

Caln Township Board of Commissioners
253 Municipal Drive Thorndale, PA 19372
October 29, 2020 Minutes
7:30 PM

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

Also in attendance were: Scot Gill-Caln Township Municipal Authority, and John Jaros-Riley Riper and Colagreco.

Commissioner Mullin called the Virtual Zoom meeting to order, and called for the Pledge of Allegiance to the flag.

Commissioner Mullin noted an Executive Session held on October 27, 2020, regarding legal matters.

Citizens to be Heard

Commissioner Mullin called for public comment. There were none.

Commissioner Evans Township Update

Peco Shut-Off Notice – Commissioner Evans noted that the Peco 9:00 PM pole inspection shut-off notice has been cancelled, and rescheduled at a later date.

Election Day – Commissioner Evans noted that a COVID-19 safety protocol will be in place at all polling locations for Election Day. He also encouraged voters to wear a mask, and maintain a distance of six feet from one another.

Spackman Farm roof replacement – Commissioner Evans noted that the bid will be awarded at tonight's meeting.

Commission Positions – Commissioner Evans encouraged residents to volunteer for Township vacancies.

COVID-19 – Commissioner Evans noted that since the October 8 meeting, Chester County had 817 new positive cases, which is a 141% increase, and from October 8 to October 22, they had 582 new positive cases, which is an all-time high since June and more than double from June, July, and August. They are up from 382 from the previous 2 weeks reported on October 8, which is an increase of over 52%. From October 15 to October 28 Chester County had 553 new positive cases, which is 45% higher than reported on October 8. Historically, the numbers for this week will be adjusted up over the next few days. He also noted that Caln Township has increased 12% over the past 21 days from 227 to 258 positive cases, and over the last 30 days the township had 39 new case.

Commissioner Evans noted that there are 74 municipalities, townships, and boroughs in Chester County, and Caln Township is tied for the 8th number of new cases with West Whiteland. He also noted that the City of Coatesville has the 7th highest with 43 new cases.

Commissioner Evans encouraged everyone to continue to wear masks, wash hands, stay at least six feet apart from each other, and do not attend gatherings where others are not wearing a mask.

Township Solicitor – Ms. Camp

2131 Lincoln Highway Conditional Use – For Board consideration, Ms. Camp presented a conditional use decision for MBID of Delaware, LLC (the “Applicant”), the developer and equitable owner of three parcels of property located on the north side of Lincoln Highway between Seltzer Avenue and North Caln Road. The Board held a public hearing on August 27, 2020 and continued until September 10, 2020. At the close of the September 10, 2020 hearing, the Board took the matter under advisement. Ms. Camp noted that she prepared a draft decision for consideration tonight. Included in the draft the Applicant is seeking conditional use approval to be able to build an apartment complex with a total of 120 apartment units in six different buildings, in 2 phases, and to modify the parking requirements because the property is located in the Lincoln Highway Overlay District. She also noted that the Board has authority, under 155-43G, to modify what would otherwise be required which, is two parking spaces per unit which, would be 240 spaces required unless the Board approves the modification of only 210 parking spaces.

Ms. Camp noted that the draft proposed order will grant the conditional use approval, the parking modifications, and impose the conditions as found in the October 29, 2020 draft Decision and Order. Ms. Camp briefly read those conditions.

Ms. Camp noted that she shared this draft with the Applicant’s Council John Jaros, and he indicated that the Applicant is willing to accept the conditions, as they have been revised.

Mr. Jaros noted that on behalf of the Applicant Mr. Randolph, they appreciate the Board’s time and consideration of this application.

Commissioner Mullin entertained a motion to approve the conditional use for 2131 Lincoln Highway Moved by Commissioner Evans and seconded by Commissioner Kennedy. Tony DiSario of 251 Loomis Avenue asked if this is Federal Housing. Ms. Camp noted that this is not Federal Housing. She also noted that the Applicant provided testimony that they intend to obtain funding through the Pennsylvania Housing Finance Authority, and a percentage of the units will be offered to low and moderate income and not rented at “market rate” however, many of the units will be “market rate”. They also indicated that a certain percentage would be provided for disabled individuals. Mr. DiSario asked if 100 people lost their jobs, would they have to pay their rent and electric. Ms. Camp noted that they have not gone into that detail, and it would be up to the Applicant to handle.

