

**THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS  
REGULAR MEETING  
MINUTES – September 20, 2011**

**I. CALL TO ORDER**

The regularly scheduled meeting of the Thornbury Township Board of Supervisors was called to order by Mike Gast at 7:03 P.M. in Thornbury Township's meeting room. In attendance were Supervisors Mike Gast, Chairman; Bob Miller, Vice Chairman; and Mike Aiello. Brody Bovero, Township Manager; Kathy Labrum, Esq., Solicitor; and Teresa DeStefano, Township Secretary, were also in attendance. There was one signed-in guest.

Mike Gast noted with great sadness that Tom Spackman passed away tonight. Tom was a tremendous contributor to the Township. He was a former Township Supervisor and also served on the Planning Commission and the Historical Preservation Commission. Tom was dedicated to preserving the history of the Township and will be missed.

**II. WESTTOWN EAST GOSHEN POLICE REPORT – Sergeant Gorman**

Sergeant Gorman presented the September, 2011 police report. There were 148 calls for service in Thornbury Township which constituted 12 % of the total calls for the three Townships.

Sergeant Gorman wanted to express his condolences on behalf of the Westtown-East Goshen Police Department, to the Spackman family.

**III. MANAGERS REPORT**

**Land Development and Subdivisions**

The Preserve at Squire Cheyney – 5 new permits were issued.

**Road Maintenance**

All necessary paperwork was submitted by Macanga, Inc. for the South Westbourne Road paving project. We expect that project to take place the first week of October.

Several trees and limbs fell in the Township as a result of hurricane Irene. Neff Construction was able to clear all of the roads the following day. There were no reports of major damage due to the hurricane.

The Township will be filling potholes throughout the Township in the next few weeks. To report a pothole in your neighborhood, please call the Township.

### **College Hill Sewer Project**

We have come to an agreement with Thornbury Delco on a resolution to enter their township. This is required because a portion of the sewer line will cross into Delaware County.

The Township is still working with Cheyney University and PASSHE on the contract for sewage treatment.

### **Parks and Recreation**

The Annual Fall Festival will be held on Sunday, October 16<sup>th</sup> from 1pm to 3pm, at the Goose Creek Park.

### **Code Enforcement**

The permitting is up this month and has also increased over the same period last year.

### **Squire Cheyney House & Barn Subcommittee**

The committee is currently working on the framework for a façade easement to ensure the historical integrity of the buildings, even if ownership is transferred to another party.

### **Administrative Matters**

The Township received banking service proposals from seven different banks. We are coordinating with the Treasurer on selection of banks.

The annual insurance review was conducted with H.A. Thomson to verify levels of insurance coverage for the township.

## **IV. APPROVAL OF MINUTES**

### **A. August 16, 2011 BOS Meeting**

**Bob Miller made a motion to approve the minutes as amended by Mike Gast. The motion was seconded by Mike Aiello. All were in favor. Motion carried.**

### **B. September 6, 2011 Work Session**

**Bob Miller made a motion to approve the minutes as amended by Mike Gast. The motion was seconded by Mike Aiello. All were in favor. Motion carried.**

V. **AGENDA BUSINESS**

1. **PUBLIC HEARING: ORDINANCE 2011-2 LOW PRESSURE SEWER SYSTEMS**

Mike Gast opened the hearing for the adoption of Ordinance 2011-2, Low Pressure Sewer Systems.

Mike noted that this ordinance deals with the use of grinder pumps for the College Hill Sewer Project. The ordinance was advertised in the Daily Local News on September 12, 2011.

Kathy Labrum submitted the public advertisement that was published in the Daily Local News on the following date: Exhibit A, September 12, 2011.

Mike Gast solicited public comment.

**Bob Miller motioned to approve the adoption of Ordinance 2011-2: Low Pressure Sewer Systems. The motion was seconded by Mike Gast. All were in favor. Motion carried.**

Mike Gast closed the hearing.

