

**BOARD OF COMMISSIONERS**  
**Revised AGENDA**  
**Monday, February 10, 2020 - 6:30 PM**

Pledge of Allegiance

Notice of Executive Session on January 29, 2020 & preceding the Board of Commissioners meeting February 10, 2020

1. Public Participation - *Radnor Township Residents are encouraged to give public comment relevant to items on the current Agenda during the first public comment period; comments relevant to matters not on the current Agenda should be held for the second and final public comment period. All comments are limited to five minutes.*
2. Acceptance of Township Manager's Resignation and Approval of Separation Agreement
3. Appointment of Acting Township Manager *per 5.05 of the HRC & Township Secretary per 2.07 of the HRC*

4. Consent Agenda

- a) Disbursement Review & Approval
- b) Approval of minutes of the Board of Commissioner meeting of January 27, 2020
- c) Resolution #2020-18 - Authorization to Purchase Capital Vehicles and Equipment for Public Works
- d) Resolution #2020-19 - Purchase of Seed and Fertilizer
- e) Resolution #2020-20 - Authorizing payment for Emergency Traffic Signal Repair at S.R. 320 & Godfrey Road
- f) HARB-2020-01 – 418 Oak Lane - Enclose existing back porch

5. Committee Reports

- A. Resolution #2020-21 – Engaging Granicus to purchase website hosting, maintenance and licensing services in addition to Peak Agenda Management, Government Transparency Suite and Boards and Commissions software
- B. Ordinance #2019-15 – (**Adoption**) – Amending the Township Zoning Ordinance to Allow Townhouse Developments in Certain Areas of the C-3 Service Commercial District and to Provide Regulations Therefore
- C. Ordinance #2020-02 – (**Adoption**) – Authorizing the current refunding of the Voted Open Space Bonds, Series 2014 in the aggregate principal amount not to exceed \$11,855,000
- D. Ordinance #2020-03 – (**Adoption**) – Special Purpose Parking - Handicapped Parking Spaces
- E. Ordinance #2020-04 – (**Adoption**) – Amendment to the Civil Service Ordinance
- F. Ordinance #2020-01 – (**Adoption**) – Amending the Code of The Township of Radnor, Chapter 267, Vehicles, Abandoned
- G. Ordinance #2020-05 – (**Adoption**) – Creating A New Chapter 183 Of the Radnor Township Code, “Emergency Response Rapid Entry Systems” Requiring the Installation of Locked Boxes for Emergency Response and Providing Regulations for the Installation

~~H. Resolution #2020-22 – Authorizing the rejection of all bids for the Harford Trail Project~~

- I. Resolution #2020-23 – (Revised) – Authorizing the President of the Board of Commissioners or the Acting Township Manager as the official(s) to execute all documents for the application of a Multimodal Funding Grant
6. Reports of Standing Committees of the Board
  7. New Business
  8. Old Business
    - a. Sense of the Board on Interchange Rehabilitation
  9. Public Participation
  10. Adjournment

# Public Participation-Radnor

*Township Residents are encouraged to give public comment relevant to items on the current Agenda during the first public comment period; comments relevant to matters not on the current Agenda should be held for the second and final public comment period. All comments are limited to five minutes.*

## **SEPARATION AGREEMENT AND GENERAL RELEASE**

This SEPARATION AGREEMENT AND GENERAL RELEASE (“Agreement”) is being entered into by and between Radnor Township (the “Township”) and Robert A. Zienkowski (“Mr. Zienkowski”) (collectively the “Parties”).

**WHEREAS**, since May 1, 2010, the Township has employed Mr. Zienkowski as the Township Manager;

**WHEREAS**, the Township recognizes Mr. Zienkowski’s laudable service to the Township;

**WHEREAS**, Mr. Zienkowski wishes to end his employment with the Township;

**WHEREAS**, the Township and Mr. Zienkowski are parties to an agreement that contains certain severance provisions and the Parties wish to modify those provisions; and

**WHEREAS**, the Parties enter into this Agreement in good faith in order to memorialize these new severance provisions.

**NOW THEREFORE**, intending to be legally bound, and in consideration of the mutual promises and commitments set forth in this Separation Agreement and General Release, the Parties hereby agree as follows:

1. **Separation** By execution of this Agreement, the Parties acknowledge that Mr. Zienkowski resigns from all employment with the Township effective immediately on the date stated in the Resignation Letter which is attached as Exhibit “A” to this Agreement and is incorporated herein.

2. **Consideration** As consideration for the waivers set forth in this Agreement, the Township agrees to provide Mr. Zienkowski with the following consideration, to which Mr. Zienkowski would not otherwise be entitled:

(a) **Severance** The Township shall pay Mr. Zienkowski four (4) months of severance in the total amount of **\$60,067.00**, less applicable taxes and payroll deductions, which shall be paid in a lump sum within fifteen (15) calendar days of the Effective Date of this Agreement.

(b) **Health Insurance** The Township shall continue to pay, through July 31, 2020, for medical, dental, and vision benefits for Mr. Zienkowski, providing the same levels of coverage and benefits that Mr. Zienkowski received as a Township employee. After July 31, 2020, the Township will no longer make any payments for Mr. Zienkowski's healthcare and Mr. Zienkowski will not be eligible to participate in the Township's group healthcare plan except for COBRA benefits for which Mr. Zienkowski will bear the full expense.

(c) **Unemployment Compensation** If Mr. Zienkowski files a claim for unemployment compensation with respect to his separation from employment with the Township, the Township will not oppose Mr. Zienkowski's claim. In the event information related to the claim is requested by the applicable state agency to which application for such benefits is made, the Township will provide financial information only and will not respond to any questions related to the nature of Mr. Zienkowski's separation from the Township. However, Mr. Zienkowski acknowledges that the final

disposition of unemployment compensation benefits is solely at the discretion of the applicable state agency from which benefits are sought.

3. **Return of Property** Within fourteen (14) calendar days of the Effective Date of this Agreement, Mr. Zienkowski shall return all Township property in his possession to Township Solicitor, John Rice, who can be reached at 215-257-6811.

4. **Effective Date** This Agreement shall be effective the date that the Parties have executed this Agreement or the date on which Mr. Zienkowski's right of revocation expires, whichever is later.

5. **Waiver and Release** In consideration for the commitments and benefits set forth in this Agreement, consideration which Mr. Zienkowski acknowledges is in addition to anything of value to which he is already entitled, Mr. Zienkowski releases and discharges the Township, which includes its current and former elected and appointed officials, officers, agents, representatives and employees, in their official and individual capacities, from all claims, liabilities, demands, remedies, including statutory remedies, attorney's fees and costs, benefits, and causes of action known or unknown, fixed or contingent, which Mr. Zienkowski may have or claim to have against the Township arising out of or in any way connected to Mr. Zienkowski's employment or separation from employment. Mr. Zienkowski agrees not to file an administrative charge, lawsuit or any other complaint to assert such claims, except claims to enforce this Agreement.

(a) By this Release, Mr. Zienkowski knowingly and voluntarily waives any and all rights, as well as all remedies they may have against the Township, provided by or under any federal, state, local laws, or employment agreements relating in any way to Mr.

Zienkowski's employment relationship with the Township and/or his separation from employment, including but not limited to: (1) the Civil Rights Act of 1990, 42 U.S.C. §§ 1981, 1983, 1985 & 1988; (2) Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*; (3) the Pennsylvania Human Relations Act, 43 P.S. § 951 *et seq.*; (4) the Americans With Disabilities Act, 29 U.S.C. § 706 *et seq.*; (5) the Family and Medical Leave Act, 29 U.S.C. § 2601 *et seq.*; (6) the Age Discrimination in Employment Act (ADEA), as amended by the Older Workers Benefit Protection Act, 29 U.S.C. § 626(f); (7) the Fair Labor Standards Act, 29 U.S.C. § 201; (8) the Pennsylvania Whistleblower Law, 43 P.S. § 1421, *et seq.*; (9) Rutan claims; (10) Liberty Interest claims; (11) Due Process claims; (12) the First Class Township Code; (13) Mr. Zienkowski's employment agreement; and (14) any and all laws, acts, statutes, ordinances, regulations, or any recognized cause of action under the Constitution and laws of the Commonwealth of Pennsylvania, including its political subdivisions, and the Constitution and laws of the United States, that relate in any way to any claim or possible claim that Mr. Zienkowski may have against the Township, based upon Mr. Zienkowski's employment and separation of employment, including any and all federal, state and local laws, statutes, ordinances or acts that relate to wrongful termination, breach of contract, employment discrimination, harassment, retaliation, and equal pay.

(b) In addition, Mr. Zienkowski waives any and all other claims or causes of action related to Mr. Zienkowski's employment and separation from employment which he may have against the Township based upon any act or omission which occurred prior to the execution of this Agreement, and does not release any claim not specifically referenced herein, such as, but not limited to, a Workers' Compensation claim and/or an

Unemployment Compensation claim, which are non-waivable as a matter of law. Mr. Zienkowski confirms that he is unaware of any injury or illness that would provide a basis for a Workers' Compensation claim.

(c) Except as compelled by law or to enforce this Agreement, Mr. Zienkowski further agrees to refrain from instituting, prosecuting, filing or processing or assisting or cooperating with the institution, prosecution, filing or processing of any litigation or state or federal administrative charges against the Township relating to Mr. Zienkowski's employment and separation therefrom, except as may be required or compelled by existing law.

(d) Mr. Zienkowski certifies that he has not filed or instituted any claims, lawsuits, or any other legal proceeding against the Township related in any way to Mr. Zienkowski's employment. Mr. Zienkowski further states that, at the time of execution of this Agreement, he does not possess any information or knowledge that would provide a basis for any other suit or cause of action by them against the Township.

(e) Mr. Zienkowski agrees to never apply in the future for employment with the Township or accept employment with the Township. To the extent that Mr. Zienkowski seeks or attempts in any way to pursue employment with the Township, this Agreement shall serve as an irrevocable written request by Mr. Zienkowski to rescind or otherwise reject his application for employment or any other such effort to obtain reemployment with the Township.

6. **Waiver of ADEA Claims – Notice**

(a) To the fullest extent allowed by applicable statutory and regulatory law, the release contained in Paragraph 6 includes a waiver of rights and claims which Mr. Zienkowski may have arising under the Age Discrimination in Employment Act (“ADEA”). Pursuant to the Older Workers Benefit Protection Act of 1990 (“OWBPA”), Mr. Zienkowski acknowledges that this Agreement is intended to apply to the ADEA, and Mr. Zienkowski expressly agrees that it shall be effective as a waiver of rights and claims arising under the ADEA.

(b) Mr. Zienkowski acknowledges that he has been advised that an employee waiving rights under the ADEA is entitled to a minimum of twenty-one (21) days within which to consider this Agreement, and therefore acknowledges that he has twenty-two (22) days from the date of receiving this Agreement to return the signed Agreement. The Township delivered this Agreement to Mr. Zienkowski on January 31, 2020. Mr. Zienkowski acknowledges that he may execute and return this Agreement earlier if he decides, and that by executing and returning this Agreement during the 21-day period, he waives his right to consider this Agreement for the full 21-day period. Mr. Zienkowski further acknowledges and understands that, for a period of seven (7) days following execution of this Agreement, he may revoke this Agreement, and this Agreement shall not become effective until this 7-day revocation period has expired. Mr. Zienkowski further agrees and understands that if he chooses to exercise his right of revocation under this section, he must notify John Rice, Township Solicitor, by email at [jrice@grimlaw.com](mailto:jrice@grimlaw.com) of his intent to do so before the end of this 7-day revocation period.



7. **Waiver of Administrative Recoveries** With the exception of Workers' Compensation and Unemployment Compensation, Mr. Zienkowski waives any right to any monetary or economic recovery or equitable relief against the Township in any administrative proceeding, action, lawsuit or other proceeding instituted by any agency, person or entity.

8. **Non-Disparagement** Mr. Zienkowski agrees that he will not publicly or privately disparage the Township or any representative of the Township, which includes its current and former elected and appointed officials, officers, agents and employees, in their official or individual capacities. Mr. Zienkowski agrees that this prohibition extends to any statements that he might make on any social media platform, or in written or electronic communication, whether by email, text message, or use of Yelp, Facebook, Indeed, GlassDoor, LinkedIn, Twitter, WhatsApp, or other social or business platform, whether Mr. Zienkowski discloses his name or makes such statements anonymously.

The Township agrees to direct its current elected and appointed officials not to publicly or privately disparage Mr. Zienkowski. The Township agrees that this prohibition extends to any statements by any current representative of the Township, which includes its current elected and appointed officials, officers, agents and employees in their official or individual capacities, might make on any social media platform, or in written or electronic communication, whether by email, text message, or use of Yelp, Facebook, Indeed, GlassDoor, LinkedIn, Twitter, WhatsApp, or other social or business platform, whether the Township representative discloses his/her name or makes such statements anonymously.

9. **Entire Agreement** Mr. Zienkowski acknowledges that he has carefully read and fully understands the provisions of this Agreement, which constitutes and contains the entire agreement of the Parties and supersedes and replaces all prior negotiations and all agreements,

whether written or oral, concerning the subject matter of this Agreement, including but not limited to the Second Amended And Restated Employment Agreement executed October 28, 2013. Mr. Zienkowski further acknowledges that he has not relied upon any representation or statement, written or oral, not expressly set forth in this Agreement. This Agreement may only be amended by a subsequent written agreement executed by all Parties.

