

Caln Township Board of Commissioners
253 Municipal Drive Thorndale, PA 19372
Chester County, Pennsylvania
October 14, 2021 Meeting Minutes
In-Person Meeting

Call to Order: Commissioner Mullin called the Board of Commissioners meeting to order at 7:37 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.

Staff Members Present: Kristen Denne-Township Manager/Secretary, Denise Miller-Assistant Township Secretary (Absent), Lisa Swan-Township Treasurer, Mike Fragale, Public Works Director (Absent), Ray Stackhouse-Building and Life Safety Director (Absent), Chief Elias-Police Chief.

Professionals Present: Bryan Kulakowsky-Township Engineer, Kristin Camp-Township Solicitor.

Special Guest: Jamie DiDomenico-Chester County Sports Arena Owner.

The Board of Commissioners October 14, 2021 agenda was posted on the Township website, and at the Township building, on October 13, 2021. Copies of the agenda were also available for attendees.

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

Commissioner Evans' Township Update

Welcome everyone, thank you for joining us. Our meetings are "Neutral Ground", a place to hear and be heard. We're all in this together.

The Zoning Task Force resumed meeting last week and we are currently focusing on Thorndale Village and the Lincoln Highway Business District.

All of our commissions need help. Please volunteer some time to be a part of the solution. Applications can be found on the Caln Township website.

- a. The Historical Commission has seven vacancies
- b. The Parks & Recreation Board has four vacancies
- c. The Zoning Hearing Board has one member and two alternate vacancies

The Municipal Drive and Bailey Road Township Bridges are being reassessed for additional damages post Ida, and remain closed.

Citizens to be Heard

Francine Walker of Foundry Street asked the Board if Carver Court could be changed to a one-way street. Ms. Denne noted that she will refer Ms. Walker's request to the police department for the trained traffic study officer to do a traffic study, and review it with the Township Engineer and Township Traffic Engineer.

Bob Hetzel of 584 Lloyd Avenue asked the Board if they know what happened to the “No Left Turn” sign at the 30 WAWA. Commissioner Young noted that he believes that the entrance is a “multi-turn” because there is no other way to make a left turn. Commissioner Evans noted that the Board will find out if there was ever a “No Left Turn” sign there.

Township Solicitor – Ms. Camp

JLLAR LLC Conditional Use Approval Extension Request until November 4, 2022 - 4531, 4533, and 4575 West Lincoln Highway – For Board consideration, Ms. Camp presented an extension request for JLLAR LLC. Ms. Camp noted that the Applicant previously received approval from the Board by written decision on October 8, 2020, and received by Applicant’s attorneys on November 4, 2020 for conditional use approval to utilize the property for recreational use as the Chester County Sports Arena. Pursuant to Section 155-172(I) of the Township’s Zoning Ordinance, the Applicant has until November 4, 2021 to secure a building permit; however, the Applicant is not prepared to seek a building permit at this time, and is requesting a one-year extension until November 4, 2022.

Mr. DiDomenico noted that they will be ready in two to three weeks. They are also waiting on one more review letter from Mr. Kulakowsky.

Mr. DiDomenico noted that currently there is no collection of water. The downspouts will now go in the pipes underground, piped through the manholes, and then piped into a giant ground basin. If this was to reach capacity, it would slowly release out to a level spreader where it currently releases to their wetlands. Mr. DiDomenico noted that they did the same at Sudsy Sam’s Car Wash and they had no flooding during “Ida”.

Commissioner Mullin entertained a motion to agree to extend conditional use for one year, until November 4, 2022. Moved by Commissioner Evans and seconded by Commissioner Tindaro.

Commissioner asked for Board and public comments. There were none.

Voted passed 5-0.

Township Engineer – Mr. Kulakowsky

Mr. Kulakowsky noted that the roof panels on the Spackman Farm have been installed. The flashing, fascia, approximately 600 snow guards, down spouts, and gutters still need to be installed.

Mr. Kulakowsky noted that the 2021 Road Program paving piece that is currently in front of the Board, has been 99% completed, except the joint seal.

Hurricane Ida Storm Update – Mr. Kulakowsky noted that the Municipal Bridge was washed out due to “Ida”. Mr. Kulakowsky also noted that the state has inspected the bridge in June, August, and after the storm. They will have a diver inspect it again.

