Caln Township Chester County, Pennsylvania
Board of Commissioners June 13, 2024
7:30 PM Hybrid Business Meeting Minutes

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

Staff Members Present: Don Vymazal-Township Manager and Secretary, Denise Miller-Assistant Township Secretary and Administrative Assistant, Abbey Swan-Director of Community Enhancement, Lisa Swan-Director of Finance and Township Treasurer, Police Chief Elias.

Professionals Present: Roman Jastrzebski- Senior Vice President of Gilmore & Associates.

Special Guest: N/A

The Board of Commissioners' (BOC) June 13, 2024, agenda was posted on the Township website, at the Township building on June 12, 2024, and agendas were made available for the public, at the meeting. The 2024 Township BOC meetings were published in the Daily Local Newspaper, on December 27, 2023.

Commissioner Mullin called the meeting to order at 7:35 PM and Salute to the Flag.

Citizens to be Heard – There were none.

1.1 Spackman-Davis Farmhouse Roof Bid – Mr. Jastrzebski asked the Board if they are agreeable to the bid schedule. The Board agreed. Commissioner Mullin asked Mr. Jastrzebski to review the bid pricing. Mr. Jastrzebski noted that the price increased because they found some things that needed to be addressed and were initially hidden, and items were added to ensure the integrity of the roof and the farmhouse. The cost is to remove the existing metal, cedar shake, and asphalt shingle roofing materials and roof plank sheathing and replace with plywood roof sheathing and manufactured steel roof panel system and appurtenances Removed, repair and replace the roof rafters, remove and replace the porch wood columns, the railings, soffits, fascia and trim, gutters and down spouts, and add splash blocks, and anchor the porch roof structure to the existing stone masonry building all for a cost of $373,560.00.

Commissioner Mullin compared the farmhouse roof at $148,000.00 and the barn roof at approximately $120,000.00.

Mr. Mullin asked the total of the additional porch work cost. Mr. Vymazal replied that based on the presented estimate, the additional work is $66,800.00 with tax and the contingency of 5% totals $392,238.00.

Commissioner Evans asked if there is a possibility of fewer problems being found and the cost being less than the estimate. Mr. Jastrzebski replied that there is always a possibility. Mr. Jastrzebski stated that he is most concerned when the contractors pull the existing roof off and the planks are again saturated, so they are

all being replaced. Commissioner Evans asked if there is open space money to pay for this. Mr. Vymazal replied that he met with the Finance Director and reviewed the open space fund which is fee in lieu of money from developers who do not have open space with their project. They went back to 2016, identifying how much each project provided to the fund and found approximately $1.1 million. There is sufficient revenue to cover the expense. However, some of the funds are allocated to projects; most notably trail projects. There are a number of breakdowns over the phase of this project. The Township will be applying for grant funds to support the construction costs. A lot of the trail engineering and design work was covered through open space because it is more difficult to receive grant revenue for engineering and design. $180,000.00 of fee in lieu of is dedicated to sidewalks. Mr. Vymazal noted that staff will review the estimated budgeted expense and the remaining amount of those funds to complete the other projects. Commissioner Young noted that this motion is to put the house roof out to bid and if the bids come in too high then the Board can say no. Commissioner Young also noted that the barn roof note expires this year, therefore the Township could take another note out for this project. Commissioner Kennedy asked if funds are continuously put into the open space fund even if the Township uses some of it. Mr. Vymazal replied that he does not see this fund closed out anytime soon.

Lisa Carini of 103 Ayerwood Drive stated that the Spackman-Davis Farm is a Township owned asset, and it is the Township's obligation to maintain it and turn it into something that will create revenue.

Tony DiSario of 251 Loomis Avene stated that the farm is a money pit, and the Township can tear down the house since they own it. Commissioner Mullin replied that it will not be torn down. Commissioner Evans replied that the Township purchased the property at a good price with the promise to maintain it.

Cheryl Spaulding of 406 Lloyd Avenue asked the status of the interior of the house. Commissioner Mullin replied that one of the first-floor rooms has buckled floors. Commissioner Evans replied that Paul Stevens and Jim Spaulding did a full evaluation of the additions and the floors on the first floor are buckled from the pipe bursting upstairs. Once the roof is on and the dehumidifiers are running, the floors will be put back into place.

Donna DePrinzio of 211 Garden View Drive stated that the farm should be nurtured.

Chris Parr of 582 Lloyd Avenue would like the farm nurtured and maintained. She asked if the cedar shake roof is cheaper. Commissioner Mullin replied that it is more expensive and has a shorter life span.