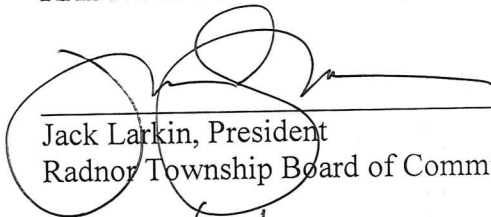
10. **Governing Law and Venue** This Agreement shall be governed by and construed under the laws of the Commonwealth of Pennsylvania. A photocopy of a fully executed Agreement shall be deemed an original for all purposes. The Parties agree that any action arising out of, related to, or in connection to this Agreement shall only be brought in the Delaware County Court of Common Pleas in Media, Pennsylvania.

11. **Consultation with Legal Counsel** Mr. Zienkowski acknowledges that he has carefully read and fully understands all of the provisions of this Separation Agreement and General Release and that he enters into it knowingly and voluntarily. Mr. Zienkowski further acknowledges that he has been advised in writing that he should consult an attorney prior to executing it.


12. **Counterparts** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A faxed signature on this Agreement shall be considered an original.

[SIGNATURES ON NEXT PAGE]

**RADNOR TOWNSHIP**

  
\_\_\_\_\_  
Jack Larkin, President  
Radnor Township Board of Commissioners  
Dated: 2/10/2020

**ROBERT ZIENKOWSKI**

  
\_\_\_\_\_  
Robert Zienkowski  
Dated: FEBRUARY 4, 2020

February 4, 2020

Board of Commissioners  
Radnor Township  
301 Iven Avenue  
Wayne, PA 19087-5297

Dear Board of Commissioners:

I am writing to inform you that I have decided to resign, effective immediately, as the Radnor Township Manager. When I arrived ten years ago, the Township faced a number of obstacles and no small amount of turmoil. With the assistance of an excellent senior staff, we were able to address and resolve almost all of those challenges. I believe that I am leaving the Township in a much better place than when I arrived. I want to thank each of the former and current Commissioners for their support, encouragement, and vision in working with me to restore Radnor as a preeminent community to live and work.

I will always value my service to the Township and its residents.

Very truly yours,

A handwritten signature in black ink, enclosed within a large, hand-drawn oval. The signature is stylized and appears to read 'Robert A. Zienkowski'.

Robert A. Zienkowski

Appointment of Acting  
Township Manager *per 5.05*  
*of the HRC* & Township  
Secretary *per 2.07 of the*  
*HRC*

**RADNOR TOWNSHIP**  
**DISBURSEMENTS SUMMARY**  
*February 10, 2020*

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The table below summarizes the amount of disbursements made since the last public meeting held on January 27, 2020. As approved by the Board, the Administration is now making weekly accounts payable disbursement batches and publishing those lists on the Township's web site at the following link. Please refer to those files for a detailed listing of the amounts paid by vendor by account code. Also, please visit the [Open Finance](#) program to view the Township's [Checkbook](#), where all vendor payments are available.

Link: <http://radnor.com/728/Disbursements-List>

Fund (Fund Number)	2020-1C January 24, 2020	2020-1D January 31, 2020	Total
General Fund (01)	\$167,885.32	\$632,418.90	\$800,304.22
Sewer Fund (02)	2,414.11	21,648.12	24,062.23
Storm Sewer Management (04)	43.50	2,867.12	2,910.62
Capital Improvement Fund (05)	20,069.35	96,758.68	116,828.03
OPEB Fund (08)	0.00	138,639.74	138,639.74
Escrow Fund (10)	0.00	138,695.03	138,695.03
The Willows Fund (23)	1,387.40	330.51	1,717.91
Park & Trail Improvement Fund (501)	0.00	78,053.54	78,053.54
<b>Total Accounts Payable</b>			
<b>Disbursements</b>	<b>\$191,799.68</b>	<b>\$1,109,411.64</b>	<b>\$1,301,211.32</b>
<i>Electronic Disbursements</i>	n/a	n/a	\$507,500.00
<b>Grand Total</b>	<b>\$191,799.68</b>	<b>\$1,109,411.64</b>	<b>\$1,808,711.32</b>

In addition to the accounts payable checks, the Township also has various electronic payments including payroll, debt service, credit card purchases and fees as well as others from time to time. The attached table reflects all the electronic payments made since the last public Board meeting as well as those anticipated prior to the next Board meeting.

The Administration has adopted various internal control and processing procedures to ensure that amounts obligated are within the budgetary limits established by the Board of Commissioners. Those procedures are monitored daily by members of the Finance Department and responsible employees of the various departments. The amounts included in the table above have been scrutinized as part of the internal control and processing procedures and have obtained the required approvals prior to disbursement.

If you should have any questions, please contact the Finance Department.

*Respectfully Submitted,*



\_\_\_\_\_  
 William M. White  
 Finance Director

**ELECTRONICALLY PAID DISBURSEMENT LISTING**

Estimated Through February 24, 2020

Description	Account No.	Date	Purpose	Amount
Credit Card Revenue Fees - Estimated	Various Funds	2/10/2020	1/20 Credit Card Revenue Processing Fees	\$5,000.00 *
Payroll [Bi-Weekly] Transaction - Estimated	01-various	2/20/2020	Salaries and Payroll Taxes - General Fund	\$485,000.00
Payroll [Bi-Weekly] Transaction - Estimated	02-various	2/20/2020	Salaries and Payroll Taxes - Sewer Fund	\$17,500.00
<b>Period Total</b>				<b>\$507,500.00</b>

\* Credit card fees are charged to the Township's accounts on the tenth of the month

<u>Original Estimate</u>			<u>Actual Amount</u>
\$485,000.00	1/23/2020	Salaries and Payroll Taxes - General Fund	\$483,719.87
\$17,500.00	1/23/2020	Salaries and Payroll Taxes - Sewer Fund	\$13,750.86
<b>\$502,500.00</b>			<b>\$497,470.73</b>
\$7,000.00	1/31/2020	Sick Pay Bonus - General Fund	\$6,555.95
<u>\$1,000.00</u>	1/31/2020	Sick Pay Bonus - Sewer Fund	<u>\$791.23</u>
<b>\$8,000.00</b>			<b>\$7,347.18</b>
\$485,500.00	2/6/2020	Salaries and Payroll Taxes - General Fund	\$493,395.50
\$17,500.00	2/6/2020	Salaries and Payroll Taxes - Sewer Fund	\$14,167.70
<b>\$503,000.00</b>			<b>\$507,563.20</b>
\$240,000.00	2/1/2020	Police Pension Payroll	\$229,521.65
\$173,000.00	2/1/2020	Civilian Pension Payroll	\$171,966.50
<b>\$413,000.00</b>			<b>\$401,488.15</b>

**TOWNSHIP OF RADNOR**  
**Minutes of the Meeting of January 27, 2020**

*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>Jack Larkin, President</i>	<i>Lisa Borowski, Vice President</i>	<i>Jake Abel</i>
<i>Damien Enderle</i>	<i>Sean Farhy</i>	<i>Moira Mulrone</i>
		<i>Richard Booker</i>

***Also Present:*** *Robert A. Zienkowski, Township Manager/Township Secretary; John Rice, Township Solicitor; William M. White, Assistant Township Manager & Finance Director; Steve Norcini, PE, Township Engineer; Christopher B. Flanagan, Superintendent of Police; Tammy Cohen, Director of Recreation and Community Programming; Kathryn Gartland, Township Treasurer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

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

*Notice of Executive Session on preceding the Board of Commissioners meeting of January 27, 2020*

There was an Executive Session on January 27, 2020 preceding the Board of Commissioners meeting, where matters of personnel and litigation were discussed. All Commissioners were in attendance.

1. *Proclamation - Celebrating the 100th Anniversary of the League of Women Voters of the United States*

Commissioner Larkin presented Dr. Winters, League of Women Voters with a Proclamation recognizing the 100<sup>th</sup> Anniversary of the League of Women Voters of the United States.

2. *Public Participation*

Charles Barber, Hilldale Road – He spoke in opposition to the tree clearing at the 476 interchange.

Ms. Atkinson, Radnor Conservancy – She spoke with concern of the tree clearing at the 476 interchange.

Cindy Spurdle, Valley Forge Terrace – She thanked Linda Stein for her reporting in the past of Township meetings.

Jane Golas - She spoke with concern of the tree clearing at the 476 interchange and that we should use the Boards and Commissions for landscape projects.

Dan Sherry – He thanked Linda Stein for her reporting in the past of Township meetings as well as spoke regarding Resolution #2020-06.

Christina Peters, King of Prussia Road - She spoke with concern of the tree clearing at the 476 interchange.



Cheryl Tumola - She spoke with concern of the tree clearing at the 476 interchange.

Chip Addis, Askin Road - He spoke with concern of the tree clearing at the 476 interchange.

Frank, Lenoir – He spoke in support of Resolution #2020-14.

Damien, Lenoir - He spoke in support of Resolution #2020-14.

Matt Marshall, Walnut Avenue - He spoke with concern of the tree clearing at the 476 interchange and that the clearing is not in line with the Radnor Gateway Enhancement District.

Tim Hallman, Lenoir - He spoke in support of Resolution #2020-14.

Boswell, Lenoir - He spoke in support of Resolution #2020-14 and that the West Wayne Preserve is there because it is a preserve.

Joe, Lenoir - He spoke in support of Resolution #2020-14.

### 3. Consent Agenda

- a) Disbursement Review & Approval
- b) Approval of minutes of the Board of Commissioner meeting of January 6, 2020
- c) ~~REMOVED Resolution #2020-03—Amending the 2020 Consolidated Fee Schedule to include a credit card convenience fee for Utility Payments, in the same amount as included in Resolution 2019-132 (convenience fee for Real Estate Tax payments)~~
- d) Police Chief Report January 2020
- e) Final Staff Traffic Committee Meeting Minutes - November 2019
- f) Final Staff Traffic Committee Meeting Minutes - December 2019
- g) Approval of Harris and Harris Engagement Letter – Radnor Memorial Library Litigation
- h) Resolution #2020-08 - Wayne Tree Planting and Parking Lot Paving Project – Authorizing the Payment of Change Orders 1A, 2 and 3 in the Amount of \$16,072 to Gessler Construction, Inc.
- i) ~~Resolution #2020-09 – Bo Connor & Filipone Parks Project – Authorizing the Payment of Change Orders 11, 12, 13 and 14 in the Amount of \$65,388 to Gessler Construction, Inc.~~
- j) ~~Resolution #2020-11 – Authorizing the Receipt of Sealed Bids for the Conestoga Road Tunnel Lighting Project~~
- k) Resolution #2020-12 - Authoring the Township Manager to Sign Documents Associated with the PA Small Water & Sewer Program Grant for Tree Trenches in the North Wayne Area
- l) ~~Request to go to bid for the purchase of two (2) 2020 Harley-Davidson Police Motorcycles~~
- m) ~~Resolution #2020-16 – Authorization to purchase two (2) vehicles for Police Department~~
- n) ~~Resolution #2020-17 – Authorizing and Directing the Township Manager to Submit the Application for Traffic Signal Approval to the Pennsylvania Department of Transportation for N. Wayne Avenue (SR 1046) & Eagle Road (SR 1042) on behalf of Radnor Township~~
- o) ~~Resolution #2020-13 – Adopting An Extension To The Consolidated Collective Bargaining Agreement (CBA) With The Fraternal Order Of Police (FOP) Through December 31, 2024~~

Items i, j, l, m, n, o & p were removed from the consent agenda.

Commissioner Larkin made a motion to approve the consent agenda excluding items i, j, l, m, n, o & p, seconded by Commissioner Borowski. Motion passed 7-0.

- i) Resolution #2020-09 - Bo Connor & Filipone Parks Project - Authorizing the Payment of Change Orders 11, 12, 13 and 14 in the Amount of \$65,388 to Gessler Construction, Inc.

Commissioner Larkin made a motion to approve, seconded by Commissioner Abel. Motion passed 7-0.

- j) Resolution #2020-11 - Authorizing the Receipt of Sealed Bids for the Conestoga Road Tunnel Lighting Project

Commissioner Larkin made a motion to approve, seconded by Commissioner Borowski. Motion passed 6-1 with Commissioner Farhy opposed.

- l) Request to go to bid for the purchase of two (2) 2020 Harley-Davidson Police Motorcycles

Commissioner Larkin made a motion to approve, second by Commissioner Abel. Motion passed 7-0.

- m) Resolution #2020-16 - Authorization to purchase two (2) vehicles for Police Department

Commissioner Larkin made a motion to approve, second by Commissioner Abel. Motion passed 7-0.

- n) Resolution #2020-17 - Authorizing and Directing the Township Manager to Submit the Application for Traffic Signal Approval to the Pennsylvania Department of Transportation for N. Wayne Avenue (SR 1046) & Eagle Road (SR 1042) on behalf of Radnor Township

Commissioner Larkin made a motion to approve, second by Commissioner Borowski. Motion passed 7-0.

- o) Resolution #2020-13 - Adopting An Extension To The Consolidated Collective Bargaining Agreement (CBA) With The Fraternal Order Of Police (FOP) Through December 31, 2024

Commissioner Larkin made a motion to approve, second by Commissioner Enderle. Motion passed 6-1 with Commissioner Booker opposed.

4. Commissioner Comment - Radnor Township Commissioners are afforded five minutes to express appreciation for exemplary work by staff, contributions to the public good by residents and local organizations, to publicize upcoming meetings and events or, in rare cases, to respond, briefly, to public comment.

Commissioner Larkin spoke regarding the removal of trees at the 476 interchange, thanked the Township Manager, Superintendent of Police and Public Information Officer for their exemplary job on resolving the towing issues in Wayne at the Fine Wine & Spirits store.

Commissioner Borowski thanked Mr. Marshall for attending this evening to speak about the Radnor Gateway Enhancement District, as well as thanked the residents that reached out to her and she looks forward to moving the project forward of remediation of the site at the Blue Route.

Commissioner Booker commented regarding public comment, Lenoir avenue and tree removal.