Mr. Kulakowsky noted that they are also engaged in Part 1 of the storm infrastructure, which is the pipes and culverts. Phase I reports are being drafted to present to Township Staff, next week. Mr. Kulakowsky also noted that Part 2 is actively being looked at so we can evaluate the condition of the pipe because they are full of sediment.

Cheryl Spaulding of 406 Lloyd Avenue asked if the township pays for this. Ms. Denne noted that Mr. Kulakowsky and Township Staff are getting cost estimates for all the damages. FEMA will consider Chester County for public infrastructure funding. The Township is now going into the application and interview stage. Ms. Denne also noted that it is not a definite answer yet.

Commissioner Mullin asked Mr. Kulakowsky what has been repaired since Bondsville Road has been opened. Mr. Kulakowsky noted that there is a state culvert and the stone brick wall on top of the culvert was washed off. Mr. Kulakowsky also noted that the state came in and cleaned and rebuilt the walls.

Motion to Approve Albert Federico Consulting, LLC September 30, 2021 proposed work order for the Lloyd Avenue Bridge Signalization Construction Phase Services, in the amount of \$5,900, and additional Services Beyond this Scope will be Completed as Directed and Billed at \$150 Per Hour – For Board consideration, Mr. Kulakowsky offered a proposed work order from Albert Federico for the Lloyd Avenue Bridge signalization construction phase services.

Commissioner Mullin entertained a motion to approve Albert Federico Consulting, LLC September 30, 2021 proposed work order for the Lloyd Avenue Bridge Signalization Construction Phase Services, in the amount of \$5,900, and additional services beyond this scope will be completed as directed and billed at \$150 per hour. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy.

Commissioner Mullin called for Board and public comments.

Stan Zoliek of 10 Beaver Run Road asked if sensors were being installed. Mr. Kulakowsky noted that PennDot did the timing schedule. Mr. Kulakowsky also noted that he will find out if sensors are being installed.

Donna Hetzel of 584 Lloyd Avenue asked the time frame for completion. Mr. Kulakowsky noted that he is unable to answer that. There is currently a supply chain issue. Mr. Kulakowsky also noted that they have to have a meeting with PennDot to sight the pole and release the contractor to order the traffic poles, which are custom made to the measurements to the sight.

Cheryl Spaulding of 406 Lloyd Avenue asked if this bridge was inspected by the county. Kristen Denne noted that the county did inspect the bridge.

Vote passed 5-0.

Long's Asphalt, Inc. Time Extension Request for the Completion of Caln Township's 2021 Road Program until November 15, 2021 – Mr. Kulakowsky noted that a change order is needed to replace the inlet at Seltzer Avenue and Miller Avenue. Upon inspection, it became known that the pipe towards the bottom of Miller Avenue is rotted away, and a sink hole is forming.

Mr. Kulakowsky noted that because of the inlet pipe replacement, Long's Asphalt, Inc. has requested a time extension for the completion of Caln Township's 2021 Road Program, until November 15, 2021.

Commissioner Mullin asked if this extension of time will be sufficient time to receive the pipe. Mr. Kulakowsky noted that the pipe will be ordered tomorrow, if this extension is approved tonight.

Commissioner Mullin entertained a motion to approve Long’s Asphalt, Inc. time extension request for the completion of Caln Township’s 2021 Road Program until November 15, 2021, and the 2021 Road Program Change Order #1 in the amount of \$22,750, to be paid out of the General Fund Balance. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro.

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

Vote passed 5-0.

2021 Road Program Change Order #1, in the amount of \$22,750 to be Paid from the General Fund Fund Balance –

The Motion was made and passed 5-0 under Long’s Asphalt, Inc. time extension request.

Township Manager

Zoom Room Cost Update – Ms. Denne noted that the Township has decided to purchase the gooseneck microphones, which has increased the size of the polycom needed. The delay has been the bigger polycom, which should be delivered October 26. All of the other components have been received. Ms. Denne also noted that additional electric work is needed with the bigger polycom.

