

TOWNSHIP OF RADNOR
Minutes of the Meeting of February 13, 2017

The Radnor Township Board of Commissioners met at approximately 6:30 PM in the Radnorshire Room in the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087

Commissioners Present

Elaine Schaefer, President Phil Ahr, Vice President Donald Curley Luke Clark
John Nagle Richard F. Booker

Absent: *James C. Higgins*

Also Present: *Robert A. Zienkowski, Township Manager; Peter Nelson, Township Solicitor; Steve Norcini, Director of Public Works; William Colarulo, Superintendent of Police; Andrew Block, Lieutenant of Police; Christopher Flanagan, Lieutenant of Police; Kevin Kochanski, Director of Community Development; Tammy Cohen, Director of Community Programming & Recreation; Roger Philips, Township Engineer; Amy Kaminski, Traffic Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

President Schaefer called the meeting to order

Notice of Executive Session on February 13, 2017

All commissioners were in attendance at the February 13, 2017 Executive Session where matters of personnel and litigation were discussed.

1. Consent Agenda

- a) *Staff Traffic Committee Meeting Minutes - January 18, 2017*
- b) *HARB*
- *HARB - 2017-03 – 205 Poplar Avenue - Small sunroom addition at rear with new siding on entire structure*
- c) *Disbursement Review and Approval: 2017-01A, 2017-01B, 2017-02A*
- d) *Request to go out to bid for microphone and camera replacement for the Radnorshire Room*
- e) *Resolution #2017-19 - Award of Tree Removal and Pruning Project at Harford Park*
- f) *Resolution #2017-20 - Authorization to Purchase Capital Vehicles and Equipment, 2017 Approved Budget*
- g) *Resolution #2017-21 - Emergency Repair to Packer #27*
- h) *Resolution #2017-22 - Authorization to Award the HVAC Maintenance Contract for the Township Building, Radnor Activity Center, and Public Works Facility*
- i) *Resolution #2017-31 - Authorization for Township Manager to Bind Coverage for Group Long-Term Disability Insurance*
- j) *Resolution #2017-32 - Authorization for Township Manager to Bind Coverage for Group Term Life and AD&D Insurance*

Commissioner Clark made a motion to approve, seconded by Commissioner Ahr. Motion passed 6-0 with Commissioner Higgins absent.

2. Public Participation

Dan Sherry, Wayne – He commented in regards to his disagreement of item F which was removed from the agenda. He also spoke in regards to a potential conflict which he believes Commissioner Schaefer has with University of Penn.

Leslie Morgan, Farm Road – She inquired in regards to an update of the tax situation of 145 King of Prussia Road.

Solicitor Rice commented in regards to a letter that the Township has received from Penn Medicine about a tax exemption.

3. Committee Reports

PERSONNEL & ADMINISTRATION

A. Resolution #2017-25 - Recognizing and Celebrating the Month of February as Black History Month

Commissioner Ahr made a motion to approve, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Higgins absent.

B. Presentation by Sports Legends of Delaware County Museum – Black History Month

Jim Vankoski, President of Sports Legend of Delaware County Museum made a brief presentation in honor of Black History Month.

C. Discussion of a possible Township contribution toward a Emlen Tunnell Statue for the Sports Legends of Delaware County Museum

Phil Damani, Chair of the Sports Legends of Delaware County Museum briefly spoke in regards to the request of \$25,000 contribution from Radnor Township which would represent 25% of the total cost for a bronze statue of Emlen Tunnell to be placed outside of the Township Building.

There was a brief discussion amongst the Commissioners in regards to the potential donation from Radnor Township. It was the sense of the Board that the Museum return to the Board of Commissioners after exhausting their other options for contributions.

Public Comment

Sara Pilling, Garrett Avenue – She commented in regards to the history of Emlen Tunnell Field.

Dan Sherry, Wayne – He commented in regards to comments made by Commissioners in regards to raising funds privately first then coming back the Board.

