

**THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS  
REGULAR MEETING  
MINUTES –October 15, 2013**

**I. CALL TO ORDER**

The regularly scheduled meeting of the Thornbury Township Board of Supervisors was called to order by Bob Anthony at 7:05 P.M. in the Thornbury Township meeting room. In attendance were Supervisors Bob Anthony, Chairman; Jim Benoit, Vice-Chairman; Mike Gast, Mike Gallagher and Bob Miller. Brody Bovero, Township Manager; Kathy Labrum, Solicitor; and Teresa DeStefano, Township Administrator, were also in attendance. An executive session was held before and after the regularly scheduled meeting to discuss real estate and personnel matters.

**II. POLICE REPORT – Chief Bernot**

Chief Bernot gave a brief overview of the police activity in the Township during the month of September. She also mentioned that on October 26, 2013, WEGO will be hosting the “National Drug Take Back Day” at the Giant.

Chief Bernot inquired about the PPU’s and if the Township is satisfied.

**III. MANAGERS REPORT**

**Sanitary Sewer**

The September deadline has passed for homeowners to connect into the College Hill Sewer System utilizing grant funds. Homeowners may still connect to the sewer at their own cost, however. The staff will now begin to conduct the administrative work of closing out the grants.

**Town Center**

The walkway at Town Center has been successfully replaced

Township maintenance workers identified a water line break at the driveway of Town Center. The break was identified in the lateral line to the Goose Creek Grill. The Township has secured a contractor, who is currently working on the repair.

**Squire Cheyney Farmhouse and Barn**

The informational website is approximately 85% complete. It can be viewed at [www.squirecheyneyhouseforsale.com](http://www.squirecheyneyhouseforsale.com). We will begin advertising around October 25<sup>th</sup> and award the sale around February 17<sup>th</sup>.

**Road Maintenance**

The salt bin roofs are completed and ready for this winter season.

The township has begun to re-paint stop bars and is receiving bids for road marking and striping.

### **Squire Cheyney Park – Phase 1 Project**

The township has received the approvals from the Zoning Hearing Board and Chester County Conservation District. DCNR has made some comments that we need to address. We are still are on schedule to begin the bidding process in December and to commence with construction in April 2014.

### **Stormwater**

Yerkes has completed a description of the easement for the culvert at South Concord Road and Timberline Trail. Ms. Labrum is drafting up the agreement to be signed by the two property owners and the Township.

The State mandated Stormwater Ordinance amendments must be made by January 2014. We will be receiving assistance from Yerkes Associates to modify the Township's current ordinance in order to comply with the Act. A subcommittee is being formed to review the draft ordinance. Jim Jordan has agreed to serve on the subcommittee as the representative from the Planning Commission and Mike Gast from The Board will also serve on the committee.

### **Fire Services**

West Chester Borough hosted a meeting on the 11th of September to discuss the upcoming contract. Pursuant to that meeting, they were able to trim \$490,000 from the capital budget. This translates into a \$6,386 reduction in Thornbury's annual payment. The Borough indicated that they do not see any other opportunities for a reduction.

### **Parks and Recreation**

The annual Thornbury Township Fall Festival will be held at Goose Creek Park on October 26th from 1pm to 3pm.

The playgrounds received new play area borders and fresh playground mulch.

## **IV. APPROVAL OF MINUTES**

- A. August 20, 2013 BOS Meeting**
- B. August 6, 2013 Work Session**
- C. September 17, 2013 BOS Meeting**
- D. September 3, 2013 Work Session**
- E. October 1, 2013 Work Session**

**Mike Gast made a motion to approve the August 20 BOS Meeting, August 6 Work Session, September 17 BOS Meeting, September 3 Work Session and the October 1, 2013 Work Session minutes as amended by Mike Gast and Bob Miller. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

**V. AGENDA BUSINESS**

**1. PUBLIC HEARING AND VOTE FOR ADOPTION OF ORDINANCE 2013-1: SMALL DOMESTIC FOWL**

Bob Anthony continued the hearing for the adoption of Ordinance 2013-1, Small Domestic Fowl Ordinance.

Mike Gast stated that he is planning to vote against this ordinance for health concerns, small predators and other safety concerns.

Bob Miller stated that, currently, the Township does not have an ordinance covering this matter and this ordinance is better than having nothing.

Bob Anthony stated that he is aware a lot of residents came in to the Township and attended a previous Board session in support for this ordinance.

Bob Anthony solicited public comment.

No comments.

Bob Anthony closed the hearing.

**Jim Benoit motioned to approve the adoption of Ordinance 2013-1: Small Domestic Fowl Ordinance. The motion was seconded by Bob Miller. Jim Benoit, Bob Anthony, Mike Gallagher and Bob Miller were in favor. Mike Gast opposed. Motion carried.**

**2. RESOLUTION 2013-12: DESTRUCTION OF OBSOLETE RECORDS PURSUANT TO THE TOWNSHIP RECORDS RETENTION POLICY**

Brody Bovero noted that is an action the Township does periodically and the records will be in the office for review until Saturday, at our shredding event.

