

Call to order and pledge of allegiance.

Attendance – Jennifer Breton-President, George Chambers-Vice President, John Contento-Commissioner, Joshua Young-Commissioner, Chuck Kramer-Commissioner, Kristen Denne-Township Manager, Kristin Camp-Township Solicitor, Township Engineer-Carol Schuehler, Chuck Wilson-Township Treasurer and Jennifer Schwed-Recording Secretary.

Executive Session

Commissioner Breton noted there was an Executive Session held prior to tonight's meeting to discuss legal and personnel matters.

Citizens to Be Heard

Commissioner Breton called for any citizens to be heard.

Bernie Maron, President of the Woods at Rock Raymond HOA, of 1432 North Red Maple Way, and Bob Mayo (Board Member) petitioned the Board to be present during the transition process of the development from the developer to the HOA. They would like to establish a strong working relationship between the developer and the township and be included in all meetings. Mr. Maron noted a lawsuit pending regarding responsibilities being assigned to the HOA for certain areas of the development that the HOA claims are not complete. Commissioner Contento expressed support for working with the HOA members on the final list of items to be completed. The Township Solicitor expressed caution over legal contractual obligations between the township and the developer and when to include the HOA. Solicitor Camp explained the process with developer obligations and township obligations. Township Engineer Carol Schuehler has inspected the storm water basin that the HOA has suggested has not been satisfactorily completed. A final inspection is expected to be performed later after a review of a punch list of items in question. Solicitor Camp said what the township can do is try to bridge communication between the two parties in the future.

Harry Miller of Regal Builders presented an overview of a proposed 55+ residential development to be named Noble's Pond. Regal Builders has an agreement of sale for the farm property located at Route 322 and Lloyed Ave. Mr. Miller introduced himself, provided his background and introduced his colleagues Justin O'Lear, Kevin Draper from URDC, and Lou Colegreco providing legal counsel. A traffic count, wetland study and cost analysis have been performed. Mr. Miller presented a slide show of a similar community constructed in Delaware. The developer is looking for age restricted housing and a light retail district in regards to zoning. Mr. Miller noted that the addition of the development provides an increased tax base without an impact to the school system. Commissioner Young expressed concern over the cost to improve the roads in the area as a negative impact to the project and that it has deterred developers in the past. However, a discussion with PennDOT may provide updated details on new requirements and monetary allocations.

Mr. Tony DiSario of 251 Loomis Ave. commented on the need for a 4-way stop sign at the intersection of Loomis and Miller Ave. He said that because the 3 prior stops are 4-way stop signs, many people assume this intersection is the same. He noted accidents occurring there due to the confusion. Commissioner Contento said he has asked the Township Manager to have the intersection evaluated. Mr. DiSario also expressed support for allowing mini casinos into Caln Township.

Township Solicitor-Kristin Camp

Mrs. Camp reminded the Board that the conditional use hearing for 4060 Edges Mill Road is scheduled for the Board Meeting on January 11th at 6:30 p.m.

Solicitor Camp presented information on rezoning the property at 180 Gallagherville Road, which is currently zoned R1. The Zoning Ordinance Amendment is to define acceptable uses for a new I2 District. Mrs. Camp provided a map of the subject property and the adjacent properties and their current zoning. Mrs. Camp identified light industrial uses to be associated with the I2 rezoning specifically naming it "Contractor's Establishment". A parking requirement was discussed as well as language stating no fabricating or manufacturing on the property. After the changes are made, the document would be sent to the Township and County Planning Commission for review.

Mrs. Camp presented an ordinance requiring property owners to maintain vegetation in township right of ways. The ordinance would be added to the township's streets and sidewalks code. Township Manager Denne expressed that the ordinance would only be exercised in extreme circumstances. The motion before the Board was the approval to advertise the ordinance. Commissioner Young noted the ordinance could create a financial hardship for some residents as well as an administrative log jam for the township if enforced.