D. Presentation and Proposal by CARFAC regarding Communication with the Community with Possible Motion

Mark Blair, Chair of CARFAC briefly spoke and made the following recommendations to the Board of Commissioners:

In an endeavor to promote communication with the community and the Board of Commissioners, Chair of the CARFAC recommends the following for consideration by the Board of Commissioners:

1. CARFAC will televise three meetings per year, the topics of which will include a) its Projects for the current year, b) Audit results of the prior year, c) the Budget for the next year.
2. The Chair of CARFAC will provide the minutes of CARFAC meetings to the President of the Board of Commissioners and the Township's website manager within five business days of the meeting at which they are approved.
3. Requests of a project to be undertaken by CARFAC must be approved by the Board of Commissioners, with specificity as to what is to be accomplished and the work product expected.
4. CARFAC encourages Commissioners and the public to attend its meetings.
5. CARFAC urges the Board of Commissioners, residents and business owners to review its minutes on the Township

website and to call their respective Commissioner with their questions and comments.

Commissioner Schaefer made a motion to approve the above recommendation from CARFAC, seconded by Commissioner Nagle. Motion failed with Commissioners Booker, Clark and Curley opposed.

There was a brief discussion amongst the Commissioners in regards to the above recommendations.

Commissioner Curley made a motion to amend the original motion to strike “must be approved” and change it to “must be submitted for approval”, seconded by Commissioner Booker. Motion passed 6-0 with Commissioner Higgins absent.

Commissioner Curley made a motion to amend the original motion to revise that all meetings are televised, seconded by Booker. Motion failed with Commissioners Ahr, Schaefer and Nagle opposed.

Public Comment

Leslie Morgan, Farm Road – She commented in regards to the possibility of residents giving a suggestion of a project for CARFAC to work on.

Dan Sherry, Wayne – He spoke in regards to the televising of CARFAC meetings.

E. Discussion and Possible Motion Regarding Audit Standing Committee of the Board of Commissioners

Commissioner Ahr made a motion to dissolve the Ad-Hoc Finance and Audit Committee, seconded by Commissioner Schaefer.

There was a brief discussion amongst the Commissioners. Ed Caine, member of CARFAC gave a brief background on the Ad-Hoc Finance & Audit subcommittee.

Public Comment

Dan Sherry, Wayne – He commented in regards to holding Solicitor Rice accountable.

Commissioner Schaefer called the vote, Motion passed 6-0 with Commissioner Higgins absent.

F. Discussion and Possible Motion to Appoint Ethics Board Solicitor

Removed from the Agenda

COMMUNITY DEVELOPMENT

G. Discussion and possible motion to support the following appeal to the Zoning Hearing Board:

- *APPEAL #2982 - The Applicant, All Seasons Flowers and Produce LLC, property located at 912 Conestoga Road and Zoned GH-CR, seeks relief from Section 280-49.11(B) and/or (D) of the GHZD to permit the seasonal sales of flowers and related products within the front yard setback. Applicant seeks a variance or such other relief required to permit sales, and storage after business hours within the front yard setback.*

Commissioner Curley made a motion to support the above appeal, seconded by Commissioner Clark.

Commissioner Ahr made a motion to amend the motion to authorize Mr. Kochanski to represent the Boards opinion in support of the variance with the proviso of the condition that it not be attached to the property in perpetuity but rather the current tenant, seconded by Commissioner Curley.

Public Comment

Jane Galli, Barcladen Road – She in support of the above motion.

Toni Bailey, Barcladen – She asked for clarification of when this will appear in front of the Zoning Hearing board.

Sara Pilling, Garrett Avenue – She is in support of the above appeal.

Commissioner Schaefer called the vote on the amendment, motion passed 5-0 with Commissioner Nagle abstaining and Commissioner Higgins absent.

Commissioner Schaefer called the vote on the underlying motion, motion passed 6-0 with Commissioner Higgins absent.

FINANCE & AUDIT

H. Q4 2016 Finance Update

Bill White, Finance Director gave a presentation of the Q4 Finance Update which can be found on the Township website at: <http://www.radnor.com/910/Board-of-Commissioners-Presentations>.