Rob Morris inquired if the Township will be scanning the documents into a computer, because he is concerned about preserving the history of the township.

Brody Bovero stated that it is not required but the Township follows the guidelines of the state and the policy enacted by the Board of Supervisors.

Bob Ciccone, 1250 Westtown Road stated that if it is not an historic document, why keep it?

Karin Crooks inquired if the Township keeps all their Resolutions

**Bob Miller made a motion to approve Resolution 2013-12: Destruction of Obsolete Records pursuant to the Township Records Retention Policy. The motion was seconded by Jim Benoit. All were in favor. Motion carried.**

**3. RESOLUTION 2013-13: FINAL APPROVAL FOR 3-LOT SUBDIVISION AT 220 W. STREET ROAD, BY KARIN CROOKS.**

Mike Gast noted that this subdivision has been discussed many times over the years and he is comfortable with this resolution.

Brody Bovero stated that there are 10 conditions attached to the approval of this subdivision and he noted that some have already been met.

**Mike Gast made a motion to approve Resolution 2013-13: Final approval for 3-Lot subdivision at 220 W. Street Road, Karin Crooks property. The motion was seconded by Mike Gallagher. All were in favor. Motion carried.**

**4. 1-YEAR TRAFFIC SIGNAL MAINTENANCE CONTRACT: HIGGINS ELECTRIC**

Brody Bovero noted that this is an extension of a three year contract. All the other traffic signal expenses we share with Westtown Township.

Bob Miller questioned the contract form and was concerned about the contractor submitting the proper proof of insurance.

**Mike Gast made a motion to authorize the 1-year traffic signal maintenance contract with Higgins Electric upon their submitting the proper insurance forms. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

**5. AUTHORIZE ADVERTISEMENT FOR A PUBLIC HEARING ON NOVEMBER 19, 2013 FOR ORDINANCE 2013-2: FIREWORKS**

Brody Bovero noted that this draft has been cleaned up by Kathy Labrum so it fits the fireworks definitions of the State.

Rob Morris inquired if the Township ever passes an ordinance that increases people's freedom.

The Board answered yes. Mike Gast cited the domestic fowl ordinance that just passed as one example.

**Mike Gast made a motion to authorize advertisement for a public hearing on November 19, 2013 for Ordinance 2013-2: Fireworks. The motion was seconded by Jim Benoit. All were in favor. Motion carried.**

**6. AUTHORIZE ADVERTISEMENT FOR SALE OF APPROXIMATELY 9.5 ACRES OF REAL ESTATE AT WALN RUN PARK**

Bob Anthony stated that the Board has been over this topic at several work sessions and tonight we will be authorizing just the advertisement for the sale.

Rob Morris stated that he is sorry that the Board decided to sell this property.

Bob Ciccone noted that he was at a previous meeting and there was a sense of urgency to sell the property, and, what made the Board decide on selling the property?

Bob Anthony mentioned that the Board does not feel there is an urgency to move forward with the sale, since this Board has been talking about this for almost a year. The proceeds from the sale are not designated to balance this year's, or even next year's budget.

Bob Ciccone asked that since so many are not interested in the sale, then why sell it. Bob also mentioned that if the upkeep of the property and the expense is a concern, would the Township consider not selling if a few local residents maintain the property.

Bob Anthony stated that it was approved from a previous Board; that they left language in the agreement for the purchase of this land and that it could be sold.

Bob Miller respects the concern around this issue. In general, people love open space, but the Township is not in the business of buying land and selling land. We tried to make a park out of it but the costs were just too high. Additionally, we are only proposing selling half of the land, so a park and open space will still be there.

Jim McLaughlin inquired about the part of the land with the pond and if it was ever tested for lead.

Bob Miller noted that the pond is dry and it is his understanding that it will remain dry.

Greg Amarosa is concerned about the zoning of the property.

Brody Bovero noted that it is zoned residential.

Rob Morris inquired what will happen to the money that was spent on planning the park plan.

Bob Miller noted that it was mostly engineering fees and the cost of park construction was getting too high, so we had to stop it. You have to spend money to see if it is worth doing.

Andrew Dunn inquired if this land is two (2) acre zoning.

Greg Amarosa is concerned about cluster housing being built in the space.

Brody Bovero noted that a builder would have to meet the qualified conditions and if they do not, it goes back to the underlying zoning. Brody also stated that the Township will still retain about 6 acres of the property.

Bob Miller inquired if the main reason we are acquiring the pond is in the hope of making a road for the house off of Westtown –Thornton road.

Rob Morris requested that the Board postpone the advertisement until the housing market improves or if and when the Township needs the money.

Mark Litwack requested that the township correct the zoning map that is currently on the web site.

Brody Bovero noted that the map on the web site is not the official zoning map. It is the map included in the Comprehensive Plan that was provided by the consultant. Brody noted the web site will be changed, however, to avoid confusion.

Rob Morris inquired about the other six (6) acres and will they be subject to sale.

Bob Miller noted that it is currently deed restricted and a contract is in place that predates this Board.