Commissioner Abel commented wanted clarity that the Enhancement Fund balance is \$0.

Commissioner Mulroney commented regarding a billboard that will be placed at 5 points and encouraged residents to sign the change.org petition and the case is scheduled for February 20, 24 and 25<sup>th</sup>.

Commissioner Farhy thanked the residents that reached out to him regarding the removal of trees as well as commented regarding the proposed billboard at 5 points. He also commented regarding safety issues on County Line Road and the proposed medical marijuana business looking to move into Garrett Hill Pizza location.

Commissioner Enderle commented regarding the tree removal at the 476 interchange.

#### 5. Committee Reports

A. Ordinance #2020-02 [Introduction] – Authorizing the current refunding of the Voted Open Space Bonds, Series 2014 in the aggregate principal amount not to exceed \$11,855,000

Commissioner Larkin made a motion to introduce, seconded by Commissioner Borowski. There was a brief discussion amongst the Commissioners, staff and financial representatives. Commissioner Larkin called the vote, motion passed 7-0

B. Resolution #2020-04 – Engagement PFM to provide financial consulting services for the current refunding of the voted Open Space Bonds, Series 2014

Commissioner Larkin made a motion to approve, seconded by Commissioner Borowski. Motion passed 7-0.

C. Resolution #2020-05 – Engaging Cozen O’Connor as Bond Counsel for the current refunding of the voted Open Space Bonds, Series 2014

Commissioner Larkin made a motion to approve, seconded by Commissioner Borowski. Motion passed 6-0 with Commissioner Abel abstaining.

D. Resolution #2020-06 - Amending Resolution #2018-21 A Resolution Of Radnor Township, Delaware County, Pennsylvania, Amending Resolution #2017-65 Establishing A Policy For Televising Or Taping Public Meetings Within The Radnor Township Municipal Building  
(Requested by Commissioner Borowski)

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

#### Public Comment

Dan Sherry, Wayne – He spoke on the above resolution.

Resident, Lenoir Avenue – He spoke regarding the importance of the Township meetings to be televised.

Commissioner Borowski briefly discussed the above resolution.

Commissioner Borowski made a motion to amend the resolution at #5 to add work sessions at the end for CARFAC, seconded by Commissioner Larkin. Motion passed 5-2 with Commissioners Booker and Abel opposed.

Commissioner Booker made a motion to amend the resolution in paragraph 5 to read 5. *Recognizing that there are certain Boards and Commissions for which mandatory televising is not necessary or well suited, the following Board/Committee meetings shall not be required to be televised: Civil Service Commission, Building Code Appeals Board, Educational Services Agency and Rental Housing Appeals Board and the Citizens Audit Review and Financial Advisory Committee (CARFAC) work sessions.* Seconded by Commissioner Abel. Motion failed 2-5 with Commissioners Enderle, Borowski, Larkin, Mulroney and Farhy opposed.

Commissioner Larkin called the vote on the amended resolution, motion passed 5-2 with Commissioners Booker and Abel opposed.

*E. Resolution #2020-10 - Awarding the Contract for Design, Permitting, and Bidding Documents for the Fire & Domestic Water Service to Carroll Engineering in the amount of \$21,980*

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

Public Comment

Dan Sherry, Wayne – He spoke.

Commissioner Larkin called the vote, motion passed 6-1 with Commissioner Abel opposed.

*F. Resolution #2020-14 - West Wayne Avenue Trail Connection – Awarding the Design and Permitting Contract for a Trail Connection to Traffic Planning & Design, in the Amount of \$42,900*

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

Public Comment

Dan Sherry, Wayne – He spoke.

There was a brief discussion amongst the Commissioners and staff.

Commissioner Larkin called the vote, motion passed 7-0.

*G. Ordinance #2020-03 – (Introduction) - Special Purpose Parking - Handicapped Parking Spaces*

Commissioner Larkin made a motion to introduce, seconded by Commissioner Borowski.

Public Comment

Dan Sherry, Wayne – He spoke.

There was a brief discussion amongst the Commissioners and staff.

Commissioner Larkin called the vote, motion passed 7-0.

*H. Ordinance #2020-04 – (Introduction) - Amendment to the Civil Service Ordinance*

Commissioner Larkin made a motion to introduce, seconded by Commissioner Borowski.

Public Comment

Dan Sherry, Wayne – He spoke.

There was a discussion amongst the Commissioners and staff.

Commissioner Larkin called the vote, motion passed 6-1 with Commissioner Booker opposed.

*I. Ordinance #2020-01 – (Introduction) - Amending the Code of The Township of Radnor, Chapter 267, Vehicles, Abandoned*

Commissioner Larkin made a motion to introduce, seconded by Commissioner Farhy.

Public Comment

Dan Sherry, Wayne – He spoke.

There was a brief discussion amongst the Commissioners and staff.

Commissioner Larkin called the vote, motion passed 6-0 with Commissioner Abel out of the room.

*J. Ordinance #2020-05 – (Introduction) - Creating A New Chapter 183 Of The Radnor Township Code, “Emergency Response Rapid Entry Systems” Requiring the Installation of Locked Boxes for Emergency Response and Providing Regulations for the Installation*

Commissioner Larkin made a motion to introduce, seconded by Commissioner Enderle.

Public Comment

Dan Sherry, Wayne – He spoke.

There was a brief discussion amongst the Commissioners and staff.

Commissioner Larkin called the vote, motion passed 6-0 with Commissioner Abel out of the room.

Doug Felske – He spoke endorsing the above ordinance except for where it states “or similar brand”

Commissioner Farhy made a motion to amend to include that it be voluntary, seconded by Commissioner Booker. Motion failed 2-5 with Commissioners Enderle, Borowski, Larkin, Mulrone and Abel opposed.

Commissioner Larkin called the vote on the original motion, motion passed 5-2 with Commissioner Farhy and Booker opposed.

*K. Ordinance #2020-06 – (Introduction) - Amending Chapter 263 Of The Ordinances Of Radnor, Known As The Tree Ordinance*

Commissioner Larkin made a motion to send the above proposed ordinance to the Shade Tree Commission for comment, seconded by Commissioner Borowski.

Public Comment

Dan Sherry, Wayne – He spoke.

There was a brief discussion amongst the Commissioners and staff.

Commissioner Larkin called the vote, motion passed 7-0.

*L. Resolution #2020-15 - Providing for the Posting and 30-Day Public Review of All Projects with a Cost Exceeding \$7,500 (Requested by Commissioner Abel)*

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

Commissioner Abel briefly discussed the proposed resolution.

Public Comment

Dan Sherry – He spoke.

There was a discussion amongst the Commissioners and Staff.

Commissioner Larkin called the vote, motion failed 2-5 with Commissioners Enderle, Borowski, Larkin, Mulrone and Farhy opposed.

*M. Ordinance #2020-07 - (Introduction) - Amending Chapter 262-3 Of The Radnor Township Code, Zoning, By Revising Notice Provisions Prior To Towing Of Vehicles From Private Property (Requested by Commissioner Abel)*

Commissioner Larkin made a motion to approve, seconded by Commissioner Booker.

There was a discussion amongst Commissioners.

Public Comment

Dan Sherry, Wayne – He spoke.

There was a sense of the Board to send the ordinance to Solicitor Rice for review before introduction.

*Larkin/Farhy to extend the meeting. Motion passed 5-2 with Commissioners Booker and Larkin opposed.*

6. Reports of Standing Committees of the Board

Commissioner Borowski congratulated Friends of Radnor Library who donated \$25,000 through their book sales to the Library and the Elves for the Shelves run saw a 75% increase of participants.

7. New Business

a. Radnor Accessibility Committee - Board Briefing

Commissioner Borowski discussed that she met with a constituent to discuss possibly forming a committee that would discuss better ways to address accessibility issues for residents and visitors with a disability.

b. Discussion of Montrose Traffic Signal & Shared Cost with Lower Merion Township

Representative from Gilmore & Associates briefly discussed and presented the above referenced project. There was a discussion amongst the Commissioners. The Board requested staff to present a funding option to allow the Township to immediately join Lower Merion Township in funding the intersection improvements at Montrose and County Line roads.

8. Old Business – None

9. Public Participation

Sara Pilling, Garrett Avenue – She spoke about the prior discussion of Traffic Signals.

Cindy Spurdle, Wayne – She spoke regarding the order of the meeting that was used tonight and the behavior.

Dan Sherry, Wayne – He spoke.

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

*Respectfully submitted,  
Jennifer DeStefano*

**RESOLUTION NO. 2020-18**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AUTHORIZING THE PURCHASE OF PUBLIC WORKS  
CAPITAL VEHICLES AND EQUIPMENT**

*WHEREAS*, the Radnor Township Public Works Department is seeking to replace 2 Sanitation Trucks, 2 Pick Up Trucks, 1 Utility Body Truck, 1 Dump Truck, and 1 Stake Body Truck

*WHEREAS*, the Public Works Department is requesting to purchase Capital Vehicles and Equipment, as noted below:

Requested Capital Purchases: Public Works Department Rolling Stock & Equipment					
Public Works Division	Item to be Replaced	Model Year	Item to be Purchased	Cost	Method of Payment
Sanitation	Sanitation Packer #30	2004	Sanitation Packer	\$45,000/year	5 year capital lease
Sanitation	Sanitation Packer #31	2005	Sanitation Packer	\$45,000/year	5 year capital lease
Fleet Maintenance	Pick Up Truck #85	2004	Pick Up Truck	\$42,500	CoStars Purchase
Parks Maintenance	Pick Up Truck #71	2008	Pick Up Truck	\$42,500	CoStars Purchase
Sewer Maintenance	Utility Truck #84	2005	Utility Body Truck	\$75,000	CoStars Purchase
Highway Maintenance	Dump Truck #49	2005	Dump Truck	\$45,000/year	5 year capital lease
Highway Maintenance	Stake Body Truck #55	2001	Stake Body Truck	\$80,000	CoStars Purchase

*NOW, THEREFORE*, be it **RESOLVED** the Board of Commissioners of Radnor Township does hereby authorize the purchase of Public Works Capital Vehicles and Equipment, as noted in the 2020 Approved Budget, specifically listed in the table above.

**SO RESOLVED** this 10th day of February, A.D., 2020

**RADNOR TOWNSHIP**

By: \_\_\_\_\_  
Name: Jack Larkin  
Title: President

ATTEST: \_\_\_\_\_  
William M. White  
Acting Township Manager



# Radnor Township

## PROPOSED LEGISLATION

DATE: February 3, 2019

TO: Radnor Township Board of Commissioners

CC: William White, Acting Township Manager/Finance Director

FROM: Steve McNelis, Director of Public Works  
Matthew Pilotti, Fleet Division

LEGISLATION: Resolution 2020-18: Authorization to Purchase Capital Vehicles and Equipment

**LEGISLATIVE HISTORY:** By virtue of Ordinance 2019-12, dated December 9, 2019, the Board of Commissioners adopted the “2020 Board Adopted Final Comprehensive Budget”. The Capital Plan, in this case specifically the Public Works Department’s vehicles and equipment, is included in the approved portion of the Capital Budget.

**PURPOSE AND EXPLANATION:** The Public Works Department is requesting to purchase (2) Sanitation Packers, (2) Pick Up Trucks, (1) Utility Body Truck, (1) Dump Truck, and (1) Stake Body Truck. The work sheets for each purchase are attached. The breakdown of the Public Works Divisions, cost, and method of purchase are noted in the table below:

2020 Board of Commissioners Comprehensive Budget					
Requested Capital Purchases: Public Works Department Rolling Stock & Equipment					
Public Works Division	Item to be Replaced	Model Year	Item to be Purchased	Cost	Method of Payment
Sanitation	Sanitation Packer #30	2004	Sanitation Packer	\$45,000/year	5 year capital lease
Sanitation	Sanitation Packer #31	2005	Sanitation Packer	\$45,000/year	5 year capital lease
Fleet Maintenance	Pick Up #85	2004	Pick Up Truck	\$42,500	CoStars Purchase
Parks Maintenance	Pick Up #71	2008	Pick Up Truck	\$42,500	CoStars Purchase
Sewer Dept.	Utility Truck #84	2005	Utility Body Truck	\$75,000	CoStars Purchase
Highway Maintenance	Dump Truck #49	2005	Dump Truck	\$45,000/year	5 year capital lease
Highway Maintenance	Stake Body #55	2001	Stake Body Truck	\$80,000	CoStars Purchase

**IMPLEMENTATION SCHEDULE:** If approved by the Board of Commissioners, the Public Works Department will commence purchasing immediately.

**FISCAL IMPACT:** The purchases noted above are charged against the “05” capital accounts.

**RECOMMENDED ACTION:** I respectfully request the Board of Commissioners authorize the purchase of Public Works Capital Vehicles and Equipment, as noted in the 2020 Capital Budget, specifically listed in the table above.

**RESOLUTION NO. 2019-19**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AUTHORIZING THE PURCHASE OF ORGANIC  
FERTILIZER, SEED, AND LIME FROM SITE ONE LANDSCAPE SUPPLY**

*WHEREAS*, the Public Works Department semi-annually places grass seed and organic fertilizer, on the Township's athletic fields and this year will add an application of lime in the summer

*WHEREAS*, the Public Works Department wishes to purchase 140 bags of organic fertilizer, 200 bags of grass seed, and 60 bags of lime for the aforementioned task from Site One Landscape Supply, in the amount of \$18,913.00

*NOW, THEREFORE*, be it *RESOLVED* the Board of Commissioners of Radnor Township does hereby authorize the purchase of seed, fertilizer, and lime from Site One Landscape Supply in the amount of \$18,913.00.

