

**THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS  
REGULAR MEETING  
MINUTES – October 21, 2014**

**CALL TO ORDER:**

The regularly scheduled meeting of the Thornbury Township Board of Supervisors was called to order by Bob Anthony at 7:00 P.M. in the Thornbury Township meeting room. In attendance were Supervisors Bob Anthony, Chairman; Jim Benoit, Vice-Chairman; George Stasen; and William Reilly. Kathy Labrum, Solicitor; Jacqui Guenther, Manager; and Teresa DeStefano, Township Administrator, were also in attendance. The pledge of Allegiance was conducted by Bob Anthony.

**APPROVAL OF MINUTES:**

**Bob Anthony motioned to approve the September 16, 2014 Board of Supervisors Meeting Minutes and the October 7, 2014 Work Session Minutes. The motion was seconded by Jim Benoit. All were in favor. Motion carried.**

**POLICE REPORT:**

Police Chief Brenda Bernot stated that the Police Academy is half over there aren't any residents from Thornbury this year. This is a great way to learn what WEGO does and maybe next year we can have a better turn out. The Police Blogger was added to the WEGO website, so please check it out to keep up with current information. There are a lot of car thieves in the area so please keep valuables out of the cars and always lock the doors. Phone scams are getting more frequent and residents should be aware. Residents should contact the police department if they feel they have been a victim of any scam or fraud.

**MANAGERS REPORT:**

Jacqui Guenther presented the Manager's Report to the Board, a true and correct copy of which is attached.

**AGENDA BUSINESS:**

**Snow and Ice Contract Award:**

Jacqui Guenther noted that the snow and ice removal bids were opened on September 24, 2014. The Township received 4 bids for the Snow and Ice Removal Contract for the Township Roads. The apparent low bidder was Unlimited Trucking Fabrication, LLC which came in at \$383.00 per hour less that what the Township paid in 2013 and 2014. Unlimited Trucking Fabrication, LLC has plowed Chester Heights for many years and their references were wonderful. The required Certificate of Insurance and Bid Bond of \$1,000.00 were received and all other documents have been reviewed.

**Bob Anthony moved to approve awarding the Snow and Ice Removal Contract for the Township Roads to Unlimited Trucking Fabrication, LLC for a one year contract beginning October 22, 2014 and ending May 31, 2014. The motion was seconded by Bill Reilly. All were in favor. Motion carried.**

**Town Center Snow and Ice Contract Award:**

Jacqui Guenther noted that the snow and ice removal bids were opened on September 24, 2014. The township only received 4 bids. The apparent low bidder is SM Landscaping, LLC. The required Certificate of Insurance and Bid Bond of \$1,000.00 were received and all other documents have been reviewed.

**Bob Anthony motioned to approve awarding the Snow and Ice Removal Contract for the Town Center to SM Landscaping, LLC. for a one year contract beginning October 22, 2014 and ending May 31, 2015. The motion was seconded by Jim Benoit. All were in favor. Motion carried.**

**Ply-Mar Construction Payment Request No. 2:**

Jacqui Guenther noted that the township received a payment request number 2 from Ply-Mar Construction Company for the Squire Cheyney Walking Trail construction in the amount of \$89,550.00. Mike Conrad recommended approval of that payment. Mike Conrad gave a brief update on the project and they are on schedule.

**Bob Anthony motioned to approve payment number 2 to Ply-Mar Construction Company in the amount of \$89,550.00 for the construction of the Squire Cheyney Walking Trail. The motion was seconded by Jim Benoit. All were in favor. Motion carried**

**Resolution 2014-12: Fee Schedule Amendment:**

**Bob Anthony motioned to approve Resolution 2014-12 amending the 2014 Fee Schedule. The motion was seconded by Jim Benoit. All were in favor. Motion carried**

**Feasibility Study for New Township Building:**

Jacqui Guenther stated that she obtained three quotes for a feasibility Study for a new Township Building. The JL Architects proposal was for \$8,600 and the Archer & Buchanan proposal was for \$7,500. GKO Architects came is at \$4,900. She met with Kevin Godshall and was impressed by his knowledge of municipal buildings and his background. The Board discussed having a couple board members meet with the representative from GKO Architects and explain the ideas the Township wants for the new Township building.