Mike Gast wanted to welcome Dan Baer and noted that he is running for Township Supervisor in November.

2. **RESOLUTION 2011-15 PLANNING MODULE FOR COLLEGE HILL SEWER**

Brody Bovero noted that since raw sewage is a public safety issue the State has a requirement to insure that the townships can safely provide sewers. The project has been reviewed by the Township Planning Commission, the Chester County Planning Commission, and the Chester County Health Department, all of which have signed off on the plans.

After meeting with Thornbury Delco, Mike Gast noted that they were most gracious and were interested in helping our residents get sewers.

**Bob Miller motioned the approval of Resolution 2011-15 the Planning Module for College Hill Sewer. The motion was seconded by Mike Aiello. All were in favor. Motion carried.**

**3. SAGE HILL ESCROW RELEASE #13**

Brody Bovero noted that the developer for Sage Hill has requested a \$60,519.45 escrow release. After inspection, Yerkes recommended the release of \$46,524.45. The total remaining in escrow will be \$24,104.88.

Mike Gast inquired about remaining use and occupancy permits.

Bob Miller was concerned if there is still work to be completed and will the Township have enough in escrow to cover those projects.

Mike Conrad noted that we are in good shape as far as their escrow is concerned.

**Bob Miller motioned the approval of Escrow Release #13 in the amount of \$46,524.45. The motion was seconded by Mike Gast. All were in favor. Motion carried.**

**4. BRINTON VILLAGE HOA ESCROW RELEASE #1 – COURTYARD IMPROVEMENTS (Secretary Note: This Escrow release is also named Escrow Release #22 for Brinton Village)**

Mike Gast noted that this release is part of a three party agreement between the HOA, the builder and the Township. This release is for the Gazebo.

**Mike Aiello motioned the approval of Escrow Release #1 in the amount of \$20,101.24 for the Gazebo. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

**5. RESOLUTION 2011 – 14 BRINTON VILLAGE WALKING TRAIL AGREEMENT**

Mike Gast noted that the HOA will assume the responsibility of constructing the walking trail. The \$3,000 escrow line item will be held by the Township, to be released to the HOA in order to complete the improvements. No other escrow money will be released.

Mike Gast noted that Benson will remain responsible for all other remaining improvements within the development.

Karin Crooks inquired about how much will be left in the escrow line item after the \$3,000 disbursement for the walking trail. Brody Bovero noted that he will need to check into that for her and will email that information to her.

**Bob Miller motioned the approval of Resolution 2011-14: The Memorandum of Understanding between Thornbury Township and Brinton Village Development walking trail agreement. The motion was seconded by Mike Gast. All were in favor. Motion carried.**

**6. VACANY APPOINTMENT TO PLANNING COMMISSION**

Mike Gast noted that there were five applications for this vacancy. This current appointment is to fill the unexpired term of Pat Karnick, who had to resign due to work conflicts.

Mike Gast nominated Ryan Estrada, who is a resident of Thornbury Estates. Ryan was also interviewed by Brooks Durham who felt he would do a great job.

Bob Miller noted that all the candidates were qualified and as other vacancies occur, he hopes they will apply again.

**Mike Gast motioned the approval of Ryan Estrada for appointment to the Planning Commission vacancy created by the resignation of Pat Karnick. The motion was seconded by Mike Aiello. All were in favor. Motion carried.**

**7. 2011/2012 SNOW & ICE CONTROL CONTRACT:THE GROUNDSKEEPER, INC**

Brody Bovero stated that the bid for the 2011/2012 Snow and Ice Control Contract was advertised in the Daily Local News on August 15, 2011 and August 25, 2011. The Township received only one bid and that was from the Groundskeeper. The contract is for one (1) year ending May 2012, with two additional one-year extensions.

Mike Gast inquired if there is a price difference from last year.

Brody noted there is none.

Mike Aiello inquired about the different prices on the trucks.