*SO RESOLVED* this 10th day of February, A.D., 2019

**RADNOR TOWNSHIP**

By: \_\_\_\_\_  
Name: Jack Larkin  
Title: President

ATTEST: \_\_\_\_\_  
William M. White  
Acting Township Manager

**Radnor Township**  
**PROPOSED LEGISLATION**

DATE: February 4, 2020  
TO: Radnor Township Board of Commissioners  
CC: William M. White, Acting Township/Manager/Finance Director  
FROM: Stephen McNelis, Director of Public Works  
LEGISLATION: Resolution 2020-19: Purchase of Seed, Fertilizer, and Lime

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LEGISLATIVE HISTORY: The purchase of seed and fertilizer is brought before the Board of Commissioners semi-annually, in the spring and fall. This year, the purchase of seed, fertilizer and lime will occur only in the Spring with the product to be stored and used throughout the year.

PURPOSE AND EXPLANATION: The Public Works Department semi-annually applies seed and organic fertilizer to the Township's athletic fields, each spring and fall. In an attempt to improve our athletic turf this year, a summer application of lime will be added to the process to help strength roots and to choke out weeds. The Department wishes to purchase from Site One Landscape Supply, the following for the yearly turf application:

15-3-7 40lb Organic Fertilizer	140 bags @ \$14.40 / bag
All Pro Team Mates Seed Mixture 50lb	200 bags @ \$80.00 / bag
AMP XC Granular Lime 50lb	60 bags @ \$14.95 / bag

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**TOTAL** **\$18,913.00**

IMPLEMENTATION SCHEDULE: Upon Board of Commissioners approval, seed, fertilizer and lime will be purchased and used for the Spring, Summer, and Fall applications.

FISCAL IMPACT: Funding for the seed and fertilizer is in account 01430400-43050.

RECOMMENDED ACTION: I respectfully request the Board of Commissioners to authorize the purchase of seed and fertilizer from Site One Landscape Supply in the amount of \$18,913.00

MOVEMENT OF LEGISLATION: It is being requested that the Board of Commissioners approve the legislation for this project.

**Bid**



Oaks PA #646  
100 Green Tree Road  
Oaks, PA 19456  
W: (610)666-0595

**Bill To:**

RADNOR TOWNSHIP (#1228403)  
301 IVEN AVENUE  
WAYNE, PA 19087-5297  
W: (610)688-5600

**Ship To:**

RADNOR TOWNSHIP (#1228403)  
301 IVEN AVENUE  
WAYNE, PA 19087-5297  
W: (610)688-5600

Created	Quote#	Due Date	Expected Award Date	Expiration Date
01/10/2020	4430755	02/10/2020	02/10/2020	02/10/2020

Printed	Job Name	Job Description	Job Start Date
01/15/2020 10:14:44			02/10/2020

Line #	Item #	Item Desc	Qty	Unit Price	Extended Price
3	510028	LESCO Organic/Organic-Base Fertilizer 15-3-7 30% Polyplus 50% Bio 2.5%Fe 40 lb.	140	14.400	2,016.00
4	20-22-250	LESCO All Pro Team Mates Seed Mixture 50 lb.	200	80.000	16,000.00

**Total Price: \$ 18,016.00**

Quoted price is for material only. Applicable sales tax will be charged when invoiced. All product and pricing information is based on the latest information available and is subject to change without notice or obligation.

# Bid



Oaks PA #646  
100 Green Tree Road  
Oaks, PA 19456  
W: (610)666-0595

### Bill To:

RADNOR TOWNSHIP (#1228403)  
301 IVEN AVENUE  
WAYNE, PA 19087-5297  
W: (610)688-5600

### Ship To:

RADNOR TOWNSHIP (#1228403)  
301 IVEN AVENUE  
WAYNE, PA 19087-5297  
W: (610)688-5600

Created	Quote#	Due Date	Expected Award Date	Expiration Date
01/10/2020	4430755	02/10/2020	02/10/2020	02/10/2020

Printed	Job Name	Job Description	Job Start Date
01/15/2020 10:15:12			02/10/2020

Line #	Item #	Item Desc	Qty	Unit Price	Extended Price
1	902560	AMP XC Granular 50 lb.	60	14.950	897.00

Total Price: \$ 897.00

Quoted price is for material only. Applicable sales tax will be charged when invoiced. All product and pricing information is based on the latest information available and is subject to change without notice or obligation.

**RESOLUTION NO. 2020-20**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AUTHORIZING THE PAYMENT FOR EMERGENCY  
TRAFFIC SIGNAL REPAIRS AT S.R. 320 & GODFREY ROADS**

*WHEREAS*, Section 7.11(D) (1) of the Township Charter allows for emergency expenditures to be made when Board approval is impractical, and provided that such emergency expenditure is promptly thereafter presented to the Board of Commissioners for its approval; and

*WHEREAS*, the control cabinet and controllers for the traffic signal at the intersection of S.R. 320 and Godfrey Road which was knocked down on Tuesday, January 14, 2020

*WHEREAS*, the Public Works Director contacted the contractor responsible for the maintenance and repair to the Township's traffic signals for emergency response, and said contractor is Charles Higgins & Sons, Inc.

*WHEREAS*, Charles Higgins & Sons responded to the emergency and installed a new cabinet and control system for this very important roadway intersection

*WHEREAS*, the February 10, 2020 Board of Commissioners meeting was the first opportunity to bring the matter in front of the Board, pursuant to the Charter

*NOW, THEREFORE*, be it **RESOLVED** the Board of Commissioners of Radnor Township does hereby approve the emergency expenditure of \$15,653.39 to Charles A. Higgins & Sons, Inc. for the traffic signal control repair and replacement at S.R. 320 and Godfrey Roads.

**SO RESOLVED** this 10th day of February, A.D., 2020

**RADNOR TOWNSHIP**

By: \_\_\_\_\_

Name: Jack Larkin

Title: President

ATTEST: \_\_\_\_\_

William M. White  
Acting Township Manager

**Radnor Township**  
**PROPOSED LEGISLATION**

DATE: February 3, 2020

TO: Radnor Township Board of Commissioners

CC: William White, Acting Township Manager/Finance Director

FROM: Stephen McNelis, Director of Public Works

LEGISLATION: Resolution 2020-20: Authorizing payment for Emergency Traffic Signal Repair at S.R. 320 and Godfrey Road

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LEGISLATIVE HISTORY: There is no history to this resolution

PURPOSE AND EXPLANATION: The control cabinet and controllers to the traffic signal at S. R. 320 and Godfrey Road was knocked down by as passing truck in the late afternoon hours on January 14, 2020. Charles A. Higgins & Sons, Inc. was called in by Steve McNelis to make emergency repairs to the traffic signal controls at this highly traveled intersection.

FISCAL IMPACT: The cost of the emergency repairs and new control box and controllers will be charged to account 01430204-44312 in the amount of \$15,653.39. The Township will be reimbursed for this cost from the insurance company.

RECOMMENDED ACTION: I respectfully request the Board of Commissioners to authorize payment for the emergency repairs to the traffic signal at S.R. 320 and Godfrey Roads.

Charles A. Higgins & Sons, Inc.

Po Box 647  
 Media PA 19063  
 Electrical Contractor

# Invoice

Date	Invoice #
1/22/2020	51186

Bill To
RADNOR TOWNSHIP ATTN: ACCOUNTS PAYABLE 301 IVEN AVENUE WAYNE, PA 19087-5297

P.O. No.	Terms	Due Date	Project
	Net 30	2/21/2020	

Description	Qty	Rate	Amount
TRAFFIC LIGHT MAINTENANCE - RT 320 & GODFREY - EMERGENCY CABINET KNOCKED DOWN. CALLED IN BY STEVE MCNEILUS AT 5:08PM ON 1/14/2020			
JOB:1ST BILLING ON EMERGENCY JOB			
LABOR - 2 MEN FOR 2 1/2 HOURS OVERTIME ON 1/14/2020 - SAFE OFF POWER & SECURE CABINET TO POLE UNTIL MORNING	2.5	210.00	525.00
LABOR - 3 MEN FOR 5 HOURS ON 1/15/2020 - INSTALLED TEMPORARY CABINET , CONTROLLER AND MONITOR	5	210.00	1,050.00
20' OF 5/8" BANDIT	20	1.12	22.40
5/8" BUCKLES	4	0.85	3.40
WIRE	20	0.10	2.00
LABOR - 3 MEN FOR 8 HOURS ON 1/21/2020 - INSTALLED NEW CABINET	8	210.00	1,680.00
NEW K-POLE MOUNT CABINET WITH PEEK ATC1000 CONTROLLER SN:2551800007, 1 - 12 CHANNEL MONITOR AND ALL INTERNAL COMPONENTS	1	11,720.40	11,720.40
20' OF 1" RIGID	20	3.325	66.50
1" OFFSET NIPPLE	1	1.86	1.86
1" SERVICE HEAD	1	5.88	5.88
1" HUB	1	5.22	5.22
70' OF #6 TRIPLEX WIRE	70	0.82	57.40

It's been a pleasure working with you!

Thank you for your business. Please forward payment to above address. Call the office to pay by Credit card. We accept Master Charge & Visa Credit Cards.

<b>Subtotal</b>
<b>Sales Tax (6.0%)</b>
<b>Balance Due</b>

Phone #	Fax #
610-566-3700	610-566-1409



Charles A. Higgins & Sons, Inc.

Po Box 647  
 Media PA 19063  
 Electrical Contractor

# Invoice

Date	Invoice #
1/22/2020	51186

Bill To
RADNOR TOWNSHIP ATTN: ACCOUNTS PAYABLE 301 IVEN AVENUE WAYNE, PA 19087-5297

P.O. No.	Terms	Due Date	Project
	Net 30	2/21/2020	

Description	Qty	Rate	Amount
50' OF 10/3 RHW CABLE	50	2.42	121.00
H-TAPS	5	7.90	39.50
100' OF TRAFFIC CAMERA WIRE	100	1.28	128.00
20' OF 14/7 TRAFFIC WIRE	20	1.12	22.40
3" LB	1	44.78	44.78
40' OF 5/8" BANDIT	40	1.12	44.80
5/8" BUCKLES	9	0.85	7.65
WIRENUTS	20	0.10	2.00
PEDESTRIAN BUTTON	1	92.40	92.40
3" CLOSE NIPPLE	1	10.80	10.80

It's been a pleasure working with you!  Thank you for your business. Please forward payment to above address. Call the office to pay by Credit card. We accept Master Charge & Visa Credit Cards.	<b>Subtotal</b>	\$15,653.39
	<b>Sales Tax (6.0%)</b>	\$0.00
	<b>Balance Due</b>	\$15,653.39

Phone #	Fax #
610-566-3700	610-566-1409

# CERTIFICATE OF APPROPRIATENESS

Radnor Township Historical and Architectural Review Board  
Radnor Township, Pennsylvania



**NAME OF OWNER:** REILLY THOMAS & DEIRDRE ANNE  
**OWNER ADDRESS:** 418 OAK LN, WAYNE, PA 19087  
**ADDRESS OF PROPERTY:** 418 OAK LA , WAYNE PA 19087  
**APPLICATION NUMBER:** HARB-2020-01

Subject to the conditions below the above owner, having complied with the Radnor Township Historical and Architectural Review Board (HARB) process, is hereby granted this permit for the

**Enclose existing back porch.**

at the address specified and may proceed with the building permit process. If not completed within one year of the date hereof, this permit is void and new application must be made. This Approval is subject to the Applicant applying for and receiving all necessary permits and approvals; and complying with all applicable Municipal regulations. Owner specifically gives the building inspector or designated official the right to inspect the work during progress and at completion.

## NOTES AND/OR CONDITIONS OF APPROVAL:

Approved as submitted.

**ISSUED:** Monday, February 10, 2020

**TOWNSHIP OFFICIAL**

**ACCEPTED BY APPLICANT**

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**RESOLUTION 2020-21**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AUTHORIZING THE TOWNSHIP TO ENGAGE GRANICUS TO REDESIGN AND HOST THE TOWNSHIP'S WEBSITE, INCORPORATING NEW GOVERNMENT TRANSPARENCY, COMMUNICATION CLOUD, AND BOARD/ COMMISSION AGENDA EFFICIENCY SOFTWARE**

*WHEREAS*, Radnor Township wishes to continue to provide website, emergency and weather notification, and non-emergency email notification services to its citizens through an ADA compliant vendor; and

*WHEREAS*, Radnor Township wishes to provide a consolidated, fully integrated, customizable, all-in-one branded solution to its citizens; and

*WHEREAS*, Radnor Township wishes to redesign the existing website to make aesthetic improvements, reduce clutter, reorganize archived documents, and provide a more user-friendly experience for all visitors; and

*WHEREAS*, Radnor Township wishes to add Government Transparency allowing for live-streaming, video indexing, document pushing and efficient minute creation; and

*WHEREAS*, Radnor Township wishes to enhance its ability to communicate with the Radnor Community by leveraging the Cloud to utilize a number of outreach mediums including email, SMS/Text, RSS feeds, and social media integration seamlessly; and

*WHEREAS*, Radnor Township wishes to add Board and Commissions software enabling real-time citizen application, appointment and tracking of term(s) to the various Township boards and commissions; and

*NOW, THEREFORE*, it is hereby **RESOLVED** by the Radnor Township Board of Commissioners agrees to engage Granicus for the implementation of the various software solutions included at an implementation price of \$49,600 followed by year one pricing of \$25, 682 and subsequent pricing of year two \$35,793, year three \$37,045, year four \$38,342 and year five \$39,684.

