

**THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS  
REGULAR MEETING  
MINUTES –December 17, 2013**

**I. CALL TO ORDER**

The regularly scheduled meeting of the Thornbury Township Board of Supervisors was called to order by Bob Anthony at 7:03 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 the regularly scheduled meeting to discuss litigation matters.

**II. POLICE REPORT – Chief Bernot**

Chief Bernot mentioned that with the winter weather upon us it is important to make sure that your vehicles are prepared. You should have a full tank of gas and a full reservoir of windshield washer fluid. Also, in case your car is disabled try to have the proper attire. She also discussed the increase of retail theft and suggested that residents check their credit card statements.

The Chief mentioned that there have been a few incidents during the month; a retail theft arrest at the Giant, a serious crash on the 400 block of Fox Meadow Lane where a car overturned and the individual was seriously hurt. Also, there was an incident where a car crashed into a jewelry store on E. Street Road.

Chief Bernot gave a brief overview of the police activity in the Township during the month of November. She also mentioned that there have been a number of thefts in the Township. She reminded residents that when you invite someone into your home, such as a health care worker, a contractor, or a cleaning service, make sure your valuables are put away.

**III. MANAGERS REPORT**

**Road Maintenance**

Two winter storms have hit in December. The cost of snow and ice control for these storms will be reflected in the 2014 budget. The Township had one report of difficulty on New Street during Sunday's storm. The forecast was for about an inch of snow and we received about 5-7 inches. There was one area of difficulty on South Concord Road during the storm on Tuesday.

**Parks and Recreation**

The annual Train Ride with Santa was cancelled this year due to Sunday's storm.

Goose Creek Park has suffered from a surge of invasive vines, supported by this year's wet summer. The Township will be cutting back vines and looking at an overall management plan to keep invasive plants at bay.

#### **Comcast Franchise Agreement**

Brody Bovero met with Kevin Broadhurst from Comcast to discuss details of the upcoming renewal of the franchise agreement.

#### **Amusement Tax Discussion**

The Board is still investigating the merits of an amusement tax for the Township. Thus far, our research indicates that the amount of revenue that would be generated may not justify the enactment of the tax. After the Township completes its research, the findings will be shared with the Board at the February Work Session.

#### **Noise Related To Special Events**

Also at the February Work Session, the Board will discuss noise related issues with outdoor events. Further discussion will take place with Penn Oaks Golf Club and with the Board. This item will also likely be discussed at the February work session.

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

**November 12, Work Session  
November 19, BOS Meeting  
December 3, Work Session**

**Mike Gast made a motion to approve the minutes of the November 12, Work Session; the November 19, BOS Meeting; and the December 3, Work Session, as amended by Mike Gast. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

### **V. AGENDA BUSINESS**

#### **1. THE PRESERVE AT SQUIRE CHEYNEY ESCROW RELEASE REQUEST #6 IN THE AMOUNT OF \$111,320.64**

Mike Conrad stated that he had two (2) concerns as outlined in his review letter of December 5, 2013. Mike recommended withholding \$1,000 in the line item to let the developer know that it is not finished.

**Mike Gast motioned to Authorize Escrow release request #6 in the amount of \$110,320.64. The motion was seconded by Bob Miller. All were in favor. Motion carried.**



Bob Miller inquired about setting up an escrow account.

Richard Acciavatti inquired about what Mr. Murphy's intentions were, regarding the property.

Mr. Murphy noted that he will be making it a rental property.

Patricia Barrett asked if Mr. Murphy could expand on the commercial activity.

Mr. Murphy stated that it will be Christmas Trees and Holly.

Chris Lang is happy with the outcome so that the "House and Barn" can be preserved for the Township.

Mike Gast wanted to thank Bob Miller for taking the time and heading up subcommittees to maintain the historic "House and Barn."

Bob Miller stated that Brody Bovero had carried most of the weight for this and Bob is happy that someone local purchased it.

**Robert Miller motioned to award the sale of the Squire Cheyney House and Barn and to authorize the Township Manager and Solicitor to prepare the final sales agreement; and, to award it with the additional \$10,000 for the additional 3.9 acres in the amount of \$80,000. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

### **3. AWARD CONTRACT FOR CONSTRUCTION OF SQUIRE CHEYNEY PARK IMPROVEMENTS – PHASE 1**

Brody Bovero mentioned that bids were opened for the Squire Cheyney Park Improvement project and the results were higher than allowed under the current budget. There were a total of nine bids and the lowest was from Ply-Mar Construction in the amount of \$605,200. Brody then gave a brief review of the project and the base bids with a series of alternates.

Brody continued with an outline of the Base Bid, which includes major improvements to the main farm area, including trails, stormwater facilities, parking and driveway improvements, park signs, and associated earth moving. This was in the amount of \$386,500.

The following Alternates that Brody recommended that we leave out are:

1. Alternate 1: Includes major improvement to Ann's Parcel, including trails, stormwater facilities, park signs, and associated earth moving.
2. Alternate 4: Includes landscaping improvements to Ann's Parcel.
3. Alternate 6: Includes seating areas to Ann's parcel.
4. Alternate 8: Includes interpretive signage on Ann's Parcel.

Brody noted that by removing the above Alternates for a total of \$62,000, the total contract would be lowered to \$438,500.

