

Caln Township Board of Commissioners
253 Municipal Drive Thorndale, PA 19372
Chester County, Pennsylvania
August 26, 2021 Meeting Minutes
ZOOM Meeting

Call to Order: Commissioner Mullin called the virtual Zoom Board of Commissioners meeting to order at 7:34 PM. He 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 (Absent).

Staff Members Present: Kristen Denne-Township Manager/Secretary, Denise Miller-Assistant Township Secretary, Lisa Swan, Township Treasurer.

Professionals Present: Bryan Kulakowsky-Township Engineer, Kristin Camp-Township Solicitor, Denny L. Howell, PE representing MBID of Delaware LLC, and Debra Shulski-Riley Riper Hollin & Colagreco representing MBID of Delaware LLC.

Special Guest: There were none.

The Board of Commissioners August 25, 2021 agenda was posted on the Township website, and at the Township building, on August 25, 2021.

The 2021 Township Board of Commissioners meetings were published in the Daily Local News, on December 28, 2020.

Citizens to Be Heard

Chuck Kramer 2704 Kings Highway noted that the 88th & Aerial Squadron at McGuire Air Force Base is leading the effort for Afghan Refugees, who are currently on base. He also noted that they need dresses, shoes, shower shoes, phone chargers, cleaning supplies, toothpaste, toothbrushes, baby supplies, and toys. He noted that he will be making a delivery as soon as the truck is full, and then as needed, and he will pick up items if anyone needs that.

Mr. Kramer asked that if you know any veteran to check on them.

Commissioner Young noted that the donation efforts are already on the Township Facebook.

Township Solicitor – Ms. Camp

2131 Lincoln Highway 120 Apartment Units Project – MBID of Delaware, LLC Conditional Use Permit/Approval Extension Request for this Project until October 29, 2023 – For Board consideration, Ms. Camp presented an extension request from MBID of Delaware, LLC who is the equitable owner of the property on Lincoln Highway. They had Conditional Use Approval in October of 2020 to build The Willows of Valley Run Development, which consists of 6 total buildings, 120 apartments with community facilities. The Township Zoning Ordinance requires an applicant who obtains Conditional Use Approval to obtain a building permit within one year of the Board's decision. Ms. Camp noted that the Applicant is asking the Board to extend that for two years. They are working on obtaining

financing, which they will use to put together preliminary subdivision land development plans, engineering costs etc.

Ms. Camp noted that at the last meeting, Staff had suggested to the Board that if they were willing to grant the extension, which they think is a reasonable request given the length of time to pull all of these types of plans together, and the significant expense that they already incurred to get to where they are, we thought it made sense for the Board to grant the extension however, they asked the question of whether the Applicant would agree to adhere to any changes the Township may adopt in the Stormwater Management Ordinance, in the future.

Ms. Camp noted that the County is working on updating the county wide Stormwater Management Plan. They are not at the stage where they have the ordinance drafted yet. The Ordinance is just going to be tweaking the Act 167 Stormwater Ordinance that all Municipalities adopted, including Caln Township however, we are not to the point yet where we know exactly what those edits are going to be. Ms. Camp also noted that Denny Howell's office is familiar with what is probably going to be proposed in the ordinance changes because he served on the task force with the County when adopting and implementing the original plan. Mr. Howell recommended to his Client that he is going to have to comply with these standards anyway because the National Pollutant Discharge Elimination System (NPDES) requirements are probably going to be more stringent. Mr. Howell's Client, and Mr. Jaros have indicated that this would be acceptable.

Ms. Camp asked Ms. Shulski if the time frame is to submit a land development plan. Ms. Shulski noted that is "correct, as you know under the NPC once we submit the land development plans it is best to be consistent with the five year plan.

Ms. Shulski noted that everything that Ms. Camp mentioned is correct in terms of the background, summary, and where we stand. We are expecting in the very near future, to be in a position of the financing and moving forward and authorizing Mr. Howell's office to engineer and design the land development plan. Ms. Shulski also noted that Mr. Howell has confirmed that they would be agreeable to the stormwater management in effect at that time.