*SO RESOLVED*, this 10<sup>th</sup> day of February, A.D., 2020

RADNOR TOWNSHIP

By: \_\_\_\_\_

Name: Jack Larkin

Title: President

ATTEST: \_\_\_\_\_

Name: William White

Title: Acting Township Manager / Secretary

# Radnor Township

## PROPOSED LEGISLATION



**DATE:** February 4, 2020  
**TO:** Board of Commissioners  
**FROM:** Molly Gallagher, Public Information Officer

**LEGISLATION:** A resolution authorizing the Township to engage Granicus to redesign and host the Township's website, incorporating new Government Transparency, Communication Cloud, and Board/Commission Agenda efficiency software.

**PURPOSE AND EXPLANATION:** Radnor adopted Resolution 2014-88 in October 2014. At that time, the Township redesigned the website and incorporated the emergency and non-emergency communication into one software suite. Through a redesign process in 2020, Radnor wishes to continue to provide website, emergency and weather notification, and non-emergency email notification services to its citizens through an ADA compliant vendor. The goal is to provide a consolidated, fully integrated, customizable, all-in-one branded solution to its citizens; to redesign the existing website to make aesthetic improvements, reduce clutter, reorganize archived documents, and provide a more user friendly experience for all visitors; to add Government Transparency allowing for live-streaming, video indexing, document pushing and efficient minute creation; to enhance its ability to communicate with the Radnor Community by leveraging the Communication Cloud to utilize a number of outreach mediums including email, SMS/Text, RSS feeds, and social media integration seamlessly; and to add Board and Commissions software enabling real-time citizen application, appointment and tracking of term(s) to the various Township boards and commissions.

**IMPLEMENTATION SCHEDULE:** The time frame for implementation for the website is six to eight months. We plan to implement the Government Transparency and Board / Commission software ahead of the website launch; some time in the spring / summer.

**FISCAL IMPACT:** Granicus has proposed a five-year engagement with pricing as follows:

Implementation Costs: \$49,600  
Year 1: \$25,682  
Year 2: \$35,793  
Year 3: \$37,045  
Year 4: \$38,342  
Year 5: \$39,684

The Township's current provider, CivicPlus, costs approximately \$31,500 per year currently

**RECOMMENDED ACTION:** The Administration respectfully recommends that the Board adopt Resolution 2020-21 at the February 10, 2020 meeting.



# GovDelivery Communications Cloud

## Digital communications platform for government

Communications Cloud is a marketing-automation platform that enables government organizations to quickly and easily connect with more constituents. As the only FedRAMP-certified marketing-automation platform, Communications Cloud is the most-secure marketing solution available for public sector organizations.

Craft messages in custom-built branded templates to provide a consistent and familiar experience for audiences across all platforms. Engage citizens with content by sending messages to a specific segment of your audience and save valuable time by crafting a single message and sharing through email, text and social media instantly.

Grow an audience through text-to-subscribe, social media promotion, other government agencies through the GovDelivery Network and by leveraging website traffic with attention-commanding subscription strategies. The simple sign-up process allows constituents to opt into receiving communication on the topics that matter to them, simultaneously allowing your organization to divide constituent subscribers by interests.

Communications Cloud delivers messaging at a higher rate, keeping emails out of spam folders and handling unsubscribes, bounces and inactive emails, allowing communicators to focus on content.

Available reports on open and click-through rates provide insight into message success and allow for continuous improvements to a marketing strategy to make each touch better than the last.

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### GOVDELIVERY NETWORK

*Further build out subscriber lists through cross-promotion opportunities with nearby and related organizations by leveraging the GovDelivery Network, which includes over 1,800 organizations with more than 150 million citizens. With more than 50,000 new people signing up for messages from government through Granicus' solutions every day, organizations using Communications Cloud have increased subscribers by up to 500 percent.*

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Email, text message and social media communications



Secured with FedRAMP certification



Audience growth opportunities/strategies



Customizable, branded templates



Manage emails - inbox placement, deliverability



Open, click-through, and bounce rate reporting



# Boards and Commissions

## Manage seat appointments, vacancies and citizen applications

Boards and Commissions allows clerks and staff to easily manage the entire committee appointment process. The system displays and promotes current and upcoming vacancies on the organization's existing website in real-time. Applicants can apply online, and clerks receive the

information on the admin dashboard in an organized format. Staff can use insightful graphs, searches and filters to review and organize applications, and submit qualified candidate information for selection.



Paperless board management



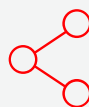
Customize application forms



Post roster and vacancies online



Search and generate reports on applications



Share information within org



Integrate with Granicus agenda management tools



# Granicus Video

## A complete video solution for government

Granicus Video enables organizations to build a content-rich library of live and archived public meeting webcasts and records without hassle, enabling agencies to reach a broader audience and further meet modern transparency demands.

With easy-to-use media management tools, agencies can schedule and broadcast live webcasts while simultaneously recording and archiving the live content to unlimited storage. Agendas can be imported prior to each meeting, allowing for video to be indexed in real-time, which eliminates hours of follow up work after an event has ended. After the meeting, publish a full and integrated public record which links the agenda directly to the video.

Empowered citizens can browse published agendas and supporting documents or save time

by performing keyword searches to jump directly to specific topics, making it easier for viewers to find the information they're most interested in. Citizens can also subscribe to agendas or keyword searches to get real-time notifications when new, relevant content becomes available.

Opt in to HD video for an enhanced viewing experience or further enable accessibility and ensure ADA compliance by adding closed-captioning services. Agencies can monitor and analyze public interest through visitor and viewership reports, which break down visitor statistics, including most-popular content, number of views, length of time on site, and more to better understand the viewing audience.



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Closed captioning add-on for ADA compliance



Reports to analyze public participation



# Peak Agenda Management

## Streamlined, paperless agenda creation, approval and publishing

Peak Agenda Management allows staff to easily manage the agenda creation process from start to finish without the paper shuffling. Draft meeting agendas within configurable templates and submit through customized workflows to the correct departments, meeting bodies, and users. Peak's paperless integration prevents multiple versions of agendas getting shuffled around between different members - which often ends with inefficient use of meeting time spent catching up on the right documents.

Automated emails alert users that new items are up for review, and the intuitive calendar view makes it easy to manage one-time and recurring meetings. Electronically review, add and collaborate on agenda items, including attaching supporting documents and materials as needed. Once approved, agenda packets are generated into a single PDF for efficient online publishing or integration with Granicus' in-meeting and post-meeting legislative tools.



Paperless agenda review and collaboration



Access via web browser



Configurable agenda templates



Customizable approval workflows



Track agenda progress on dashboard and calendar



Publish to PDF



# Granicus govAccess

## A GOVERNMENT WEBSITE TO BETTER SERVE YOUR CITIZENS

Most people come to a government website with one goal – to complete a task – yet most government websites fail to deliver. With Granicus govAccess, user-friendly design, powerful content, accessibility, and secure transactions have never been easier.

### A TRANSFORMATIVE DIGITAL EXPERIENCE

Let us help you take your website to the next level, promoting self-service, transparency, and civic engagement. Your project will start with our advanced UX research to identify the services and information important to your website visitors. We'll also work to break down departmental silos and optimize the digital citizen journey across all devices.

### SIMPLE, YET DYNAMIC GOVERNMENT CMS

govAccess is a content management system (CMS) that was purpose built for government, allowing your staff to easily create content that informs, engages and serves their communities. Our CMS makes it easy to manage mobile experiences, bring more services online, share content through popular social media channels, create custom interior pages, and more - all while ensuring consistency and control.

### ENTERPRISE-CLASS HOSTING + SUPPORT

From our state-of-the-art hosting infrastructure with greater than 99.9% uptime, to a team of certified government experts and tech gurus, the govAccess team relentlessly focuses on client satisfaction. Continuous optimization, regular health checks that include research-based recommendations, and 24x7 support deliver guaranteed success.



*Heatmaps help us understand where eyes and clicks are going on your site.*



*Basing our redesign on science, rather than emotion, helped to keep everyone on the same page as we worked through the process of transforming our web presence from a mere website to a customer service portal.*

**Kevin Tunell**  
Communications Director,  
Yuma County, AZ



## WEBSITE DESIGN + IMPLEMENTATION – TRAILBLAZER

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- ✓ Advanced UX consultation including
  - Heatmap analysis, web analytics, internal stakeholder survey, community survey
  - Remote user testing of top tasks
  - Three (3) customer journeys (detailed analysis + recommendations to optimize top tasks)
  - Website usability report
- ✓ Fully custom homepage wireframe
- ✓ Fully responsive design
- ✓ Video Background or Standard Rotating Image carousel (switchable at any time)
- ✓ Three (3) specialty alternate homepages - choose from our library including emergencies, election night, special events
- ✓ Three (3) customer experience features - choose from our library including service finder, geo finder, data visualization banner
- ✓ Website Programming + CMS Implementation
- ✓ Migrate up to 200 webpages
- ✓ Ten (10) forms converted into the new CMS
- ✓ Three (3) days of onsite consultation / training to be applied toward onsite project management or training (two of three days must be consecutive)



## KEY CMS FEATURES

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- ✓ Ongoing software updates (quarterly)
- ✓ Role-based dashboard for easy content updates, approvals + ability to lock down user permissions
- ✓ Mobile management to analyze mobile traffic and customize display on mobile device
- ✓ Interior page builder with drag-and-drop page building, 100+ widgets, save and reuse layouts + more
- ✓ Social media management with ability to schedule + preview posts to multiple social media accounts
- ✓ Form and survey builder with ready-to-use templates for the most common use cases, conditional logic, payment processing, and legally binding digital signatures
- ✓ Flexible search with the ability to define search synonyms, promote page + more
- ✓ Universal API + a vast number of commonly used apps integrated out-of-the-box



## SUPPORT + MAINTENANCE

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- ✓ 24/7 support
- ✓ Online help, including an extensive library of on-demand training videos
- ✓ Hosting infrastructure with 99.9% uptime
- ✓ Disaster recovery w/ 90 min failover (RTO), data replication every 15 mins (RPO), failover testing every 2 wks.
- ✓ Enterprise grade DDoS mitigation
- ✓ Industry leading data security (advanced threat detection and penetration)

**ORDINANCE NO. 2019-15**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE  
TO ALLOW TOWNHOUSE DEVELOPMENTS IN CERTAIN AREAS OF  
THE C-3 SERVICE COMMERCIAL DISTRICT AND TO PROVIDE  
REGULATIONS THEREFORE**

**IT IS HEREBY ORDAINED AND ENACTED** by the Board of Commissioners of Radnor Township, Delaware County, Pennsylvania as follows:

**Section 1.**

Chapter 280. Zoning

Article I. §280-4 Definitions

The definition of Dwelling in §280-4 is hereby amended to add a definition of Townhouse which shall read as follows:

**(4) TOWNHOUSE**

*A dwelling on a lot designed and occupied exclusively as a residence for one (1) family, having independent outside access and attached to but separated from adjoining dwellings by not more than two party walls.*

Article X111. C-3 Service Commercial District

§280-54. Purpose and objectives; application of regulations.

A. C-3 Service Commercial Districts make appropriate provision for a wide range of highway-oriented retail, automotive and heavier service-type business activities which ordinarily require main-highway locations and cater to transient as well as to local customers, ***and for an appropriate mix of residential and nonresidential uses.*** Among the objectives of C-3 Service Commercial Districts are:

***(4) To buffer adjacent existing and proposed residential uses from commercial uses where there is not access to an Arterial highway.***

§280-55. Use regulations.

A detached ***nonresidential*** building may be erected or used and a lot may be used or occupied for any one of the following ***nonresidential*** purposes, provided that the use and conversion of any existing dwelling ***to a non-residential use*** shall comply with the provisions of §280-45.

*Townhouse dwelling units are permitted subject to compliance with the requirements below.*

*I. A townhouse development, provided the site area is located in excess of 450 feet from an arterial street, as defined in §255-6D of the Subdivision and Land Development Ordinance, and is adjacent to or across the street from a Residence District listed in §280-5. Townhouses shall meet the requirements of §280-93.*

*J. Accessory uses, as permitted in §280-47J.*

§280-56. Area and height regulations.

A. Lot area and width. Every lot shall have a lot area of not less than 30,000 square feet, and such lot shall be not less than 150 feet in width at the building line.

*(1) Lot area and width exception for townhouses. Each townhouse dwelling unit shall meet the lot and area requirements below, provided that a townhouse development may be located on a single lot provided that the development complies with §280-36 (Special regulations for multiple-dwelling groups) and either the Pennsylvania Planned Community Act or the Pennsylvania Condominium Act, and further provided that each townhouse unit demonstrates compliance with the lot area and width requirements below. Except where exceptions are provided below, townhouses shall comply with the requirements of §280-56.*

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*Minimum lot area per dwelling unit 3,250 square feet*

*Minimum lot width for each group of townhouses 100 feet at building setback line*

*Minimum lot width for each townhouse 30 feet*

*Minimum yards:*

*Front-(from curb line) 25 feet*

*Side (between buildings) 25 feet aggregate, 10 feet minimum (between buildings), 25 feet from property line for end units*

*Rear 25 feet*

*Lot Coverage 60% maximum impervious surface*

*\*Key- Bold and Italics = Proposed Additions to Code*

**Section 2.** Repealer. All ordinances or parts of ordinances which are directly inconsistent herewith are hereby repealed.

