

Meeting Minutes for Caln Township
Board of Commissioners
April 14, 2022, 7:30 PM

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, Mark Evans-Commissioner.

Staff Members Present: Kristen Denne-Township Manager/Secretary, Denise Miller-Assistant Township Secretary, Lisa Swan-Township Treasurer, and Abbey Swan-Community Outreach Specialist.

Professionals Present: Kristen Camp-Township Solicitor, Andrew Tuleya, and Al Vennettilli Representing ARRO.

Special Guest: N/A

The Board of Commissioners April 14, 2022, agenda was posted on the Township website, and at the Township building, on April 13, 2022. Agendas were made available for the public, at the meeting.

The 2022 Township Board of Commissioners meetings were published in the Daily Local News, on December 28, 2021.

Township Updates by Commissioner Evans

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

1. Just a reminder, any 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.
2. The April Issue of the Caln Township Newsletter is out! It includes updates on Ida-related projects, upcoming developments, and all the fun stuff too. Thank you, Abbey Swan – you put out a great product!
3. At our 3/31 meeting of the BOC, we voted to approve the \$8.1 million municipal loan to fund critical infrastructure repairs. It locked in at 2.70%. A very good rate, especially in today's volatile market. Kudos to our Township Manager and Finance Director for having the foresight to move quickly to secure these funds before interest rates began to go up.
4. Speaking of Infrastructure Repair: Tonight, we'll be hearing updates on the Moore Road Bridge and Municipal Bridge repair projects, and we'll be considering ARRO's recommended bid award for the Caln West Bioswale Project. We're on our way to recovery!

5. I usually wait for my year-end review to list the good and the bad. But there's a lot of good things happening in this township right now that I'd like to highlight:
- a. ARRO's quick response with engineering that should allow us to get our infrastructure repaired before more damage occurs
 - b. Being able to pay for repairs by securing a low interest municipal loan just before rates began to skyrocket
 - c. Some of our most concerning stormwater issues are finally being addressed
 - d. Ingleside Golf course is turning the corner
 - e. Eli Kahn has proposed the idea of replacing the Cohen Brothers site with beautiful new townhomes
 - f. The Willows are coming to the west end of Lincoln Hwy
 - g. There's a strong possibility that LERTA could be passed by CASD before the end of Q-2
 - h. Businesses are trusting their future to Caln.
 - i. The Chester County Sports Arena is expanding as the Campus-Chester County
 - ii. Colonial Hyundai wants to expand their building
 - iii. Yarningtown just opened in the Wedgewood Center
 - iv. And... a game-changing small business is investing millions by coming to Lincoln Highway – more to come on this

Nothing is ever perfect, but the bottom line is: Caln Township is "Open for Business". It's our township, our community, our home. We can all be a part of the solution by eagerly spreading the good news about our town.

6. COVID: I was hoping I wouldn't need to say this again, but COVID rates are climbing due to the Omicron BA.2.12 and 2.12.1 subvariants. A good friend just tested positive. We all want to be able to enjoy the outdoors this summer. Please consider wearing a mask at indoor public spaces. COVID can still be a death sentence for the immunocompromised, as well those who have chosen to remain unvaccinated.
7. CLEAN UP TIME: No, not Caln cleanup day, which was weeks ago. This is where I attempt to clean up the messes created by misinformation:

There have been requests for some items to be added to tonight's agenda: a 5-year Master Plan and 1-year Marketing Plan for Ingleside Golf Course, and the long-term preservation of Zoom meetings. Just to be clear, those subjects were already discussed at our 3/31 meeting and next steps were laid out: Commissioners Young and I referred the Ingleside issues to the Golf Commission, and the BOC consensus regarding Zoom storage was for the Township Manager to investigate the cost of additional cloud and web storage. Since then, Commissioner Mullin has coordinated with Commissioner Tindaro to schedule a meeting of the Golf Commission for May 31st. I don't believe we have a cost estimate for the Zoom storage yet, but should it prove too costly, there are other options we're exploring so that a solution can be found.

