

**T H O R N B U R Y T O W N S H I P
D E L A W A R E C O U N T Y**

W W W . T H O R N B U R Y . O R G

**BOARD OF
SUPERVISORS:**

James H. Raith
Joseph P. Sgro
James P. Kelly

*Public Meetings
1st & 3rd Wednesday of each month*

**MINUTES
Thornbury Township Board of Supervisors Meeting
Wednesday, May 6, 2009**

The Thornbury Township Board of Supervisors held a Public meeting on Wednesday, May 6, 2009, at the Township Administration Building, 6 Township Drive, Cheyney, PA. Chairman Raith called the meeting to order at 7:00 p.m., with a salute to the flag.

PRESENT:

James H. Raith, Chairman
Joseph P. Sgro, Vice Chairman
James P. Kelly, Supervisor
Jeffrey T. Seagraves, Manager
Jacqui Guenther, Assistant Manager
Peter Barsz, Treasurer
Elizabeth Geoghegan, Township Secretary
Lindsey Price, Roadmaster
Robert P. Anderman, Esq., Township Solicitor
Elizabeth Catania, Township Engineer
James McCann, PE, Township Sewer Engineer

Number of Attendees: 17

APPROVAL OF CHECK REGISTERS

On a motion by Joseph Sgro, seconded by James Kelly, and carried unanimously, the General Fund check register in the amount of \$51,157.73, April 23, 2009 through May 6, 2009, was approved. Chairman Raith called for public comment. There was no public comment.

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, the Sewer Fund check register in the amount of \$74, 632.17, April 23, 2009 through May 6, 2009, was approved. Chairman Raith called for public comment. There was no public comment.

Minutes – Board of Supervisors Public Meeting

May 6, 2009

Page 2

APPROVAL OF MINUTES

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, for the approval of April 1, 2009 Work Session meeting minutes. Chairman Raith abstained. Vice Chairman Sgro called for public comment. There was no public comment.

On a motion by James Kelly, seconded by James Raith, and carried unanimously, for the approval of April 15, 2009 Work Session meeting minutes. Vice Chairman Sgro abstained. Chairman Raith called for public comment. There was no public comment.

BOARD/COMMISSION REPORTS

Park & Recreation Board

No report was given at this time.

Historical Commission – Ric Miller

Mr. Miller noted the Commission continues to work on signage for the historic homes located in downtown Thornton and the names “BeautifyDowntownThornton.org, .net and .com” have been registered.

Planning Commission – Mike Smitheman

Mr. Smitheman noted there was a joint public meeting with the Board of Supervisors to discuss the Cluster Ordinance.

Sewer Committee- George Morley

No report was given at this time.

Environmental Advisory Council – Allen McCann

Mr. McCann noted there was a stream clean up event held Saturday May 2. He requested the trees should be replaced at the intersection of Locksley and Creek Roads.

On a motion by James Kelly, seconded by James Raith, and carried unanimously, for the approval to purchase trees to be planted at the intersection of Locksley and Creek Roads. Chairman Raith called for public comment. There was no public comment.

Minutes – Board of Supervisors Public Meeting
May 6, 2009
Page 3

Library Report – Patty Hunsecker

Ms. Hunsecker noted the library was evaluated by the Delaware County Library Association. She added the library board has been approached by Concord Township regarding purchasing the entire building.

AGENDA ITEMS

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, for the approval to authorize Thornbury Township, Chester County to release funds held in escrow for the sanitary sewer system in the Squire Cheyney subdivision for Escrow Release No. 1 in the amount of \$187,695.71. Chairman Raith called for public comment. There was no public comment.

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, for the approval to award Contract 2009-2, the Creek Road West Pump Station Chemical Feed System Installation to the low bidder, A. J. Jurich, Inc. of Aston, PA in the amount of \$45,940.00 . Chairman Raith called for public comment. There was no public comment.

PUBLIC COMMENT

Mr. Bulkley noted the culverts along Locksley and Creek Roads are not working properly.

Mr. Johnason noted his insurance company has been waiting for the Fire Marshal's report regarding a fire which occurred a 121 Station Road.

TOWNSHIP MANAGER'S REPORT- Jeffrey Seagraves

The Township Manager's Report was submitted and is attached.

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, for the approval of the purchase of two walk ramps in the amount of \$1595.00. Chairman Raith called for public comment. There was no public comment.