Ms. Denne noted that the original cost was a “not to exceed” price of \$43,796. For Board consideration, Ms. Denne requested a motion for the Board to authorize a change order of a “not to exceed” price of \$51,000. Ms. Denne also noted that this will be paid out of the American Rescue Plan Act (ARPA) funding. The Township received funding from the Federal Government to make enhancements to the Township building to allow more technological capabilities.

Ms. Denne also noted that the Township meeting room will be cleaned, and painted before the installation.

Commissioner Mullin entertained a motion to approve a “not to exceed” price of \$51,000 for the Zoom room cost update. Moved by Commissioner Evans and seconded by Tindaro.

Commissioner Mullin called for Board and public comments.

Mark DeYoung of 20 Beaver Run Road asked if there will also be Zoom capabilities when the system is running. Ms. Denne replied that there will be both.

Vote passed 5-0.

2020 Audit Presentation – Ms. Denne moved the 2020 audit presentation to the end of her report.

Ratification of the 2021 Storm Sewer Quote – Ms. Denne noted that this expense will be provided to FEMA, and possibly will be reimbursed. This is an emergency cleaning for the pipes that are most crucial, and had the most difficulty during the Ida Hurricane. They will be cleaned and then formally inspected.

Ms. Denne noted that she had to sign this quote in order to get the vacuum jet truck for next Monday.

For Board consideration, Ms. Denne requested the Board to ratify the 2021 storm sewer quote.

Commissioner Mullin entertained a motion to approve a “not to exceed” cost of \$16,500 for the 2021 storm sewer quote. Moved by Commissioner Young and seconded by Commissioner Tindaro.

Vote passed 5-0.

Commissioner Mullin asked if the sewer department vacuum truck can be used for this. Ms. Denne noted that the truck is working however, the vacuum is not. Ms. Denne also noted that the pipes that need cleaned are 60” and their vacuum would not been able to handle the pipes. Ms. Denne also noted that the Township needs to have a formal stormwater program.

Commissioner Mullin asked if the sewer vacuum truck could be used later when they get to the rotation. Ms. Denne noted “yes” and there needs to be a discussion on the possibility of a joint purchase, and also a joint purchase of a mini excavator with the Municipality.

Cheryl Spaulding of 406 Lloyd Avenue asked Ms. Denne to explain what the “MS4” is. Ms. Denne noted that “MS4” only deals with sediment control and with impaired streams that show high amounts of sediment that are considered toxic to the ecosystem of the stream. It does not deal with flooding. Ms. Denne also noted that the “MS4” is done yearly and the Township has to have this in order to have a sewer permit or for the DEP to allow the Township to give additional sewer units.

Ms. Spaulding noted that it looks like there are thirty to forty places that the engineer is looking at. Commissioner Young noted that they are monitoring outfalls of sediment and pollutants coming out of those outfalls.

Ms. Spaulding noted that all the reports she saw said no maintenance required. Ms. Denne noted that is because there is no toxic sediment coming out.

Mark DeYoung of 20 Beaver Run Road commented on having a procedure for the “MS4” reports. Ms. Denne noted that you will not get penalized unless you do not fix something that you were told to fix.

Board November Meeting Date – After Board discussion, Ms. Denne noted the following November and December 2021 dates.

Ms. Denne noted that November 11 will be the regular November Board meeting, and November 17 at 6:30 PM will be the budget meeting, and possible motion to authorize.

Ms. Denne noted that there has to be twenty days to advertise the budget. Ms. Denne also noted that there has to be three Commissioners physically in the meeting room to adopt the budget.

Ms. Denne asked the Board to keep December 7, 9, and 28 open in case the November 17 meeting fails, and the budget is not authorized to advertise.

The Board accepted these dates.

Ms. Swan noted that they are consistent with a 98% revenue collected versus the 2020 revenue budget. Expenditures were decreased approximately \$104,000. At the end of 2020 the General Fund Balance remains stable and increased by \$500,000. Ms. Swan also noted that The Township standards and Poor's rating remains a strong double A rating, which will assist in future bargaining for capital projects if the Board finds them necessary.

Commissioner Mullin called for Board questions for Ms. Swan. There were none.

2020 Audit Presentation – Ms. Swan noted that Mallie will present at the October 28 meeting.

Ordinances and Resolutions for Consideration

Resolution 2021-03 A Resolution Designating the 2021 Response Territories for Emergency Service in Can Township (TABLED 01/28/2021) – Commissioner Mullin noted that Resolution 2021-03 will continue to be tabled.