**Section 3.** Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

**Section 4.** Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

**ENACTED** and **ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Name:  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski, Secretary

MARY C. EBERLE  
JOHN B. RICE  
DIANNE C. MAGEE \*  
DALE EDWARD CAYA  
DAVID P. CARO ♦  
DANIEL J. PACI ♦ †  
JONATHAN J. REISS ◊  
GREGORY E. GRIM †  
PETER NELSON \*  
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SEAN M. GRESH  
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FAX (215) 348-2520

\* ALSO ADMITTED IN NEW JERSEY  
◊ ALSO ADMITTED IN NEW YORK  
† MASTERS IN TAXATION  
♦ ALSO A CERTIFIED PUBLIC ACCOUNTANT

January 9, 2020

**SENT VIA ELECTRONIC CORRESPONDENCE**

Delaware County Daily Times  
Attn: Legal Department  
500 Mildred Avenue  
Primos, PA 19018

Re: Radnor Township – C-3 Ordinance

Dear Legal Department:

Enclosed please find for advertisement in the January 27<sup>th</sup> and February 3<sup>rd</sup> editions of your newspaper, a Legal Notice for the possible enactment of the above ordinance by the Board of Commissioners of Radnor Township at their meeting on February 10, 2020. Kindly provide proof of publication and your invoice for the advertisement directly to Radnor Township, c/o Robert Zienkowski, 301 Iven Avenue, Wayne, PA 19087. A full copy of the text of the ordinance is enclosed for public inspection. If you have any questions regarding the enclosed, please do not hesitate to contact my office.

Sincerely,

**GRIM, BIEHN & THATCHER**

By: 

John B. Rice

JBR/hlp

Enclosure

cc: Robert A. Zienkowski (w/encl.) – via email  
Jennifer DeStefano (w/encl.) – via email

## LEGAL NOTICE

**Notice is hereby given** that the Board of Commissioners of the Township of Radnor, Delaware County, Pennsylvania, will hold a public hearing on February 10, 2020 at 6:30 p.m. at the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087 for the purpose of receiving public comment and considering for possible adoption ordinance, a summary of which is provided below, amending the Radnor Township Zoning Ordinance amending Article I and Article XIII at Sections 280-4, 280-54, 280-55 and 280-56, as follows:

### SUMMARY OF ORDINANCE NO. \_\_\_\_\_

#### **AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE TO ALLOW TOWNHOUSE DEVELOPMENTS IN CERTAIN AREAS OF THE C-3 SERVICE COMMERCIAL DISTRICT AND TO PROVIDE REGULATIONS THEREFORE**

##### **Section 1.**

1. Amends §280-4 to add a definition for the term “Townhouse”.
2. Revises §280-54 to state additional purposes and objectives in the C-3 Service Commercial District to provide for an appropriate mix of residential and non-residential uses and to buffer proposed residential uses from commercial uses where there is not access to an arterial highway.
3. Revises §280-55 to provide use regulations for the construction, conversion, and/or use of a nonresidential building in the C-3 Service Commercial District; and amends §280-55 to provide use and location regulations for townhouse developments; and reorders the existing use regulations relating to accessory uses in the C-3 Service Commercial District in §280-55.
4. Revises §280-56 to provide dimensional regulations for Townhouses

##### **Section 2. Repealer**

##### **Section 3. Severability**

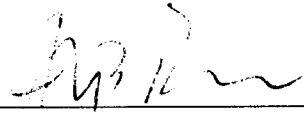
**Section 4. Effective Date.** Provides that the proposed Ordinance shall become effective in accordance with the Radnor Township Home Rule Charter

Copies of the full text of the proposed ordinance are available at the Township offices, the Delaware County Law Library, and the offices of this newspaper during normal business hours.

RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS  
301 Iven Avenue  
Wayne, PA 19087-5297

ATTEST:

I do hereby certify that this is a true and correct copy of the proposed Ordinance of Radnor Township, being advertised for possible adoption by the Radnor Township Board of Commissioners on February 10, 2020.

A handwritten signature in black ink, appearing to read "John B. Rice", written over a horizontal line.

John B. Rice, Esquire  
Grim, Biehn & Thatcher  
Township Solicitor



**TOWNSHIP OF RADNOR**  
**Delaware County, Pennsylvania**

**NOTICE OF PROPOSED ORDINANCE**  
**AUTHORIZING THE INCURRENCE OF ELECTORAL DEBT**

NOTICE IS HEREBY GIVEN that the Board of Commissioners of the Township of Radnor (the "Township") will hold a public hearing and public meeting on Monday, February 10, 2020 at 6:30 p.m. in the Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087, for the purpose of considering and acting upon a proposed Ordinance authorizing the incurrence of electoral debt by the Township (the "Ordinance"). The following is a summary of the contents of the proposed Ordinance, which among other things:

1. Authorizes the Township to incur electoral debt pursuant to the Local Government Unit Debt Act, as amended (the "Act"), and to evidence such indebtedness by the issuance of its General Obligation Bonds, Series of 2020, in a principal amount not to exceed \$11,855,000 (the "Bonds") in one or more separate series at any one time or from time to time, to finance: (A) a refunding program (the "Refunding Program") involving the current refunding of the Township's outstanding General Obligation Bonds, Series of 2014 (the "2014 Bonds"); and (B) the costs and expenses of issuing the Bonds.
2. States that the purpose of the Refunding Program is to reduce debt service that would otherwise be payable on such 2014 Bonds.
3. States that the debt to be incurred through the issuance of the Bonds is electoral.
4. Finds, after due consideration and investigation that a private sale of the Bonds by negotiation is in the best financial interest of the Township.
5. Provides for the sale of the Bonds at a private negotiated sale, and accepts a proposal for the purchase of the Bonds from Boenning & Scattergood, Inc., which will be presented at the meeting.
6. Authorizes and directs the President or Vice President of the Board of Commissioners and the Secretary or Assistant Secretary of the Township and their successors, to prepare, certify and file a debt statement required by Section 8110 of the Act, to execute and deliver the Bonds, and to take all other action required by the Act or under the Ordinance in connection with the issuance of the Bonds.
7. Contains a statement that the Bonds, when issued, will be general obligation bonds of the Township.
8. Contains a covenant by the Township as required by the Constitution of Pennsylvania and by the Act that the Township shall include in its budget for each fiscal year the amount of debt service on the Bonds for each such fiscal year; that

it shall appropriate such amount from its general revenues for the payment of such debt service; that it shall duly and punctually pay or cause to be paid the interest on and principal of the Bonds as the same shall become due; and that, for such budgeting, appropriation and payment, the full faith, credit and taxing power of the Township is pledged.

9. Provides for the creation of a Sinking Fund for the Bonds and the appointment of a Paying Agent and Sinking Fund Depository and authorizes the proper officers of the Township to enter into a contract with the Paying Agent and Sinking Fund Depository.
10. Provides for the form of the Bonds and the authentication certificate appertaining thereto and the terms thereof, including the schedule of principal maturities on a not to exceed basis, the maximum rates of interest and interest payment dates, and place of payment and redemption provisions (if any) for the Bonds.
11. Authorizes the disbursement and application of the proceeds of the Bonds.
12. Authorizes the redemption and payment of the 2014 Bonds being refunded and the establishment of an escrow fund therefor.
13. Approves a Preliminary Official Statement for the Bonds that the Township deems final and approves the preparation and distribution of a final Official Statement for the Bonds.
14. Provides that in the event the Bonds are issued from time to time that all authorizations and approvals set forth in the Ordinance shall extend to such additional documents and actions of the type expressly authorized and approved therein with respect to such additional series of Bonds.
15. Provides for other matters in connection with the issuance and sale of the Bonds.

A copy of the full proposed text of the Ordinance summarized above may be examined by any citizen in the office of the Township Secretary located in the Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087 on business days between the hours of 8:00 a.m. and 4:00 p.m.

If the Ordinance is enacted, a Notice of Enactment thereof, including any amendments to the Ordinance during final passage will be advertised after enactment and made available for examination by any citizen in accordance with the Act.

TOWNSHIP OF RADNOR

Robert A. Zienkowski, Township Manager/ Secretary

**ORDINANCE 2020-02**  
**TOWNSHIP OF RADNOR**  
**Delaware County, Pennsylvania**

AN ORDINANCE AUTHORIZING THE INCURRENCE BY THE TOWNSHIP OF RADNOR OF ELECTORAL DEBT BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES OF 2020 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$11,855,000 FOR THE PURPOSE OF PROVIDING FUNDS TO CURRENTLY REFUND THE TOWNSHIP'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES OF 2014 AND TO PAY THE COSTS OF ISSUANCE OF THE BONDS; AUTHORIZING THE PREPARATION AND FILING OF A DEBT STATEMENT AND OTHER DOCUMENTATION; PROVIDING FOR THE CURRENT REFUNDING OF THE DEBT BEING REFUNDED AND AUTHORIZING A PLEDGE AND ESCROW AGREEMENT FOR SUCH PURPOSE; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE PROMPT AND FULL PAYMENT OF THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS; SETTING FORTH THE STATED PRINCIPAL MATURITY OR SINKING FUND REDEMPTION DATES AND MAXIMUM PRINCIPAL AMOUNTS, MAXIMUM INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS AND OTHER DETAILS OF THE BONDS; APPROVING THE CONTENT AND FORM OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE DISTRIBUTION THEREOF AND AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT OR SUPPLEMENT; FINDING THAT A PRIVATE NEGOTIATED SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS WITHIN CERTAIN PARAMETERS; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, pursuant to the Local Government Unit Debt Act, 53 Pa. Cons. Stat. §8001 *et seq.* (the "Act"), the Township of Radnor, Delaware County, Pennsylvania (the "Township") may incur indebtedness for the purpose of refunding outstanding indebtedness; and

WHEREAS, on December 22, 2014, the Township issued electoral debt evidenced by its General Obligation Bonds, Series of 2014 (DCED Approval No. GOB-141209-09, December 9, 2014) (the "2014 Bonds") which was issued to finance (i) a project consisting of the purchase of three separate parcels of land, totaling approximately 71 acres for open space, conservation, recreation and view shed protection and improvements thereto, including reimbursement of the Township for certain costs of the project; and (ii) to pay the costs of issuing the 2014 Bonds; and

WHEREAS, the 2014 Bonds constitute electoral debt under the Act by virtue of a referendum which was approved by the electors of the Township at the Municipal Election held on November 7, 2006, by a vote of 8,174-Yes and 2,380-No; and

WHEREAS, the Township has determined to undertake a refinancing program to achieve debt service savings (the “Refunding Program”) consisting of the current refunding of the outstanding 2014 Bonds stated to mature on or after November 1, 2020 in the outstanding principal amount of \$8,905,000 (the “Refunded Bonds”); and

WHEREAS, the Township proposes to issue its General Obligation Bonds, Series of 2020 (the “Bonds”) in the maximum aggregate principal amount of \$11,855,000 to finance: (i) the Refunding Program; and (ii) the payment of the costs and expenses of issuing the Bonds; and

WHEREAS, the Board of Commissioners of the Township (the “Board”) has determined that the net savings to be generated by the Refunding Program (the “Required Savings”) must be equal to at least three percent (3.0%) of the principal amount of the Refunded Bonds ; and

WHEREAS, the Board has considered the possible manners of sale provided for in the Act with respect to the sale of the Bonds, such manners of sale being at public sale or private sale by negotiation or upon invitation; and

WHEREAS, the Township has determined that it is in the best financial interest of the Township to sell the Bonds at private negotiated sale, and the Township has received a proposal for the purchase of the Bonds (the “Proposal”) from Boenning & Scattergood, Inc., of West Conshohocken, Pennsylvania (the “Underwriter”), containing the financial parameters for, and conditions to, the underwriting and issuance of the Bonds (the “Parameters”), which will be supplemented by an addendum to the Proposal (the “Addendum”) containing the final terms of the Bonds, consistent with the Parameters and the Required Savings; and

WHEREAS, the Board desires to approve the issuance of the Bonds, approve the Refunding Program, and accept the Proposal of the Underwriter.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Radnor and IT IS HEREBY RESOLVED, as follows:

**1. Authorization of the Refunding Program and Incurrence of Indebtedness; and Purpose of the Refunding Program.** The Township hereby approves the Refunding Program as described in the preambles to this Ordinance and shall incur indebtedness pursuant to the Act in an aggregate principal amount not to exceed \$11,855,000 to finance the costs of the Refunding Program and the costs and expenses of issuing the Bonds.

It is hereby determined and set forth that the purpose of the Refunding Program is to reduce the total debt service that would otherwise be payable on the Refunded Bonds over the life of the issue. Attached hereto as **Exhibit B** and made a part hereof is the schedule of the estimated debt service savings in connection with the refinancing of the Refunded Bonds computed in accordance with Section 8242(b) of the Act.

The estimated useful lives of the projects financed with the 2014 Bonds were determined by the Township under its ordinance enacted on November 10, 2014 to be not less than forty (40) years.

The realistic estimated useful lives of such projects are hereby ratified and confirmed, and the principal amount of the Bonds equal to the separate cost of the portions of such projects having an unexpired shorter useful life than the period during which the Bonds will be outstanding has been scheduled to mature prior to the end of such useful life and the balance prior to the end of the longest unexpired useful life. The maturities of the Bonds will not extend beyond the calendar year in which occurs the final maturity of the 2014 Bonds.

2. **Authorization of Issuance of the Bonds.** The Township shall issue, pursuant to the Act and this Ordinance, its General Obligation Bonds, Series of 2020, in a maximum aggregate principal amount not to exceed \$11,855,000, in order to provide funds for and toward the costs of the Refunding Program and paying the costs of issuing the Bonds as authorized and provided in Section 1 hereof. The Township reserves the right to issue the Bonds in an amount less than the maximum principal amount authorized hereunder and to cancel any unused authorization hereunder in accordance with the terms of the Act. The Bonds may be issued in one or more separate series, at any one time or from time to time, and if issued in more than one series, each series shall be appropriately designated by year and specific series name. In the event the Bonds are issued from time to time, all authorizations and approvals set forth herein shall extend to such additional documents and actions of the type expressly authorized and approved herein with respect to such additional series of Bonds, including, but not limited to, additional Preliminary Official Statements, Official Statements, Addendums, Continuing Disclosure Agreements, Paying Agent agreements, and sinking funds as necessary in connection with the issuance of such series of Bonds.

