

TOWNSHIP OF RADNOR
Minutes of the Meeting of May 14, 2018

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

<i>Lisa Borowski, President</i>	<i>Jake Abel</i>	<i>Richard Booker</i>
<i>Sean Farhy</i>	<i>Matthew Marshall</i>	<i>John Nagle</i>

Absent: *Luke Clark, Vice-President*

Also Present: *Robert A. Zienkowski, Township Manager; Kathryn Gartland, Township Treasurer; John Rice, Township Solicitor; William Colarulo, Superintendent of Police; Christopher B. Flanagan, Deputy Superintendent of Police; William White, Assistant Township Manager and Finance Director; Kevin Kochanski, Director of Community Development; Stephen Norcini, P.E., Township Engineer; Steve McNelis, Interim Public Works Director; and Jennifer DeStefano, Executive Assistant to the Township Manager.*

President Borowski called the meeting to order and led the assembly in the Pledge of Allegiance

Notice of Executive Session on May 8, 2018 and preceding the Board of Commissioners meeting of May 14, 2018

There was an Executive Session on May 8, 2018 and preceding the Board of Commissioners meeting of May 14, 2018. All Commissioners participated except for Commissioner Clark and matters of Litigation, Real Estate and Personnel.

Commissioner Borowski announced that item A will be moved to end of meeting and items D, G & F will be removed from the agenda.

1. *Consent Agenda*

- a) *Disbursement Review and Approval 2018-04C, 2018-04D, 2018-05A*
- b) *Approval of the meeting minutes from the April 23, 2018 Board of Commissioner Meeting*
- c) *Acceptance of Staff Traffic Committee Meeting Minutes of April 18, 2018*
- d) *Resolution #2018-52 - Award the capital lease financing for one Public Works vehicle previously approved by the Board of Commissioners to Clayton Holdings, LLC at an interest rate of 3.378% for a term of five years*
- e) *Resolution #2018-50 - Authorizing the Clearance of Surplus Vehicles and Equipment*

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

2. *Resolution #2018-51 - Appointing the Superintendent of Police and Fixing the Compensation of the Superintendent*

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

3. Swearing in the Police Superintendent

Superintendent Colarulo asked everyone to please stand for the presentation of the colors. Mr. Zienkowski and Superintendent Colarulo made a few brief comments. The Honorable Judge Kelly administered the Oath of Superintendent to Christopher B. Flanagan with his wife and sons on his side. Superintendent of Police Flanagan said a few brief words.

4. Appointments to Various Boards and Commissions

Commissioner Nagle made a motion to appoint Mr. Ed Caine to CARFAC, seconded by Commissioner Farhy. Motion passed 6-0 with Commissioner Clark absent.

5. Public Participation - Individual comment shall be limited to not more than five (5) minutes per Board policy

Marty Costello – He commented regarding the Memorial Day Parade and the Grand Marshall of the parade this year is Mr. Jim Higgins. He also commented regarding the next Casket Flags Ceremony, Flags of Our Families which will be honoring the Paolantonio Family at 6 PM on Saturday evening at the Wayne War Memorial.

Dan Scolnick, Wayne – He thanked the Township for their help during the blood drive last week and how much of a success it was.

Leslie Morgan, Farm Road – She commented regarding storm water, etc.

Dan Sherry, Wayne – He commented regarding the appointments to boards.

6. Committee Reports

PERSONNEL & ADMINISTRATION

A. Discussion regarding proposals received for Solicitor and possible appointment of Solicitor This item will be discussed later in the meeting.

B. Discussion and Possible Motion to set the date for Sunshine Act and Open Records Training

There was a brief discussion regarding the possible dates for the training. Commissioner Abel made a motion to set the date to June 7, 2018, seconded by Commissioner Farhy. Motion passed 6-0 with Commissioner Clark absent.

C. Ordinance #2018-05 – (Adoption) - Approving a Lease Agreement Between the Township of Radnor and Willows Park Preserve

Commissioner Abel, seconded by Commissioner Farhy.

There was brief discussion amongst the Commissioners and representatives of the Willows Park Preserve pertaining to comments on the lease from the Parks Board.

Public Comment

Mary Coe, Aberdeen – She commented regarding a section of the lease pertaining to right of first refusal.

Leslie Morgan, Farm Road – She commented regarding the need to decide tonight on the lease.

Toni Bailey, Barcladen Road – She commented regarding the need to approve tonight.

Kelly Martin, Ward 7 – She commented in support of the approval tonight.