Commissioner Evans noted that 10% of the units are for low income, a smaller percentage is for people with disabilities, and the majority are for “market rate”.

Commissioner Mullin called for a vote on the motion to approve the conditional use for 2131 Lincoln Highway, which was moved by Commissioner Evans and seconded by Commissioner Kennedy. Vote passed 5-0.

Dwell Highway Occupancy Permit – For Board consideration, Ms. Camp noted that the Board previously granted approval for the planned residential development. She noted that there were legal agreements that were already approved. She also noted that there are two different Highway Occupancy Permits (HOP) that are required from PennDot. One for the traffic signal and road improvements along Route 322, and various stormwater management facilities that will be installed within the Right of Way of 322.

Ms. Camp noted that both agreements have been reviewed by Bryan Kulakowsky as far as the plans that are attached in the exhibits, and they are consistent with the PRD plans that have been previously approved. She also noted a consideration to have the President of the Board sign, approve, and send back the agreements to the Applicant so they can submit them with their HOP to PennDot.

Mark DeYoung of 20 Beaver Run Road asked if the Township should have a plan for property owners to pay for the traffic signal maintenance. Ms. Camp noted that PennDot regulations require townships to be responsible for traffic signals. Ms. Denne noted that a developer pays a couple hundred thousand dollars to put in a traffic signal of this intensity, and then turns the maintenance of that signal over to the township. She also noted that with more development taxes it will offset the cost of their traffic signals. Ms. Camp noted that Traffic Signal Services maintains the signals in the township.

Commissioner Mullin entertained a motion to accept the Traffic Signal Easement Agreement and the Drainage Easement Agreement for Arbor Hills Associates as Grantor and Caln Township as the Grantee. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Vote passed 5-0.

Township Engineer – Mr. Kulakowsky

Planning Commission Update – Mr. Kulakowsky noted a few highlights from the October meeting.

Chester County Sports Arena – Mr. Kulakowsky noted that the Planning Commission voted on the presented land development plan, and voted to forward a recommendation to the Board of Commissioners, with a couple of recommendations. He noted that the Applicant is currently revising the plan to address ARRO's September letter, and addressing the Conditional Use Decision and Order issued by the Board at their October 8, 2020 meeting.

Spackman Farm Reroof Bid Award – For Board consideration, Mr. Kulakowsky recommended awarding the lowest bid to "Kupec", in the amount of \$131,334. He noted the bid option #2 "alternative tabulation", which is for both the high and low roofs as steel, metal panels, and the gutters and downspouts.

Commissioner Evans asked if this is paid for through a grant. Ms. Denne noted that it will be financed over five years, and the farmer's rent money will be used to make those payments.

Commissioner Mullin called for public comment.

Tony DiSario of 251 Loomis Avenue had concerns with spending money during a pandemic. He asked if there will be more money spent on the barn such as for the floor. Commissioner Mullin noted that the interior framework of the barn is fairly new, and the replacement of the roof will stop further damage.

Licia Carini of 103 Ayerwood Drive suggested a socially distanced event so residents can see the structures, and know where money is being spent.

Mark DeYoung of 20 Beaver Run Road noted that the Farmer's rent has been deposited into the general fund for years, and will now be redirected to cover the cost of the loan for the roof replacement, which reduces the General Fund by that amount. Commissioner Mullin noted that this is correct however, the Township is setting up the Farmer's rent to pay for farm repairs.

Cathy Callaghan of 931 Bondsville Road noted that the township has been talking about the roof replacement for eight years.

Commissioner Mullin entertained a motion to approve the bid award to “Kupec” as stated, in the amount of 131,334.00. Moved by Commissioner Evans and seconded by Commissioner Tindaro. Vote passed 5-0.

2020 Road Program – Mr. Kulakowsky noted that the paving due to be completed tomorrow will be extended into next week due to the weather.

Commissioner Evans asked the status of the 4060 Edges Mill Road property. Mr. Stackhouse noted that the Township has received multiple Right-to-Know requests for this property, and it is up for sale with a tentative buyer. Commissioner Evans asked if the granted Conditional Use will be attached to the new buyer. Mr. Stackhouse noted that once a conditional use is approved, it goes with the property.