Dan Baer inquired why we only received one bid for this contract.

Brody Bovero stated that a lot of contractors do not have the larger vehicle that we require.

**Mike Aiello motioned the approval of the 2011-2012 Snow and Ice control contract to the Groundskeeper. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

## **8. RESOLUTION 2011 – 16 BRINE PURCHASE AGREEMENT**

Mike Gast noted that the Board has been looking at a more economical way to deal with snow & ice removal for the Township. Mike also noted that Brody Bovero and Mike Aiello have been working with West Goshen Township, which has a brine making operation.

Brody Bovero noted that the cost of purchasing the solution from West Goshen is at 14 cents a gallon and it will continue at that price, unless they have a problem with rising wholesale costs.

Mike Gast noted that utilizing this process is a great step forward in reducing our costs.

Brody Bovero noted this should save the Township about \$1,000 per storm.

Mike Aiello noted that it will eliminate a lot of wasted salt on our roads.

**Bob Miller motioned the approval of Resolution 2011-16: Brine Purchase Agreement. The motion was seconded by Mike Aiello. All were in favor. Motion carried.**

## **9. CAPITAL FUND AUTHORIZATION: PURCHASE AND INSTALL BRINE TANK WITH ASSOCIATED PUMP AND ACCESSORIES**

In response to a question from Mike Gast Brody Bovero noted that the ideal amount of storage is approximately 10,000 gallons. The preferred method of storage is through an above-ground plastic tank. The proposed set-up includes a 10,000 gallon tank, being about 12 feet in diameter and 13 feet tall. He stated that, logistically, the preferred location for the brine tank is at Town Center behind the storage sheds and trash/recycle bins.

The requested authorization for the brine tank, accessories, pump, and installation is \$14,000. Since this is a moderately large expenditure and is intended to last several years, it is proposed that the Board utilize the Capital Fund to pay for this item.

Mike Aiello noted that this could be a test year, we can always move it.

Mike Gast also noted that Rich Acciavatti volunteered his center as an alternate location for the tank.

**Bob Miller motioned the approval to authorize funds from the Capital Fund to purchase and install the Brine Tank with the associated pump and accessories and, to place it at the Town Center. The motion was seconded by Mike Aiello. All were in favor. Motion carried.**

**10. AUTHORIZATION TO ADVERTISE BID FOR SNOW & ICE CONTROL FOR TOWN CENTER**

Mike Gast stated that this year the Township will be using a separate contractor for snow/ice control at the Town Center.

Mike Aiello noted that in the past it was difficult to maintain the roads and also be able to keep the Town Center cleared for the Post Office and the Goose Creek Grill. He thought it would be a better idea to have different contractors.

Bob Miller inquired if the job is too small to attract bidders?

Mike Gast asked if Rich Acciavatti is happy with his contractor and perhaps, could notify him of the opportunity to bid on the contract for the Town Center.

**Mike Aiello motioned the authorization to advertise the bid for Snow and Ice control for the Town Center. The motion was seconded by Mike Gast. All were in favor. Motion carried.**

**11. EMERGENCY CAPITAL FUND AUTHORIZATION: SOUTH CONCORD DRAINAGE PIPE REPLACEMENT**

Brody Bovero stated that a sinkhole opened up on the east side of South Concord Road between Cricklewood Road and Timberline Trail. The hole is approximately 2-3 feet in diameter and about 4 feet deep. After investigation, it was determined that the hole was due to a decayed storm drainage pipe. A similar hole opened up last year along this pipe and was subsequently patched. Brody noted he has received an estimate to replace the pipe at approximately \$7,500 (material and labor). The pipe is about 150' long.

**Mike Gast motioned the approval to use funds from the Capital Fund to pay for the emergency replacement of the South Concord Road drainage pipe, for up to \$8,000. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

**12. RESOLUTION 2011-17 DECLARATION OF DISASTER EMERGENCY FOR HURRICANE IRENE**

Mike Gast noted that Dave Smiley called and asked him to declare a state of emergency for the Township during Hurricane Irene so that we could access equipment, funds and assistance from the State and County, should we need it.