**Bob Anthony motioned to approve contracting with GKO Architects to prepare a feasibility study for a proposed new Township Building for a fee not to exceed \$4,900 contingent a meeting with Board members and GKO Architects. The motion was seconded by Jim Benoit. All were in favor. Motion carried**

**Preserve at Squire Cheyney/Dedication Reconsideration:**

Jacqui Guenther noted that Eric Henwood has asked that the Board reconsider their position on accepting dedication of the roads at the Preserve at Squire Cheyney. Orleans is prepared to provide funding for the snow plowing and loss of Liquid Fuel Funds to the Township. Mike Conrad has suggested that we may also want to consider asking them to extend their maintenance bond for an additional 6 months. The Board discussed all options and concerns regarding the acceptance of early dedication of the roads. The Board decided to follow the normal pattern that this process would take and not accept early dedication.

**Springhouse Restoration: Dale Frens Line Drawing Proposal:**

Jacqui Guenther noted that this was discussed at our recent work session. Dale Frens has proposed to prepare line drawings of the Squire Cheyney Springhouse for a fee of \$2,000. Jim Benoit noted that he met with the HPC and went to the Springhouse and agrees that the roof needs to be repaired and that having the drawings would only benefit the Township.

The Board discussed approaching the owner of the house and barn and ask him to give us a proposal to repair the Springhouse using the same shingles he is using to repair the roofs on the house and barn.

**Bob Anthony motioned to approve authorizing Dale Frens to prepare line drawings of the Squire Cheyney Springhouse for a fee not to exceed \$2,000. The motion was seconded by Jim Benoit. All were in favor. Motion carried.**

**Open Space Fund Transfer to Capital Fund:**

Jacqui Guenther noted that the Township received a correspondence from RJ Waters lifting the restriction on the Open Space Fund contribution to the Township. Accordingly, Jacqui suggested that the Board consider a motion to move the RJ Waters Open Space contribution in the amount of \$638,323.93 to the Capital Fund. Frank DeFroda confirmed that the Township could do so with the attached letter in hand.

**Bob Anthony motioned to authorize the treasurer to transfer the sum of \$638,323.93 from the Open Space Fund into the Capital Fund. The motion was seconded by Bill Reilly. All were in favor. Motion carried**

**Roadmaster Resignation & Appointment:**

**Bob Anthony motioned to accept the resignation of Mike Aiello as the Roadmaster and to appoint Jacqui Guenther as the Thornbury Township Roadmaster for a term to expire on December 31, 2014. The motion was seconded by Bill Reilly. All were in favor. Motion carried**

**SPCA 2015 Contract:**

Jacqui Guenther noted that the Township received the SPCA Contract for 2015. Last year the base fee for the limited contract was \$500. That cost has increased to \$1,000 for 2015. The Board discussed and reviewed the proposal. After discussing the different options the Board decided to table this item until the Manager could look at alternative options.

**Announcement of the November Work Session Meeting Date:**

Bob Anthony reminded everyone that because Election Day is on November 4<sup>th</sup> the Board of Supervisors Work Session will take place on **Wednesday**, November 5, 2014 at 6:00 p.m.

**Fireworks Ordinance Amendment:**

Jacqui Guenther noted that Kathy Labrum has prepared Amendments to the existing Fireworks Ordinance, a copy has been provided for the Boards review. The Board discussed different options and requirements with the ordinance.