3. **Type of Indebtedness.** The indebtedness evidenced by the Bonds is electoral debt.

4. **Execution of Debt Statement, Bonds and Other Documents.** The President or Vice President of the Board and the Secretary of the Township and their successors are hereby authorized and directed to file the Debt Statement required by Section 8110 of the Act, to execute and deliver the Bonds in the name and on behalf of the Township and to take all other action required by the Act or this Ordinance in order to effect the issuance of the Bonds. Said officers or any of them are further authorized to apply to the Department of Community and Economic Development for approval of the debt herein authorized and to file with such application a transcript of the proceedings including a certified copy of this Ordinance, the Debt Statement, a Borrowing Base Certificate signed by the appropriate officials of the Township or by the accountants of the Township responsible for auditing its financial affairs, and to take any and all such further action and to execute and deliver such other documents as may be necessary or proper to comply with all requirements of the Act or to carry out the intent and purpose of this Ordinance. Said officers and their successors are further hereby authorized if, in their opinion, it is advisable to do so, to prepare and file such statements and documents as may be required by Sections 8024 or 8026 of the Act in order to qualify all or any portion of the existing indebtedness of the Township or of the Bonds as subsidized debt or self-liquidating debt.

5. **Type of Bonds.** The Bonds when issued will be general obligation bonds.

6. **Covenant to Pay Debt Service - Pledge of Taxing Power.** The Township hereby covenants with the registered owners of the Bonds: ( ) that the Township will include in

its budget for each fiscal year for the life of the Bonds, the amount of the debt service on the Bonds issued hereunder which will be payable in each such fiscal year so long as the Bonds shall remain outstanding; (a) that the Township shall appropriate from its general revenues such amounts to the payment of such debt service; (b) that the Township shall duly and punctually pay or cause to be paid from the Sinking Fund (as hereinafter defined) or any of its other revenues or funds the principal of every Bond and the interest thereon at the dates and places and in the manner stated in the Bonds according to the true intent and meaning thereof; and (c) for such budgeting, appropriation and payment the Township hereby pledges its full faith, credit and taxing power. This covenant shall be specifically enforceable. The maximum amounts to be budgeted, appropriated and paid pursuant to the foregoing covenants shall not exceed those set forth in **Exhibit C** attached hereto and made a part hereof which are hereby incorporated in the foregoing covenant with the same effect as if the same were specified in the text of such covenant.

7. **Form of Bonds.** The Bonds shall be substantially in the form set forth in **Exhibit A** hereto, with appropriate omissions, insertions and variations.

8. **Terms of Bonds.** The Bonds shall be issued in fully registered form, in the denomination of \$5,000 or any integral multiple thereof and shall be dated the date of issuance thereof or such other date as the Township and the Underwriter shall agree. The Bonds shall be issued in an aggregate principal amount not to exceed \$11,855,000. The interest rates on the Bonds shall not exceed five and one-half percent (5.50%) per annum. No yield on the Bonds for any stated maturity date in the last two-thirds of the period of the Bonds may be less than that stated for the immediately preceding year. The Bonds shall mature or be subject to sinking fund redemption in annual principal amounts not to exceed the maximum principal amount for each fiscal year as set forth in **Exhibit C** hereto.

The principal of the Bonds shall be payable in lawful money of the United States of America at the corporate trust office of U.S. Bank National Association in Philadelphia, Pennsylvania (the "Paying Agent"), which is hereby appointed paying agent and registrar for the Bonds and the sinking fund depository. Interest on the Bonds shall be payable in the manner provided in the form of Bonds set forth in **Exhibit A** hereto.

9. **Redemption of Bonds.** The Bonds shall be subject to redemption prior to maturity, at the option of the Township, as a whole or in part from time to time, in any order of maturity or portion of a maturity as selected by the Township, on a date not earlier than the fifth (5<sup>th</sup>) anniversary of the issuance of such Bonds, or any date thereafter upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If any of the Bonds are to be issued and delivered as term bonds, (i) such term bonds shall be subject to mandatory sinking fund redemption on such date or dates and in such principal amount or amounts as shall be necessary to conform to the principal retirement schedule set forth in **Exhibit C** hereto and (ii) in lieu of such mandatory sinking fund redemption, the Paying Agent, with the approval of the Township, may purchase from money in the Sinking Fund, at a price not to exceed the principal amount thereof plus accrued interest, or the Township may tender to the Paying Agent, all or part of the Bonds subject to being drawn for redemption in any such year.

If less than an entire year's maturity of Bonds is to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

In the event that a portion, but not all of the term bonds are redeemed pursuant to optional redemption, then the principal amount of any remaining mandatory sinking fund redemptions and the final maturity applicable to such term bonds shall be proportionately reduced (subject to the Paying Agent making such adjustments as it deems necessary to be able to affect future redemptions of such Bonds in authorized denominations) unless the Township directs an alternate reduction of such mandatory sinking fund redemptions and final maturity.

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than \$5,000 shall be treated as representing such number of separate Bonds, each of the denomination of \$5,000, as is obtained by dividing the actual principal amount of such Bond by \$5,000. Any Bond which is to be redeemed only in part shall be surrendered at the corporate trust office of the Paying Agent in Philadelphia, Pennsylvania, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent, and the registered owner of such Bond shall receive, without service charge, a new Bond or Bonds, of any authorized denomination as requested by such registered owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

On the date designated for redemption, and upon deposit with the Paying Agent of funds sufficient for payment of the principal of and accrued interest on the Bonds called for redemption, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and the Bonds or portions thereof so called for redemption shall cease to be entitled to any benefit of security hereunder, and registered owners of the Bonds so called for redemption shall have no rights with respect to the Bonds or portions thereof so called for redemption, except to receive payment of the principal of and accrued interest on the Bonds so called for redemption to the date fixed for redemption.

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than 20 or more than 60 days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the bond register maintained by the Paying Agent. Such notice shall also be filed by the Paying Agent with the Municipal Securities Rulemaking Board. Such notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the corporate trust office of the Paying Agent in Philadelphia, Pennsylvania and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

With respect to any optional redemption of the Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent monies sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption monies with the Paying Agent not later than the redemption date, and such notice shall be of no effect unless such monies are so deposited.

**10. Appointment of Securities Depository.** The Depository Trust Company, New York, New York (“DTC”), shall act as securities depository for the Bonds on behalf of the firms which participate in the DTC book-entry system (“DTC Participants”). The ownership of one fully registered Bond for each maturity of the Bonds will be registered in the name of Cede & Co., as nominee for DTC. Each Bond certificate will be in the aggregate principal amount of such maturity. The Township shall cause the Bonds to be delivered to DTC or the Paying Agent, as custodian for DTC, on or before the date of issuance of the Bonds.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the “Beneficial Owner”) will not receive bond certificates and will not be the registered owner thereof. Ownership interest in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant’s interest in the Bonds, which will be confirmed in accordance with DTC’s standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Township nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The Township is authorized to execute such documents as may be necessary or desirable in connection with DTC’s services as securities depository including a blanket letter of representation obligating the Township to give certain notices to DTC and to meet certain requirements relating to Bond payments.

If DTC determines to discontinue providing its services as securities depository with respect to the Bonds at any time, the Township officials then holding the offices set forth in Section 4 of this Ordinance are hereby authorized to designate a successor securities depository or to deliver certificates to or upon the order of the registered owners of the Bonds.

The Township shall give notice or cause the Paying Agent to give notice, to DTC in accordance with the Blanket Letter of Representations for the redemption or other retirement of all of the Bonds. The Township will provide for the form of notice. Upon receipt of such notice, DTC will forward the notice to the DTC Participants for subsequent forwarding of such notice to the Beneficial Owners of the Bonds. The Township will pay the customary charges for such mailing.

**11. Sale of Bonds.** The Bonds shall be sold at private sale by negotiation as hereinafter set forth in Section 14. After due consideration, the Board hereby finds and



determines, on the basis of all available information, that a private negotiated sale of the Bonds is in the best financial interest of the Township.

**12. Creation of and Deposits in Sinking Fund.** The Township covenants that there shall be and there is hereby established and that it shall hereafter maintain a sinking fund (the “Sinking Fund”) designated “Sinking Fund – General Obligation Bonds, Series of 2020” for the Bonds to be held by the Paying Agent (or such substitute or successor Paying Agent which shall hereafter be appointed in accordance with the provisions of the Act) in the name of the Township, but subject to withdrawal only by the Paying Agent.

The Township covenants and agrees to deposit in such Sinking Fund no later than each Interest Payment Date (as defined in the form of the Bonds attached hereto), the debt service payable on the Bonds on such dates, which shall not exceed the maximum amounts set forth in **Exhibit C** attached hereto, or such greater or lesser amount as at the time shall be sufficient to pay principal of and interest on the Bonds becoming due on each such date.

Pending application to the purpose for which such Sinking Fund is established, the President or Vice President of the Board is hereby authorized and directed to cause the monies therein to be invested or deposited and insured or secured as permitted and required by Section 8224 of the Act. All income received on such deposits or investments of monies in such Sinking Fund during each applicable period shall be added to such Sinking Fund and shall be credited against the deposit next required to be made in such Sinking Fund.

The Paying Agent is hereby authorized and directed, without further action by the Township, to pay from such Sinking Fund the principal of and interest on the Bonds as the same become due and payable in accordance with the terms thereof and the Township hereby covenants that such monies, to the extent required, will be applied to such purpose.

All monies deposited in the Sinking Fund for the payment of the Bonds which have not been claimed by the registered owners thereof after two years from the date when payment is due, except where such monies are held for the payment of outstanding checks, drafts or other instruments of the Paying Agent, shall be returned to the Township. Nothing contained herein shall relieve the Township of its liability to the registered owners of the unrepresented Bonds.

**13. No Taxes Assumed.** The Township shall not assume the payment of any tax or taxes in consideration of the purchase of the Bonds.

**14. Award and Sale of Bonds.** The Township hereby awards and sells the Bonds to the Underwriter at a price of no less than ninety percent (90%) and no more than one hundred twenty percent (120%) of the principal amount of the Bonds (including original issue discount or premium and the underwriter’s discount) plus accrued interest from the dated date of the Bonds to the date of delivery and in accordance with the other terms and conditions contained or incorporated in the Proposal of the Underwriter dated February 10, 2020 which is hereby approved and accepted. The underwriter’s discount for the Bonds shall not exceed 0.70% of the principal amount of the Bonds. A copy of said Proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting and is hereby incorporated herein by reference. The proper officers of the Township are hereby authorized and directed to endorse the

acceptance of the Township on said Proposal and to deliver executed copies thereof to the Underwriter. The Township Manager or the Director of Finance is authorized to accept the Addendum to the Proposal setting forth the final terms of the Bonds within the Parameters set forth in this Ordinance, and at such time as the Required Savings are achieved in the case of Bonds issued for the Refunding Program. The Required Savings must be equal to at least three percent (3.0%) of the principal amount of the Refunded Bonds.

**15. Contract with Paying Agent.** The proper officers of the Township are authorized to contract with U.S. Bank National Association, Philadelphia, Pennsylvania, in connection with the performance of its duties as the Paying Agent and Sinking Fund Depository on usual and customary terms, including an agreement to observe and comply with the provisions of this Ordinance and of the Act

**16. Redemption of Refunded Bonds.** The Township hereby calls the Refunded Bonds for redemption on May 1, 2020, subject to the issuance of the Bonds. The Township shall enter into a Pledge and Escrow Agreement (the "Pledge Agreement") with the paying agent for the Refunded Bonds, U.S. Bank National Association, Philadelphia, Pennsylvania (the "Escrow Agent"), providing, among other things for: (a) the certification to the Escrow Agent of the amounts required to pay the principal and interest on the Refunded Bonds to the date of maturity or redemption; (b) the deposit with the Escrow Agent of amounts which, together with the interest thereon, will meet such requirements; (c) the investment of the amounts deposited under the Pledge Agreement in accordance with the applicable regulations under Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"); and (d) the irrevocable pledge of all amounts and investments held under the Pledge Agreement for the payment of the Refunded Bonds to the date of maturity or redemption and the application of the principal of and interest on the investments to such purposes. The Pledge Agreement shall be in form and substance as approved by the signing officers of the Township. The President or Vice President and the Secretary or Assistant Secretary of the Township are hereby authorized and directed to execute such Pledge Agreement and to deliver the same to the Escrow Agent on behalf of the Township.

The officers of the Township are hereby authorized and directed to execute all documents and to take such other action as may be necessary or advisable to effect the refunding, redemption and payment of the Refunded Bonds. Upon redemption of the Refunded Bonds, any excess moneys shall be transferred by the Escrow Agent to the Paying Agent, and the Paying Agent shall deposit the same in the Sinking Fund for the Bonds.

The Township hereby authorizes the Escrow Agent, the Financial Advisor, the Underwriter or their respective representatives to subscribe for U.S. Treasury State and Local Government Series Securities, or to purchase such other obligations as further determined by the Township and set forth in the Pledge Agreement, for deposit into the escrow account under the Pledge Agreement.

**17. Federal Tax Covenants.** The Township hereby covenants not to take or omit to take any action so as to cause interest on the Bonds to be no longer excluded from gross income for purposes of federal income taxation and to otherwise comply with the requirements of Sections 103 and 141 through 150 of the Code, and all applicable regulations promulgated with

respect thereto, throughout the term of the Bonds. The Township further covenants that it will make no investments or other use of the proceeds of the Bonds which would cause the Bonds to be “arbitrage bonds” as defined in Section 148 of the Code. The Township further covenants to comply with the rebate requirements (including the prohibited payment provisions) contained in Section 148(f) of the Code and any regulations promulgated thereunder, to the extent applicable, and to pay any interest or penalty imposed by the United States for failure to comply with said rebate requirements, to the extent applicable.

