

Meeting Minutes for Caln Township
Board of Commissioners
October 13, 2022
7:30 PM
Hybrid Meeting

6:30 PM to 7:30 PM BOC Workshop
Zoning Ordinance Review

Call to Order: Commissioner Mullin called the Board of Commissioners meeting to order at 7:40 PM. Commissioner Mullin then called for the Pledge of Allegiance to the flag.

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

Staff Members Present: Kristen Denne-Township Manager/Secretary, Denise Miller-Assistant Township Secretary, Lisa Swan, Township Treasurer, Abbey Swan-Community Outreach Specialist, and Ray Stackhouse-Director of Public Works and Building and Life Safety.

Professionals Present: Kristin Camp Township Solicitor, Karl Schmit representing ARRO.

Special Guest: N/A

The Board of Commissioners October 13, 2022 agenda was posted on the Township website, and at the Township building, on October 12, 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.

Commissioner Evans Township Update

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

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

BUDGET SEASON BLUES: We’re in budget season here in Caln, and most everyone’s focus is on completing the process so we can share it with our neighbors. Thankfully there have been no Hurricane Ida’s this year, so no “November Surprises” are expected.

APPOLOGIES ARE IN ORDER: We strive to get the agenda posted as early as possible. This week we were later than we like. And that's my fault for asking at the last minute for a third volunteer interview scheduled for tonight. Ms. Denne noted that according to state law, the agenda was not posted late.

LIKE DOMINOES: It started with the LERTA conversation (and it's nearly in place), followed by an award-winning cornerstone small business investing in Lincoln Highway, and the "Wave" continues. I've recently had conversations with a successful restaurateur – not a chain, the real deal – and a couple of other successful small businesses and who are starting to look at Caln and Lincoln Highway as the next place to call home. More to come.

THANKSGIVING HOMECOMING TO SPACKMAN FARM: The Historical Commission and Parks and Recreation are planning a "homecoming" event to celebrate the new barn roof and driveway at historic Spackman Farm, Saturday November 19, 2022 at 3:30 PM. Details to come. While the land is not yet safe for daily public access, we hope this is the first of quarterly seasonal gatherings at our crown jewel on Kings Highway.

WALKTOBER: The Maryland Department of Planning recognizes this month as WALKTOBER and has been hosting weekly "WALKINARS" focused on improving the walkability of our neighborhoods and pedestrian safety and access. I attended today's Smart Growth walkinar on equity and walkability in township planning. Caln is ruefully void of sidewalks where we need them most. I'm still scratching my head as to why PennDOT raised the speed limit on large sections of Lincoln Highway to 45 MPH without taking into consideration the number of people who don't drive, can't drive, or do not have access to a car and must walk on the shoulder of a roadway with no sidewalks and cars racing by. How are they safely supposed to get to and from work, shop, etc.? Caln has valued the quick dollar of "fee in lieu" of sidewalks for too long, and I'm happy that the Planning Commission and BOC didn't back down on requiring sidewalks along the frontage of the new development at the old K-Mart property.

PARKING LOTS, WALKABILITY, AND SPEED: I still drive too fast on expressways, but I drive slow on local streets and in parking lots. One reason is that I'm old. The other is that I'm aware that people have to walk through neighborhoods, roadways, and parking lots. No sidewalks, no pedestrian islands, it's like a life-or-death pinball machine out there. Wegmans lot is one of the worst. The Acme lot is also bad. Yesterday a pedestrian was struck and killed by a motor vehicle in the Giant parking lot. It was an accident. Both the victim's family and the driver must be devastated. It's heartbreaking. To the best of my knowledge no one was speeding or driving distracted or recklessly, but it shines a light on the need for all of us, drivers, and pedestrians, to pay attention and slow down out there.