Bob Miller noted that, if it were allowed by law, a group of people from a nonprofit could purchase and maintain it, the Township would prefer that.

Mark Litwack mentioned that in the Township's Mission Statement it states "Provide recreational opportunities and secure open space that will enhance the quality of life for Township residents."

Bob Anthony stated that we have done just that.

Bob Miller noted that our main park, The Goose Creek Park, is just a mile away. We also have Squire Cheyney Farm Park, The Soccer Fields, and Ann's Parcel. The Township has a lot of open space for such a small township.

Brody Bovero stated that if the residents want to form a nonprofit group to purchase the property, they would have to do it by December.

Bob Miller suggested that if there is a group interested, maybe we could hold the bids or even re-advertise.

**Bob Miller made a motion to authorize the advertisement for the sale of approximately 9.5 acres of Waln Run Park. The motion was seconded by Jim Benoit. All were in favor. Motion carried.**

## **7. 2014 BUDGET DISCUSSION**

Brody Bovero mentioned that the Board has been discussing the budget for the past few months. He noted that over the next several years our expenses are going up due to the rising increases in our police and fire contracts.

Bob Anthony wanted to clarify that the three most expensive items of the township are police, fire, and the roads.

Bob Miller stated that the cost of personnel is also expensive.

Bob Anthony noted that a past survey stated the residents want full service police and are willing to pay for it.

The Board reviewed the draft budget and went over the increases in the costs for road paving and the snow plowing, which we can't control. The Board also went over the numbers for the next five years.

Bob Anthony also stated that the Board has discussed adding a line item for just public safety and administrative costs.

Bob Miller suggested that we have a communication program if and when we do a tax increase. He also he noted that we have budget to do and we do not have a separate line item. We should just do what we need to do. And that is what is best for the Township.

Rob Morris suggested using a pie chart so residents can see the need.

Brody Bovero noted that currently our tax rate is 0.84mils and it is among the lowest in the county. If we increase it by 5% it would increase the average resident's bill from \$226.00 to \$237.00. What the township needs is 15% and that would increase from \$226.00 to \$259.00.

Mike Gast noted that with the police contract the township would have to have a 15% increase for the next 5 years. Brody then presented the possibility of an amusement tax that would generate revenue. It would be about 5% on the activity.

The Board discussed this but was concerned that this tax will only affect one business in the Township. It was also noted that this establishment uses emergency services often.

Mike Gast noted that the country club is growing and the number of cars has increased over the years. Mike feels that this tax is levied on non-Thornbury residents and could easily be passed on and justified in terms of the Township services.

The conversation continued with further research on the amusement tax.

Mike Gast noted that in discussing a tax increase we should have a town hall meeting or at least advertise it so residents might attend. Mike suggested that we pass the budget and then spend some time with the residents to discuss and get feedback on the option of a tax increase.

Bob Anthony noted that increasing taxes is only required because of the three items that the residents demand we keep; police, emergency services and roads. Bob also suggested that we bring this to the resident's attention and for the next work session, we have an agenda item that states a possible tax increase.

Bob Miller noted that we have not raised our taxes in over nine (9) years; also we have one of the lowest millage rates in the area. The board should show the residents the cost of the major items that we cannot control like the police, emergency services and road maintenance. Have a chart to show the increases and how we have cut all our costs on what we can control.

Dee Ann mentioned that most residents that complain about high real estate taxes are referring to their total real estate tax bills, collectively, and do not realize that the tax amount actually paid to Thornbury Township is less than 4% of their total real estate taxes. Many are not aware that the Township has not increased our tax rate in a decade.

The discussion continued with advertising a discussion of taxes for the November work session. This way the residents have the opportunity to voice their suggestions and then this Board can move forward and pass a balanced budget.

Bob Anthony suggested that we table the issue of the amusement tax.

## **VI. PUBLIC COMMENTS**

No comment

## **VII. OTHER MATTERS**



Bob Miller inquired about the East Side Little League letter drafted by Brody. Bob prefers to send it out before the meeting and let their board know that the Thornbury Township has done everything to accommodate them.

Bob Anthony would like to go to their next Board meeting and read the letter just to let them know what this Board has done for them.

Mike Gallagher agrees that we should attend their meeting, listen to what they say, and be ready to present them with the letter, if needed.

**VIII. APPROVAL OF 4 FUNDS BILL LIST, \$102,984.31 – Bob Miller**

Bob Miller presented the October bill lists as follows:

- General Fund                      \$ 89,588.54
- Capital Fund                        \$ 7,230.47
- Liquid Fuels Fund                \$ .00
- Open Space Fund                 \$ 5,413.00
- Sewer Fund                         \$ 752.30

**Mike Gast motioned to approve the bill list for \$102,984.31. Bob Miller seconded the motion. All were in favor. Motion carried.**

**IX. ADJOURNMENT**

**Mike Gast motioned to adjourn the meeting. Mike Gallagher seconded the motion. All were in favor. Motion carried.**

Respectfully Submitted,

Brody Bovero  
Township Manager/Secretary