Bob Anthony motioned to set a hearing date of November 5, 2014 at 6 p.m. to consider the adoption of the amendments to the Fireworks Ordinance and to authorize the Manager to advertise the same. The motion was seconded by Jim Benoit. All were in favor. Motion carried

**MS4 Statement:** Polluted stormwater runoff can have many adverse effects. For example, sediment can cloud the water making it difficult or impossible for aquatic plants to grow; bacteria can wash into swimming areas and create health hazards; and plastic bags, six pack rings, bottles, and other debris washed into water bodies can disable aquatic life such as ducks, fish, turtles and birds. Household hazardous waste such as insecticides, pesticides, paint solvents, used motor oil, and other auto fluids can also poison aquatic life. Residents should make every effort to avoid allowing these types of contaminants to filter into the storm inlets by disposing of them properly.

**APPROVAL OF ALL FUNDS BILL LIST, \$218,595.73:**

William Reilly presented the October bill lists as follows:

• General Fund	\$ 127,051.76
• Capital Fund	\$ .00
• Liquid Fuels Fund	\$ .00
• Open Space Fund	\$ 91,543.97
• Sewer Fund	\$ .00

William Reilly presented the October bill list for a total of \$218,595.73.

George Stasen inquired if the Township has an audit done and does the township receive a copy of a statement and condition report.

Bill Reilly motioned to approve the bill list for \$218,595.73. Jim Benoit seconded the motion. All were in favor. Motion carried.

**PUBLIC COMMENTS:**

Ann Moses inquired about The Preserve at Squire Cheyney HOA hiring an attorney and asked if the township would acquire any legal fees with respect to their action.

**NEW BUSINESS:**

The Historic Preservation Commission will be having a dinner for Chris Lang scheduled to take place on November 6, 2014.

Ann Moses stated that most residents of this Township are very concerned about the History of this area.

**OLD BUSINESS:**

Kathy Labrum mentioned that a letter will be going out to the United Soccer Club tomorrow with dates for them to return an engineering report back to the Township.

**ADJOURNMENT:**

There being no further business to discuss, the meeting was adjourned.

Respectfully Submitted,

Jacqui Guenther  
Township Manager

# Memo

**To:** Board of Supervisors  
**From:** Jacqui Guenther  
**Date:** October 21, 2014  
**Re:** Manager's Report

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1. **Proposed Town Center Lease:** The Township has received a proposal to lease the second floor of the Town Center building. Gazonas & Henderson's proposal is as follows:
  - They are proposing a 5 year lease with a 5 year optional extension (10 year total). They propose rent for years 1 & 2 @ \$1,500; year 3 @ \$1,550; year 4 @ \$1,600; and year 5 @ \$1,650.
  - They also want the Township top pay for their trash removal, including dumpster costs, snow removal, sewer and water costs and HVAC system maintenance. All other tenants pay for the snow removal, trash and maintenance.
  - They propose that the Township pay \$31,670 for a fit out to accommodate their business. All other tenants have paid for their own interior alterations.

Under this proposal the township would not earn any income for the first two years. Their total tent for years one and two total \$36,000. The fit out costs of \$31,670 plus the maintenance fees, trash hauling, taxes, etc. will be equal to or great than \$36,000.

Also we need to consider that all of the current leases expire in 2017 as we are looking to building a new Township Building at the Town Center.

My recommendation is that we counter-propose that they can have a 2 year lease at \$1,500 per month rent and that the Township will pay the \$31,670 fit out cost but the tenant would be required pay that back to the Township over the next two years. As a compromise we can offer to pay the maintenance fees and taxes for the two year lease. Please let me know how you would like to respond to this lease proposal.

2. **Resignation of Barb Iacovelli:** Attached you will find correspondence from Barb Iacovelli who does not want to be reappointed to the Planning Commission due to "lack of work being accomplished by the PC". Barb's term ends on December 31, 2014. That will leave two vacant seats on the Planning Commission.

3. **Preserve at Squire Cheyney/Right-to-Know Request:** The HOA at Squire Cheyney has obtained the services of Keely Carr, an attorney at Marcus & Hoffman, who has requested documentation regarding The Preserve at Squire Cheyney. We are in the process of obtaining the requested documentation. Keely was notified that there would be costs associated with the copying and for the 24 pages of recorded plans. Please know that there are no punch lists or Deeds of Dedication at this time as we have not gotten to that stage of the development yet.
4. **PennDOT Notifications:** A reminder that PennDOT will hold a town meeting regarding the expansion of Route 202 and 926 on October 23, 2014 at the Westtown Township Building.