Township Manager – Ms. Denne

Emergency Declaration Extension – For Board consideration, Ms. Denne offered a 30 day extension. Ms. Denne noted that the Township has to do an Emergency Declaration in order to apply for FEMA and government assistance.

Commissioner Mullin entertained a motion to extend the Emergency Declaration 30 days. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Vote passed 5-0.

November and December Public Meeting Dates – Ms. Denne noted that the November 12 meeting will be rescheduled to November 19. The public budget presentation will start at 6:30 PM and the public workshop meeting will start at 7:30 PM. The December 19 meeting will be reschedule for December 10.

Property Donation – Ms. Denne noted that she received a phone call from an individual who is looking for a tax deduction and wants to donate a piece of property to the Township. This individual would expect a park to be built there within four or five years and name it after his friend who recently passed away. Ms. Denne noted that the Township is interested, however, she cannot make a definite answer because of the trail program and Kings Highway parks, which are the first two priorities. She also noted that in four or five years there could be different Boards or a new manager. She also noted that the Township would love to have the property and deed it for open space recreation use.

Commissioner Evans asked if the individual would consider signage such as “future home of” and his friends name. Ms. Denne noted that she can ask him however, he was very adamant that he wanted the park completed, in the near future.

Commissioner Mullin asked the acreage of the property. Ms. Denne noted that it is three acres, and across from Handicrafters.

Commissioner Mullin and Commissioner Evans noted that he would like to look at the property, and speak with the individual.

Commissioner Kennedy noted that you could put contingencies on it.

Commissioner Young noted that there is a spring house on the property which needs to be evaluated to see how much it would cost to bring it back to where it needs to be. He also noted that the house that was there was an historic house however, he does not know if the spring house was also historic.

Commissioner Evans noted that this should be discussed in a Historical Commission meeting.

Commissioner Tindaro noted that the Historic Society would most likely know if the spring house was an historic structure.

Cathy Callaghan of 931 Bondsville Road noted that she will find out more about the spring house.

Commissioner Young noted that there is a Japanese maple tree and other interesting and unique trees on the property.

Mr. Stackhouse noted that this property is listed in the Township Comprehensive Plan as a historically significant property.

Ordinances and Resolutions for Consideration

Resolution 2020-51 A Resolution for the Disposition of Administrative Documents according to the Municipal Records Manual – For Board consideration, Ms. Denne offered a resolution for the disposition of Police records over twenty years old, excluding homicides and suspicious deaths, as required by the adopted Municipal Records as well as the police department retention, per Chief Elias.

Commissioner Mullin asked if this information was digitized. Ms. Denne noted that that these records have most likely not been digitized due to their age. Chief Elias noted that their arrest records are maintained by the State Police in a central depository for years, and after twenty years they are required to get rid of them. He also noted that the Municipal Records Manual is different.

Commissioner Mullin entertained a motion to approve Resolution 2020-15 for the disposition of administrative documents. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Vote passed 5-0.

Minutes to Approve/Acknowledge

October 8, 2020 Board of Commissioners Minutes – Commissioner Mullin called for changes, corrections, or additions to the October 8, 2020 minutes. There were none.

Commissioner Mullin called for public comment. There were none.

Commissioner Mullin entertained a motion to approve the October 8, 2020 Board of Commissioners minutes. Moved by Commissioner Evans and seconded by Commissioner Young. Vote 5-0.

Acknowledge Receipt of the Approved September 15, 2020 Planning Commission Minutes – **Commissioner Mullin entertained a motion acknowledging the receipt of the September 15, 2020 approved Planning Commission minutes. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy. Vote passed 5-0.**

Directors Reports

Police Chief Elias – Chief Elias noted a few highlights from the police September 2020 report, which was previously provided to the Board.

- Part 2 crimes continue to be down from a year ago
- Continue to publish the weekly police blotter on the township website and police Facebook
- 1,064 business checks
- 271 bank checks
- 493 park checks

Chief Elias noted that the entire force completed Use of Force Consideration Training, Anti-Bias Base Policing training, Duty to Intervene training, and De-escalating training. He also noted that all Supervisory Level

Officers completed Advanced Law Enforcement Ethics training, which included Police Professionalism, Conflict Management, Risk Management, and Implicit Bias training.

