

**THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS  
REGULAR MEETING  
MINUTES – September 15, 2009**

**I. CALL TO ORDER**

The regularly scheduled meeting of the Thornbury Township Board of Supervisors was called to order by Ed Travis at 7:00 P.M. in Thornbury Township's meeting room. In attendance were Supervisors Ed Travis, Chairman; Mike Gast, Vice-Chairman; Robert Miller, Percy Neall and Lou Gagliardi Board Members, Kathy Labrum, Esq., Solicitor; and Cary Vargo, Township Manager. There were 2 signed guests.

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

Sergeant Gorman presented the April police report. There were 182 calls for service which constituted 14 % of the total calls for the three Townships.

Sergeant Gorman noted that he did investigate the police response to Percy Neall's 911 call in reference to solicitation. Police were dispatched and did respond to investigate. Contact was made with the solicitor and he was escorted out of the Township. Police did also make contact with the parent company and advised that all solicitation must stop until and unless the required permit is obtained. Sgt. Gorman did acknowledge that the officer was not verbally advised by the communications center to make contact with the complainant (Percy Neall) directly.

**III. MANAGERS REPORT**

- The Township has received an NPDES permit issued by the Chester County Conservation District and the Pennsylvania DEP for Phase I of the Waln Run Park project. Phase II (pedestrian bridge) is currently being completed and submitted to the Conservation District for review and comment. Feedback on Phase II is expected in mid to late October.
- John Milner & Associates has completed the Phase I Archeological Study at the Waln Run Park. They verbally reported that no items of significance were discovered. A written report is currently being prepared and will be forwarded to the Township upon its completion.
- Concord Township will be holding a conditional use hearing Tuesday, September 15, 2009 in reference to a proposed Costco to be located on Baltimore Pike at the Brinton lake Corporate Center. This information was posted on the Township's website and distributed via the email system.
- The DCED grant (\$75,000) that the Township was awarded in 2005 has been administratively closed. The funds were expended on Waln Run Park design, engineering and permitting and various historic preservation efforts.

- Patch work on Westbourne Road will be accomplished and/or paid for by Moser Builders, it is estimated to be approximately \$4,000. The goal is to manage the deterioration of the roadway until it can be permanently repaired and paved.
- Real Estate Transfer Tax continues to lag slightly. The Township has received approximately \$88,000 YTD (63% received with 75% of the year completed). Staff is still estimating that the end result will be close to the budgeted number.
- Staff is working on the 2010 General Fund and Capital Reserve Budgets. Assuming progress continues as it has to date, a budget specific meeting is planned for Tuesday, September 29, 2009. This will be an advertised meeting via the paper of record, website, and email.
- The Thornbury Township Fall Festival is scheduled for Saturday, October 10<sup>th</sup> 1:00 p.m. 1 – 4:00 p.m. The event will be posted on the web site and has been advertised in the Township newsletter.
- Saturday October 10, 2009 at the Government Services Center there is a hazardous waste collection event from 9am to 3pm.
- The Township shredding event is scheduled for Saturday, October 17, 2009.

#### **IV. APPROVAL OF MINUTES**

##### **A. August 18, 2009 (BOS Meeting)**

**Mike Gast motioned to approve the minutes. The motion was seconded by Percy Neall. All were in favor. Motion carried.**

##### **B. September 1, 2009 (Work Session)**

**Bob Miller motioned to approve the minutes. The motion was seconded by Mike Gast. Bob Miller, Ed Travis and Mike Gast were in favor. Percy Neall abstained. Motion carried.**

#### **V. AGENDA BUSINESS:**

- 1. Consider and Approve Berkheimer Associates as Tax Collector for the Local Services Tax, Resolution 2009 - 17.**

Ed Travis provided a brief explanation on the Resolution.

**Mike Gast motioned to approve Berkheimer Associates as Tax Collector for the Local Services Tax, Resolution 2009-17. All were in favor. Motion carried.**

- 2. Consider and Approve Staff Liaison to Berkheimer Associates, Resolution 2009 – 18.**

Staff liaisons to Berkheimer Associates are those persons in the positions of Township Manager and Assistant Township Treasurer.