I. Discussion and Presentation of Status and Timeline of Bond Funded Projects

Tammy Cohen, Director of Recreation and Community Programming gave a presentation which can be found on the Township website at: <http://www.radnor.com/910/Board-of-Commissioners-Presentations>.

J. Ordinance #2017-04 - (Introduction) Authorizing a change in purpose for certain proceeds of the Township of Radnor's General Obligation Bonds, Series 2016 to reallocate \$300,000 of funds borrowed for the Villanova-Chew Segment Trail to the Library Improvement Project

Commissioner Ahr made a motion to introduce, seconded by Commissioner Schaefer.

Public Comment

Rick Leonardi, Aldwyn Lane – He commented in regards to borrowing money to soon.

Commissioner Schaefer called the vote, motion passed 5-0 with Commissioner Nagle not in the room and Commissioner Higgins absent.

PUBLIC SAFETY

K. Ordinance #2017-01 - (Adoption) - Removal of a handicapped parking space on South Lowry's Lane

Commissioner Schaefer made a motion to adopt, seconded by Commissioner Ahr. Motion passed 5-0 with Commissioner Curley not in the room and Commissioner Higgins absent.

L. Ordinance #2017-02 - (Adoption) - Establishing a new handicapped parking space on Rockingham Road

Commissioner Schaefer made a motion to adopt, seconded by Commissioner Clark. Motion passed 5-0 with Commissioner Curley not in the room and Commissioner Higgins absent.

M. Ordinance #2017- 03 - (Introduction) – Amending Chapter 104, Section 104-7, False Alarms, to provide for a revised schedule of fines for multiple false alarms per calendar year and to establish a new procedure for issuing and appealing alarm citations

Commissioner Schaefer made a motion to introduce ordinance #2017-03, seconded by Commissioner Nagle. Motion passed 5-0 with Commissioner Curley not in the room and Commissioner Higgins absent.

PUBLIC WORKS & ENGINEERING

N. Resolution #2017-23 - Authorizing to Issue a Request for Proposal for MS4 Services

Commissioner Schaefer made a motion to approve, seconded by Commissioner Ahr.

There was a brief discussion amongst Commissioners and Staff that the RFP would go out on PennBid rather than the three firms.

Public Comment

Jane Galli, Barcladen – She inquired if the Stormwater ordinance revision and the MS4 services will dovetail each other.

Commissioner Schaefer amended the resolution to strike 3 qualified firms in the resolution. Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Higgins absent.

O. Resolution #2017-24 - Authorization to Issue a Request for Proposals for the Maplewood Outfall Design

Commissioner Schaefer made a motion to approve, seconded by Commissioner Nagle. Motion passed 5-0 with Commissioner Ahr not in the room and Commissioner Higgins absent.

P. Resolution #2017-26 - 12 Welwyn Road - SALDO Application #2016-S-14 - Final – Preliminary /Final Subdivision Plan

Nick Caniglia, representing the applicant requested that number 3 & 4 of the resolution read as follows: 3. The Applicant shall execute a Shared Private Road Maintenance Agreement in a form and manner to be approved by the Township Solicitor which agreement shall be consistent with existing deed restrictions of record. 4. Prior to construction the Applicant shall video tape the existing Welwyn Road from its intersection with West Wayne Road to the end of its present location. If Welwyn Road is damaged by Applicant, his contractors, employees or agents, the Applicant shall repair and/or repave the existing Welwyn Road, including the existing curbing upon completion of construction of Applicant's project as directed by the Township. All paving repairs shall be single lane paving from curb line to the middle of the road. The question of whether to repair and/or repave and the extent of such improvements shall be in the sole discretion of the Township.

Commissioner Curley made a motion to approve as amended above, seconded by Commissioner Nagle.

Public Comment

Dan Baker, Welwyn Road – He inquired in regards to who was capturing the video as well as that the neighbors have not seen the agreement yet.

Commissioner Schaefer called the vote, motion passed 5-1 with Commissioner Booker opposed and Commissioner Higgins absent.