**Mike Gast motioned the approval of Resolution 2011-17: Declaration of disaster emergency for Hurricane Irene. The motion was seconded by Mike Aiello. All were in favor. Motion carried.**

**13. PROPERTY TAX EXEMPTION FOR DISABLED WAR VETERAN**

Mike Gast noted that the Township received a request from William Cooke, 4 Oak Tree Hollow Road, for an exemption from The Township Real Estate Tax, pursuant to the decision from the State Disabled War Veterans Commission. The resident was granted approval by the commission and is eligible for this exemption.

Kathy Labrum requested that we note that he is exempt from the Township Tax as of June 9, 2011.

**Mike Gast motioned the approval of property tax exemption for the disabled war veteran as amended by Kathy Labrum. The motion was seconded by Mike Aiello. All were in favor. Motion carried.**

**VI. PUBLIC COMMENTS**

Rich Acciavatti wanted to thank Brody Bovero, Dee Ann Manley and Teresa DeStefano for their help with an issue he had with Yerkes Associates. "They were 110% an advocate for a resident of the Township, they worked as a team, took control and they did everything a public servant should do." Rich noted that it was a breath of fresh air to have that type of cooperation and he greatly appreciated it.

**VII. OTHER MATTERS**

Bob Miller inquired if Brody Bovero could let PennDOT know that on Westtown-Thornton Road, just south of Robert Morris' house, the road is buckling.

Mike Gast noted that the Township received an email from a resident in Thornbury Estates asking what we might do to manage the traffic flow in Thornbury Estates. Since recently a resident was hit by a UPS truck.

Mike Aiello noted that the Township did traffic counts on Greentree Road and Red Lion Road, and there was excessive speed. The Police were brought in and they issued tickets and warnings, which temporarily slowed the speed, but then it went up again.

Mike Gast noted that we need to discuss this further at a work session.

Bob Miller would like to see if we could have a resolution at our next meeting in appreciation of Tom Spackman.

## **VIII. ROADMASTER REPORT**

Mike Aiello just wanted to suggest that the Board consider a generator for Route 202 and Greentree Drive for long power outages. The light is already set up for it. We just need the generator. He spoke with Higgins and they suggested we just get a small Honda generator. He will get a report to the Board. Mike also noted that they cost around \$700.00.

Rich Acciavatti said he would like to purchase that for the Township.

Mike Aiello noted that CVS was to provide the generator, or at least have the light generator-ready.

Bob Miller brought up the liability of installing a generator.

## **IX. COMMISSION REPORTS**

### **A. Planning Commission – Brooks Durham**

Mike Gast noted that the Planning Commission is currently working on the Institutional Zoning Ordinance.

### **B. Historic Preservation Commission – Chris Lang**

No report

**C. Park and Recreation – Mike Gast**

Mike Gast stated that the Fall Festival is scheduled for next month on Sunday October 16, 2011 from 1pm to 3pm.

**D. Council of Governments – Mike Gast**

Mike Gast noted that the COG met last Thursday, Sept15, 2011 and the topic was shared resources. Also discussed were State and County issues.

**E. Cheyney Liaison – Mike Gast**

Mike Gast noted that discussions are moving forward with PASSHE, and with Cheyney University on the contracts for the sewer project.

**X. APPROVAL OF BILL LIST, \$105,708.78 – Bob Miller**

Bob Miller presented the September bill list for \$105,108.78

**Mike Gast motioned to approve the bill list. Mike Aiello seconded the motion. All were in favor. Motion carried.**

**XI. ADJOURNMENT**

**Mike Aiello motioned to adjourn the meeting. Bob Miller seconded the motion. All were in favor. Motion carried.**

Respectfully Submitted,

Brody Bovero  
Township Manager