Yes, I personally support a 5-year Plan and a Marketing Plan for Ingleside, but the tide has already begun to turn. When the current BOC took over in January 2020, we too were concerned that Ingleside was hemorrhaging money. One of our first initiatives was the formation of a Golf Commission and we

challenged them to right the ship. While the previous 13-year overview was indeed bleak, things are now moving in a positive direction. Over the last 2 1/4 years Actual Revenue has surpassed Projected Revenue YOY, annual expenses have remained essentially flat, and Golf Fund debt has been dramatically reduced. No doubt Ingleside benefited from Golf's nationwide COVID-fueled popularity rise, but results from 2020, 2021 and early returns for 2022 suggest the spike in interest was not a temporary one.

As for Zoom storage, I am a BIG FAN of ZOOM, and a proponent of up to 1-year of storage. But I have to say, recent emails from a resident who regularly attends meetings (and watches the replays) left me wondering if we've been at the same meetings at all. Unfortunately, sometimes viewers interpret what transpired based on preconceived ideas, just as two people can watch the same movie and come away with completely different opinions of it. Hopefully preconceived ideas based on old experiences will start to change.

Citizens to be Heard

Tony DiSario of 251 Loomis Avenue asked why the trees that were planted at the Riparian Buffer Planting on April 2 so close to the creek. Ms. Denne that this project was in collaboration with the Chester County Conservation District, Penn State Extension, the Public Works Department, and the Municipal Authority. Ms. Denne also noted that the trees were planted where they were because of the type of root system, which absorb water and stabilize the stream.

Township Solicitor – Ms. Camp

Overview of Resolutions for Deed of Dedications Involving the Hills at Thorndale Woods – Ms. Camp noted that on March 20, 2022, the Board of Commissioners approved the final land development plans for the Hills at Thorndale Woods. One of the improvements on the approved land development plan requires the developer to complete improvements at the intersection of South Caln Road where it will connect to the extension of Egleston Boulevard, and in order to perform these improvements, the developer acquired an additional right of way from three property owners along the south side of South Caln Road. Ms. Camp also noted that after the Board accepts the three Resolutions, they will be recorded, and if and when the development moves forward the Developer will have the temporary construction easement needed to do the work and then the rights of way will be owned by the Township.

For Board consideration, Ms. Camp offered three resolutions of acceptance of these three deeds of dedication.

Commissioner Mullin waived the agenda to move Resolutions 2022-17, 2022-18, and 2022-19. The Board had no objection.

Resolution 2022-17 A Resolution of Acceptance of Deed of Dedication for Additional Right of Way of South Caln Road over Lands of Christopher B. and Jeanette T. Newton – **Commissioner Mullin entertained a motion to approve Resolution 2022-17 for the acceptance of the Deed of Dedication for additional right of way of South Caln Road over lands of Christopher B. and Jeanette T. Newton. Moved by Commissioner Tindaro and seconded by Commissioner Evans.**

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

Vote passed 5-0.

Resolution 2022-18 A Resolution of Acceptance of Deed of Dedication for Additional Right of Way of South Caln Road over Lands of Robert Horton – **Commissioner Mullin entertained a motion to approve Resolution 2022-18 for the acceptance of the Deed of Dedication for Additional Right of Way of South Caln Road over lands of Robert Horton. Moved by Commissioner Tindaro and seconded by Commissioner Evans.**

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

Vote passed 5-0.

Resolution 2022-19 A Resolution of Acceptance of Deed of Dedication for Additional Right of Way of South Caln Road over Lands of Richard J. and Sarah Ziobro – **Commissioner Mullin entertained a motion to approve Resolution 2022-19 for the acceptance of Deed of Dedication for additional Right of Way of South Caln Road over lands of Richard J. and Sarah Ziobro. Moved by Commissioner Kennedy and seconded by Tindaro.**

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

Vote passed 5-0.

