

THORNBURY TOWNSHIP, CHESTER COUNTY
BOARD OF SUPERVISORS
REGULAR MEETING
MINUTES – April 21, 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, Robert Miller, Percy Neall, Lou Gagliardi, and Mike Gast (Via Teleconference) Board Members, Kathy Labrum, Esq., Solicitor; and Cary Vargo, Township Manager. An executive session was held before the regularly scheduled meeting to discuss personnel matters. There were 6 signed guests.

II. WESTTOWN EAST GOSHEN POLICE REPORT – Chief Dumond

Chief Dumond presented the March police report. There were 117 calls for service which constituted 10 % of the total calls for the three Townships.

Chief Dumond introduced Dale McClure, Michael Cotter and Jon Stafford from the West Chester Fire Department. Chief Dumond detailed the emergency response to the recent motor vehicle accident that occurred at Greentree Drive and Route 202. Emergency responders included WEGO, the Birmingham Township Police Department, the West Chester & West Goshen Fire Departments, and emergency medical services. Chief Dumond was unable speak in detail due to the fact that the incident is an ongoing police investigation.

Chief Michael Cotter stated that the fire department was present this evening to answer any questions on the emergency response to the accident. Chief Cotter addressed recent media reports about possible delayed response to the accident and provided assurances that the response was timely and appropriate.

Lou Gagliardi asked how the issue of a delayed response may have arisen.

Chief Cotter stated that while on scene of an emergency, awaiting emergency responders, it can seem like an extended period of time until responders arrive. Chief Cotter reminded everyone of the process of calling 911, receiving the call, dispatch, and then a response is initiated.

Bob Miller inquired about the Krapf bus that passed very close to the accident.

Chief Dumond noted that at the time there were only 2 police officers on scene and at no time did they direct the bus through the accident scene.

III. MANAGER'S REPORT – Cary Vargo

Cary Vargo provided a brief history of actions taken at Greentree and Route 202 to insure the safety of the intersection. We can all agree that these incidents were horrible tragedies. We all must be cognizant of the dangers always present on our roadways. Everyone here recognizes that section 100 of Route 202 is in need of attention and the Township continues to work with adjoining municipalities, Chester County, and the DVRPC to call attention to this issue. The ongoing delays and lack of funding has been a point of frustration for many people, including past and current Boards of Supervisors. The Township takes safety on our roadways very seriously. In October 2007 The Board of Supervisors approved, and the Township installed, a 12 hour battery back-up at the intersection of Greentree and Route 202. The Township has also upgraded the battery back-up at Route 202 AND Route 926 from an 8 hour back-up to a 12 hour back-up.

On June 16, 2008 there was a traffic collision at 202 and Greentree Drive resulting in a fatality. The immediate response of the Township was to carefully evaluate the roadway and the intersection for any variables under immediate Township control. The following precautionary actions were taken:

1. A static "Traffic Signal Ahead" warning sign for north-bound traffic was replaced in front of 1275 Wilmington Pike with a new, reflective sign.
2. Contacted Penn Dot Maintenance and requested that brush and trees be cut back on the east side of Route 202 to insure adequate line of sight to the crest of the hill.
3. The Township continued the removal of additional brush and trees in that same area.
4. Penn Dot evaluated the phasing of the traffic signal and added 1 second of all red time to the phasing of the traffic signal to allow the intersection to clear before the light phases.
5. On July 15, 2008 – the Board of Supervisors approved the purchase and installation of strobes for both the north-bound and south-bound red signals. Penn Dot later advised the Township that this measure is not recommended by the USDOT FHWA as a primary measure to combat red light running and recommended a digital wave radar system known as Wavetronix. Township staff researched this as a possibility to include a demonstration in January 2009. The Township has attempted to obtain grant funding in order to install the Wavetronix unit at both intersections on Route 202 – Greentree/202 and 926/202.

Monday, April 13, 2009 a second traffic collision at 202 and Greentree Drive resulting in a fatality. The Township's response was as follows:

1. Contacted Penn Dot verbally and through written correspondence in regards to additional measures that could be taken on this particular stretch of Route 202 to make the intersection as conspicuous as possible.
2. Requested additional police department patrol and traffic enforcement in the area.

The following measures will be presented this evening to the Board of Supervisors for their consideration:

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1. The purchase and installation of a flashing advanced warning device to be installed in the area of 1275 Wilmington Pike. This device will consist of 2 – 8” amber colored flashing lights on a 14’ ped-pole.
2. The installation of white strobes in the red signals, for both north and south-bound Route 202 traffic and;
3. The purchase and installation of the Wavetronix unit at the intersection of Greentree and Route 202.

The Township will continue to work to get the Wavetronix unit installed at Route 202 and Route 926, either through land development or through grant funding. The Township continually assesses roadway and intersection conditions with a careful eye towards safety measures that can be taken to insure public safety. The Board of Supervisors and staff will certainly listen intently to anyone who may have suggestions on how to insure the safety of the motoring public. We believe these upgrades will represent considerable safety improvements at the intersection of Greentree Drive and Route 202.