THESE TROUBLING TIMES: Here we go again. Last week the homecoming football game between Coatesville and Downingtown was cancelled in response to numerous credible social media threats of gun violence. Today Coatesville Area Senior High School "CASH" was again put on lockdown due to another shooting threat from multiple sources. Our police department, our kids, and our communities deserve better than this. What are they to do when too many people have access to guns? What are they to do when the adults in the room are behaving like adolescents?

Our kids are in the middle of a mental health crisis. As supported in a report issued by SAGE Pharmaceuticals, our children were ill-prepared for the isolation and fear caused by COVID-19 “COVID” and are now suffering the consequences. And, as I’ve said before, our kids learn from our behaviors. Adults constantly publicly threatening violence against each other, against community leaders because they don’t agree with something – like we saw recently in West Chester, against local, state, and federal elected officials, County employees, school boards, election workers, our courts, and as we saw on January 6, 2021... carrying out acts of violence against our Nation’s Capital... that is what tyranny and fear are bred from. Our children, in the midst of their own mental health crisis, have been watching, listening, and now they are copying what they see and hear adults do. What are adults so angry about??? Over one million Americans died from COVID - we’re the ones who made it through. We should be dancing in the streets celebrating that we lived, not acting out because for the better part of 2 years, we lost out on doing many of the things we love. C’mon people, let’s start being positive powers of example for our kids; let’s stop creating an incubator for hate. Let’s be kind to each other. Let’s give peace and love a chance.

CLEAN UP TIME – Kudos to those social media groups that have been keeping it out there and telling the truth!

CALN TOWNSHIP IS “OPEN FOR BUSINESS”. Nothing is ever perfect, but It’s our township, our community, our home. We can all be a part of the solution by eagerly spreading the good news about where we live. #lookoutforcaln

Chief Elias noted that the Coatesville homecoming game was cancelled due to social media posts that the school district deemed to be credible threats. Chief Elias noted that two other Pennsylvania high schools cancelled their games on Friday night also, there was also a fight at the Intermediate Unit Learning Center resulting in a retaliatory shooting threat, which required a safety assessment conducted at the homes of the students who were involved.

Chief Elias noted the past Columbus Day, the police followed up on a threat of a group of students who were in possession of a gun and were attempting to smuggle it into CASH in a backpack. No gun was found. Chief Elias also noted two weeks prior to last Friday, five football players were shot at a football game in Philadelphia and three football players were shot in Ohio on the same night as the Coatesville homecoming game.

Chief Elias implored parents to take an interest in and monitor their children’s social media and have a serious discussion with them about what they post and share. Administrators, Police and Prosecutors have zero tolerance for threats.

Commissioner Kennedy asked if there are ways to identify the kids making these threats. Chief Elias noted that they are not easy to tract down; however, they have, and those kids were prosecuted. These prosecutions will follow them for the rest of their lives.

Chief Elias noted that “Safe2Say Something” is the Attorney Generals website to report school threats. You can also report a threat via an App. or their toll-free number.

Citizens to be Heard

Tony DiSario of 251 Loomis Avenue asked the Board how many people are listening to the meeting tonight. Commissioner Mullin noted that there are fourteen online and Commissioner Evans noted that there are nine in attendance.

Mr. DiSario noted that there are areas that the Township could spend their money on like protecting the schools and not a new barn roof.

Township Solicitor – Ms. Camp

Public Hearing: the Chester County Emergency Response Team Multi-Municipal Agreement – For Board consideration, Ms. Camp offered Ordinance 2022-07, which was advertised for consideration of adoption at tonight's meeting.

Request to Consider Ordinance 2022-07 Authorizing the Execution of an Intergovernmental Cooperation Agreement for the Purpose of Joining with Other Municipalities as a Member of the Chester County Emergency Response Commission – Commissioner Mullin moved the consideration of adopt up on the agenda.

Commissioner Mullin called for public comment. There were none.

Commissioner Mullin entertained a motion to approve Ordinance 2022-07 authorizing the execution of an Intergovernmental Cooperation Agreement for the purpose of joining with other Municipalities as a member of the Chester County Emergency Response Commission. Moved by Commissioner Evans and seconded by Kennedy.