Commissioner Mullin entertained a motion to extend the conditional use permit/approval request for 2131 Lincoln Highway until October 29, 2023 with the understanding that they will have to follow the updated Act 167. Moved by Commissioner Young and seconded by Commissioner Tindaro.

Vote passed 4-0.

Township Engineer – Mr. Kulakowsky

Planning Commission Update – Mr. Kulakowsky noted that the Chester County Planning Commission attended their August meeting and made a presentation regarding housing in Chester County. Mr. Kulakowsky also noted there were no applicants on the agenda, and there is none for their September meeting.

Lloyd Avenue Bridge Signalization Bid Award – Mr. Kulakowsky noted that five bids were submitted via the PennBid portal, which ARRO has reviewed and tabulated. ARRO recommends Charles A. Higgins & Sons, Inc. Mr. Higgins' bid package was evaluated by ARRO and Albert Federico Consulting, LLC to confirm that all the required information was submitted with his bid including the bid form, bid bond, experience questionnaire, list of subcontractors, non-collusion affidavit, and the public works verification form.

Mr. Kulakowsky noted that ARRO has determined that Charles A. Higgins & Sons, Inc. is the lowest responsible bidder, and recommends that the Township Board consider awarding him this bid at a total base bid price of \$129,425. Mr. Kulakowsky also noted that when he did the grant application it was estimated to be \$150,000. There is still some potential for when they drill the foundation if they have to supplement them because of conditions. There is a contingency built in for that.

Commissioner Young asked Mr. Kulakowsky what the grant amount is. Mr. Kulakowsky noted that the project they put in for was \$245,205 with a Township match of \$20,000, and the grant received was for \$225,205. Commissioner Young asked Mr. Kulakowsky if we are under that amount does that mean we do not owe anything. Mr. Kulakowsky noted that part of the grant was to buy another speed trailer. Mr. Kulakowsky also noted that they estimated in the "cost-estimate" total because of the project cost was \$155,000 for construction, engineering, which is included as well.

Ms. Denne noted that she is going to wait until the full project is completed to put in for any amendments because there may be overruns or changes.

Commissioner Young asked Mr. Kulakowsky to go over the timeline for this project. Mr. Kulakowsky noted that if the Board chooses to award this bid tonight, ARRO will complete the documents for execution, and receipt. The estimated time for pole delivery could be up to three months. Mr. Kulakowsky also noted that at this point, the light will not be functional in 2021.

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

Commissioner Mullin entertained a motion to award the Lloyd Avenue Bridge Signalization to Charles A Higgins and Sons, Inc. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy.

Vote passed 4-0.

Commissioner Mullin asked Mr. Kulakowsky if he has any reviews about this company. Mr. Kulakowsky noted that they are very well known in their area.

Ms. Swan noted that she has worked with them for ten years, and never heard anything bad about their work.

2021 Road Program – Mr. Kulakowsky noted that a pre-construction meeting was held on August 25, 2021 to start the construction process, and issue the notice to proceed. They have to be substantially complete by October 24, 2021. They are tentatively scheduled to start the paving program the first or second week of October, and be completed by October 24.

Spackman Farm – Mr. Kulakowsky noted that work is tentatively scheduled to start the week of September 8, 2021 depending on the roof panel delivery.

Commissioner Mullin asked if there is any issues with the pricing of the panels. Mr. Kulakowsky noted that the Township will pay the price of what was in the bid.

Mr. Kulakowsky asked Ms. Camp what happens if Kupex comes to them in two weeks with an increased price. Ms. Camp noted that unless there is some kind of out clause in events beyond their control, she agrees with him.

Commissioner Mullin called for public comments.

Chuck Kramer of 2704 Kings Highway asked if there are any plans to open access to the Spackman Farm. Commissioner Mullin noted that there has been talk to get the driveway repaired so it is drivable. There has also been other interest to do other things with the property.

Township Manager – Ms. Denne

Consideration to Appoint Helen Eckel-Weiner to the Parks and Recreation Commission for the 2021-2025 term – For Board consideration, Ms. Denne offered applicant Helen Eckel-Weiner to be appointed to the Parks and Recreation Commission.