Sal Alfano expressed his concern for safety on township roadways, specifically Route 202 and Greentree Drive and Route 202 and Penn Oaks Drive and suggested possible measures such as red light cameras, enforcement signage, and unmanned police cars.

Cary Vargo noted that the intersection of Route 202 and Penn Oaks Drive is in Birmingham Township. Thornbury Township has requested that a “No Turn on Red” sign be placed at the intersection of Route 202 and Penn Oaks Drive. The signage was approved by Penn Dot, but denied by the Birmingham Township Board of Supervisors. .

Lou Gagliardi noted that Township residents know to stop and look both ways before entering the intersection, it’s those drivers who are unfamiliar with the intersection who are the primary concern. Lou expressed support for red light cameras.

Kathy Labrum noted that the cameras are legal but local enabling legislation would be required.

IV. APPROVAL OF MINUTES

A. March 24, 2009

Lou Gagliardi inquired about the recycling, if there was any follow up.

Cary Vargo noted that he has not spoken with Jeff Seagraves as of yet.

Mike Gast requested additional language be added under the Cheyney Liaison Report (page 5) addressing Cheyney Universities safety and security committee.

Bob Miller motioned to approve the minutes with the changes. The motion was seconded by Lou Gagliardi. All were in favor. Motion carried.

V. **AGENDA BUSINESS:**

1. **Approve Capital Purchase – Wavetronix, \$17,292**

Lou Gagliardi asked Cary Vargo to explain the operation of the Wavetronix unit.

Cary Vargo noted that Wavetronix is Digital Wave Radar technology that monitors a pre-determined dilemma zone and looks for opportunities to phase the traffic light safely. The goal of the unit is to improve safety and efficiency at the intersection.

Bob Miller requested a review of the operation of the unit once installed to insure that safety and efficiency were being optimized.

Cary Vargo noted that he will communicate with the installation team to determine the available adjustment parameters.

Bob Miller motioned to approve the Capital Purchase of the Wavetronix Digital Wave Radar Unit for \$17,292 and installation by Charles A. Higgins & Sons at Route 202 and Greentree Drive. The motion was seconded by Ed Travis. All were in favor. Motion carried.

2. **Approval of Signal Upgrades, \$ 7,819**

Cary Vargo detailed the two separate proposed infrastructure upgrades to include: installation of strobe lights for north and south-bound Route 202 traffic at a cost of \$3,653 and installation of an advanced “Signal Ahead” warning device with (2) 8” amber colored flashers to be installed on a 14’ ped-pole for cost of \$4,166.

Bob Miller inquired about a “Red Signal Ahead” light, tied directly into the phasing of the traffic signal.

Cary Vargo noted that staff did investigate this option but it was found to considerably more expensive and, in an effort to maximize resources at the intersection, was not immediately pursued.

Ed Travis suggested that any signage be placed on a mast arm extended out over the roadway to allow all traffic the opportunity to see the signage.

Cary Vargo stated that funding for upgraded signage will be pursued through avenues such as land development and grant funding.

Percy Neall motioned to approve the purchase and installation of the signal upgrades for a total cost of \$7,819. The motion was seconded by Ed Travis. All were in favor. Motion carried.

3. Approval to subscribe to the Chester County Septage Management Data System, \$100/month - 2009 Costs \$800.

Cary Vargo reviewed information on Chester County's Septage Management Data System presented by Ralph DeFazio of the Chester County Health Department at the recent work session. By ordinance, and recommended in the Township's ACT 537 plan, the Township is supposed to have a Septage Management program. The ordinance states that residents with a septic system are to have their tanks pumped every three years and the Township is supposed to be monitoring and enforcing this. The data system will provide staff with information on compliance and identify problems to be addressed. The cost of that data system is \$100.00 a month and is reimbursable through the DEP for 85%. The cost for this subscription is pro-rated for 2009 and will be \$800. The 2010 cost for this program is expected to be \$1,200. The septage management program also includes public outreach and education using media such as the Township newsletter, email and the web site.

Percy Neall inquired about additional cost and managerial time that may be involved.

Cary Vargo noted that the program will require staff time and effort.

Lou Gagliardi motioned the approval to subscribe to the Chester County Septage Management Data System. The motion was seconded by Percy Neall. All were in favor. Motion carried.

4. Preserve at Squire Cheyney Escrow Release #1 \$1,874,949.88

Cary Vargo noted that Orleans requested \$1,874,949.88. Yerkes recommended the release of \$1,524,215.05. The variance is the result of the sanitary sewer request. This portion of the request must be reviewed by Thornbury Township, Delaware County's engineers. There was also a request to release \$163,039.12 from the contingency line item. Funds in this line item will not be released until the end of the project. The final recommendation is to release \$1,524,215.05.

Percy Neall asked if there are any outstanding issues with the project.