ASSISTANT TOWNSHIP MANAGER'S REPORT – Jacqui Guenther

The Assistant Township Manager's Report was submitted and is attached.

TREASURER'S REPORT – Peter Barsz

Minutes – Board of Supervisors Public Meeting
May 6, 2009
Page 4

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, to accept the Treasurer's Report as read. Chairman Raith called for public comment. There was no public comment.

ROADMASTER'S REPORT – Lindsey Price

The Roadmaster's Report was submitted and is attached.

On a motion by Joseph Sgro, seconded by James Kelly, and carried unanimously, for the approval to hire John Day, Christopher Day and Sean Newell for summer employment at a salary of \$10.50 per hour. Chairman Raith called for public comment. There was no public comment.

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, for the approval of the purchase and installation of carpeting by RCI Carpet Company at a cost of \$656.00 for the Township Building Conference Room. Chairman Raith called for public comment. There was no public comment.

On a motion by Joseph Sgro, seconded by James Kelly, and carried unanimously, for the approval to hire Civitella Construction to perform gutter maintenance at the Douglas Building at a cost of \$1095.00. Chairman Raith called for public comment. There was no public comment.

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, for the approval to hire Parras Electric to install new fluorescent lights in th Township Building Meeting Room at a cost of \$2000.00. Chairman Raith called for public comment. There was no public comment.

On a motion by Joseph Sgro, seconded by James Kelly, and carried unanimously, for the approval to hire Builder Landscaping to complete landscaping at the Township Building at a cost of \$3998.00. Chairman Raith called for public comment. There was no public comment.

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, for the approval to hire DGS Landscaping to plant and maintain the flower bed at Thornbury Park at a cost of \$925.00. Chairman Raith called for public comment. There was no public comment.

On a motion by Joseph Sgro, seconded by James Kelly, and carried unanimously, for the approval to hire Robertson Fence Company to perform

Minutes – Board of Supervisors Public Meeting
May 6, 2009
Page 5

repairs to the tennis courts at Thombury Park at a cost of \$1000.00. Chairman Raith called for public comment. There was no public comment.

TOWNSHIP SOLICITOR'S REPORT – Robert P. Anderman, Esq.

The Township Solicitor's Report was submitted and is attached.

On a motion by James Kelly, seconded by Joseph Sgro, and carried unanimously, for the approval and adoption of Resolution #9 of 2009 for the issuance of credit cards to certain township officials and staff through First Keystone Bank Chairman Raith called for public comment. There was no public comment.

TOWNSHIP ENGINEER'S REPORT – Elizabeth Catania, PE

The Township Engineer's Report was submitted and is attached.

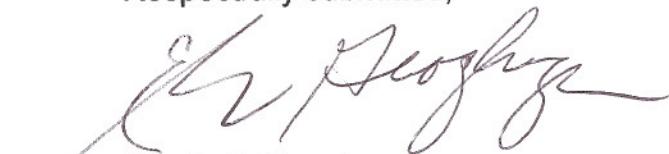
SEWER ENGINEER – James McCann, PE

The Township Sewer Engineer's Report was submitted and is attached.

ADJOURN

The meeting adjourned at 7:45 pm

Respectfully submitted,



Elizabeth Geoghegan
Township Secretary

cc: Board of Supervisors
 Robert P. Anderman, Esq.
 Jeffrey Seagraves, Township Manager
 Jacqui Guenther, Assistant Township Manager
 Peter Barsz, Treasurer

Elizabeth Catania, Engineer
Ted McCandless, Code Administrator
James McCann, Sewer Engineer

Manager's Report
5-6-09

1. Meeting scheduled with Grier Young on Tuesday May 5, 2009 of State College PA, to discuss Electronic data storage.
2. Muffin Monster was rebuilt and re-installed at the treatment plant on Monday April 27, 2009.
3. Work has been completed on AT-1 and DELCORA is now working on AT-2. Work should be completed by the end of the week. Received request from DELCORA to purchase two more ramps to ensure safe access to AT-1 and AT-2 tanks. (SEE T.M. Motion #1)
4. Odor control pump was received from prominent pumps and will be installed by DELCORA within the next week.
5. Received notification on 5-1-09 from a resident on Station Road of a leak in the low pressure line. Leak was repaired within two hours of discovery.
6. Authorized Ted McCandless to issue citations for zoning infractions at 4 Dorset Dr.
7. Contacted Delaware County about possible partnership on wetland mitigation associated with county projects.
8. Scheduled to attend I&I seminar at DELCORA on Tuesday May 5, 2009.
9. Spoke with Marjorie Paris on PADOT regarding the road Turnback Program. She indicated that the state is only interested in turning back "segments" of road. This means that we can not take over a small portion of any road but rather an entire segment.