Vote 5-0.

Discussion: Thorndale Realestate LLC – Lomax Carpet and Tile Temporary Use and Occupancy Permit – For Board consideration, Ms. Camp offered a temporary use and occupancy (U&O) from Mr. Colagreco who represents K-mart Realestate LLC. They are in the process of developing it with a Lomax/Aldi shopping center. The Board approved a conditional use on November 11, 2021, which allowed the redevelopment of that shopping center. Condition #4 indicated that certain improvements had to be installed before a U&O permit for Lomax could be issued.

Ms. Camp noted that the applicant has asked if the Board would agree to allow Mr. Stackhouse to issue a temporary U&O. Ms. Camp noted that some of the conditions on the plan were specific to Aldi and they had a delay in the start of their construction.

Commissioner Mullin asked what the length of time would be for the temporary U&O. Mr. Stackhouse noted that he would issue one for 90 days and if Aldi continues to work, he will add another 90 days.

Ms. Camp noted that Mr. Colargreco's letter states that the work will be completed by January 15, 2022.

Commissioner Mullin asked about the huge pit around the foundation of the building. Mr. Stackhouse replied that is all part of construction.

Commissioner Mullin called for a Board consensus. Board consensus was 4-1 for Mr. Stackhouse to proceed with a 90-day U&O.

Township Engineer

Request for Consideration of Payment Application #1 to Long's Asphalt Inc., in the Amount of \$363,394.58 for work completed for the 2022 Road Paving Project through September 21, 2022 – For Board consideration, Mr. Schmit offered payment application #1 payable to Long's Asphalt Inc., in the amount of \$363,394.58, for 88 percent of the full contract amount and work completed for the 2022 Road Paving Project through September 21, 2022. Mr. Schmidt noted that \$2,600 was added to the amount due to an increase in asphalt cost.

Commissioner Mullin called for Board and public comments.

Commissioner Mullin asked what the street names for this project are. Mr. Schmit replied that he will email the Board what they are.

Commissioner Mullin entertained a motion to approve payment application #1 to Long's Asphalt Inc., in the amount of \$363,394.58 for work completed for the 2022 Road Paving project through September 21, 2022. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Commissioner Evans stepped away for a few minutes.

Vote passed 4-0.

Request for Consideration of Payment Application #4 to James R. Kenney Excavating and Paving Inc., in the Amount of \$49,709.70 for the Fisherville Road Streambank Protection – For Board consideration, Mr. Schmit presented payment application #4 to James R. Kenney Excavating and Paving Inc., in the amount of \$49,709.70 for the Fisherville Road Streambank Protection Project.

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

Commissioner Mullin entertained a motion to approve payment application #4 to James R. Kenney Excavating and Paving Inc., in the amount of \$49,709.70 for the Fisherville Road Streambank Protection Project. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro. Commissioner Evans stepped away for a few minutes.

Vote passed 4-0.

Township Manager – Ms. Denne

Wildflower Meadow Project – Ms. Denne noted a Wildflower Meadow Project initiated by Ms. Swan for the field behind the township building, which was deeded to the Township by a developer. Ms. Denne also noted that Ms. Swan received \$1,000 worth of native seeds from PPL electric and additional funding for educational materials, signs, and benches through the Penn State Extension. The seeding will be held on October 22, 2022 from 1:00 PM to 3:00 PM.

Proposed Budget and Meeting Dates – Ms. Denne offered November 17 as a regular 7:30 PM Board meeting, November 30 for the budget presentation from 6:00 PM to 7:30 PM, and the budget adoption on December 22. The Board was in agreement.

DCED Grant Beaver Creek Trail – Ms. Denne noted that Ms. Swan secured an engineering and design grant for the Beaver Creek trail of \$50,000 from the Department of Community and Economic Development. The Township will match \$15,000 of that grant.