Minutes to Approve

September 9, 2021 Board of Commissioners Minutes – **Commissioner Mullin entertained a motion to approve the September 9, 2021 Board of Commissioners Minutes. Moved by Commissioner Tindaro and seconded by Commissioner Evans.**

Commissioner Mullin called for Board comment. There were none.

Vote passed 5-0.

Acknowledgement of Planning Commission Approved Minutes

Board Acknowledgement of the July 20, 2021 Approved Planning Commission Minutes – **Commissioner Mullin entertained a motion acknowledging the approved July 20, 2021 approved Planning Commission Minutes. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy.**

Vote passed 5-0.

Board Acknowledgement of the August 17, 2021 Approved Planning Commission Minutes – **Commissioner Mullin entertained a motion acknowledging the approved August 17, 2021 Planning Commission Minutes. Moved by Commissioner Tindaro and seconded by Commissioner Kennedy.**

Vote passed 5-0.

Finance Department – Ms. Swan

Ratification of General Checks 47071 to 47181 and Manual Checks 219 to 222 – **Commissioner Mullin entertained a motion to ratify general checks 47071 to 47181 and manual checks 219 to 222. Moved by Commissioner Young and seconded by Commissioner Tindaro.**

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

Vote passed 5-0.

General Checks 47182 to 47250 – Commissioner Mullin entertained a motion approving general checks 47182 to 47250. Moved by Commissioner Young and seconded by Commissioner Tindaro.

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

Vote passed 5-0.

Boards and Commissions Updates – Summary by Applicable Board Liaison

Parks and Recreation –

- a. Motion to Accept the Resignation of JoEllen McBride from the Parks and Recreation Board Effective September 22, 2021 – Commissioner Mullin entertained a motion accepting the resignation of JoEllen McBride from the Parks and Recreation Board, effective September 22, 2021. Moved by Commissioner Young and seconded by Jane Kennedy.

Vote passed 5-0.

- b. Motion to Accept the Resignation of Angela Cordisco from the Parks and Recreation Board Effective September 27, 2021 – Commissioner Mullin entertained a motion accepting the resignation of Angela Cordisco from the Parks and Recreation Board effective September 27, 2021. Moved by Commissioner Kennedy and seconded by Commissioner Tindaro.

Vote passed 5-0.

- c. Motion to Accept the Resignation of Chris Cordisco from the Parks and Recreation Board, Effective September 27, 2021 – Commissioner Mullin entertained a motion accepting the resignation of Chris Cordisco from the Parks and Recreation Board. Moved by Commissioner Young and seconded by Commissioner Tindaro.

Vote passed 5-0.

Commissioner Young noted that with these resignations, Parks and Recreation is in desperate need of volunteers. Commissioner Young also noted that these resignations were due to moving out of the Township or not being able to fulfill the duties on the Parks and Recreation Board.

Commissioner Young noted that there will be a Halloween Party and costume judging on October 30 at 1:00 PM in Caln Park, Trick or Treat on October 31 from 6:00 PM to 8:00 PM, and a Riparian Buffer Planting of trees at Lloyd Park on November 6 at 12:00 PM. Commissioner Young also noted that there will be a tree lighting, and a children's Christmas party is in discussion for possibly outside if the weather permits. Normally the party is the first Sunday of December, which would be December 5 at 4:00 PM and tree lighting at 6:00 PM however, it has not been set yet.

COG – Commissioner Kennedy noted they discussed "Ida" and the impact on Townships and Municipalities, Animal Control, and holding meetings. Commissioner Kennedy talked about COVID and how it is impacting businesses. Ms. Denne noted that there are 5,000 cases per week, state wide.

Ms. Denne asked Commissioner Mullin for authorization to discuss the meeting regarding Brandywine Hospital/Tower Health. Commissioner Mullin noted for Ms. Denne to proceed.