**Percy Neall motion to approve the Staff Liaisons to Berkheimer Associates, Resolution 2009-18. Mike Gast seconded the motion. All were in favor. Motion carried.**

- 3. Consider and Approve Resolution Naming Berkheimer Associates Tax Hearing Officer for the Local Services Tax, Resolution 2009 – 19.**

**Percy Neall motioned to approve Resolution 2009-19, naming Berkheimer Associates Tax Hearing Officer for the Local Services Tax. Mike Gast seconded the motion. All were in favor. Motion carried.**

- 4. Consider and Approve Resolution Authorizing and Empowering Berkheimer to Impose and Retain Costs of Collecting Delinquent Taxes, Resolution 2009 - 20.**

**Percy Neall motioned to approve Resolution 2009-20, authorizing and empowering Berkheimer to impose and retain costs of collecting delinquent taxes. Mike Gast seconded the motion. All were in favor. Motion carried.**

- 5. Consider and Approve Bid Process/Advertisement for a Capital Parking Lot Project – Town Center/Goose Creek Grill.**

The Board of Supervisors has reviewed and considered four (4) options for additional parking at the Town Center/Goose Creek Park. This project (option D) consists of the addition of 35 parking spaces at the Town Center/Goose Creek Park at a projected cost of \$144,079.10.

Percy Neall inquired about the cost of the project.

Cary Vargo noted that storm water management adds a great deal to the cost of the project.

**Percy Neall motioned to approve bid process/advertisement for a capital parking lot project at the Town Center/Goose Creek Grill, Plan D. Mike Gast seconded the motion. All were in favor. Motion carried.**

- 6. Consider Orleans Preserve at Squire Cheyney Escrow Release Request #2, \$352,568.09**

Ed Travis noted that the original escrow release request was for \$352,568.09; however, Pennoni Associates (Thornbury Township, Delaware County's Sewer Engineer) has recommended the release of \$285,779.13 at this time.

Cary Vargo requested that the Board approve the amount recommended by Pennoni Associates, \$285,779.13, contingent upon Thornbury Township, Delaware County's approval at their meeting scheduled for September 16, 2009.

Lou Gagliardi inquired if Yerkes also needed to approve the release.

Cary Vargo noted that Mike Conrad (Yerkes) has approved the recommendation.

**Percy Neall motioned to approve Squire Cheyney Escrow Release #2 in the amount of \$285,775.13. The motion was seconded by Mike Gast. All were in favor. Motion carried.**

## **VI. PUBLIC COMMENT PERIOD**

Percy Neall noted that the Wavetronix unit installed at Greentree Drive is wonderful. Percy suggested approaching Westtown Township about a joint installation of the Wavetronix unit at the intersection of Route 202 and Route 926.

Tom Spackman spoke about Deer control efforts in the Township.

## **VII. OPERATION REPORTS**

### **A. Road Master Report – Cary Vargo**

Cary Vargo noted that the roads are in good shape. The 2009 paving project should begin in early October. If the project does not move forward as expected, the Board will be asked to approve the next lowest bidder.

Patty Neall inquired about the missing street sign on Cricklewood Road.

Cary Vargo noted it was replaced today.

### **B. Approval of Bill List, \$122,275.13 – Bob Miller**

Bob Miller presented the August bill list for \$122,275.13 and reviewed the major expenditures.

**Lou Gagliardi motioned to approve the bill list as presented. Ed Travis seconded the motion. All were in favor. Motion carried.**

## **VIII. OTHER MATTERS**

Cary Vargo noted that John Neff is in the hospital and asked that everyone keep him in their thoughts.

Mike Gast suggested that the Township start a Homeowners Association Liaison group. This group will facilitate communication throughout the Township.

Lou Gagliardi asked about the status of the CVS landscaping.

Cary Vargo noted that he has been working with Peter DuFault and the concerns of the Brandywine at Thornbury HOA have been addressed to their satisfaction.

**IX. ADJOURNMENT**

**Lou Gagliardi motioned to adjourn the meeting. Percy Neall seconded the motion. All were in favor. Motion carried.**

Respectfully Submitted,

Cary B. Vargo  
Township Manager/Secretary