Ordinances and Resolutions for Consideration

Request to Consider Ordinance 2022-07 Authorizing the Execution of an Intergovernmental Cooperation Agreement for the Purpose of Joining with Other Municipalities as a Member of the Chester County Emergency Response Commission – Commissioner Mullin waived the agenda to move consideration of Ordinance 2022-07 under Township Solicitor.

Request to Consider Resolution 2022-33 Authorizing the Township President and Secretary to Sign All Documents Necessary to Complete a Contract for Installation Services with Armour and Sons Electric, Inc. for LED Services in Collaboration with the Delaware Valley Regional Planning Commission LED Light Upgrade Program (Tabled 09/29/2022) – Ms. Denne noted that Resolution 2022-33 will continue to be tabled until the Township receives the mapping for the lights.

Minutes to Approve and Acknowledge

Request to Consider Approval of Minutes of Board of Commissioners Meeting of September 29, 2022 – Commissioner Mullin called for Board comments. There were none.

Commissioner Mullin entertained a motion to approve the Board of Commissioners Minutes of September 29, 2022. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Commissioner Young abstained from the motion because he was not in attendance at the September 29, 2022 meeting.

Vote passed 4-0.

Finance Department – Lisa Swan

Motion to Approve General Checks 48968 to 49045 and Manual Checks 280 to 282 – Commissioner Mullin called for Board and public comments. There were none.

Commissioner Mullin entertained a motion to approve checks 48968 to 49045 and manual checks 280 to 282. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy.

Vote passed 5-0.

Board and Commission Updates

Park and Recreation – Commissioner Kennedy noted a few highlights from their meeting.

- 1) October 29 1:00 PM Annual Halloween Party at the Municipal Park
- 2) Oct 31 Trick or Treat from 6:00 PM to 8:00 PM
- 3) Thorndale Fire Department open house was a big success
- 4) Coatesville Library 14, 15, and 16 book sale

COG – Commissioner Kennedy noted that the COG is under new administration. There is no other new business.

Municipal Authority – Commissioner Mullin noted a few highlights from their meeting.

- 1) The Chester County Sports Arena's new gravity sewer has been completed.
- 2) Equix Integrity finished the 2022 Phase 4 Inceptor repair project on October 10, 2022.
- 3) The 2023 Phase 5 Interceptor Project bid documents are scheduled to be uploaded onto PennBid November 14, 2022.

DARA – Commissioner Mullin noted that DARA is working on the I&I Interceptor Program that runs through Downingtown.

Fire Board – Commissioner Mullin noted that a September meeting was not held.

Historical Commission – Commissioner Evans noted that the Historical Commission met Wednesday September 21, 2022 at 7:00 PM. They had a quorum of members as well as a few guests both in-person and on zoom. Commissioner Evans also noted that Catherine Quillman was to attend; however, she was rescheduled due to the need to meet with All-Fill.

Commissioner Evans noted that Representatives from All-Fill were in attendance to discuss their plans for 4060 Edges Mill Road, respond to the Historical Commission's concerns about their sketch plan, and address ways to protect the bucolic nature of the Historic Edges Mill Milling District and its structures. Commissioner Evans also noted that they presented a new plan with a stone facade wrapping the building entrance, and a new less-obtrusive, more earth-tone color palate that softens the visual imprint on the surrounding area. It was a very productive meeting. They requested we provide them with any further comment within two weeks.

SPACKMAN FARM: Commissioner Evans noted that the Spackman Farm Sub-Committee reported on completion of the driveway and talks regarding a "Homecoming" ribbon cutting.

MARKETING AND SOCIAL MEDIA: Commissioner Evans noted that the Marketing and Social Media Sub-Committee reported on a feature article about the Historical Commission and Spackman Farm coming in the fall issue of the CCHPN Ledger.

HISTORICAL PRESERVATION: Commissioner Evans noted that the Historical Preservation Sub-Committee reported that the Historic Resource histories were nearly complete on all 60 resources, that they were incorporating comments from PA SHPO to the preservation ordinance, and the entire package would soon be transmitted to the Township Solicitor.