Commissioner Evans noted that this is a lot of money; however, this is what the open space fund is for.

Commissioner Mullin noted that the Township is using the lease money from the farmer for the barn roof, and they would continue to do the same for the house roof. He also noted that $307,360.00 is for the roof and structural work and $66,000.00 is for the front porch which may need to be done at another time depending on funds available.

Commissioner Mullin entertained a motion to authorize Gilmore and Associates to bid the Spackman-Davis Farmhouse Roof Project. Moved by Commissioner Evans and seconded by Commissioner Kennedy. The vote passed 5-0.

2. Board Minutes to Approve

2.1 May 9, 2024 – **Commissioner Mullin entertained a motion to approve the May 9, 2024, Board minutes. Moved by Commissioner Evans and seconded by Commissioner Kennedy. The vote passed 5-0.**

2.2 May 30, 2024 – Commissioner Evans requested to have the minutes tabled due to language missing on a specific vote.

Commissioner Mullin entertained a motion to table the May 30,2024 Board minutes. Moved by Commissioner Evans and seconded by Commissioner Kennedy. The vote passed 5-0.

3. Resolution 2024-12 – For Board consideration, Mr. Vymazal offered a resolution for the automated sprinkler system that has been installed at the golf course. Mr. Vymazal noted that the lease is for quarterly payments over 4 years totaling $53,258.80 and will expire in May 2028.

Commissioner Mullin noted that Ms. Shannon previously stated that she has an application (app) on her phone where she can run the system. Mr. Vymazal replied that it is a highly technical system and is what most golf courses are using.

Commissioner Kennedy asked if this is a lease purchase. Mr. Vymazal replied that this is a lease purchase and the Township will own this system when it is paid for.

Commissioner Young asked Mr. Vymazal to explain exactly what is covered under this system. Mr. Vymazal replied that is for sprinkler heads, piping that ran the water through. This is an automized system so the timing and water amounts etc. can be set.

Commissioner Kennedy asked if there is money in the golf fund to purchase this equipment. Ms. Swan replied that she wanted to save their capital money for future projects. Commissioner Evans asked if she could put money towards the interest if the year-end is good. Ms. Swan replied that she could; however, she would like to stay with the three-to-five-year plan. Ms. Swan also replied that she will send the Board the other capital items.

Commissioner Mullin entertained a motion to approve the lease of the controller sprinkler and installation for Ingleside Golf Club in the amount of $53,258.80. Moved by Commissioner Evans and seconded by Commissioner Tindaro. The vote passed 5-0.

4. Township Manager

4.1 Right to Know – Anonymous Request Policy – Mr. Vymazal noted that the Office of Open Records as well as Municipalities are receiving anonymous and automated Right to Know (RTK) requests. PSATS has a sample policy that they recommend Municipalities adopt. Mr. Vymazal also noted that residents and those who fill in their name are taken seriously and fulfilled in a timely manner.

Ms. Swan noted that she received five anonymous requests, which were time-consuming. The police department also received the same five requests. Commissioner Evans noted that this started a few years ago to try and slow down the voting process. Commissioner Mullin noted that these requests have been for all projects in Municipalities. Ms. Swan replied that the time it takes to fulfill these is extensive. She also has to get information from other departments, which takes their staff time.

Tony DiSario of 251 Loomis Avenue asked if the Board executive sessions are subject to an RTK request. Mr. Vymazal replied that they are not because they are protected under attorney client privilege. Commissioner Young noted that if a resident does not want to put their name on a request then they can email the Board and it will be answered. Ms. Swan noted that part of the law is that you cannot ask why someone is requesting a RTK request.

Cheryl Spaulding of 406 Lloyd Avenue stated that she is not comfortable with the Board taking care of a request. Commissioner Young replied that he said that because he has had neighbors who were afraid of retribution.

The Board asked Mr. Vymazal to draft a resolution. Mr. Vymazal replied that he will modify the PSATS resolution for consideration at the July 27 Board meeting.

4.2 Hybrid Meeting Policy – Mr. Vymazal noted that the June 13 Board meeting had technical difficulties. The AV system has been fixed since then. Mr. Vymazal asked the Board if they would like him to draft a Hybrid meeting policy on what to do if there are technical difficulties during a meeting. Commissioner Evans noted that he would like to have those on Zoom turn their camera on, so everyone can see who they are.