T.M. MOTION #1: I move to authorize the purchase of two walk ramps from truckersmall.net at a cost of \$1080.00.

ASSISTANT TOWNSHIP MANAGER'S REPORT

5-01-09

1. I attended the PSATS convention on April 19-21 and attended seminars on grant writing; open records law update and zoning ordinance insight.
2. Fly-a-Kite day was held on Sunday, April 26th. It was a nice event with kites being provided to residents courtesy of the BOS. Approximately 40+ people participated in the event.
3. Brandywine Conservancy conducted an inspection of Bonner Park on April 23, 2009. In their report they noted that non-motorized bicycle riders were building “jumps” on the trails. I asked them to provide us with any suggestions on how to alleviate the problem and am awaiting their response.
4. I have received a draft of the Paychex Employee Handbook, a copy of which I am providing to you for your review and recommendations.
5. Ted and Art have requested the BOS to consider the installation of a GIS office. They propose to have Lindsey and Howard build an office in the meeting room where the current partition exists. I have attached their proposal for your consideration. The costs would be \$343.09 in building materials and \$2,745.00 for plan racks. In addition they would request the purchase of a large format scanner/printer so that the township would have the capability to print large scale township maps for various purposes, etc. They have recommended two different scanner/printers for your consideration, both of which are attached.
6. I have provided Bob with a copy of Act 132 of 2008 which goes into effect on July 1, 2009. This Act requires any person performing home improvements to be registered with the State Attorney General's Office. I have asked Bob to prepare a resolution for your consideration stating that Thornbury Township will not issue permits to anyone who is not properly registered with the State.
7. I have contacted the Auditors, at Joe's request, to schedule the 2008 Audit. I will keep the BOS apprised of the progress being made.

Respectfully submitted,

Jacqui Guenther, Asst. Township Manager

THORNBURY TOWNSHIP, DELAWARE COUNTY
TREASURER'S REPORT FOR THE PERIOD ENDED APRIL 30, 2009

GENERAL FUND

BEGINNING BALANCE		2,114,391.29
Revenue	166,551.56	
Expenditures		281,015.44
ENDING BALANCE		1,999,927.41

STATE FUND (Liquid Fuels Account)

BEGINNING BALANCE		243,610.23
Revenue	62.06	
Expenditures		-
ENDING BALANCE		243,672.29

RECREATION FUND

BEGINNING BALANCE		263,714.22
Revenue	67.58	
Expenditures		-
ENDING BALANCE		263,781.80

OPEN SPACE ACQUISITION FUND

BEGINNING BALANCE		1,004,848.18
Revenue	998.14	
Expenditures		-
ENDING BALANCE		1,005,846.32

CAPITAL IMPROVEMENT FUND

BEGINNING BALANCE		1,074,052.89
Revenue	1,056.66	
Expenditures		
ENDING BALANCE		1,075,109.55

OPERATING RESERVE FUND

BEGINNING BALANCE		880,000.00
Revenue	121,495.71	
Expenditures		
ENDING BALANCE		1,001,495.71

SEWER FUND

BEGINNING BALANCE		961,793.11
Revenue	58,222.35	
Expenditures		64,934.75
ENDING BALANCE		955,080.71

ESCROW FUND

BEGINNING BALANCE		51,186.05
Revenue	41,316.24	
Expenditures		
ENDING BALANCE		92,502.29

TOTAL BALANCE		
BEGINNING BALANCE		6,593,595.97
Revenue	389,770.30	
Expenditures		345,950.19
ENDING BALANCE		6,637,416.08