Township Engineer

Annual MS4 Public Presentation – Mr. Tuleya reviewed and presented a twenty-two page power point, which has been approved as part of the minutes. Mr. Tuleya also noted that he placed additional new pamphlets for the youth and businesses in the Township office. He also noted that he had the new material placed on the township website and they are going to reach out to schools.

Mr. Tuleya noted that the Township must have a reporting system on their website with their phone number so if someone sees illicit dumping, they can call for the Township to go out and investigate.

Mr. Tuleya noted that the Environmental Protection Agency (EPA) Natural Pollutant Discharge Elimination System (NPDES) individual permit covers small separate storm sewer systems in certain portions of Pennsylvania. Caln Township is categorized as a MS4 permit holder by the Pennsylvania Department of Environmental Protection (PADEP) under the clean water act and under that permit Caln Township must demonstrate that it is managing, implementing, and enforcing programs to control stormwater discharges.

Mr. Tuleya noted that MS4 is geared towards water quality while issues like flooding and infrastructure is to a degree a part of MS4, however, it does not directly deal with individual flooding issues on properties or infrastructure. This is showing that the Township is controlling water quality throughout their jurisdiction.

Ms. Denne asked Mr. Tuleya what you would do if you had a car leaking oil. Mr. Tuleya noted that you would ideally do your car maintenance inside versus the driveway. You would correct the issue by cleaning it with absorbent material such as cat litter, which has to be picked up after it has been

absorbed. Mr. Tuleya also noted that it could be potentially dangerous because of the leaking motor oil or debris and any oil coming from the car. Ms. Denne noted that it is still stormwater contamination.

Ms. Denne asked Mr. Tuleya if this would be the same as parking a vehicle in the yard as well as the driveway. Mr. Tuleya noted that lawns provide some filtration, however, if you have the option to do maintenance in your yard versus the driveway, the driveway is safer because the transport is not likely and it does provide some filtration being absorbed into the ground.

Ms. Denne asked Mr. Tuleya the consequences if the Township chooses to not to follow these types of maintenance requirements. Mr. Tuleya noted that the EPA or the PADEP could request an onsite meeting with the Township administration and the MS4 coordinator. They would look through all the submitted reports and do a site walk at all the outfalls, stormwater facilities, and the public works facilities. Mr. Tuleya also noted that if at any point they would determine that you are not in compliance they would write a violation and or a fine. The fines could be for every day you are out of compliance with your stormwater permit.

Ms. Denne asked Mr. Tuleya what it would mean if a Township does not have a MS4 permit. Mr. Tuleya noted that it would be a negative for the township and could also impact activities with other townships as well as you would lose access to sewer facilities.

Ms. Denne asked Mr. Tuleya his professional thoughts on planting trees near streams. Mr. Tuleya noted that the Township will get credit for their stormwater program for all types and amounts of trees planted. Mr. Tuleya noted that stream restoration will also get the Township credit towards their Pollution Reduction Plan.

Ms. Denne asked Mr. Tuleya how the DEP would feel about the Township planting eight-hundred donated trees in the last year. Mr. Tuleya noted that they would look at that as favorable and see it as the Township complying with their permit.

Ms. Denne asked Mr. Tuleya how the DEP looks at a Township doing extra projects. Ms. Denne also noted that the Township is doing a bioswale which the Township received a matching grant for. Mr. Tuleya noted that if a Township is overachieving the DEP looks at it favorably and the Township may be able to use the additional credit to do less restoration in the future. Mr. Tuleya also noted that regulations change in a five-year cycle so that is not to say that a regulation could prevent that. Every five-year cycle Townships must meet 10% reductions of total suspended solids so if you overachieve, you could potentially pad your restoration total so that your overall amount of restoration that you have to do will slowly decline.

Ms. Denne acknowledged Abbey Swan for her Riparian Buffer Planting Program.