Mr. Rice, Township Solicitor reviewed the amendments to be made to the lease which would be – paragraph 2 eliminate the right to first refusal for the cottage; modify paragraph 18 to increase the termination agreement from 60 to 120 days; provide for 2 members on the WPP Board to be appointed by the Township; paragraph 8 of the addendum would specify that the self-sufficiency time period would be 18 months; and the notice requirements and the editing to the charitable gift agreement would be cleaned up.

Commissioner Booker made a motion to amend the motion to approve with the above amendments made by Solicitor Rice, seconded by Commissioner Abel.

Public Comment

Dan Sherry, Wayne – He commented regarding the order for procedure of Roberts Rule structure.

Jane Galli, Ward 7 – She commented regarding her support of the lease.

Commissioner Borowski called the vote, motion passed 6-0 with Commissioner Clark absent.

~~D. Discussion of the Cellular Communications Tower located at the Township Building
Removed from Agenda~~

PUBLIC WORKS & ENGINEERING

~~E. Motion for approval of grant application for South Wayne Avenue Green Measures (Requested by Commissioner Clark)
Removed from the agenda.~~

~~F. Ordinance #2018-06 (Introduction) – An Ordinance of Radnor Township, Delaware County, Pennsylvania, Amending Chapter 263, Trees, Section 263-9, Revising and Updating Appendix “A” for the Recommended Tree list for Radnor Township
Removed from the Agenda~~

~~G. Ordinance #2018-07 (Introduction) – An Ordinance of the Township of Radnor, Delaware County, Pennsylvania Providing for the Amendment of the Radnor Township Code of Ordinances by Amending Part 2, General Legislation Creating a New Chapter 224, Adopting Regulations for the Planting, Controlling, and Removal of Bamboo, Including Penalties and other Remedies for Violations
Removed from the Agenda~~

H. Request for Waiver of Land Development by Ardent Federal Credit Union

There was an in-depth discussion amongst the Commissioners and representatives for the applicant.

Commissioner Marshall made a motion to approve the waiver with a condition that the applicant comes back for a final review after they have met all the conditions of the Planning Commission and Township Engineer Norcini, seconded by Commissioner Nagle.

Public Comment

Leslie Morgan, Farm Road – She commented in agreement of the above waiver.

Commissioner Borowski called the vote, motion passed 4-2 with Commissioners Farhy and Booker opposed and Commissioner Clark absent.

I. Request for waiver of Land Development by First Resource Bank

Representatives of the applicant made a brief presentation. There was a discussion amongst the Commissioners, staff and applicant.

Commissioner Marshall made a motion for the denial of the waiver of land development, seconded by Commissioner Booker. Motion passed 6-0 with Commissioner Clark absent.

The applicant requested that the Board would review the project as a Preliminary/Final since the waiver was denied. There was a consensus of the Board to table the request until the next meeting.

J. 145 King of Prussia Road - Penn Medicine – Caucus – Final Land Development Plan

Representatives for the applicant briefly described the project referenced above. Commissioner Marshall announced that he will recuse himself from the discussion of this item. There was an in-depth discussion amongst the Commissioners, Staff and the applicant regarding the project. The applicant is proposing to construct three new buildings and two parking structures for mixed use medical facility, hotel and office.

Public Comment

Mike Lihota, Wayne – He commented regarding the allocated flow not being reallocated to another property owner.

Baron Gemmer – He commented regarding the 2013 zoning determination letter.

K. Resolution #2018-41 – Authorizing Meliora Design to Perform a Feasibility Study of Green Infrastructure Stormwater Management Projects Upstream of the North Wayne Field Basin

This item will be held until the June 11, 2018 meeting.

L. Resolution #2018-40 - Authorizing Meliora Design to Provide Basin Retrofit Evaluations, as Part of the Township's MS4 Pollution Reduction Plan

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

Fred Stein, Delaware Riverkeeper Network – They are in support of the resolution.

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

M. 111 Walnut Avenue, GP 18-022, Requesting a Waiver of 245-22 of the Radnor Township Stormwater Management Ordinance

The applicant and engineer for the applicant gave a brief presentation. The applicant explained that they performed infiltration testing on the property, and the soils on site did not allow any infiltration. They are asking for a stormwater management waiver. Several surrounding residents from the project above spoke in support of the waiver. The applicant offered to decrease the size of the patio by 200 sq. ft.

Commissioner Farhy made a motion to approve with a 200-sq. ft. reduction in patio size, seconded by Commissioner Nagle.

Public Comment

Applicants mother – She thanked the Commissioners for their interest in stormwater management.

Commissioner Borowski called the vote, motion passed 6-0 with Commissioner Clark absent.