	Beginning	Deposits	Disbursements	Ending
1. General Fund				
Sovereign Checking	2,114,391.29	166,551.56	281,015.44	1,999,927.41
PLGIT - Class	-	-	-	-
	<u>2,114,391.29</u>	<u>166,551.56</u>	<u>281,015.44</u>	<u>1,999,927.41</u>
2. State Fund				
Sovereign	243,610.23	62.06	-	243,672.29
3. Recreation Fund				
Sovereign	263,714.22	67.58	-	263,781.80
4. Open Space Acquisition Fund				
Sovereign	1,004,848.18	998.14	-	1,005,846.32
5. Capital Improvement Fund				
PLGIT - Class	13,863.63	7.76	-	13,871.39
PLGIT - PLUS	4,238.35	-	-	4,238.35
Sovereign	1,055,950.91	1,048.90	-	1,056,999.81
	<u>1,074,052.89</u>	<u>1,056.66</u>	<u>-</u>	<u>1,075,109.55</u>
6. Operating Reserve Fund				
PLGIT/PLUS - Class	-	-	-	-
CD Keystone	880,000.00	121,495.71	-	1,001,495.71
	<u>880,000.00</u>	<u>121,495.71</u>	<u>-</u>	<u>1,001,495.71</u>
7. Sewer Fund				
First Keystone Checking	(4,967.10)	44,566.84	64,934.75	(25,335.01)
First Keystone Dept Acct	966,816.81	58,222.35	44,566.84	980,472.32
PLGIT - Class	-	-	-	-
	<u>961,849.71</u>	<u>102,789.19</u>	<u>-</u>	<u>955,137.31</u>
Less Transfers:	-	(44,566.84)	(44,566.84)	-
	<u>961,793.11</u>	<u>58,222.35</u>	<u>64,934.75</u>	<u>955,080.71</u>
9. Escrow Disbursement Account				
First Keystone Master Escrow	3,150.00	-	-	3,150.00
First Keystone Escrow Checking	-	-	-	-
Sovereign	48,036.05	41,316.24	-	89,352.29
	<u>51,186.05</u>	<u>41,316.24</u>	<u>-</u>	<u>92,502.29</u>
Total	6,593,595.97	389,770.30	345,950.19	6,637,416.08

Public Works Department/Road Master's Report

Week Ending May 1, 2009

1. Performed routine maintenance throughout the Township, including mowing of parks, pump stations and Township Complex.
2. Prepared for Kite Day at Thornbury Park. Event went well – 30 people attended.
3. Conference Room renovations ongoing. Waiting for delivery of computer station.
4. Street sign project ongoing.
5. Completed plumbing repairs to Comfort Station at Thornbury Park due to normal wear and tear. Repaired water fountain at Tennis Courts.
6. Performed spring cleaning at Salt Storage Building and Sewage Treatment Plant.
7. Forwarded a letter to Lou Belmont at PennDOT regarding installing additional “stop” signs and “stop ahead” signs at intersection of Dilworthtown Road and Westtown Road.

Township of Thornbury

Delaware County, Pennsylvania

Solicitors Report

May 6, 2009

The Township Solicitor, Robert P. Anderman, Esquire, reports as follows:

I. GREENBRIAR AT THORNBURY - ORLEANS

In this matter, the Solicitor has forwarded certified copies of the two (2) Resolutions to the Township Engineer for forwarding to Pennsylvania Department of Transportation in order to receive the liquid fuel fund reimbursement. The Solicitor has also forwarded two (2) copies to the Attorney for the Developer, however, the Recorder of Deeds office has refused to accept the Deed of Dedication due to an improper acknowledgement and therefore the Solicitor has requested the Attorney for the Developer to supply a new acknowledgement and when received the Solicitor should be able to record the Deed.

II. EQUALIZING SEWER COSTS ORDINANCE

In this matter, the Solicitor has advertised the above ordinance for a public hearing to be held on May 20, 2009 at 7:00 p.m.

III. TEMPLIN V. THORNBURY TOWNSHIP – MANDAMUS ACTION

In this matter, the Solicitor has conferred with the Representative of the Township insurance carrier and the insurance carrier may undertake representation in this case after the Plaintiff files an actual complaint setting forth a cause of action. The Township has also received a letter from the insurance carrier with the same information.

IV. PENNSYLVANIA HOME IMPROVEMENT CONSUMER PROTECTION ACT

The Solicitor has prepared a Resolution pursuant to the above Act of the legislature setting forth the policy of the Township in not issuing any permits to any home improvement contractor who is not registered with the Bureau of Consumer Protection in the Office of Attorney of General as indicated by a certificate of registration issued by the Bureau. The Resolution is for consideration of the Board of Supervisors.



REPORT OF THE ENGINEER

May Meeting
May 6, 2009

Work completed for the period:

Greenbriar Dallett - Residence construction continues.

Blantyre - House construction continues.

Mill Creek - No work in progress.

Grading and Encroachment Permits - Working with the Township Licenses and Inspections on several permits.