Commissioner Breton entertained a motion to advertise the ordinance.

Motion was made by Commissioner Kramer and seconded by Commissioner Chambers. Motion passed, 5-0.

Mrs. Camp presented an O&M (Operation and Maintenance) Agreement for the property located at 3503 Fisherville Road. Victoria Gould is taking the property over as part of an estate settlement. Mrs. Gould would like to sell the property, however it would require a new tank installed for septic with an escrow held at the township for pumping. This is the only acceptable form of septic allowable by the DEP for this property.

Commissioner Breton entertained a motion to authorize the president to sign the O&M Agreement. Motion made by Commissioner Young and seconded by Commissioner Chambers. Motion passed, 5-0.

Mrs. Camp presented a Resolution to Prohibit Category 4 Casinos in Caln Township. Known as a "mini casinos," the PA Gaming Commission will allow the township to prohibit them if acted on by December 31, 2017.

Commissioner Breton entertained a motion to prohibit the casinos. Commissioner Contento moved to prohibit based on the option to rescind the resolution at a future date if the Board chooses. The motion was seconded by Commissioner Chambers. A detailed discussion followed between Board Members and residents about the desire for the casinos in the community, as well as the likelihood of one opening. **The final vote did not pass with 1 aye and 4 nays.**

Mrs. Camp discussed the process for permanently closing the East Fisherville Road Bridge. The bridge is in 2 townships, Caln and East Brandywine. Court approval would be required by the Court of Common Pleas to permanently close the bridge and Caln would have to prove that the bridge is useless, inconvenient and burdensome. Mrs. Camp did not think the township would have a problem petitioning the court for approval to remove the bridge. Township Engineer Carol Schuehler discussed the closing of the bridge with East Brandywine Township and they were receptive to the decision.

Commissioner Breton entertained a motion to authorize Kristin Camp to proceed with drafting the petition to close the East Fisherville Road Bridge. Moved by Commissioner Contento and seconded

by Commissioner Breton. Commissioner Kramer asked about not acting at this time to close the bridge to allow for further discussion. Commissioner Contento moved to table the motion, seconded by Commissioner Young. Approved, 5-0.

Township Manager-Kristen Denne

Township Manager Kristen Denne presented a resolution to approve the Tax Collector Deputization Agreement. Barry Beach was elected tax collector for Caln Township and he wishes to deputize Caln Township to act as the tax collector.

Commissioner Breton entertained a motion to authorize the President to sign the Tax Collector Deputization Agreement. Motion made by Commissioner Young and seconded by Commissioner Kramer. Vote passed, 5-0.

Manager Denne stated that there would be no changes made to the real estate tax rate or the fire tax rate and would remain the same as last year.

Township Engineer-Carol Shuehler

Mrs. Schuehler discussed the structural report for the East Fisherville Road Bridge prepared by Thomas Ziegler showing it is damaged beyond repair. A new bridge would need to be constructed.

Mrs. Schuehler presented a progress print plan on the Fisherville Road Bridge that showed the preliminary plan work at a cost estimate of \$250,000. General permits need to be submitted to the DEP which takes 6 weeks to 2 months for approval. Temporary construction easements must be obtained from residents on either side of the bridge with a possible permanent easement for a wing wall on the Smith property. Mrs. Schuehler estimated a 9-month time frame for completion of the bridge.

Mrs. Schuehler discussed a concern over the left turn signal light timing at Bondsville Road and Route 30 being too short. Mrs. Schuehler noted that during the construction of the Wawa, detector improvements will be made by PennDOT that should adjust the timing for the entire intersection.

