

**THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS  
REGULAR MEETING  
MINUTES – June 16, 2009**

**I. CALL TO ORDER**

The regularly scheduled meeting of the Thornbury Township Board of Supervisors was called to order by Ed Travis at 7:10 P.M. in Thornbury Township's meeting room. In attendance were Supervisors Ed Travis, Chairman; Mike Gast, Vice-Chairman; Robert Miller, Percy Neall, Lou Gagliardi Board Members, Kathy Labrum, Esq., Solicitor; and Cary Vargo, Township Manager. An executive session was held after the regularly scheduled meeting to discuss personnel and legal matters. There was 1 signed guest.

**II. WESTTOWN EAST GOSHEN POLICE REPORT – Sergeant Gorman**

Sergeant Gorman presented the April police report. There were 155 calls for service which constituted 12 % of the total calls for the three Townships.

Sergeant Gorman noted that there was an arrest in the fatal accident that occurred in April.

Bob Miller inquired about thefts from vehicles at night. Bob also inquired about solicitation in the township.

Cary Vargo noted that there was a recent application for a solicitors permit. Township staff will notify the police department if and when the permit is issued.

**III. MANAGER'S REPORT – Cary Vargo**

1. PennDot sub-contractors have finished cutting back the vegetative canopy on Route 926 west of Westbourne Road. This will allow more light onto the roadway and should allow for better vision west on Route 926.
2. The existing conditions drawings for the Dallet House have been completed by Frens and Frens. The product is available for inspection.
3. A meeting was held with all stakeholders regarding road improvements on Route 926 to be made by Benson Companies near the Brinton Village sub-division. This includes approximately 800 feet of road widening to accommodate a left turn lane for west-bound traffic into the development and a deceleration lane for east-bound traffic. PennDot agreed that there was no compelling reason to delay any of the originally proposed improvements. PennDot received a commitment from the PM that preparations for the road improvements will move forward as soon as possible. Timeframe, with design and engineering, re-location of utilities etc. will be construction for Spring/Summer 2010. Benson will be addressing storm water issues on Route 926 immediately. Storm water tends to pond on the roadway and creates a

potential hazard. PennDot and Benson will have this addressed in this construction season.

4. Staff members have attended various seminars in the past month.
5. There are sections of Braxton Lane and Bainbridge Drive where the concrete storm water gutters are sinking, and in some cases, causing the roadway edge to sag. John Neff evaluated this condition for safety. Neff stated that this should be monitored very closely but, at this time, it does not need to be addressed. At some point in the future, this will be a costly repair. John Neff estimates the costs to be approximately \$20,000 for a 100' + section.

Percy Neall noted that the builder of that development, Vaughn, is working at 926 and 202. If the installation was not up to code, it should be checked into.

Cary Vargo noted that he will investigate.

6. The Department of Environmental Protection is scheduled to conduct mosquito spraying in the Township Thursday evening June 18, 2009 with a rain date of Monday, June 22, 2009. The information has been posted on the web site.
7. All of the inspections at CVS have been completed, except for the landscaping. There have been some issues noted; staff will be working with Yerkes, and the BAT HOA to rectify the situation.

Ed Travis inquired about the possibility of electric service on the west side of Route 202 to be used for advanced warning signage.

Cary Vargo noted that Higgins Electric is evaluating the situation.

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

##### **A. May 26, 2009 (BOS Meeting)**

Bob Miller noted a change on page 7 under Planning Commission Report. replace "I" with the proper name of Jim Jordan.

Bob Miller also noted a discussion held in reference to the lack of an acceleration lane at CVS.

Mike Gast inquired if we had any feed back from the discussion last month with Josephine Brackel.

Cary Vargo noted that staff will be deploying the traffic counter to evaluate volume and speed on the roadway. Staff will also be evaluating the Township's Air Brake Ordinance and move forward with any changes that may be needed.

**Mike Gast motioned to approve the minutes with the above changes. The motion was seconded by Percy Neall. All were in favor. Motion carried.**

**V. AGENDA BUSINESS:**

**1. BLUER Presentation – Resolution 2009-7**

David Mazzocco, BLUER member, provided a brief history of the West Chester BLUER organization. Mr. Mazzocco explained that BLUER is asking for support to apply for available stimulus funds via a competitive grant process in order to start an independent regional energy office serving the members of the West Chester Area Council of Governments. Mr. Mazzocco explained that the office would benefit the municipality and its residents in three ways:

- a) The office will provide an avenue to obtain energy audits and facility/infrastructure upgrades. This service will be available for residential, commercial and governmental agencies. Municipalities will retain a portion of the resultant cost savings.
- b) The energy office will assist in the pursuit of grant funds to pay for energy saving activities, alternative energies etc.
- c) In anticipation of the end of rate caps, the office will participate in negotiating reduced energy rates for the region.

Lou Gagliardi inquired about other municipalities participating in this program, local and otherwise.

Mr. Mazzocco noted that all members of the WCACOG's are being asked to participate. Ann Arbor, Michigan is the model for the proposed energy office.