Commissioner Marshall made a motion to extend the meeting to 11:15 PM, seconded by Commissioner Abel. Motion failed.

Commissioner Abel made a motion to extend the meeting for 20 minutes, seconded by Commissioner Booker. Motion passed 4-2 with Commissioners Farhy and Nagle opposed and Commissioner Clark absent.

Commissioner Booker made motion to extend the meeting for 14 minutes, seconded by Commissioner Abel. Motion passed 4-2 with Commissioners Farhy and Nagle opposed and Commissioner Clark absent.

~~N. Discussion and possible motion to have SWMAC deliberate modifications to the Banbury/Francis Stormwater Project with input from the neighbors in that area (Requested by Commissioner Clark)~~

O. Discussion: Wayne Business District Cleaning

Commissioner Marshall gave a brief presentation showing sample equipment needed to clean the Wayne Business District cleaning to occur. It was agreed that staff will come back to the Board at the next meeting showing the funding mechanism to complete this task this year as well as including it in the budget going forward. There was a brief discussion amongst the Commissioners and staff.

Commissioner Booker made a motion to extend the meeting until 11:30 PM, seconded by Commissioner Marshall. Motion passed 5-1 with Commissioner Nagle opposed and Commissioner Clark absent.

P. Resolution #2018-58 - Rejecting the Sole Sealed Bid for the Wayne Business District Cleaning Contract

Commissioner Marshall made a motion to approve, seconded by Commissioner Abel.

Public Comment

Kelly Martin, Ward 7 – She commented her disappointment by comments made by Commissioner Farhy.

Roberta Winters – She asked at the next meeting that the funds that will be used from the Gateway Enhancement Trust that will be used.

Commissioner Borowski called the vote, motion passed 6-0 with Commissioner Clark absent.

Q. Resolution #2018-55 - Award of the Contract for the Skunk Hollow Bridge Repair

Commissioner Nagle made a motion, seconded by Commissioner Farhy. Motion passed 6-0 with Commissioner Clark absent.

R. Resolution #2018-56 - Authorizing Meliora Design to Provide Design, and Bidding Documents for the Harford Trail

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

S. Resolution #2018-59 – Authorizing Gilmore & Associates to Perform the County Line Corridor Study, in Partnership with Lower Merion Township

This item will be moved to the next meeting

- FINANCE & AUDIT**
- PARKS & RECREATION**
- COMMUNITY DEVELOPMENT**
- PUBLIC SAFETY**
- LIBRARY**
- PUBLIC HEALTH**

Old Business

Update on efforts to resolve the leaked document, referred to as Exhibit 6 in the Rice Report (Requested by Commissioner Abel)

There was a discussion amongst the Commissioners and the Solicitor. They are hopeful to meet with Mr. McCone hopefully later this week, if not they will send a letter to the District Attorney to review.

Commissioner Abel matter of a leaked document, seconded by Commissioner Booker.

Commissioner Marshall made a motion to extend the meeting for 17 minutes, seconded by Commissioner Abel. Motion passed 4-2 with Commissioners Farhy and Nagle opposed and Commissioner Clark absent.

Public Comment

Kelly Martin, Ward 7 – She commented regarding her disagreement and concern of the timing of Mr. McCone agreeing to meet.

Dan Sherry, Wayne – He inquired for clarification of what has happened to item A on the agenda

There was another discussion amongst the Commissioners regarding what the next steps would be if the District Attorney's office doesn't find any wrong doing.

Commissioner Borowski called the vote, motion passed 4-2 with Commissioner Farhy and Nagle opposed and Commissioner Clark absent.

- ~~Discussion regarding proposals received for Solicitor and scheduling of interviews (requested by Commissioner Borowski)~~

New Business

None

- A. Discussion regarding proposals received for Solicitor and possible appointment of Solicitor
This item will be discussed at the next meeting.

Public Participation

Dan Sherry, Wayne – He commented regarding the removal of item A from the agenda and that it will now appear on a future agenda.

Commissioner Booker made a motion to extend the meeting so long as Mr. Sherry is speaking and if Ms. Martin would like to speak, seconded by Commissioner Abel.

Commissioner Marshall made a motion to extend the meeting by 5 minutes, seconded by Commissioner Farhy. Motion passed 4-1 with Commissioner Borowski opposed and Commissioners Clark and Nagle absent.

Dan Sherry continued public comment regarding the potential leak of exhibit 6.

Kelly Martin, Ward 7 – She commented about Commissioner Borowski's comment in her newsletter regarding item A as well as Commissioner Farhy not seeing the relevance in pursuing the leak.

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

Respectfully submitted,

Jennifer DeStefano