Service in Caln Township (TABLED 01/28/2021) – Commissioner Young suggested a separate meeting for further discussion, because it could be a lengthy meeting. Commissioner Mullin directed Ms. Denne to coordinate a meeting for this. Ms. Denne noted that she will coordinate a meeting for the 2021 response territories.

### **Minutes to Approve/Acknowledge**

February 11, 2021 Board of Commissioners Minutes – **Commissioner Mullin entertained a motion to approve the February 11, 2021 Board of Commissioners Minutes. Commissioner Mullin called for Board and Public comments. There were none. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Commissioner Mullin abstained because he was not in attendance of the meeting. Vote passed 4-0.**

### **Financial Report – Lisa Swan**

Financial Report – Ms. Swan thanked the Board and Ms. Denne for the opportunity to work for Caln Township.

Ms. Swan noted that the street light bills were mailed at the beginning of January, there are approximately 116 residents who signed up for e-billing, and the real estate tax bills will be mailed next week. She also noted that you can pay your township bills via the lockbox, online, echeck, or direct deposit.

Motion of approval for General Checks 46122-46163, and Manual Checks 180-183 – Ms. Swan noted a check to Signal Service in the amount of \$47,191.36 for a damaged control cabinet. She noted that the money was reimbursed through the insurance company.

**Commissioner Mullin entertained a motion to approve general checks 46122-46163 and manual checks 180-183. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Vote passed 5-0.**

### **Directors Reports**

Police Chief Elias – Chief Elias noted a few highlights from their department's January 2021 report, which was previously provided to the Board.

- Part 1 crime being the most serious crime down was down 58% compared to January 2020
- Part 2 crime was down 70% compared to January 2020
- Business checks – 1,223
- Bank checks – 303
- Park checks – 580

Chief Elias noted a three hour standoff with a barricaded gunman incident on February 21, 2021 at 2 Fox Avenue in Brandywine Homes. He noted that they could not have had a better outcome.

Chief Elias thanked Mr. Stackhouse and his Codes Department for following up on the residents when they completed their investigation. He also noted that the home had several code violations, which were swiftly addressed.

Chief Elias thanked Mike Fragale and the Public Works Department for their work on snow plowing the streets, which makes the police officers job easier to get around the township.

Chief Elias noted that they entered into a Consortium Testing Agreement with Downingtown Borough and our respective Civil Service Commissions to administer an entry level police officer exam on Saturday August 3, 2021. The advertisement will appear in the Daily Local News Paper, on Social Media, the Township website, and the route 30 digital billboard, beginning this Monday. He also noted that applications will be available on the police website and if needed, at the police department.

The Commissioners thanked Chief Elias for their work on the 2 Fox Avenue incident.

Chief Dan Donnachie – Chief Donnachi noted a few highlights from his department’s January 2021 report, which was previously provided to the Board.

Chief Donnachie noted that several of their personnel are now receiving their second COVID vaccine however, several have to go elsewhere for their second vaccine due to a shortage.

Chief Donnachie noted that the fund drive donations are starting to be received, they are working on their annual medical training, and Miller’s Automotive in Downingtown donated their labor to fix one of their vehicles.

Director of Building & Life Safety Mr. Stackhouse – Mr. Stackhouse noted a few highlights from his department’s January 2021 report, which was previously provided to the Board.

Mr. Stackhouse noted that they delayed sending out the late notices for their rental licenses until the beginning of March versus their normal time in early February because of the mail delivery being slow.

- 29 Building and zoning permits processed
- 139 Rental inspections and follow ups
- 21 Code enforcement activities
- Elizabeth Nagy has filled the position of permit clerk
- Part time code enforcement position applications now being accepted

Commissioner Kennedy asked if “Boston Market” restaurant is opening at one of the vacant buildings where the “Pizza Hut” use to be. Mr. Stackhouse noted that “Boston Market” will occupy the old “Pizza Hut” located at the end of Toth and Lincoln Highway, as takeout only.

Director of Public Works Mr. Fragale – Mr. Fragale noted a few highlights from his department’s January 2021 report, which was previously provided to the Board.

Mr. Fragale thanked the police department for helping them mark the locations to install the snow emergency signs.



Mr. Fragale noted that the Seltzer Avenue Bridge handrail and concrete work has been completed. He also noted that they are currently working at the G.O. Carlson and Municipal Drive Bridge. There is a piece of concrete that sank, and they want to replace the handrail.

Commissioner Mullin asked Mr. Fragale to recognize his employees. Mr. Fragale noted his employees are Lance Ziegler, Johnnie Huggins, John Stafford, Marco Flores, John Groff, and new employee Kevin Eshleman. Mr. Fragale also noted that Glenn Chesnet, Larry Weaver, and Marty Martin from the Municipal Authority also help out with snow plowing.

Ms. Denne noted that the Township is now accepting applications for a Public Works Department position through "Indeed".

Ingleside Golf Manager Mr. Ward – Mr. Ward noted a few highlights from his department's January 2021 report, which was previously provided to the Board.

- 727 rounds 62% increase from January 2020
- Approximately \$26,000 Revenue 60% increase from January 2020
- 4 New Members totaling 50 Members

### **Additional Business**

Commissioner Mullin called for additional business. There was none.

### **Public Comments**

Mark DeYoung of 20 Beaver Run Road thanked the Public Works Department for their snow storm work.

Township Historical Commission Member, Paul Stevens of 2116 East Kings Highway noted that the Historical Commission voted unanimously to forward a proposal to the Board of Commissioners, for consideration of adding it to their next agenda, from Richard Grubb and Associates for the Determination of Eligibility ("DOE") of the Edges Mill Historic District. Mr. Stevens also noted that once the DOE is accepted by the State Preservation Historic office, it will put the Township in a stronger position to influence any future decisions made on the US 30/340 Interchange.

The Board asked Mr. Stevens to forward the proposal and any other information they made need to review to the whole Board, and Ms. Denne.

Vince Rose of 135 Turnberry Drive asked if the Township has or will receive any money from the Federal Government. Ms. Denne noted that the Township receives their money from PEMA. They received \$13,000 for adjustments made to keep employees safe.

Mr. Rose asked if there is a maintenance plan for G.O. Carlson walkway. Mr. Fragale noted that he is currently working on a plan for the summer. Mr. Rose also asked if the work will be from Barley Sheaf road to 340. Mr. Fragale noted that they will maintain that area however, that area is part of the trails and will all be redone.

Mr. Rose noted that there is a drainage pipe from the Golf course that goes into the creek and the pipe has been in the water for some time. Mr. Fragale noted that this is on his list to fix.

Mr. Rose thanked the Police, EMS, and Public Works Department for their work.

Cheryl Spaulding of 406 Lloyd Avenue asked if Mr. Miller has been in contact with the Township recently, regarding the Lloyd Farm. Commissioner Evans noted that he has not.

Cheryl Spaulding also asked if there was any progress with the Lloyd Avenue Bridge. Commissioner Evans responded that it had been addressed earlier in the meeting, by Bryan Kulakowsky. He repeated that PennDOT and the Chesco Bridge Engineer were in the process of determining exactly where to place the light poles.

Cathy Callaghan of 301 Bondsville Road and Cheryl Spaulding of 406 Lloyd Avenue thanked the Police, EMS, and Public Works Department for their work.

**Adjournment**

**Commissioner Mullin entertained a motion to adjourn the February 25, 2021 meeting at 9:10 PM. Moved by Commissioner Evans and seconded by Commissioner Tindaro. Vote passed 5-0.**

Respectfully Submitted by,

Denise Miller  
Assistant Township Secretary