Commissioner Kennedy and Commissioner Young noted that there needs to be a clear policy on what to do if there is a power outage or technical difficulties. Commissioner Mullin noted that the Township needs a policy because he is concerned that there were people on Zoom that could not speak to the Bondsville Apartments agenda item, which those comments might have influenced the Board's decision. Commissioner Young also noted that there are certain items that need to be voted on in a timely manner.

Adam Thomas of 310 Carlyn Court noted that the sound system needs to be improved.

The Boad agreed for Mr. Vymazal to draft a resolution for the June 27 Board meeting. Mr. Vymazal replied that he will have a draft policy for the June 27 Board meeting.

4.3 Thorndale Streetlight Improvements – Ms. Swan shared the screen with pictures of the proposed holiday decorations. Mr. Vymazal noted that he has had conversations with the provider that retrofitted all the township's decorative lighting. As discussed, there were no outlets installed in that design at the time; however he found through working with the installer and his vendors, a simple work around to provide outlets in a timely manner.

Commissioner Mullin asked the residents what decorations they would like to see.

Licia Carini of 103 Ayerwood Drive stated that Malvern has small businesses donate a lighted tree with their name on it as a sponsor for the lamp post. Ms. Carini asked the location of the decorative lamp posts. Mr. Vymazal replied that the decorative lighting for the first year will be in the Thorndale Village area between Bondsville Road and Municipal Drive. These lights are operated by the Township. Mr. Vymazal noted that the Township plans to engage with other partners that may have lighting units on their property to see if they would like to participate.

Cheryl Spaulding of 406 Lloyd Avenue asked if the light posts right before Downingtown are Municipal lights. Commissioner Mullin and Commissioner Young replied that they are not.

Chris Parr of 582 Lloyd Avenue stated that she likes the pictures of the wreaths.

Commissioner Mullin asked where the outlets are located and what type of wreath would work best. Mr. Vymazal replied that the outlets are at the top of the decorative lighting units, and they will be installing a small box on the back section that will affix to the pole and have accessibility to add electric through the pole.

Commissioner Kennedy noted that she likes the pole wrap and Commissioner Evans noted that he likes the poinsettia and pole wrap.

Adam Thomas of 310 Carlyn Court asked if there could be a banner on the poles with an arm. Ms. Swan replied that the lights that the Township owns do not have permanently attached arms.

Tony DiSario of 251 Loomis Avenue asked if the decorations will be facing east or west. Mr. Vymazal replied that the wreaths will extend out, so they can be seen going east or west.

Commissioner Mullin asked if the Board could have a visual of different decoration sizes and which decoration would look appropriate as vehicles are driving down Lincoln Highway. Mr. Vymazal replied that staff will provide that.

Commissioner Mullin asked the time frame for the installation of the electrical outlets. Mr. Vymazal replied that they will be installed in August or September.

4.4 Volunteer Firefighter Tax Credit – Mr. Vymazal noted that in 2023 the county implemented a fire fighter tax credit, and they encourage Municipalities to adopt it. This tax credit is for firefighters and EMS if they meet a certain threshold of the number of response calls and training events then they would receive a discount waiver of local tax after it has been paid.

The Board asked Mr. Vymazal to draft a resolution for the June 27 Board meeting.

4.5 Complete Streets – Chester County Resolution – Mr. Vymazal noted that this is a county resolution component of vision zero. This is a transportation initiative vision as far as redesigning the transportation structure to accommodate safety, improve and incentivize pedestrian alternate forms of transportation. Mr. Vymazal also noted that he will be applying for grant funds that would qualify as components associated with complete streets and vision zero.

Commissioner Evans noted that page five of the Complete Streets is a picture of Caln Township sidewalks. Mr. Evans also noted that the Township comprehensive plan is outdated and flawed.

Tony DiSario of 251 Loomis Avenue stated that Handicrafters is a dark area.

4.6 Medical Marijuana Ordinance – Mr. Vymazal noted that this was brought to his attention as a request to look into what type of municipal ordinance could be drafted. Recent conversations are ongoing at the state level for legalizing recreational marijuana and at the federal level. States around PA have done so, and it is unclear if PA would move in that direction. One of the discussion points that was revised is transitioning medical marijuana to recreation marijuana. The current Township Ordinance is not strict when it comes to where the specific retail shops can go. Other Municipalities have enacted a stricter ordinance to regulate locations adjacent to or nearby school, daycare, centers, and other types of facilities. The Township Ordinance does not have that provision. Mr. Vymazal also noted that the sample in the Board packet is fairly restrictive that would not just limit medical marijuana, it would also provide provisions on vape shops and the unregulated cannabis substances.