Commissioner Kennedy asked Mr. Tuleya what programs that ARRO implements to meet the PADEP standards and regulations. Mr. Tuleya noted that every year they are required to conduct outfall inspections to ensure that there are no substances other than stormwater coming out into the streams and creeks. Mr. Tuleya also noted that they did not find any illicit discharges during their fall inspections. They also do an annual basin inspection. Issues are put in their report, and public works is contacted if there are major problems. They also provide an annual staff training program with the public works department, and Township staff.

Commissioner Young asked Mr. Tuleya if the inspected outfalls and basins are the Township's or are they the Township's and the public. Mr. Tuleya noted that the requirement is to inspect all stormwater infrastructure within the township. Commissioner Young asked Mr. Tuleya how they do their inspections if they do not have an agreement. Mr. Tuleya noted that the Township ordinance provides for Township staff to inspect all stormwater infrastructure so if they do not have an agreement, they can still do the inspection. A lot of inspections can be done from the public rights of way.

Mr. Tuleya noted that the Red Clay Alliance (Alliance) will hold their annual clean-up event on Saturday April 23, 2022 from 8:00 to noon. The litter crews will be in place, they will be practicing social distancing, wearing masks, and working in small groups.

Commissioner Mullin asked Mr. Tuleya how the Township would protect themselves from pollutants from neighboring Townships from flowing into Caln. Mr. Tuleya noted that you would call the PADEP or contact the other Township, which is encouraged.

Commissioner Mullin asked if the Township currently has the stenciling on the stormwater drains. Ms. Denne noted that the Township is looking for an Eagle Scout who has a project that they need to do.

Tony DiSario of 251 Loomis asked who is responsible for maintaining the swales. Mr. Tuleya noted that the Township is responsible if it is in the township right of way, the property owners is responsible if it is on their property, and the Homeowners Association (HOA) is responsible if it on HOA property. Mr. DiSario noted that he is concerned with the carcinogens coming from the overflowing of streams. Mr. Tuleya noted that the EPA is responsible for regulating the streams. Mr. DiSario also noted that he would like to see the Caln Meadow Park do something, and not have the carcinogens, sediment and trash flowing down the stream after it rains. Ms. Denne noted that she is unaware of any carcinogens coming from streams, and asked Mr. DiSario if he has any reports on this. Mr. DiSario noted that he does not.

ARRO PSA 0422-PT01 To Provide Consulting Engineering Services to Assist Caln Township with the 258 Horseshoe Drive Demolition Project, for \$9,694.00 – For Board consideration, Mr. Vennettilli offered ARRO's PSA 0422-PT01 for the house on the Ingleside Golf Course.

Commissioner Mullin entertained a motion to approve PSA 0422-PT01 for ARRO to provide consulting engineering services to assist Caln Township with the 248 Horseshoe Drive demolition project, in the amount of \$9,694. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro.

Commissioner Mullin called for Board and public comments.

Commissioner Evans asked if the asbestos has been removed from the house. Mr. Vennettilli noted that this PSA also provides for the removal.

Commissioner Kennedy asked Ms. Denne to clarify if the Township received a grant for this demolition. Ms. Denne noted that the Township did receive a grant for this.

Vote passed 5-0.

ARRO PSA 0322-PT03 Project #11193.53 To Provide Consulting Engineering Services to Assist Caln Township with the Moore Road Bridge Repair Project, for \$180,000.00 – For Board consideration, Mr. Vennettilli offered ARRO's PSA 0332-PT03. Mr. Vennettilli noted that this includes the design and bidding services, contract administration, and construction observation.

Commissioner Mullin entertained a motion to approve PSA 0322-PT03 Project #11193.53 for ARRO to provide consulting engineering services to assist Caln Township with the Moore Road Bridge Repair Project, in the amount of \$180,000.00. Moved by Commissioner Evans and seconded by Commissioner Tindaro.

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

Vote passed 5-0.