Andover - Construction continues on houses. Erosion problems are still of some concern. Work on the swale to Twin Pine Way should be underway week of May 4.

Burkholder Subdivision - No further action.

Guilday Subdivision - Plans have been reviewed. No further action.

Tall Trees - Toll Brothers contractor has flushed the drain line from the Strickland basin. Flushing did not remove blockage. The Developer will video the line to determine next course of action.

Cherry Farm - Requested schedule from the Developer for repair of sidewalks.

Palmer Park - Presented the scope of work for the Children's garden to the Park and Recreation Board. Bids are on the street and will be taken on May 11, 2009 @ 10AM.

FEMA - Completed review of mapping to determine which properties within the Township will be affected by the floodplain mapping revisions. A notification has been prepared for Township use. Mapping of the addresses affected is 95% complete.

Road Program 2009 - Completed bid package for the work on Slitting Mill Road. Bids have been advertised and bids are due May 11, 2009.

Municipal Complex Painting - Prepared the bid package for the painting rental buildings. Pre bid meeting will be held May 5, 2009. Bids are due May 11, 2009.

Snow Removal Contract - Bid package is prepared. Bids are due May 11, 2009.

Pa Recovery - Delaware County Planning Department has advised a second round of project funding is underway. Projects must be construction ready by February 2010.

MS4 Program - Received and reviewed the yr. 4 & 5 review from PaDEP. Minor items were reported. DEP has recommended improvement of the Township website to better inform residents of their responsibility to illegal discharges. The reviewer also suggested the implementation of a discharge hotline.

Energy Efficiency Community Block Grant - PaDEP has advised of funding available for energy conservation improvement projects. These projects include upgrades to public facilities to aid in the conservation of energy.



PENNONI ASSOCIATES INC.
CONSULTING ENGINEERS

THRN 01 00
April 30, 2009

ENGINEER'S REPORT
REGARDING WASTEWATER ISSUES
May 6, 2009

WEST SIDE SEWER EXPANSION – The end of the 30-day comment period for the re-advertisement of the Planning Module for the West Side Sewer Expansion has expired. There were no inquiries or comments received by the Township. The responses to the DEP comments have been submitted to DEP.

SLUDGE REMOVAL AND DISPOSAL – The executed 2-year contract for the Liquid Sludge Removal and Disposal has been returned to Wm. P. McGovern, Inc. of Kennett Square, PA and a Notice To Proceed for the contract was issued with the start date of May 1, 2009.

WASTEWATER TREATMENT PLANT –The plans and specifications for the equalization tank grating and air diffuser repairs are being completed.

As directed, we have forwarded a letter to the DEP requesting modified permit requirements for the phosphorous levels proposed in the draft permit renewal for the Township's wastewater treatment plant. We have had several recent telephone conversations with the DEP representative regarding the scheduling of a meeting to discuss the request.

CREEK ROAD WEST PUMPING STATION – Bids were received for the Creek Road West Pump Station Chemical Feed System Installation were received on April 30. A total of six (6) bids were received by the 10:00 AM deadline. The bids ranged from a low of \$45,940.00 to a high of \$58,900.00. The low bidder was A. J. Jurich, Inc. of Aston, PA in the amount of \$45,940.00 based on estimated quantities.

SUGGESTED MOTION: I move that Contract No. 2009-02, the Creek Road West Pump Station Chemical Feed System Installation, be awarded to the low bidder, A. J. Jurich, Inc. of Aston, PA in the amount of \$45,940.00.

SQUIRE CHEYNEY FARM SANITARY SEWERS – Construction of the pumping station in the Squire Cheyney Farm subdivision has begun. We have reviewed a request for release of escrow for the portion of the sanitary sewer system that has been constructed to date as submitted



ENGINEER'S REPORT REGARDING WASTEWATER ISSUES

May 6, 2009

Page 2

to the escrow holder, Thornbury Township, Chester County. The amount requested for release is \$ 206,465.28 which included release of the 10% contingency for items completed. **Upon review, we recommend the approval of Escrow Release No. 1 for the installation of sanitary sewers in the amount of \$ 187,695.71** which does not include any amounts to be released from the 10% contingency item.

SUGGESTED MOTION: I move that Thornbury Township, Chester County be authorized to release funds held in escrow for the sanitary sewer system in the Squire Cheyney Farm subdivision for Escrow Release No. 1 in the amount of \$187,695.71.