Commissioner Mullin entertained a motion to appoint Helen Eckel-Weiner to the Parks and Recreation Commission for the 2021-2025 term. Moved by Commissioner Young and seconded by Commissioner Kennedy.

Vote passed 4-0.

Ms. Denne noted that she will have a change order for the “Zoom-Room” in the amount of approximately \$7,000 for an amplifier that can handle more microphones incase the Township wanted to upgrade in the future.

Ms. Denne noted that there are two Zoning Hearing Board vacant positions for interested residents. Ms. Denne noted that they meet on an “as needed” basis. Ms. Denne also noted that the Commission deals with the Township zoning laws, and operations of the Township.

Ordinances and Resolutions for Consideration

Resolution 2021-26 A Resolution adopting the New Small Wireless Facility Design Guidelines – For Board consideration, Ms. Camp offered Resolution 2026-26 adopting the New Small Wireless Facility Design Guidelines. Ms. Camp noted that this Resolution was discussed at the August 12, 2021 Board meeting, and she was authorized to move forward with the revised resolution.

Ms. Camp noted that there was only one change made on page six of the Resolution. Under C. Residential Districts where all utilities are located underground. In those situations, wireless support structures above ground are prohibited. They have the ability to seek a waiver that has to be approved by the Board of Commissioners after a public hearing, and the owner whose land upon which above ground facility would abut would have to have their consent to place it there above ground. All the other guidelines are the same as adopted in 2020.

Commissioner Mullin asked if this has to be posted again. Ms. Camp noted that it does not because it is through a Resolution, and can be adopted tonight.

Commissioner Mullin entertained a motion to adopt Resolution 2021-26 the New Small Wireless Facility Design Guidelines. Moved by Commissioner Young and seconded by Commissioner Kennedy.

Vote passed 4-0.

Resolution 2021-03 A Resolution Designating the 2021 Response Territories for Emergency Service in Caln Township (TABLED 01/28/2021) – Commissioner Mullin called for reopening of Resolution 2021-03. No motion was made.

Ordinance 2021-06 An Ordinance Amending Chapter 120 of the Caln Township Code, Titled “Property Maintenance,” to Prohibit Parking of Motor Vehicles and Recreational Vehicles on Grass and to Prohibit Recreational Equipment from Being Parked or Stored on a Public Street or in the Front Yard of a Lot (TABLED 7/8/2021) – Commissioner Mullin called for a motion to reopen Ordinance 2021-06.

Ms. Denne noted that she checked with Ms. Camp and Ms. Camp said that Ordinance 2021-06 will need to be re-advertised before further discussion or adoption.

Ms. Camp explained that this ordinance is not Chapter 149 dealing with parking on the streets.

Commissioner Mullin entertained a motion to re-advertise Ordinance 2021-06 amending Chapter 120 of the Caln Township Code, Titled “Property Maintenance,” to prohibit parking of motor vehicles and recreational vehicles on grass and to prohibit recreational equipment from being parked or stored on a public street or in the front yard of a lot. Moved by Commissioner Kennedy and seconded by Commissioner Young.

Vote passed 4-0.

Financial Report – Ms. Swan

Financial Report – Ms. Swan noted that she will have a draft of the 2020 Township audit by the end of next week.

Ms. Swan noted that a 2022 draft budget packet will be available to all department directors tomorrow, for their review. Meetings will be set up in October for discussion.

She also noted that the Municipal Authority audit has been completed, and is in good standing.

Commissioner Mullin called for Board comment. There were none.

Motion of approval for General Checks 46955 to 47013 – **Commissioner Mullin entertained a motion to approve general checks 46955 to 47013. Moved by Commissioner Tindaro and seconded by Commissioner Young.**

Commissioner Mullin asked Ms. Denne to explain the check for the pollutant reduction plan in the amount of \$168. Ms. Denne noted that this check is for the MS4 Plan.

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

Vote passed 4-0.

Minutes to Approve/Acknowledge

August 12, 2021 Board of Commissioners Minutes – Commissioner Mullin asked to have the comment on page 96 where it says Ok that's enough for me thanks for listening removed, and page 98 where it has the comment asking if the riparian buffer plantings section wants to be reviewed, also removed.