ARRO PSA 0322-PT02 Project #11193.26 To Provide Consulting Engineering Services to Assist Caln Township with the Municipal Drive Bridge Repair Project for \$250,000.00 – For Board consideration, Mr. Vennettilli offered ARRO's PSA 0322-PT02. Mr. Vennettilli noted that this is for the complete services from design all the way to the construction and project close out.

Commissioner Mullin entertained a motion to approve PSA 0322-PT02 Project #11193.26 for ARRO to provide consulting engineering services to assist Caln Township with the Municipal Drive Bridge Repair Project. Moved by Commissioner Evans and seconded by Commissioner Tindaro.

Commissioner Mullin called for Board and public comments.

Chuck Kramer of 2704 East Kings Highway asked if these PSA's have been budgeted or are they included in the tax increase. Ms. Denne noted that they are included in the new bond.

Tony DiSario of 251 Loomis Avenue asked what services does the \$250,000 include. Mr. Vennettilli noted that it includes all the engineering services, and project close out.

Commissioner Kennedy asked Mr. Vennettilli when does the bidding process start. Mr. Vennettilli noted that he will be able to give an answer at the next meeting.

Vote passed 5-0.

2022 Road Paving Project #11193.83 Street List and Cost Estimates for Board Approval – For Board consideration, Mr. Vennettilli offered advertisement for the 2022 Road Paving Project #11193.83.

Ms. Denne noted that she would like the Board to strike #6 for Paul Nelms Road from Gallagherville Road to the cul-de-sac because the price came in quite high. Ms. Denne asked that it be an alternate. Mr. Vennettilli noted that he can add it with the other alternate. Mr. Vennettilli noted that the pre-bid meeting has been moved from April 25 to April 27 at 10:00 AM.

Commissioner Mullin entertained a motion to approve the 2022 Road Paving Project #11193.83 for advertisement with the recommendation to strike #6 and add it as an alternate. Commissioner Kennedy and seconded by Commissioner Tindaro.

Commissioner Mullin called for further Board and public comments.

Vote passed 5-0.

Caln Park West Bioswale Project #10863.25 ARRO Award Recommendation to John A. DiRocco General Contractors, Inc. for the Base Bid Amount of \$125,262.10 – For Board consideration, Mr. Vennettilli offered ARRO's bid award recommendation for the Caln Park West Bioswale Project to John A. DiRocco, in the amount of \$125,262.10.

Commissioner Mullin entertained a motion to approve ARRO's recommend to award John A. DiRocco General Contractors, Inc., for the Caln Park West Bioswale Project #10863.25, in the amount of \$125,262.10. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro.

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

Mark DeYoung of 20 Beaver Run asked the Board if they are building a fancier bridge. Ms. Denne noted that anything that the Township would do other than what is standing would not be covered in a PEMA reimbursement.

Vote passed 5-0.

Township Manager – Ms. Denne

N/A

Ordinances and Resolutions for Consideration

Resolution 2022-17 A Resolution of Acceptance of Deed of Dedication for Additional Right of Way of South Caln Road over Lands of Christopher B. and Jeanette T. Newton – Commissioner Mullin waived the agenda and moved this resolution under the Township Solicitor.

Resolution 2022-18 A Resolution of Acceptance of Deed of Dedication for Additional Right of Way of South Caln Road over Lands of Robert Horton – Commissioner Mullin waived the agenda and moved this resolution under the Township Solicitor.

Resolution 2022-19 A Resolution of Acceptance of Deed of Dedication for Additional Right of Way of South Caln Road over Lands of Richard J. and Sarah Ziobro – Commissioner Mullin waived the agenda and moved this resolution under the Township Solicitor.

Resolution 2022-04 A Resolution Designating the 2022 Response Territories for Emergency Service in Caln Township (Tabled 01/13/2022) – Commissioner Mullin asked if the Board has a motion to untable this resolution. Ms. Denne noted that a Board member would have to make a motion to remove it from the table first and then make a motion to vote on it. Board consensus was to leave it tabled.