Chief Elias noted that he gets intelligence reports from the State Police and FBI, and as of today, there are no indications of any specific or credible threats to disrupt or interfere with the election or polling stations in Pennsylvania. The police will monitor it closely throughout Election Day, including the potential for voter intimidation. He also noted that lawfully, the police officers cannot be within 100 feet of the entrance of a polling station, unless called to keep the peace. They will have extra patrols scheduled throughout the day, and will be prepared to respond to a polling station if necessary.

Chief Elias noted that Adam Sandler's Netflix's movie will be filmed at the Coatesville Area School on November 1, 2, and 3. The production company has requested that the police provide extra security. The overtime from their security will be in the overtime budget however, all the money will come back to them through the "billable overtime rate". He also noted that Mr. Barron is working with them and the production company to receive an "up front" payment to pay their overtime costs, which will be in the \$15,000 range.

Chief Elias noted Barry Beech's retirement after forty three plus years of service, and Officer Jim Shaw's retirement, in November, after thirty three years of service. He also noted that he spoke with Ms. Denne about doing something nice for both of them before they leave.

The Board thanks Chief Elias and the entire police force for all the work they do in protecting the community.

Fire Chief Donnachie – Chief Donnachie noted a few highlights from his September report, which was previously provided to the Board.

Chief Donnachie noted that Rescue 38 truck has returned from being repaired. He also noted that it has been cleaned and all the equipment has been loaded back onto it.

Chief Donnachie noted that they were awarded a \$24,000 grant for COVID-19 relief, which was part of the CARES Act that came down through the State, and funded by the State Fire Commissioner's office, which will go towards their supplemental operations due to their losses.

Commissioner Evans asked Mr. Donnachie to email him the last two years of their firm's fundraising campaigns, price per piece, total amount mailed, and how many versions of the mail that was utilized, results of any AB tests, and the total revenue and margin. He also noted if they are not supplying this information it is already time to change firms.

Commissioner Evans asked Chief Donnachie if there is a way to break down overdose, fatal overdoses, and Narcan episodes, in his report. Chief Donnachie noted that his report shows the call types as they are called out by the "911" center. He also noted that an overdose could be a call type such as an unconscious person, cardiac arrest, or respiratory arrest. The call can be changed on the scene.

Mr. Donnachie noted that they are not a primary EMS response agency, they are a supplement to the ambulance. They provide a "quick response" service, licensed by the Department of Health. They only go out to assist on advanced life support calls. He also noted that since the beginning of April, they have not been responding to those calls because they have been sheltering their people.

Commissioner Young asked if they use Narcan. Chief Donnachie noted that they now use Narcan. He noted that in the past, the police department obtained Narcan through a Chester County-wide grant, and they were always the first on scene and they typically used Narcan before their service arrived. He also noted that they did research a few years ago, and found out that they could get on the same program as the police so they now have Narcan in all their vehicles.

Mr. Donnachie noted that they had a concern that police, fire, or EMS personnel could be affected by the different drugs so they wanted to make sure they had Narcan.

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

Mr. Stackhouse noted that Hillview Phase III, the section that is in Caln Township off of Moore Road, broke ground last week. Their tentative land development schedule is on the Township website, and they tentatively are scheduled to pull building permits in the spring of 2021. He also noted that they have to do some blasting operations as part of their land development, and had to get a separate township permit so that they would comply with the zoning ordinance and fire code.

Mr. Stackhouse noted that there were twenty-six unoccupied businesses in the Commercial District along the highway in November 2019 and thirty-three up to September 24, 2020. Some of those are being deleted and some are being added.

Commissioner Mullin asked Mr. Stackhouse if he met with Cathy Hoscheid from 2 Moore Road who voiced her concern with parking. Mr. Stackhouse noted that he met with her and her concern is about the temporary access to the Hillview III development. He noted that they had a pre-construction meeting with the Developer regarding Ms. Hoscheid's concerns and identified that the entrance will be further down and the Developer will definitely do everything needed in order to not disrupt Ms. Hoscheid's life.