Bob Miller noted that the Westtown East Goshen Regional Police Commission has moved to support this effort. There will be no cost to the Township.

Patty Neall inquired about the goal or a percentage of return for the cost savings.

Mr. Mazzocco stated that in the Ann Arbor Michigan program the percentage share is 80% back to the energy office with the participating municipalities keeping 20% of the cost savings. This percentage will be negotiable and will be determined by a committee at a later date. The goal is for the office to be self-sustaining.

**Ed Travis motioned to approve Resolution 2009-07, approval to seek funding for the creation of the West Chester Area Council of Government's Energy Office. The motion was seconded by Bob Miller. Ed Travis, Mike Gast, and Bob Miller were in favor. Lou Gagliardi and Percy Neall opposed. Motion carried.**

**2. Brinton Village Escrow Release # 14, \$14,969.10**

Cary Vargo noted that Yerkes has evaluated the escrow request and have expressed no issues of concern at this time.

**Ed Travis motioned to approve Brinton Village Escrow Release #14, \$14,969.10. The motion was seconded by Mike Gast. All were in favor. Motion carried.**

**3. Approve 2 Month lease Extension – Goose Creek Grill, Resolution 2009-10**

Cary Vargo noted that the current lease expires September 30, 2009. Staff has recently met with the attorney representing the operators of the Grill in order to address several minor issues in the lease extension. The operators of the Grill have requested a two month extension to allow for these discussions to continue.

There was a brief discussion about details of the lease.

**Lou Gagliardi motioned to the approve Resolution 2009-10, a 2 month lease extension with all terms and conditions remaining the same. The motion was seconded by Percy Neall. All were in favor. Motion carried.**

**4. H2O Grant Application, Resolution 2009-11**

Cary Vargo noted that this resolution amends Resolution 2009-4, previously approved by the Board on February 10, 2009. Resolution 2009-4 requested only the Township's portion of the grant which totaled \$545,688. The DCED is requesting a resolution for the full amount requested, \$896,808. The Township's bottom line does not change.

Mike Gast noted that this is just an administrative correction requested by the DCED.

**Mike Gast motioned to approve Resolution 2009-11. The motion was seconded by Bob Miller. All were in favor. Motion carried.**

**5. Approval to Advertise the 2009 Roadway Paving Project**

Cary Vargo noted that the Township has two roadways in need of repair and paving, Westbourne Road and Cheyney Road. Cary recommended that the Board approve advertising the repairs and paving to Westbourne Road only, due to the higher than expected costs.

Percy Neall inquired about the length of the area to be repaired on Cheyney Road.

Cary Vargo noted that the area of Cheyney Road runs from 1230 Cheyney Road to the intersection at Route 926.

Ed Travis inquired about advertising for both roadways under separate bid and accepting only one if costs were found to be too high.

Percy Neall inquired about the width of Westbourne Road; he does not want to see the roadway widened during repair and paving.

Lou Gagliardi expressed a concern that if the housing market picks up we will have the construction vehicles damaging the newly paved roadway on Westbourne Road.

**Lou Gagliardi motioned to approve advertising the bid package to repair and pave Westbourne Road from South Concord Road to Sage Hill Drive and also for Cheyney Road from 1230 to Route 926. The motion was seconded by Mike Gast. All were in favor. Motion carried.**

**6. Resolution 2009-12, Prioritization and Importance of Immediate Action on section 100 of the Route 202 Improvement Project**

Resolution 2009-12 details the history of Section 100 of Route 202 and the delays that have plagued design and construction. The Board of Supervisors expressed the high priority and importance of this project for reasons such as safety and economic concerns. Resolution 2009-12 is attached to these minutes as a reference.

**Mike Gast motioned to approve Resolution 2009-12, Prioritization and Importance of Immediate Action on Section 100 of the Route 202 Improvement Project. The motion was seconded by Ed Travis. All were in favor. Motion carried.**

**VI. OTHER MATTERS**

Percy Neall inquired about the proposed Scenic Roadway Ordinance.

Mike Gast noted that he has concerns with a few sections of the ordinance. Mike stated that he would like to be able to discuss his concerns at a work session but wants to get this task completed.

Percy Neall noted that if the Board would like to mark it up and return the input to Township staff we can start to move forward.

Tom Spackman requested a copy of the Scenic Roadway Ordinance.

Cary Vargo noted that he will email it to him.

**Percy Neall motioned to approve advertising of the Scenic Roadway Ordinance. The Motion was seconded by Lou Gagliardi. Percy Neall and Lou Gagliardi were in favor. Ed Travis and Bob Miller opposed. Mike Gast abstained. Motion not carried.**

**VII. PUBLIC COMMENT PERIOD**

Ed Travis announced that Don Macpherson, a long time Township resident and volunteer recently passed away. Don was very active in the Township, serving on the Historic Preservation Commission and the Zoning Hearing Board. Don will be sorely missed.

Tom Spackman reviewed costs pertaining to structural stabilization of the Dallet Barn.