Chuck Kramer of 2704 East Kings Highway asked if this resolution is for the overlap with emergency services in the surrounding Townships. Commissioner Young noted that it is the division of ambulance services. Ms. Denne noted that currently the Township is split in half between who will respond first, and due to the hospital closure, ambulances are having longer drive time so it then goes to the second and third calls where if they were on the AVL system it would go to the closest unit to your house.

Minutes to Approve

Motion to Approve the March 31, 2022, Board of Commissioners Minutes – **Commissioner Mullin entertained a motion to approve the March 31, 2021, Board of Commissioners Minutes. Moved by Commissioner Evans and seconded by Kennedy.**

Commissioner Mullin called for Board comments. There were none.

Vote: passed.

Finance Department – Ms. Swan

Motion to Approve General Checks 48032 to 48100 – **Commissioner Mullin entertained a motion to approve general checks 48032 to 48100. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro.**

Commissioner Mullin called for Board comments. There were none.

Vote passed.

Boards and Commissions Updates – Summary by Applicable Board Liaison

Parks and Recreation – Commissioner Kennedy noted that the first movie summer series will be held on June 17, 2022, and Community Day will be held in the Municipal Park on September 10. Commissioner Kennedy also noted that a PULL station will be put in Municipal Park and Lloyd Park.

Commissioner Mullin noted that Caln Little opening day was postponed tentatively to April 23.

COG – Commissioner Kennedy noted that Keystone Fire Direct was in attendance of their meeting.

Municipal Authority – Commissioner Mullin noted that at their March 28 meeting they approved the Sanitary Sewer Capacity and Reservation Extension Agreement for the Willows at Valley Run, and Gilmore presented a draft of the Act 537 plan update to be presented to the Board of Commissioners at their May 12 meeting.

Commissioner Mullin noted that the Township will receive chipping reservations for the Month of April. Ms. Denne noted that the branches can be no larger than 6" in diameter and must be bundled.

DARA – Commissioner Mullin noted that there is no update.

Fire Board – Commissioner Mullin noted that there was not a meeting in March.

Historical Commissioner – Commissioner Evans noted that the Historical Commission did not meet in March. Their next meeting will be next Wednesday April 20. The focus will be on making sure our

proposed Historical Preservation Ordinance be included in the final draft of the Zoning Update and moving forward with our joint project with Old Caln Historical Society to repatriate a number of items from the soon to be demolished condemned structure on the golf course. Not the Buchanan House, that's not going anywhere!

Commissioner Tindaro provided updated information from the Old Caln Historical Society including inviting everyone to attend an Annual Flea, Craft, and Antique Market on May 7th at the Township building from 9:00 AM to 2:00 PM.

Lincoln Highway – Commissioner Young noted that he is waiting on confirmation if LERTA will be on the May Finance Committee Agenda. Mr. Young also noted that hopefully the unnamed business that Commissioner Evans is working with comes to fruition.

Additional Business

Commissioner Mullin called for additional business. There were none.

Public Comments

Chuck Kramer of 2704 East Kings Highway noted that the sign at Caln West off of 340 is broken in half. Mr. Kramer also asked about the pictures and flags that were on the meeting room walls. Ms. Denne noted that the Twinning Group was notified to come and pick up any pictures that they wanted. She also noted that the Township is still deciding on how to proceed with the meeting room. An "Exhibit Wall" is in discussion. Ms. Denne further noted that the flags that were hung were given back to the police department, and the gifts presented to the Township are being kept. Mr. Kramer noted that he would like his flag back that he donated if the Township is not going to use it.

Marc Fox of 256 Thornridge Drive asked the status of his volunteer application. Ms. Denne noted that she will reach out to him with the status.

Commissioner Mullin noted that the Board will have a discussion on the time length of posting all public meetings.

Adjournment

Commissioner Mullin entertained a motion to adjourn the April 14, 2022, Board of Commissioners meeting at 9:30 PM. Moved by Commissioner Evans and seconded by Commissioner Tindaro.

Vote passed 5-0.