Director of Public Works Mr. Fragale – Mr. Fragale noted a few highlights from his September 2020 report which was previously provided to the Board.

- Drainage cleanup
- Dug swales on both sides of Bailey Road
- The top piece of the School House is complete
- The Chipping Program is completed
- The leaf vacuuming program has started
- The "Keep Pennsylvania Beautiful" signs have been installed on Fisherville and Reeceville Roads for the "Adopt a Highway" program
- Dawkins Park basketball poles, rims, and back board have been completed-New lines to be painted

Commissioner Mullin asked the status of the guard rails along G.O. Carlson. Mr. Fragale noted that they are waiting for a start date.

Commissioner Kennedy thanked Mr. Fragale for installing the new road signs in the Brandywine Homes Development.

Commissioner Kennedy asked if the township could put reflectors on the Kurt Strauss Bridge. Mr. Fragale noted that this is a PennDot road and they cannot. Mr. Fragale also noted that he will recommend reflectors to his PennDot contact.

Ms. Denne noted that she and Mr. Fragale however will call PennDot however, 1-800-Fix-Roads resident concerns are ranked higher than when the Township calls.

Ingleside Golf Manager Mr. Ward – Mr. Ward noted a few highlights from his September 2020 report, which was previously provided to the Board.

- Rounds September 2020 –3,160 Rounds - Increase of 1,066 from 2019-51% increase
- Revenue September 2020 – \$99,806 - \$45,000 increase from 2019-84%increase
- Year to date – \$611,938 - \$186,000 Increase - 44%
- October has been their best October, so far

Commissioner Mullin asked the status of the “project list”. Mr. Ward noted that they are paving in front of the golf cart shed, and down by number 2. He also noted that he received a quote for the pump needed to fix the pipes. They also may be doing the paving next year and the trees this year because it may be getting a little late for paving.

Commissioner Mullin called for public comment. There were none.

Finance Department – Kevin Barron

Finance Report – Mr. Barron noted a few highlights from his September 2020 report, which was previously provided to the Board.

Mr. Barron noted that the Township is approximately \$16,000 behind from last year

- Fire Fund expenditures are behind
- Fire revenue collected is \$1,000 less
- November 1st bills will be mailed shortly

Lisa Shields of 2529 DuPont Street thanked Chief Elias for doing all their training. She also asked what procedures are being done for after the election. Chief Elias noted that the election results will probably not be available Tuesday night. They will continue to monitor daily, and will take whatever action that the intelligence information tells them.

Pete Callaghan of 931 Bondsville Road had questions on the Township legal bills. Ms. Denne noted that most all of the legal invoices are paid by the developer.

Mr. Callaghan also had concern with the police pension contribution amount and asked about the non-uniform funding. Ms. Denne noted that the amount is for the whole year. Mr. Barron noted that the market went low in December 2018 and that is when the evaluation was done. The evaluation is done every other year and will be done next year so the amount will be a little less. Ms. Denne noted that the police pension plan is handled and administered locally at the Township. The non-union pension plan is through a state wide pension system administered in Harrisburg so there is the benefit of a bigger pool. She also noted that the non-uniform employees retire at a later date and at a lesser value than the police, making it a lesser payment. Ms. Denne noted that this is the cost of business of having a very good professional police department.

Commissioner Young noted that the police pension plan is funded 88.8%, and the non-uniform pension plan is funded 87.89%.

General Checks 45626-45701 and General Manual Checks 161-163 – Commissioner Mullin entertained a motion to approve general checks 45626-45701 and general manual checks 161-163. Moved by Commissioner Tindaro and seconded by Commissioner Young. Vote passed 5-0

Additional Business

Commissioner Mullin noted that Halloween is on October 31 from 6:00 PM to 8:00 PM. Chief Elias noted that the police put police guidance on the township and police website.

Public Comments

Commissioner Mullin called for public comments. There were none.

Adjournment

Commissioner Mullin entertained a motion to adjourn the October 29, 2020 meeting at 9:35 PM. Moved by Commissioner Evans and seconded by Commissioner Tindaro. Vote passed 5-0.

Respectfully Submitted by,

Denise Miller
Assistant Township Secretary