Commissioner Evans noted that vape shops are going to start selling marijuana and medical marijuana when selling it becomes legal in PA. Commissioner Young noted that this was discussed at the Lincoln Highway meeting, and they felt that the township has a sufficient number of vape shops and medical marijuana dispensaries.

Commissioner Kennedy asked how these shops are monitored. Chief Elias replied that the Department of Health regulates medical marijuana shops, and they have high security. Chief Elias also noted that the distance is 1,000 feet between a dispensary and the property lines of a school or daycare.

Tony DiSario of 251 Looms Avenue asked what the City of Coatesville or the Borough of Downingtown are doing. Mr. Vymazal stated that a component of drafting an ordinance would be to look at what neighboring communities' ordinances and regulations are.

Cheryl Spaulding of 406 Lloyd Avenue stated that Malvern has a policy of 100% cash to purchase medical marijuana.

Planning Commission member, Adam Thomas of 310 Carlyn Court asked if the Township would increase the Township nuisance ordinance, so it can put their businesses at risk. Mr. Vymazal replied

that this can be researched with Mr. Stackhouse and Ms. Camp to determine complex situations that are going to be a multi faced approach to find a resolution.

4.7 Police Special Events – Chief Elias noted that these fees would allow the police department to break even for special events. The fee would go from $85.00 to $100.00 in the township fee schedule.

5. Finance Department

5.1 Check Approval – Commissioner Young asked about check #52159. Ms. Swan replied that this is a $18.00 one-time fee to the City of Philadelphia for a township employee that lives in a particular city or town and the township is required to register.

Commissioner Mullin entertained a motion to approve checks 52154 to 52233. Moved by Commissioner Kennedy and seconded by Commissioner Young. The vote passed 5-0.

6. Summary by Applicable Board Liaison

6.1 Parks and Recreation – Commissioner Kennedy thanked Ms. Swans team for their clean-up days. They discussed Art in the Park and a grant to do a children with disabilities update to the Municipal Park. The first movie night will be "Teenage Mutant Niga Turtles" with free pizza. Commissioner Kennedy asked everyone to support the Saint Joseph Community Festival on June 18 to 26 and fireworks on June 21.

6.2 COG – Commissioner Kennedy noted that the May meeting was cancelled.

6.3 Municipal Authority – Commissioner Mullins noted that the Caln Meetinghouse/Granger Lane Sewer Extension Project is currently in the design phase and once completed a preliminary cost estimate will be established, work on the 2024 Grouting Project began on June 4 consisting of cleaning, televising, and grouting approximately 4,200 linear feet of the 8 inch diameter gravity sewer in the Colonial Gardens neighborhood, the Sanitary Sewer Easement Agreement for the KIA Auto Leasing Project will establish a 20 inch wide sanitary sewer easement encompassing the existing 8 inch sewer main, and offer dedication of the existing 8 inch line and the manholes when all the necessary repairs are made to the satisfaction of the Municipal Authority Engineer.

6.4 DARA – Commissioner Mullin noted that there is no update since their last meeting.

6.5 Fire Board – Commissioner Mullin noted their next meeting will be July 3.

6.6 Historical Commission – Commissioner Evans noted that they focused on the June 29 Spackman-Davis Farm event, and they would like to partner with the Parks and Recreation Board. Representatives will be reading the Declaration of Independence

6.7 Lincoln Highway – Commissioner Young noted that they discussed Vision Zero and Complete Streets, the ARLE Grant. They would like to bring in commercial developers to talk with the Lincoln Highway Committee to ask what they are doing that you need for revitalization of these projects.

6.8 Ingleside Golf Course – Commissioner Tindaro noted that their May meeting was cancelled due to the Memorial Day Holiday.

6.9 Zoning Task Force – Mr. Vymazal noted that they focused on the remaining parcels on the zoning map to determine what the best possible future use for those properties would be for the vision of the Township.

7. Additional Business – Commissioner Kennedy thanked all those who attended the first historic sign unveiling for Bishop Eggleston.

8. Public Comment – There were none.

9. Adjournment – **Commissioner Mullin entertained a motion to adjourn the June 13, 2024, Board Workshop meeting at 9:35 PM. Moved by Commissioner Evans and second by Commissioner Kennedy. The vote passed 5-0.**

Respectfully Submitted,

Denise Miller,
Assist. Twp. Secretary