Also, PennDOT has plans to make improvements to the bridge on 926 that goes over Radley Run which is located between Green Tree Road and Birmingham Road sometime during 2015. The plan to close the road for two weeks to accommodate this repair. As soon as I get firm dates from PennDOT I will let you know and will post it on the website with road detour information.

5. **Office at Hand:** The new phones have been installed and the new system should be up and running within the next two weeks. AT&T needs to import our current phone numbers from Comcast which can take anywhere from 7 to 10 days. Once the phone system is up and running I will provide you with direct dial numbers for everyone.
6. **Website:** I have completed most of the work on the website and the new website should be up and running by the end of next week. It will have the same web address [www.thornburytwp.com](http://www.thornburytwp.com). Some of you provided me with a small bio for the website. I would ask any Supervisor who would like their picture and brief biography added to the website to please forward that information to me as soon as possible.
7. **Township Office:** Thornbury Township, Delaware County, is planning to rent out the top floor of the building we currently rent from them. To do so will require them to remove the small area under the steps where the ladies keep the refrigerator, coffee machine and microwave as well as part of the entrance area. Because they eat their lunch in the office we need to move those items into the back room behind my office. However, they will no longer have a sink.

The office will be under construction for the better part of two weeks.

I asked Jeff how they plan to provide parking and he would not give me a direct answer. We have 5 spaces and when everyone is in the office, including our inspector, we take up 4 spaces which leaves only 1 for residents or visitors. According to our lease, they plan to increase our rent 4% every year. If they remove square footage, the sink area and parking I think we should ask for a rent reduction or that they do not increase our rent by 4% next year. The concern in doing that is that they may suggest that we take it or leave it as they are not dependent on our rental income.

8. **Dillworthtown Road Study:** Because there are certain protocols and professional courtesies in municipal management, I emailed Jeff Seagraves to ask if Thornbury Township would reconsider their position on having the road study performed on Dillworthtown Road. Jeff said he would ask his Board of Supervisors. In the meantime he is going to send me traffic studies that a developer

had done for land that he intends to develop along Dilworthtown Road for our consideration. It would not be considered good form for our municipality to request a road study when the neighboring municipality has not consented to do this. Also, the majority of the road is in their Township.

9. **Springhouse Stream Maintenance:** Mike Conrad asked the inspector from the DCNR to look at the Springhouse "maintenance" issue when he was out here inspecting the walking trail. You may recall that we need to clean out the creek bed at the exit of the Springhouse to allow water to flow freely from the Springhouse out to the creek. Mike informed me that the DCNR representative stated that the Township would be required to get a permit from the DEP for this simple maintenance.
10. **Property Maintenance Ordinance:** Thornbury Township adopted the 1996 BOCA Code and there is nothing specific in that code to addresses brush and trees in the right-of-way. It simply states that the property must be "kept in a sanitary condition". We are looking at the property maintenance section of the 2009 UCC Code. It may be as simple as adopting the 2009 UCC Code. Thornbury Township adopted the 2006 UCC Code but did not adopt the property maintenance section. If there is not anything specific in the 2009 UCC Code, we would need to consider adopting a "Property Maintenance Ordinance". I have attached a proposed Ordinance that I prepared for your consideration and review.
11. **Home Based Business Ordinance:** Jim and I are looking at the existing code on this. We have some issues with our existing Zoning Ordinance. We are in the process of preparing a comparison of what we have in our current code to the proposed ordinance. We will also prepare a list of conflicts that exist in our current zoning code as they pertain to home occupations.
12. **Digital Antennae System Ordinance:** Kathy is going to provide me with a draft of the DAS Ordinance and once I receive it I will review it and make recommendations to the Board.