

**EAST CALN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

BOARD OF SUPERVISORS MEETING MINUTES - August 3, 2016

The regular meeting of the East Caln Township Board of Supervisors was called to order at 1:30 P.M. on Wednesday, August 3, 2016.

Those present were: Charles DeLone, Chairman
Donald P. Ash, Vice Chairman
Joel F. Swisher, Member
Rose Werner, Director of Finance

Pledge of Allegiance and Moment of Silence

MINUTES OF THE PREVIOUS MEETING - On a motion by Ash, second by Swisher, the Board unanimously approved the minutes of the July 20, 2016, regular meeting.

PERSONS WISHING TO BE HEAR D

Representatives for Patient First, attorney Debra Shulski and Andy Haug, were present to discuss the proposed building-mounted signage on three sides of the Patient First Building. Shulski noted that signs were 29.5 square feet, which is well below the 66 square feet allowed by East Caln Township's ordinance. Ash asked about the brightness of the signs. Shulski noted that the signs are LED backlit, not unreasonably bright, and would be operated between 8:00 a.m. and no later than 1:30 a.m. Because one of the proposed signs would face the Home2 Suites Hotel, the Board was concerned about a negative impact to the Hotel from the lighting. On a motion by DeLone, second by Ash, the Board of Supervisors unanimously voted to approve the proposed signs subject to the requirement that the Hotel-facing sign be turned off earlier if there are complaints from Home2 Suites. The representative of Patient First indicated that such a condition was acceptable.

STANDING REPORTS

A. TREASURER 'S REPORT - No report.

B. POLICE REPORT

Chief Holland was present and delivered the July 2016 Incident Report, which was electronically distributed to the Board. Chief Holland gave a brief update of Department activities and noted that the Downingtown Police Department now has an active Facebook page.

C. CORRESPONDENCE

A letter from Chester County Water Resources Authority regarding removal of the Downing Ridge Dam was distributed to the Board. The Board discussed the potential implications and noted the Mill Race path might affect the Kardon Park area.

D. PLANNING COMMISSION

Copies of the Commission's meeting minutes from August 1, 2016, were distributed to the Board.

E. CONSORTIUM - No Report

F. DOWNINGTOWN AREA RECREATION CONSORTIUM - No Report

G. FIRE PROTECTION - No Report

H. CODES /FIRE MARSHAL

Chris Obenchain distributed the Code Department report for the month of July 2016.

The Board asked about selling fireworks in Pennsylvania and the possibility of restricting their sale in the Township. Obenchain explained that the fireworks sold in Pennsylvania are restricted primarily to sparklers and ground effect items that are considered "consumer commodities". All other fireworks are regulated by the Department of Agriculture. DeLone suggested that Obenchain and the Zoning officer look at what other municipalities have done. The Board also questioned public fireworks displays. Obenchain noted that both Fire and State codes allow the Fire Chief and municipal Fire Code Official to permit or refuse outdoor displays.

The Board also discussed AED equipment installations in the Township. Swisher questioned whether the Township should consider adding AED inspections to fire inspections. Obenchain agreed that it should be considered, as some of the units are nearly ten years old. The Board also discussed the possibility of passing an ordinance requiring the installation of AED equipment in all "places of assembly". The AEDs that are currently in place were required through Conditional Use requirements.

I. ZONING OFFICER

The Zoning officer sent violation notices related to property maintenance to Feinberg for the lot adjacent to CVS.

Swisher noted that the Zoning officer had sent a violation notice to the Gunning Lane HOA for lack of maintenance of a grassy area adjacent to a non-HOA resident neighbor. The Gunning Lane HOA indicated that the non-HOA neighbor had previously and without their permission cut trees and opened the area. It was the intention of the Gunning Lane HOA to preserve the area in its natural state. DeLone noted that the Township cannot become involved in disputes between homeowners, but we must also enforce our ordinance.

J. ZONING HEARING BOARD - No Report

K. PARK & RECREATION BOARD - The next meeting is August 4th.

OLD BUSINESS

A. LAND DEVELOPMENT

1. Gulph Creek Development, Home2 Suites - Hotel is open.
2. Greth / Anstine Final Land Development - No Report
3. 825 E. Lancaster Avenue - No Report
4. Patient First Land Development - Under persons wishing to be heard.
5. On the Go Kids
Boucher & James letter of July 27, 2016, was distributed to the Board. In their August 1, 2016, meeting, the Planning Commission recommended the approval of the final land development plan with the addition of tire stops along the 14 eastern spaces. DeLone noted that Board discussions at this stage are premature. The Board should only be presented with a final plan for approval after the Comments To Be Resolved Prior To Approval By The Board of Supervisors section of the comment letter have been addressed.
6. Northwood Cemetery
The Zoning officer and the solicitor are working to develop a preliminary opinion letter. The Board discussed briefly their view that HOA ownership is their preferred route, as maintenance responsibility would revert to the HOA if the current use is discontinued. DeLone asked that the Zoning officer and the Solicitor be informed that the Board should see the draft of the opinion letter prior to sharing it with other interested parties.