Ms. Denne noted the State Democratic Caucus held a legislative hearing recently because it has been announced that Jennersville Hospital is closing, and Brandywine Hospital/Tower Health is in that. The Chief of Police testified at the hearing on the impact to local public safety in the western part of the county. Brandywine Hospital/Tower Health have their own internal security unlike the other hospitals in the area. When Caln Township Officers have a mental health crisis or they have to get someone cleared before they can take them to county prison, they are able to drop the prisoner off at Brandywine/Tower Health. Ms. Denne also noted that if this facility was lost, it would result in a lot of police overtime and coverage problems because they would have to take the prisoner to West Chester or Paoli Hospital, and their policy is that the police have to sit with that person until they are cleared and sometimes an emergency room visit is eight to ten hours, depending on staff shortages.

Commissioner Young noted that in 2020 Jennersville Hospital had a 6 million deficit operating and Brandywine/Tower Health had a 35.5 million deficit. Commissioner Young also noted that he is on a committee with two Valley Township Supervisors, a Coatesville City Council person, and County Commissioner Josh Maxwell trying to determine how to use the community to pressure Tower Health into bringing back services that they took away because it is basically an emergency room and a mental health facility.

Municipal Authority – Commissioner Mullin noted that the pump station project has two remaining contractors finishing up their punch lists. The 2021 I&I project interceptor repair has been completed, and the Engineer is currently working with the Contractor to close out the project. Commissioner Mullin also noted that the final payment request was approved for \$7,649.74, at their September meeting.

Commissioner Mullin noted that Gilmore and Associates is currently working on the 2022 I&I project on assembling the bid documents for Phase 4 Caln Interceptor with an anticipated bid opening in mid November.

Commissioner Mullin noted that Mallie presented their 2020 audit, and it was found to be acceptable.

Tom Parr of 582 Lloyd Avenue asked for an update on the Aqua time frame for the water line on Lloyd Avenue. Commissioner Young noted that it will not service Lloyd Avenue however, it does service anything north of the bypass.

Ms. Denne noted that she will ask Mr. Stackhouse for an update on the planning of this project.

DARA – Commissioner Mullin noted that Downingtown was really impacted by “Ida”, and the wastewater treatment plant, which will cost approximately \$3 million or more. Commissioner Mullin also stated that the insurance will cover up to \$3 million, and the Caln Township Municipal Authority’s share is approximately \$360,000. Details to get the money reimbursed will be discussed.

Commissioner Mullin noted that there will be a minor increase in the Township sewer fee for Caln’s maintenance part of this. This could happen this year or next year.

Fire Board – Commissioner Young noted that the Fire Board did not have a September meeting.

Historical Commission – Commissioner Tindaro noted that the September meeting was cancelled, and the next meeting will be held on October 20 at 7:00 PM.

Commissioner Evans noted that they will be rezoning at their October 20 meeting. Commissioner Evans welcomed everyone to attend the next Historical Commission and Planning Commission where the Flex Space and Edges Mill Historic District will be on the agenda.

Lincoln Highway – Commissioner Young noted that last month they presented the Township’s LERTA Program to the Coatesville School District, and they gave the Township some tasks to complete. Commissioner Young also noted that they need to meet and follow up on this, and get back to the school district.

Commissioner Evans noted that the school district seemed interested in their presentation.

Commissioner Young noted that his only concern is that 1/3 of the school board is leaving.

Commissioner Mullin called for questions for the Commissioners.

Mark DeYoung of 20 Beaver Run Road asked about the American Rescue Package money, and what is the plan on how it is to be spent. Ms. Denne noted that the Township will receive \$747,000 in 2021, and \$747,000 in 2022. The money is to be used on infrastructure and after “Ida” the infrastructure is not the same infrastructure. Ms. Denne also noted that the American Rescue money cannot be used on debt.

Commissioner Evans noted that the golf course is 24% over the 2020 year to date.

Additional Business – Commissioner Mullin called for additional business. There was none.

Public Comments –

Cheryl Spaulding of 406 Lloyd Avenue asked how this meeting is being recorded. Ms. Denne noted that is live streaming on Caln Township Facebook.

Adjournment – Commissioner Mullin entertained a motion to adjourn the October 14, 2021 meeting at 8:45 PM. Moved by Commissioner Evans and seconded by Commissioner Tindaro.

Vote passed 5-0.

Respectfully Submitted by,

Denise Miller
Assistant Township Secretary