Ordinances and Resolutions for Consideration

Commissioner Breton entertained a motion to approve the following ordinances and resolutions for consideration:

- **Ordinance #2017-03: Ordinance Establishing the 2018 Real Estate Tax Rate-Motion to approve made by Commissioner Chambers and seconded by Commissioner Young. Approved, 5-0.**
- **Ordinance #2017-04: Ordinance Establishing the 2018 Fire Tax Rate-Motion to approve made by Commissioner Young and seconded by Commissioner Chambers. Approved, 5-0.**
- **Ordinance #2017-05: Ordinance Adopting the 2018 Budget-Motion to approve made by Commissioner Young and seconded by Commissioner Chambers. Approved, 5-0.**

- Resolution Approving a Cooperative Agreement between Caln Township and Thorndale Fire Company-Motion to approve made by Commissioner Young and seconded by Commissioner Kramer. Approved, 5-0.
- Resolution Adopting the 2018 Schedule of Fees for Professional Consultants-Motion to approve made by Commissioner Young and seconded by Commissioner Chambers. Approved, 5-0.

Bill List – Checks 40865-40942

Commissioner Breton entertained a motion to approve general checks 40865 through 40942. Motion made by Commissioner Kramer and seconded by Commissioner Young. Commissioner Chambers abstained from check #40885, Commissioner Young abstained from check #40900 and Commissioner Contento abstained from check #40899. The motion was approved, 5-0 with abstentions noted.

Receipt of Planning Commission Minutes of November 21, 2017

The Board of Commissioners acknowledged receipt of the Planning Commission Minutes from November 21, 2017.

Additional Business

Code of Conduct Discussion

Commissioner Breton proposed a Code of Conduct for the Board for interactions with staff, the public and with other Board Members. Once adopted it will be placed on the township website for public review. Commissioner Breton entertained a motion to adopt the Code of Conduct. Motion made by Commissioner Chambers and seconded by Commissioner Kramer. Approved, 5-0.

Commissioner Breton entertained a motion to approve the MOU (Memorandum of Understanding) with Mitchell J. Rock to be employed as Deputy Chief of the Caln Township Police Dept. contingent upon successful completion of all pre-employment testing and reviews. Motion made by Commissioner Kramer and seconded by Commissioner Chambers. Approved, 5-0.

Commissioner Kramer made a motion to authorize annual tuition reimbursement for Township Manager Kristen Denne not to exceed \$12,000 towards her doctorate degree. Motion made by Commissioner Kramer and seconded by Commissioner Chambers. Approved, 5-0.

Commissioner Breton suggested amending Manager Denne's MOU for employment to reflect the terms of approval prepared by Solicitor Camp. Ms. Denne noted she will complete the degree in two years. Commissioner Kramer amended his motion to include language in the employment MOU reflecting the above terms including language that the reimbursement is contingent upon Ms. Denne's time in employment or must be paid back, that this is the final degree paid for by the Township for Ms. Denne and to authorize Solicitor Camp to draft the amendment to Ms. Denne's employment MOU. The amended motion was seconded by Commissioner Chambers. Approved, 5-0.

Commissioner Breton expressed on behalf of the board a fond farewell to Commissioner Charles Kramer whose term ends with this meeting and thanked him for his service. Mr. Kramer spoke about his positive experience with the Board, positive changes he has seen made during his term and his pleasure serving the community. He welcomed the incoming Commissioner for 2018 to fill his seat, Lorraine Tindaro.

Commissioner Breton noted the Reorganization Meeting to be held on Tuesday, January 2nd at 7:00 p.m.

Public Comments

Commissioner Breton called for any public comments.

Noel Bernard expressed her appreciation for Township Manager Denne and her gratitude for the Board's willingness to approve her tuition reimbursement. She stated how impressed she is with all the positive changes and progress she has seen since Manager Denne has been employed with the Township.

Lorraine Tindaro expressed how much she was looking forward to joining the Board of Commissioners in 2018.

Commissioner Young noted that John Carbo was elected President of the Fire Company.

Adjournment

Commissioner Breton entertained a motion to adjourn the December 14th, 2017 meeting at 10:18 PM. Moved by Commissioner Kramer and seconded by Commissioner Young. Vote passed 5-0.

Respectfully Submitted by,

Jennifer Schwed,
Recording Secretary