7. Woodbine Borough Project

The four affected parties are considering the possibility of signing an agreement to avoid having all in attendance at a Conditional Use hearing. DeLone noted that this is a question of law, but it may not be in the best interest of the involved parties, as imposed restrictions could vary by party.

8. Kirkwyd Development

No one from the project was in attendance; they are awaiting their engineer's response to Boucher & James' review. Richard Natow has granted the Township an extension to the 90-day limit on making a determination.

B. GENERAL GOVERNMENT

1. Official Map - The 45-day review period is complete. The Township Manager will contact the solicitor to prepare the ad for adoption.
2. Capital Analysis - Amy Montgomery of Boucher & James has scheduled a preliminary meeting with Township staff on August 25.
3. Township Digital Sign
The Board discussed their general requirements and Ash suggested that the sign vendors should be provided a copy of our sign ordinance to use as guidance. The Board would like the Township staff to have the ability to change the sign from the Township building and signage should ideally complement the architecture of the Township building. Sign vendors should provide guidance on design options and optimal placement location.
4. Temporary Sales Ordinance Amendment
The Board was provided with an updated copy of the proposed ordinance. The Board would like to continue discussions with the Zoning officer about whether the three-foot minimum establishment access width is reasonable and in compliance with ADA guidelines.
5. Digital Sign Timing Ordinance
The revised version of the proposed ordinance updates the display change frequency from 30 to 60 seconds. The Planning Commission has additional questions for the Zoning officer related to brightness.
6. The Board discussed the possibility of a single monthly meeting. DeLone recommended that the Township Manager work with the Board Chairman on the feasibility.

C. HIGHWAYS

1. Maintenance - Roadway crack sealing throughout the Township is complete, broken signs and posts have been replaced, and storm drains have been cleared of debris.

2. Park Maintenance - The Township is still waiting for a new part so that the water feature will be fully and reliably operational. The Board was provided with a graph showing the water and maintenance expenses associated with the water feature from 2005 to 2015.
3. Clovermill Road & Boot Road - Pennoni is waiting for PennDOT's determination on the length restrictions.
4. Skelp Level Bridge detour - Pennoni is awaiting the results of PennDot's review. Copies of the proposed detour were submitted to the Board.

Township staff received a call from a resident with concerns about the 3-way intersection of Southwind and Windridge Lanes, which is along the proposed detour route. There are currently stop signs on 2 sides, but the third side entering the development or turning left has no stop. Dangerous situations have resulted from vehicles failing to stop, and the resident suggested that a sign could be attached below the existing stop signs indicating that "Opposing Traffic Does Not Stop". The Board was in favor of pursuing this as a traffic safety measure. DeLone recommended that Earl Armitage of Pennoni review this request to ensure appropriate verbiage and compliance with PennDOT regulations.

5. Chestnut Street Bridge - No Report
6. General - The Board briefly discussed the problem of overhanging trees and overgrown shrubs encroaching on walkways and is requesting the Zoning officer to review and determine if our current ordinances require residents to keep sidewalks clear of ground and overhead vegetation.

D. HEALTH & SANITATION

1. DARA - No Report
2. Sewage Flows - The sewer flows for the week 28 were 476,308 GPD.
3. Individual Sewer Meters - East Caln Township has taken over the electric meter that operates the River Station sewer flow meter. Power has been restored to the meter, and payment of the delinquent balance by the Township was waived by PECO.
4. Aqua Agreement
The Director of Finance raised concerns about chronically delinquent sewer accounts where filing of liens has been ineffective. The Board discussed available collection options for these accounts. Water shutoff to a residence would trigger immediate condemnation of the property but could potentially result in additional costs to the Township from the water company; additional

legal costs would be incurred from filing a writ of scire facias. The Board authorized signing the agreement giving the Township the authority to request that Aqua shut off water on our behalf, but it will not be enforced until the Township has ascertained that any associated costs can be recouped.

NEW BUSINESS

A. LAND DEVELOPMENT - No Report

B. GENERAL GOVERNMENT

Swisher noted that the Downtowntown Firemen’s Relief Association will likely request funding of \$80K to \$90K before the end of the year.

C. HIGHWAYS - No Report

D. HEALTH AND SANITATION - No Report

E. EXPENDITURES

1. Bills for Approval

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

EXPENDITURES BY FUND	BILLS	PAYROLL	TOTALS
01- GENERAL FUND	77,222.60	12,187.71	89,410.31
04- POLICE FUND			0.00
05- FIRE SAFETY			0.00
08- SEWER REVENUE	31,177.34		31,177.34
30- CAPITAL RESERVE			0.00
30- CAPITAL RESERVE (REC)			0.00
31- SEWER RESERVE			0.00
35- STATE/ HIGHWAY			0.00
41- ESCROW	20,992.61		20,992.61
TOTAL	129,392.55	12,187.71	141,580.26

Adjournment

On a motion by Ash, second by Swisher, the Board unanimously adjourned the meeting.

Respectfully submitted,

Rose Werner, Director of Finance