Brody mentioned that \$365,000 will come from a grant to fund the project. Also there is money that was donated from the developer of the “Shoppes at Dilworthtown Crossing,” so no Thornbury tax dollars are being used.

Jim Benoit inquired why the Township isn’t rebidding the project.

Mike Conrad noted that all the bids were so close together that he feels confident that the Township is getting fair market value.

The Board continued discussing the justification for going out to bid again, but will the saving on the contract be enough, considering the engineering costs?

Chris Lang inquired where the balances of the Funds are coming from. Are they coming from the Open Space Fund? Also, with the sale of the Squire Cheyney House and Barn, where are those funds going?

Bob Anthony noted that the funds are coming from the Open Space account. Bob also mentioned that where the money from the sale is going, has not been decided yet.

Curtis Cheyney voiced his concern about the buffer to protect the family cemetery. Curtis stated that the cemetery has had trespassers before. He would like to have some buffer plantings. The Cheyney family isn’t charging anything for an easement but wants it noted that it will be a revocable easement.

**Mike Gast motioned to Award the contract for the Construction of Squire Cheyney Park Improvements –Phase 1 to Ply-Mar Construction, as amended, for \$438,500, also, per Jim Benoit, with the caveat that if the North end parking lot is deleted we will delete the line item for \$10,000. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

**4. RESOLUTION 2013-14: APPROVAL OF 5-YEAR FIRE PROTECTION SERVICES CONTRACT WITH THE BOROUGH OF WEST CHESTER**

**Mike Gast motioned to Approve Resolution 2013-14: Approval of the 5-year Fire Protection Services Contract with the Borough of West Chester. The motion was seconded by Mike Gallagher. All were in favor. Motion carried.**

## 5. APPOINTMENT OF PETER DUFAULT TO THE ZONING HEARING BOARD

Bob Anthony noted that we have a vacancy on the Zoning Hearing Board and the applicant submitted his resume and would like to be appointed to the ZHB.

Mike Gast stated that Peter DuFault has been a diligent worker for the Township for many years. He has served on the Planning Commission and has always done his homework and would be an asset to the ZHB.

**Mike Gast motioned to approve the appointment of Peter DuFault to the Zoning Hearing Board. The motion was seconded by Mike Gallagher. All were in favor. Motion carried.**

## 6. RESOLUTION 2013-15: ADOPTION OF THE 2014 TOWNSHIP BUDGET

Bob Miller noted that this Board has gone over this matter for months, so let's move forward.

Bob Anthony wanted to say the Gander's article on the Budget was spectacular.

**Robert Miller motioned to authorize the adoption of the 2014 Township Budget. The motion was seconded by Jim Benoit. All were in favor. Motion carried.**

## VII. PUBLIC COMMENTS

Chris Lang inquired about the update on the subdivision for the Waln Run property.

Brody Bovero noted that at the December Planning Commission Meeting they reviewed and recommended the subdivision to the Board. The Township is conducting an environmental assessment of the pond to make sure it is safe, before we take title. Once that is complete, the application will go in front of the Board.

Chris Lang suggested that the funds from the sale go into the Open Space Fund.

Richard Acciavatti wanted to thank Mike Gast and Bob Miller for their time and service to the Township.

Bob Anthony agreed and he wanted to thank Bob and Mike as well. Bob also noted that Mike was the Chairman for two years and he made it look easy, Kudos to you, Mike. Mike was also the liaison to Cheyney University and has kept up that relationship, we will miss that.

Bob also wanted to thank Bob Miller for his time as the Police Commissioner liaison and for all of his help when the contract was being negotiated.

Brody Bovero wanted to thank Mike Gast and Bob Miller for all their help. Brody mentioned that when he became the new Township Manager, he met with Mike weekly and appreciated all the experience and guidance he received as a new manager.

Brody also thanked Bob Miller for all his help as the Police Commissioner and all the subcommittee work he has done. Speaking as the Township Manager, it has been great to have all that support.

Bob Miller wanted to say it was a great Board and he feels we made good decisions for what is best for the Township.

Mike Gast noted that it was a real honor to work with the citizens and the Township staff. Mike noted that he has also learned a lot from everyone. Mike also wanted to thank Kathy Labrum for her service and it has been a privilege to work with her.

Mike Gast wanted to let the Board members know he has a lot of respect for them and it was a delight working with them. Also, their cooperation in working through things together was a real key to the smooth transition from my Chairmanship to Bob's. Lastly he wanted to thank Bob Miller for the past six years, and what they didn't know they we were getting into. You are a friend for life.

**VIII. APPROVAL OF 4 FUNDS BILL LIST, \$216,610.49 – Bob Miller**

Bob Miller presented the October bill lists as follows:

- General Fund                      \$ 161,060.34
- Capital Fund                      \$ 6,765 .00
- Liquid Fuels Fund                \$ .00
- Open Space Fund                \$ 9,991.54
- Sewer Fund                        \$ 832.50
- Supplemental Bill List            \$ 37,961.11

Bob Miller presented the October bill list for a total of \$216,610.49

**Bob Miller motioned to approve the bill list for \$216,610.49. Mike Gast seconded the motion. All were in favor. Motion carried.**

X. **ADJOURNMENT**

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

Respectfully Submitted,

Brody Bovero  
Township Manager/Secretary