

## **EAST CALN TOWNSHIP**

### **CHESTER COUNTY, PENNSYLVANIA**

BOARD OF SUPERVISORS MEETING MINUTES - April 18, 2019

The regular meeting of the East Caln Township Board of Supervisors was called to order at 6:00 PM on Thursday April 18, 2019.

Those present were:

- Charles A. DeLone, Chairman
- Donald P. Ash, 1<sup>st</sup> Vice Chairman
- Joel Swisher, 2<sup>nd</sup> Vice Chairman
- Barbara M. Kelly, Mgr./Secretary
- Andrew D. H. Rau, Esq. /Solicitor

#### **Pledge of Allegiance**

**Executive Session** - An executive session was held prior to the meeting on administrative items.

**Guest attendee-** Aaron Lurie of Boy Scout Troop 23 attended the Board's meeting with his mom, Heidi Lurie. His attendance was a part of his scout training. The Board welcomed his attendance.

**MINUTES OF THE PREVIOUS MEETING** - On a motion by Swisher, second by Ash, the Board unanimously approved the minutes of the April 3, 2019 regular meeting as submitted.

#### **PERSONS WISHING TO BE HEARD**

**PUBLIC HEARING** - Ordinance 2019-01 TOD Ordinance

The Board opened the hearing with a motion by Ash, second by Swisher to hear any public comment on the proposed Ordinance.

The hearing proceeded with Township solicitor, Andy Rau taking the lead.

The exhibits were presented to the Board as part of the hearing procedure. In attendance was Harry Miller owner of County Propane and adjoining property owner. Art Sagnor, Esq. gave a history of the propane business and years of operation in the area. The business at its current location has been there since 1988. Mr. Miller and Mr. Sagnor expressed concern as to the compatibility of the proposed TOD with the nature of his existing business operation. Miller's property is about 4 acres and with the propane operation there is a distinctive odor that is present when purging tanks and filling tanks.

The large tanks are about 30,000 gallons and have not thus far been a problem. The business is regulated by the state. Miller just wanted the Board to be aware of the businesses operation nearby what maybe residential dwelling units.

Hankin Group was represented by Neal Fisher and Mike Malloy, Esq. they also provided comments and input. Erin Gross of Tom Comitta' s land planning office was present as well.

The Board discussed the proposed TOD ordinance and encouraged Miller and Hankin to continue to work with the propane business to possibly come up with a resolution of the issues presented at the hearing. The Board then voted on the Ordinance. The Ordinance passed with a vote of 2 in favor and one opposed.

- A. TREASUER'S REPORT** - On a motion by Swisher, second by Ash, the treasurer's report and financials were unanimously approved as submitted.

	<i>GENERAL FUND</i>	<i>POLICE FUND</i>	<i>FIRE SAFETY FUND</i>	<i>SEWER FUND</i>	<i>CAPITAL RESERVE FUND</i>	<i>SEWER RESERVE FUND</i>	<i>STATE FUND</i>	<i>ESCROW FUND</i>
<b>Prior Month Balance</b>	2,444,403.51	497,200.73	45,899.74	204,553.63	2,214,879.64	2,910,923.30	355,699.08	313,156.14
<b>Revenues</b>	355,121.53	230,965.01	14.59	16,427.14	1,888.44	5,877.14	142,348.31	4,980.02
<b>Expenditures</b>	(292,115.83)	(57.50)		(3,046.25)		(90.62)	(9,943.98)	(20,491.72)
<b>Liabilities</b>								
<b>Ending Fund Balance</b>	<b>2,507,409.21</b>	<b>728,108.24</b>	<b>45,914.33</b>	<b>217,934.52</b>	<b>2,216,768.08</b>	<b>2,916,709.82</b>	<b>488,103.41</b>	<b>297,644.44</b>
<b>Combined balances, Net of Escrow:</b>								<b>9,120,947.61</b>

- B. POLICE REPORTS** - No Report.
- C. CORRESPONDENCE** - The newsletter were received from Downingtown Senior Center. Real Estate Transfers for the month were distributed to the Board.
- D. PLANNING COMMISSION** - No Report next meeting May 6.
- E. CONSORTIUM** - No Report
- F. DOWNINGTOWN AREA RECREATION CONSORTIUM** - The new Executive Director seems to be doing well at DARC.
- G. FIRE PROTECTION** - No Report
- H. CODES /FIRE MARSHAL** - The codes officer had received a call from the HOA of Sterling Lane questioning the upkeep of the emergency access road from Norwood Rd. to Sterling Lane. The question was researched and it is stated in the HOA documents and land development approval that the access road is to be maintained as the second means of emergency exit. The other exit access is through the cemetery.