LLOYD FARM: Commissioner Evans noted that the Lloyd Farm Sub-Committee reported on informal conversations with state officials about ways to possibly fund preservation and adaptive reuse.

FINANCE: Commissioner Evans noted that the Finance Sub-Committee reported an expenditure of \$75 for a 1-year membership to Preservation PA.

Commissioner Evans noted that their next scheduled meeting will be Wednesday October 19, 2022. They will be joined by noted Chester County Historian and Author Catherine Quillman who will share her expertise on the Underground Railroad in Caln and Lloyd Farm.

Commissioner Evans noted that their meetings are hybrid, so you can join live, or from home on Zoom. And remember... we're doing big things and accomplishing big things and need lots of help. Consider joining the Historical Commission to make our past a real part of our future.

Commissioner Tindaro noted that an open house and tour was held at the golf course. Commissioner Tindaro also noted that their next meeting will be held on October 24, 2022 at 5:30 PM at the golf club.

Lincoln Highway – Commissioner Young noted that the Coatesville School District passed the resolution that was needed for LERTA. The Township and school district transferred their resolutions to the county and are waiting to be put on the Commissioners' agenda. Commissioner Young also noted that he will be reaching out to the Chester County Economic Development Council to see how the Township can market LERTA.

Additional Business

Commissioner Evans asked the President to waive the agenda to consider appointments for new committee members.

Commissioner Mullin entertained a motion to waive the agenda to consider the appointment of new committee members. Moved by Commissioner Evans and seconded by Commissioner Kennedy

Vote passed 5-0.

Commissioner Mullin entertained a motion to appoint Donna DiPrinzio to the Historical Commission for the remaining 2022-2024 term. Moved by Commissioner Evans and seconded by Commissioner Tindaro.

Vote passed 5-0.

Commissioner Evans made a motion to appoint Christine Parr to the Zoning Hearing Board remaining term 2021-2023 term. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy.

Vote passed 5-0.

Request for Consideration to Authorize the Purchase of a New Truck Mounted Leaf Collector with a 25 Cubic Yard Debris Container from Stephenson Equipment, in the Amount of \$232,694.31 – For Board consideration, Ms. Denne offered the purchase of a new truck mounted leaf collector with a 25 cubic yard debris container mounted on an international or freight liner chassis from Stephenson Equipment, in the amount of \$232,000. Ms. Denne also noted that the grant is for \$232,000 so the Township will have to pay \$17,000, which may be applied for in future grants.

Commissioner Mullin entertained a motion to authorize the purchase of a new truck mounted leaf collector with a 25 cubic yard debris container mounted on an international or freight liner chassis from Stephenson Equipment, in the amount of \$232,694.31. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro.

Vote passed 5-0.

Review of Kings Highway Park – Commissioner Young noted that he and Commissioner Mullin need direction on what the thoughts are from the Board on where they are going with what money to budget.

Commissioner Evans noted that since the barn new roof, driveway and parking area were paved at Spackman Farm, there's been a lot of speculations about the future of Spackman Farm and questions about the long-forgotten Kings Highway Park Master Plan. This has been fueled by the efforts of the Historical Commission to host an event there. Just to be clear, the farm, its structures, and land are not yet safe for daily public access, and it's going to take a lot of do-re-me to get it there. Serious bread this Township does not have. But we do have the opportunity to take baby steps to present to the public what they invested in and find ways to share a small part of that beautiful property with residents.

Commissioner Young noted that the Township received money from Mi Place. Their total capital open space money is around \$1 million, once fully outfitted. Commissioner Young also noted that Ms. Swan informed him that the house roof needs replaced, the porch needs repaired, and boards that need replaced.

Ms. Swan suggested applying for grant funding to do a master plan for the Municipal Park.

Commissioner Mullin noted that the farmer's rental money is used to pay off the barn roof over a five-year period.