Cary Vargo replied that there were no current issues with the project.

Percy Neall motioned to approve Squire Cheyney Escrow Release # 1 for \$1,524,215.05. The motion was seconded by Ed Travis. Percy Neall, Ed Travis, Mike Gast, and Bob Miller were in favor. Lou Gagliardi opposed. Motion carried.

5. Meadowcroft Presbyterian Church Escrow Release #3, \$40,242.50

Cary Vargo noted that Meadowcroft Presbyterian Church requested \$40,242.50. Yerkes is recommending \$39,042.00. The release included an item for \$1,200.50 not originally documented in the escrow spread sheet.

Bob Miller asked if there are any issues that need to be reviewed by the Historic Preservation Commission.

Cary Vargo noted that the project has moved ahead with no issues of concern.

Lou Gagliardi inquired about the remaining funds in escrow, \$453,157.87; is the contingency of \$50,567.45 include in this total.

Cary Vargo noted that it is.

Ed Travis motioned to approve Meadowcroft Presbyterian Church Escrow Release # 3 for \$39,042.00. The motion was seconded by Bob Miller. All were in favor. Motion carried.

6. Approval to File Civil Complaints for Outstanding Funds Owed to the Township.

Cary Vargo noted that there are seven statements detailing funds owed to the Township for land development, permitting and rent. The total outstanding amount owed is \$20,478.68. Township staff will make one last effort to collect the funds before forwarding a request to file complaints to the Township Solicitor.

Lou Gagliardi requested that staff review the invoices in order to determine if there is any background or reason for the non payment.

Cary Vargo noted that the invoices related to permitting or land development are funds that the Township has already paid and has not been reimbursed for. In the interest of revenue management the funds should be pursued.

Tom Spackman inquired about Mr. Lal's property and monies owed to the Township.

Kathy Labrum noted that Mr. Lal has appealed recent judgments. The scheduled date in the Court of Common Pleas is May 13, 2009.

Ed Travis inquired about negotiation of outstanding invoices.

Kathy Labrum noted that the filing of a complaint does not restrict the ability to negotiate.

Bob Miller motioned to approve the filing of civil complaints for outstanding funds owed to the Township. The motion was seconded by Ed Travis. All were in favor. Motion carried.

7. Approve Frens & Frens Proposal – Dallet House Existing Conditions Drawings, \$3,520

Cary Vargo noted that the Historic Preservation Commission requested that Frens & Frens complete existing conditions drawings on the Dallet House. Dale Frens forwarded a proposal with a not to exceed price of \$3,520. This expenditure can be covered with the last of the DCED grant funds.

Bob Miller confirmed that this was not a repeat of work already completed.

Cary Vargo confirmed that the Township has not previously had existing conditions drawings completed on the Dallet House

Ed Travis motioned to approve Frens & Frens proposal for the existing conditions drawings of the Dallet House, not to exceed \$3,520. The motion was seconded by Bob Miller. All were in favor. Motion carried.

VII. PUBLIC COMMENT PERIOD

None was heard at this time.

VIII. COMMISSION REPORTS

A. Planning Commission

No report

B. Historic Preservation Commission

Tom Spackman noted the commission is moving forward in developing plans for the Dallet property. Dale Frens attended a recent meeting and reviewed designs with the commission members. We would like to have the Supervisors come to our next meeting.

Bob Miller inquired about a process that can be used to find people who may want to buy or lease the property.

Tom Spackman noted that it very difficult to find someone with the interest and resources.

C. Park and Recreation – Percy Neall

The Township Egg Hunt was a great success.

D. Council of Governments – Mike Gast

The next WCACOG's meeting is scheduled for April 30th, 2009.

E. Cheyney Liaison – Mike Gast

Mike Gast noted that a draft report issued by the Cheyney University Safety and Security Committee had been issued and the final report should be completed by the end of the month.

F. Dallet Property

No report

IX. OPERATION REPORTS

A. Road Master Report- Mike Aiello

Mike Aiello noted that all of the old road work has been completed. The traffic counter will be deployed on S. Concord Road. I will meet with Cary to complete an evaluation of Township roadways in advance of the 2009 road work. Mike inquired about a suitable location for a salt shed and expressed support for placement to the rear of the Town Center.

B. Treasurers Quarterly Report – Bob Miller

Bob Miller presented the Treasurers Quarterly report and reviewed points of interest.

Ed Travis motioned to approve the Treasurer's Quarterly Report as presented. Percy Neall seconded the motion. All were in favor.

C. Approval of Bill List, \$161,441.64 – Bob Miller

Bob Miller presented the March bill list for \$161,441.64 and reviewed the major expenditures.

Ed Travis motioned to approve the bill list as presented. Bob Miller seconded the motion. All were in favor. Motion carried.

X. OTHER MATTERS

No other matters were discussed.

XI. ADJOURNMENT

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

Respectfully Submitted,

Cary B. Vargo
Township Manager/Secretary