**I. ZONING OFFICER** - The Zoning officer has reviewed various zoning questions and actions.

**J. ZONING HEARING BOARD** - The Zoning Hearing Board granted relief to allow a second drive through lane.

**K. PARK & RECREATION BOARD** – Shred Day will be May 18<sup>th</sup>.

## **OLD BUSINESS**

### **A. LAND DEVELOPMENT**

1. 600 Boot Rd - Copies of Pennoni's traffic review were distributed to the Board.
2. 825 E. Lancaster Avenue - The temporary signs for the new townhouse development was discussed. Rau stated that he and Jones have discussed the need to have the Board re-visit this portion of the sign ordinance.
3. Borough Project at Brandywine Station - This project has received final land development approval by the Borough and will be removed from the agenda.
4. Hankin Group - The TOD Ordinance is under public hearings.
5. WMT Properties - The applicant's solicitor is working on the final documents required prior to recording of the plans.
6. Madina Properties - The land development plan is under second review by the Township Engineer.
7. Ippolito - Terre Vista Development - No Report
8. Chic fil a - Variance was granted under ZHB. Pennoni is reviewing the traffic patterns for the proposed land development plan.

### **B. GENERAL GOVERNMENT**

1. Verizon Franchise renewal - The engagement letter was sent to Cohen for the work on the franchise agreement with Verizon. A copy of the current agreement was forwarded to the Cohen group.
2. TOD Ordinance - Under Public Hearing.

### **C. HIGHWAYS**

1. Maintenance - McNabb completed pothole work throughout the Township.
2. Park Maintenance - The volley ball court work has been completed. Several residents have called and thanked the Township for the improvement.
3. Chestnut Street Bridge - Work is continuing.
4. Boot Road Bridge (PennDOT) - No report
5. Skelp Level Bridge - Pennoni has mailed out letters of intent to the property owners in the area of the bridge that they will be doing survey work next week.
6. Boot Rd. Tunnel Light - Waiting on the arm masts.

### **D. HEALTH & SANITATION**

1. DARA - No Report required by DEP is almost completed.
2. Sewer Flows - The following flow reports were received:  
The 11th week flows were 542,119 GPD, 12<sup>th</sup> week 540,374 GPD, 13<sup>th</sup> week 544,667 GPD and the 14<sup>th</sup> week 536,938 GPD.
3. Individual Sewer Meters - All meters are working properly.
4. Parke Run Interceptor - No Report

### **NEW BUSINESS**

#### **A. LAND DEVELOPMENT**

1. 350 W. Uwchlan Ave. - The property owner was in to meet with the Zoning officer to review the older recorded plan for the property.

#### **B. GENERAL GOVERNMENT**

1. Resolution 2010-41 Park Regulations Updated - The Board on a motion by DeLone, second by Swisher, unanimously adopted the Resolution for the updated rules and regulations.
2. Resolution 2019-42 Destruction of Township Documents - The Board on a motion by DeLone, second by Ash, unanimously adopted the Resoultion for the destruction of documents as required.

3. Building expansion - A meeting was held with Architectural Concepts for a possible design for expansion to the Township Building. This would allow the codes and zoning departments to be located on the first floor with the second floor being for expanded storage. The Board will view the proposal received for the design.

**C. HIGHWAYS**

1. Aqua America - The check was received from Aqua contributing \$71,080.08 to the Township. The funds are what they would use to mill & overlay only the construction portion of Old Kings Highway and Downing Road. The amount of \$71,080.08 was received. The Township will be paving complete the full width of the road.
2. Billboard - The manager is working on attempting to find someone to complete the repair of the billboard.
3. **HEALTH AND SANITATION** - No report

**E. EXPENDITURES** - Bills for Approval

On a motion by DeLone, second by Ash, the following expenditures were unanimously approved for payment:

<b>EXPENDITURES BY FUND</b>	<b>BILLS</b>	<b>PAYROLL</b>	<b>TOTALS</b>
01- GENERAL FUND	178,663.59	14,046.75	192,710.34
08- SEWER REVENUE	975.03		975.03
30- CAPITAL RESERVE	366.56		366.56
41- ESCROW	19,128.73		19,128.73
<b>TOTAL</b>	<b>199,133.91</b>	<b>14,046.75</b>	<b>213,180.66</b>

On a motion by Swisher, second by Ash, the Board unanimously adjourned the meeting at 8:15 PM.

Respectfully submitted,

Barbara M. Kelly, Mgr/Sec