Commissioner Mullin entertained a motion to approve the August 12, 2021 Board of Commissioners Minutes with his revisions. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy.

Commissioner Mullin called for Board comment. There were none.

Vote passed 4-0.

Directors Reports

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

Chief Elias noted that on July 26, 2021, three new officers were sworn in. Chief Elias also noted that the eligibility list from the testing conducted in April 2021 has been exhausted.

Chief Elias noted that they met with Civil Service, and they will be retesting in another consortium testing process with the Downingtown Borough on September 19, 2021. During that meeting with the Civil Service, they made a few minor adjustments to the rules. Chief Elias noted that this will be on the September 9, 2021 Board agenda for the Board to formally adopt these new rules.

Chief Elias noted that Margaret Mullner has filled the position of former employee Barry Beech. Chief Elias also noted that Ms. Mullner has had previous part time police department experience from another Chester County police department.

Commissioner Mullin asked Chief Elias to elaborate on the increase in theft and fraud cases. Chief Elias noted that they are getting back to the pre-pandemic level. Their officers are focusing on these kinds of things.

Chief Elias noted that the three new officers will be in the field training officer program for four months, and in four months' time you will see the benefit of having additional bodies on the schedule.

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

Chief Donnachie noted that they lost the rescue truck generator, however, the truck has been able to go to incidents. The generator is used to power lights and training service etc. Mr. Donnachie also noted that the repair shop has recommended replacement of the generator. It was approved and it is in the process of being ordered.

Chief Donnachie noted that at the end of 2020 they identified water related incidents as a result of flooding, which are becoming a regular issue so they purchased specialized equipment where they can enter the water and pull someone out.

Chief Donnachie noted that their annual fire prevention open-house tentative date is October 6, 2021.

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

Mr. Stackhouse noted that the Dwell project off of route 322 (322) has started some of their off-site improvements and some work on-site under a grading permit because they need to take some of the soil on some of the stuff that they are taking off of 322 improvement, and get it on the site to utilize it as part of the bigger project.

Mr. Stackhouse noted that the Meadows at Hillview continue to put in for building permits.

Mr. Stackhouse noted that there are several commercial projects that are renovations for new tenants. Mr. Stackhouse noted that he updated the unoccupied business listing, and they are down to 31 unoccupied businesses.

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

Mr. Fragale noted that they did seal coating on the G.O. Carlson walkway with the help from the students from the Concerned Professional Services who help them with projects every year. Mr. Fragale also noted that they will be doing some patching on G.O. Carlson soon.

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

<u>Rounds</u>	<u>2021</u>	<u>2020</u>		
July	3634	3657		
<u>Revenue</u>	<u>2021</u>	<u>2020</u>	<u>Average</u>	<u>Percentage</u>
July	\$121,609	\$110,237	\$87,901	+11%
YTD	\$527,970	\$399,970	\$397,307	+32%

Expenses

2021 YTD \$359,026

Commissioner Mullin called for public comments.

Vince Rose of 135 Turnberry Drive thanked Mike Fragale, Chief Elias, and Chief Donnachie for their work in the Township. Mr. Rose also asked Mr. Ward if they could post a sign at the fourth hole for golfers to yell “fore” when they lose site of the ball. Mr. Ward noted “no problem”.

Additional Business

Commissioner Mullin called for public comment. There were none.

Public Comments

Vince Rose of 135 Turnberry Drive what happened to the solar farm land near the Coatesville Area High School campus. Ms. Denne noted that the Township just received notice that “Portnoff” has them on a list for sheriff’s sale.

Vince Rose of 135 Turnberry Drive asked about the School LERTA. Commissioner Young noted that they were supposed to be on last month’s committee agenda however, because a Committee Member was not able to attend, they asked the Township to attend the Finance Committee meeting in September.

Adjournment

Commissioner Mullin entertained a motion to adjourn the August 26, 2021 meeting at 8:32 PM. Moved by Commissioner Young and seconded by Commissioner Tindaro.

Vote passed 4-0.

Respectfully Submitted by,

Denise Miller
Assistant Township Secretary