Q. Resolution #2017-27 - Ardrossan Phase 4 Lot Line Adjustment SALDO Application #2016-D-11 - Final – Preliminary/Final Lot Line Plan

Commissioner Curley made a motion to approve, seconded by Commissioner Nagle.

John Snyder representing the applicant gave a brief background of the project. There was a brief discussion amongst the Commissioners, staff and the applicant.

Commissioner Schaefer called the vote, motion passed 5-1 with Commissioner Booker opposed and Commissioner Higgins absent.

R. Resolution #2017-28 - Appointment of Township Traffic Engineer

Commissioner Curley made a motion to approve, seconded by Commissioner Ahr. Motion passed 6-0 with Commissioner Higgins absent.

S. Resolution #2017-29 - Appointment of the Firm for Township Inspection Services

Rick Capone, President of QCI introduced himself and gave a brief background about his firm.

Commissioner Schaefer made a motion to approve, seconded by Commissioner Ahr. Motion passed 6-0 with Commissioner Higgins absent.

T. Resolution #2017-30 - Appointment of the Owner’s Representative & Inspection Firm for the Radnor Memorial Library Renovation and Expansion

Commissioner Schaefer made a motion to approve, seconded by Commissioner Ahr. Motion passed 6-0 with Commissioner Higgins absent.

PARKS & RECREATION

Commissioner Clark commented that the Daddy Daughter dance was a huge success with at least 200 people in attendance.

LIBRARY

Commissioner Booker commented that Construction is underway at the Library as well as a brief discussion in regards to the MOU with the Library. Steve Norcini commented as well in regards to mold that has been found during the construction.

PUBLIC HEALTH - None

Old Business

Commissioner Schaefer commented that constituents are reporting Commercial Vehicles in residential areas. There was a brief discussion amongst Commissioners and Staff and there was a sense of the Board for staff to report back with more information of possible solutions.

New Business

- *Motion to authorize the hiring of an independent certified environmental testing firm, to test the asphalt to be disposed and subsoil under the 13-acre parking lot construction area at Villanova University for*

not only asbestos, but other contaminants; including heavy metals, arsenic, hydrocarbons (oil) and other contaminants as may be recommended by the inspection company. One test sample per acre is suggested. – Requested by Commissioner Booker

There was an in depth discussion in regards to the need for environmental testing of the parking lot area which is under construction at Villanova University.

Commissioner Booker made a motion to authorize the hiring of an independent certified environmental testing firm, to test the asphalt to be disposed and subsoil under the 13-acre parking lot construction area at Villanova University for not only asbestos, but other contaminants; including heavy metals, arsenic, hydrocarbons (oil) and other contaminants as may be recommended by the inspection company. One test sample per acre is suggested with a not to exceed \$25,000, seconded by Commissioner Clark.

*Commissioner Ahr made a motion to extend the meeting for 15 minutes, seconded by Commissioner Clark.
Motion passed 7-0.*

Commissioner Ahr made a motion to amend original motion to hire a consultant and have them recommend to the Township what should be tested, seconded by Commissioner Curley. Motion failed 2-3 with Commissioners Booker, Clark and Nagle opposed; Commissioner Schaefer recused and Commissioner Higgins absent.

Commissioner Ahr called the vote on the original motion. Motion passed 4-1 with Commissioner Nagle opposed, Commissioner Schaefer recused and Commissioner Higgins absent.

Public Comment

Matthew McCaffrey, Ward 1- He commented that he is in not in support of the testing.

Jane Galli, Barcladen – She commented that she is in support of the testing.

Dan Sherry, Wayne – He commented in regards to Commissioner Schaefer participation in the above topic as well as his agreement with the wording of the motion.

Rick Leonardi – He commented that he is in support of the testing.

Toni Bailey – She thanked the Board for their support as well as commented in regards to the stream which is in the vicinity of the project as well.

- Discussion of Board Resolution #2011-31 – Requested by Commissioner Booker

This item will be moved to the next agenda.

Public Participation - None

There being no further business, the meeting adjourned on a motion duly made and seconded.

Respectfully submitted,

Jennifer DeStefano