Remove interior stone wall - \$6,700 (retain stone)  
Topping wall - \$4,800  
Fix lower wall - \$2,100  
Concrete - lower wall - \$4,000 (cement injection)  
Post - \$1,000  
Granary pointing - \$35,000

Tom Spackman inquired about the fence around Cheyney University.

**VIII. COMMISSION REPORTS**

**A. Planning Commission – Jim Jordan**

No Report

**B. Historic Preservation Commission – Cary Vargo**

No Report

**C. Park and Recreation – Percy Neall**

No report

**D. Council of Governments – Mike Gast**

No Report

**E. Cheyney Liaison – Mike Gast**

No Report

**F. Dallet Property**

No Report

**IX. OPERATION REPORTS**

**A. Road Master Report- Cary Vargo**

No report

**B. Approval of Bill List, \$97,500.93 – Bob Miller**

Bob Miller presented the June bill list for \$97,500.93 and reviewed the major expenditures.

Percy Neall inquired about the cost of purchasing Mutt Mitts for the park.

**Ed Travis motioned to approve the bill list as presented. Lou Gagliardi seconded the motion. All were in favor. Motion carried.**

Lou Gagliardi inquired about negotiations with WEGO for police services.

Mike Gast noted that there have been several meetings with the next being scheduled for June 17, 2009.

Percy Neall expressed support for researching all available alternatives.

**X. ADJOURNMENT**

**Ed Travis motioned to adjourn the meeting. Bob Miller seconded the motion. All were in favor. Motion carried.**

Respectfully Submitted,

Cary B. Vargo  
Township Manager/Secretary

**THORNBURY TOWNSHIP  
CHESTER COUNTY**

**ROUTE 202 - SECTION 100 IMPROVEMENT PROJECT**

**RESOLUTION 2009 - 12**

**WHEREAS**, traffic issues in Thornbury Township, Chester County have reached crisis proportions; and

**WHEREAS**, the safety of both our residents and motorists using Section 100 of Route 202 cannot be reasonably assured; and

**WHEREAS**, the traffic burdens imposed upon our residential neighborhoods by motorists trying to circumvent delays on this section of Route 202 create safety hazards as well as economic issues; and

**WHEREAS**, in the short section of Route 202 situated in Thornbury Township (a stretch of approximately 0.6 miles) there have been three fatal accidents in the last three years (two in the last nine months) and at least three other fatal accidents in adjacent stretches of Route 202 within the last few years; and

**WHEREAS**, the problems presented by the at-grade intersections on Section 100 of Route 202 continue to cause numerous, major non-fatal accidents in Thornbury Township, **eighty five** in the last 2 ½ years, resulting in substantial property damage, physical injuries and economic losses; and

**WHEREAS**, the Route 202 Section 100 Project has been in the TIP since at least FY 1999 (FY 1999 is the oldest TIP on the DVRPC website), but funding for this project has been programmed in fits and starts; and

**WHEREAS**, funds allocated for this vital project have been redirected to other projects deemed to have a higher priority with no provisions made to ameliorate any of the dangerous problems associated with this roadway; and

**WHEREAS**, to date, no funding has been designated for revisions to Section 100 and not one repair or revision has been commenced on this Section of the highway; and

**WHEREAS**, the Township has independently taken all actions available to it to improve the safety of the intersections in its jurisdiction, including installing battery backup systems; installing strobe lights to make the traffic lights more visible, installing caution signs with flashing lights to draw motorists' attention to upcoming traffic lights, removing roadside vegetation and installing a Wavetronix System to help manage light changes during times when the system senses that a vehicle or vehicles will not be able to stop for a normal light change; and

**WHEREAS**, the Board of Supervisors of Thornbury Township believes that Section 100 of the Route 202 Improvement Project should be divided into manageable pieces (as was done for Section 300) with priority given to redesigning and reconfiguring the major intersections to

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create a more continuous flow of traffic; that it is long past the time that the State should have acted to resolve the serious safety issues that Section 100 of Route 202 presents; that the rapid completion of Section 100 of the Route 202 Improvement Project is critically important to the safety as well as the economic well being of both our Township and the region; that the expedited design and construction of this section of the roadway will improve the quality of life of the residential areas of the Township while at the same time improving the safety of the traveling public; and that Thornbury Township has done everything in its power to protect the lives of our residents and those of the many motorists using this Section of Route 202, it is now time for responsible action by the Commonwealth to immediately redesign and make the improvements to this stretch of Route 202 that will make it safe.

**NOW THEREFORE**, the Township of Thornbury, Chester County, hereby urgently requests that PennDot, the DVRPC, Governor Edward G. Rendell, and the Pennsylvania Legislature immediately move forward with improvements to Section 100 of Route 202 which have been "in the works" for over 10 years and that this be done expeditiously and with the highest possible priority.

**RESOLVED THIS 16<sup>TH</sup> DAY OF JUNE, 2009 BY THE  
THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS**

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**Ed Travis, Chairman**

**Mike Gast, Vice-Chairman**

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**Lou Gagliardi, Supervisor**

**Robert Miller, Supervisor**

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**Percy Neall, Supervisor**

**Attest:  
Cary B. Vargo  
Township Manager/ Secretary**