Ms. Denne noted that the Township could use the money from Mi Place to pay for the barn roof now.

Tony DiSario of 251 Loomis Avenue asked what happens if the farmer stops renting the property. Commissioner replied that they would look for another farmer or do the master plan.

Commissioner Evans noted that the Kings Highway Park Master Plan was drafted in 2007. It called for creating an expansive public park on one side of Kings Highway, and a new municipal complex on the other. The plan has been on the shelf collecting dust since the 2008 financial collapse. When this group took office in 2020, Commissioner Mullin mentioned the plan to me. That got my attention – and y'all know me, I never met a roadblock I didn't want to move though. Commissioner Evans also noted that the Historical Commission dug in and learned a lot! As written in 2007, the park plan is now out-of-date, but over time it can be freshened up and reimagined into something viable. The farm is currently a working farm and rented out every year to a farmer and those funds go toward the loan for the barn roof. It would be nice to preserve the working agricultural aspect of some of the land. The original plan didn't include that. There were ideas for a disk golf course that is more viable for the municipal park. And I don't think anyone is still considering a municipal complex. The idea of a passive recreation park with benches, picnic areas, and a walking trail is within reach, and baby steps can lead to long jumps. Turning the barn into an events venue, the house into a B&B, adding an amphitheater, and other big-ticket ideas are possible, over time. Not all in one bite.

Commissioner Evans noted that there is an 11-acre parcel where the farmhouse, barn, springhouse, and other structures live. It's at the top of the driveway, and once the structures are secured and safety-related repairs are made, it could be used intermittently as that first step.

Commissioner Evans noted that the Historical Commission and Parks & Recreation Board planned the upcoming November 19, 2022 "Homecoming" ribbon-cutting event as a chance to highlight what has been done and put into perspective what still needs to be done. We hope to bring positive attention to this lost gem, attention that will attract dollars in the form of non-profit contributions. But first, we need to form a non-profit.

We hope that this will be the first of quarterly seasonal gatherings at Spackman Farm and hope that as we wade into the future, more resources will become available to make it safer up there, and that we can have the park open more regularly. We hope that over time we'll be able to open other sections of the park.

Commissioner Evans noted that as he sees it, the Township still has serious stormwater issues that need to be addressed; we had to raise taxes last year in response to Hurricane Ida, and don't need to be taking on more debt. Commissioner Evans also noted that the Township needs to

market and advertise what they have properly, and that can bring in funds from outside sources. No, there is no need to use township funds, and no, there is no plan to fully open the farm to the public.

Mark DeYoung of 20 Beaver Run Road asked if the Mi Place money will pay for the Spackman Farmhouse roof and not taxpayer money. Commissioner Mullin asked if that would be considered open space. Ms. Denne replied that it would because it is in an open space environment. Commissioner Young replied that it would if that is the way the Board wants it to.

Commissioner Young thanked Ms. Swan for being the point person for all the park projects.

Request for Consideration of Release from Employment for S. Fickes – Commissioner Mullin called for Board comments. There were none.

Commissioner Mullin entertained a motion to approve the release from employment of Shoona Fickes from Caln Township. Moved by Commissioner Evans and seconded by Commissioner Tindaro.

Commissioner Mullin called for Board comment. There were none.

Vote passed 5-0.

Public Comments

Tony DiSario of 251 Loomis Avenue asked the Board if they know when the 30 bypass renovations will start. Commissioner Young noted that it will start in 2030 for this area. Ms. Denne noted the Airport Road section will start in 2026.

Tom Parr of 582 Lloyd Avenue noted that Christine Parr wanted to say thank you to the Board for her appointment to the Zoning Hearing Board.

Adjournment

Commissioner Mullin entertained a motion to adjourn the October 13, 2022 Board of Commissioners meeting at 9:00 PM. Moved by Commissioner Evans and seconded by Commissioner Tindaro.

Vote passed 5-0

Respectfully submitted,

**Denise Miller
Assist. Township Secretary**