The Township may determine, on the advice of Bond Counsel to the Township, to designate any series of the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3)(B) of the Code. The Township hereby delegates the power to make such designation on behalf of the Township, on the advice of Bond Counsel to the Township, to the proper officers of the Township and authorizes each of such officers to execute a certificate at the time of closing of any series of the Bonds, setting forth the amount of such series of the Bonds, if any, designated and/or deemed designated under the Code and making such representations and warranties as are required in connection therewith.

**18. Execution and Authentication of Bonds.** As provided in Section 4, the Bonds shall be executed by the President or the Vice President of the Board and the Secretary of the Township and each such execution shall be by manual or facsimile signature. If any officer whose signature appears on the Bonds shall cease to hold such office before the actual delivery date of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such person had remained in such office until the actual delivery date of the Bonds. The Bonds shall be authenticated by the manual signature of an authorized representative of the Paying Agent.

**19. Application of Bond Proceeds.** The purchase price for the Bonds, and any accrued interest payable by the Underwriter, shall be paid by the Underwriter to the Paying Agent on behalf of the Township. Upon receipt of the purchase price for the Bonds, including interest thereon accrued to the date of delivery, if any, the Paying Agent shall deposit the same in a settlement account. From the settlement account, the Paying Agent shall pay, or establish reserves for payment of, the costs and expenses of the financing, and shall deposit certain of the proceeds of Bonds with the Escrow Agent, and the proper officers of the Township are authorized to direct the Paying Agent to pay such amounts on behalf of the Township and to make such deposits, all as set forth in written directions to the Paying Agent.

**20. Approval of Official Statement.** The Township hereby approves and “deems final” the Preliminary Official Statement for the Bonds for purposes of United States Securities and Exchange Commission Rule 15c2-12. A final Official Statement containing the final terms of the Bonds, shall be prepared and delivered to the Underwriter within seven (7) business days from the date of establishment of the final terms of the Bonds, and the Township hereby approves the use thereof in connection with the public offering and sale of the Bonds.

**21. Continuing Disclosure.** The Township hereby authorizes and directs the appropriate officers to execute and deliver a Continuing Disclosure Agreement or a supplement to an existing Continuing Disclosure Agreement of the Township (the “Continuing Disclosure Agreement”) if and to the extent required by law. The Township further covenants and agrees

that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. Notwithstanding any other provision of this Ordinance, failure of the Township to comply with the Continuing Disclosure Agreement shall not be considered an event of default hereunder or under the Bonds; however, the Paying Agent, any Participating Underwriter (as defined in the Continuing Disclosure Agreement), or any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section.

**22. Covenant to Pledge Sufficient Funds.** The Township hereby covenants and agrees that, concurrently with the issuance of and payment for the Bonds:

a) The Township will have irrevocably pledged with the Escrow Agent, amounts sufficient, together with interest, if any, to be earned thereon, to pay: (i) all interest on the Refunded Bonds to the date of redemption thereof; and (i) the principal of the Refunded Bonds to the date of redemption thereof so that the Refunded Bonds will no longer be outstanding under the Act; and

b) Said Escrow Agent will have invested the monies required by any escrow agreement or directions in accordance with the terms thereof.

**23. Officers Authorized to Act.** For the purpose of expediting the closing and the issuance and delivery of the Bonds, or in the event that the President of the Board or the Secretary of the Township shall be absent or otherwise unavailable for the purpose of executing documents, or for the purpose of taking any other action which they or either of them may be authorized to take pursuant to this Ordinance, the Vice President of the Board or the Assistant Secretary of the Township, respectively, are hereby authorized and directed to execute documents, or otherwise to act on behalf of the Township in their stead.

**24. Contract with Bond Owners.** This Ordinance constitutes a contract with the registered owners of the Bonds outstanding hereunder and shall be enforceable in accordance with the provisions of the laws of the Commonwealth of Pennsylvania.

**25. Binding Effect of Covenants and Agreements.** All covenants, obligations and agreements of the Township set forth in this Ordinance and in the documents authorized hereby shall be deemed to be the covenants, obligations and agreements of the Township to the full extent authorized or permitted by law, and all such covenants, obligations and agreements shall be binding upon the Township and its successors from time to time and upon any board or body to which any powers or duties affecting the same shall be transferred by or in accordance with law. Except as otherwise provided in this Ordinance, all rights, powers and privileges conferred and duties and liabilities imposed upon the Township or the members thereof by the provisions of this Ordinance or the documents authorized hereby shall be exercised or performed, by such members, officers or other representatives of the Township as may be required or permitted by law to exercise or perform the same. No covenant, obligation or agreement herein contained or contained in any documents authorized hereby shall be deemed to be a covenant, obligation or agreement of any commissioner, officer, agent or employee of the Township in his or her individual capacity and neither the Commissioners of the Township nor any officer executing the

other documents authorized by this Ordinance shall be liable personally thereunder or be subject to any personal liability or accountability by reason of the execution and delivery thereof.

**26. Bond Counsel.** The Township hereby appoints Cozen O'Connor to act as Bond Counsel to the Township with respect to the transactions contemplated by this Ordinance.

**27. Further Action.** The proper officers of the Township are hereby authorized and directed to take all such action, execute, deliver, file and/or record all such documents, publish all notices and otherwise comply with the provisions of this Ordinance and the Act in the name and on behalf of the Township.

**28. Act Applicable to Bonds.** This Ordinance is enacted pursuant to, and the Bonds issued hereunder shall be subject to, the provisions of the Act and all of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

**29. Severability.** In case any one or more of the provisions contained in this Ordinance or in any Bond shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Ordinance or of said Bonds, and this Ordinance or said Bonds shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

**30. Repealer.** All ordinances and parts of ordinances heretofore enacted to the extent that the same are inconsistent herewith are hereby repealed.

31. **Effective Date.** This Ordinance shall take effect on the earliest date permitted by the Act.

ENACTED this 10<sup>th</sup> day of February, 2020.

(TOWNSHIP SEAL)

TOWNSHIP OF RADNOR

ATTEST

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President  
Board of Commissioners

[Signature Page to Bond Ordinance]

**EXHIBIT A**

**[FORM OF BOND]**

UNITED STATES OF AMERICA

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF RADNOR

GENERAL OBLIGATION BOND, SERIES OF 2020

No. R- \_\_\_\_\_ \$ \_\_\_\_\_

INTEREST RATE	MATURITY DATE	ORIGINAL ISSUANCE DATE	CUSIP
	_____, ____	_____, 2020	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: \_\_\_\_\_ DOLLARS

Township of Radnor, Delaware County, Pennsylvania (the "Township"), a political subdivision of the Commonwealth of Pennsylvania, for value received, hereby promises to pay to the registered owner hereof on the Maturity Date set forth above the Principal Sum set forth above, unless this Bond shall have been called for redemption and payment of the redemption price shall have been made or duly provided for, and to pay interest thereon from the Original Issuance Date set forth above or the most recent Interest Payment Date to which interest has been paid or duly, provided for, semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, 20\_\_ (each, an "Interest Payment Date"), at the interest rate specified above, calculated on the basis of a 360-day year of twelve 30-day months until the principal sum is paid or has been provided for.

Interest is payable to the registered owner of this Bond from the Interest Payment Date next preceding the authentication date of the Bond, unless: (a) this Bond is authenticated as of an Interest Payment Date, in which event it shall bear interest from such Interest Payment Date; (b) this Bond is registered and authenticated after a Regular Record Date (hereinafter defined) and before the next succeeding Interest Payment Date, in which event it shall bear interest from such succeeding Interest Payment Date; (c) such Bond is registered and authenticated on or prior to the Regular Record Date preceding \_\_\_\_\_, 20\_\_, in which event it shall bear interest from \_\_\_\_\_, 20\_\_; or (d) as shown by the records of the Paying Agent interest on this Bond shall be in default, in which event it shall bear interest from the date on which interest was last paid on this Bond.

The principal of this Bond is payable upon presentation and surrender hereof at the corporate trust office of U.S. Bank National Association, in Philadelphia, Pennsylvania (the "Paying Agent"). Interest on this Bond will be paid on each Interest Payment Date by check mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as bond registrar, at the address appearing, thereon at the close of business on the fifteenth (15<sup>th</sup>) day (whether or not a day on which the Paying Agent is open for business) next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof as of the Regular Record Date, and shall be payable to the person who is the registered owner hereof at the close of business on a Special Record Date for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever monies become available for payment of the defaulted interest, and notice of the Special Record Date and payment date for such interest shall be given by first class mail to the registered owners of the Bonds not less than ten (10) days prior to the Special Record Date. Such notice shall be mailed to the persons in whose names the Bonds are registered at the close of business on the fifth (5<sup>th</sup>) day preceding the date of mailing. The principal of and interest on this Bond are payable in lawful money of the United States of America.

Notwithstanding the foregoing, so long as this Bond is registered in the name of The Depository Trust Company ("DTC") or its nominee, Cede & Co., payment of principal and interest on this Bond shall be payable in the manner and at the respective times of payment provided for in DTC's Operational Arrangements, as they may be amended from time to time.

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 2020, of the Township in the aggregate principal amount of \$\_\_\_\_\_ (the "Bonds") issued in fully registered form in denominations of \$5,000 and integral multiples of \$5,000 in excess thereof, all issued in accordance with the Local Government Unit Debt Act, 53 Pa. Cons. Stat. §8001 et seq., as amended (the "Act"), and pursuant to an Ordinance of the Board of Commissioners of the Township duly enacted on February 10, 2020 (the "Ordinance") and a Paying Agent Agreement between the Township and the Paying Agent dated as of \_\_\_\_\_, 2020 (the "Paying Agent Agreement"). The Bonds are issued for the purpose of financing a refunding program, and paying the costs of issuing the Bonds, as described in the Ordinance.

Under the laws of the Commonwealth of Pennsylvania, this Bond and the interest thereon shall at all times be free from taxation within the Commonwealth of Pennsylvania, but this exemption shall not extend to gift, estate, succession or inheritance taxes or to any other taxes not levied or assessed directly on this Bond or the interest thereon. Profits, gains or income derived from the sale, exchange, or other disposition of this Bond are subject to state and local taxation.

The Bonds maturing on or after \_\_\_\_\_, 20\_\_ are subject to redemption prior to maturity at the option of the Township as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township on \_\_\_\_\_, 20\_\_ or any date thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.



The Bonds stated to mature on \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ (the "Term Bonds") are subject to mandatory redemption prior to their stated maturity by lot by the Township from monies to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of the principal amount thereof plus accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on \_\_\_\_\_ of the years, from the maturities and in the annual principal amounts set forth in the following schedule (or such lesser principal amount as shall at the time represent all Term Bonds which shall then be outstanding):

Mandatory Redemption Schedule

Redemption Date (_____)	<u>Maturity From Which Selected</u>	<u>Principal Amount to be Redeemed or Purchased</u>
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In the event that a portion, but not all of the Term Bonds are redeemed pursuant to optional redemption, then the principal amount of any remaining mandatory sinking fund redemptions and the final maturity applicable to the Term Bonds shall be proportionately reduced (subject to the Paying Agent making such adjustments as it deems necessary to be able to affect future redemptions of such Bonds in authorized denominations) unless the Township directs an alternate reduction of such mandatory sinking fund redemptions and final maturity.

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than \$5,000 shall be treated as representing such number of separate Bonds, each of the denomination of \$5,000, as is obtained by dividing the actual principal amount of such Bond by \$5,000. Any Bond which is to be redeemed only in part shall be surrendered at the corporate trust office of the Paying Agent in Philadelphia, Pennsylvania, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent, and the registered owner of such Bond shall receive, without service charge, a new Bond or Bonds, of any authorized denomination as requested by such registered owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

On the date designated for redemption, and upon deposit with the Paying Agent of funds sufficient for payment of the principal of and accrued interest on the Bonds called for redemption, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and the Bonds or portions thereof so called for redemption shall cease to be entitled to any benefit of security hereunder, and registered owners of the Bonds so called for redemption shall have no rights with respect to the Bonds or portions thereof so called for redemption, except to receive payment of the principal of and accrued interest on the Bonds so called for redemption to the date fixed for redemption.

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than 20 or more than 60 days before the redemption date to the

registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the corporate trust office of the Paying Agent in Philadelphia, Pennsylvania and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and the reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

With respect to any optional redemption of the Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent monies sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption monies with the Paying Agent not later than the redemption date, and such notice shall be of no effect unless such monies are so deposited.

The Township and the Paying Agent may treat the person in whose name this Bond is registered on the Bond register maintained by the Paying Agent as the absolute owner of this Bond for all purposes and neither the Township nor the Paying Agent shall be affected by any notice to the contrary. The Bonds are being issued by means of a book-entry system, with actual bond certificates evidencing ownership of the Bonds immobilized at either DTC, New York, New York (the "Securities Depository"), or its successor as Securities Depository or with the Paying Agent, as custodian for DTC. Transfers of beneficial ownership of the Bonds shall be effected on the records of the Securities Depository and its participants pursuant to the rules and procedures established by the Securities Depository.

So long as the Bonds are issued in book-entry form, actual bond certificates are not available for distribution to the beneficial owners and the principal and interest on the Bonds are payable to Cede & Co., as nominee of the Securities Depository. Transfer of principal and interest payments to participants of the Securities Depository is the responsibility of the Securities Depository; transfers of principal and interest to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of beneficial owners. The Township and the Paying Agent are not responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants. If the Bonds are no longer registered to a Securities Depository or its nominee, the Bonds are transferable by the registered owners thereof, subject to payment of any required tax, fee or other governmental charge, upon presentation and surrender at the corporate trust office of the Paying Agent in, Philadelphia, Pennsylvania, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent shall not be required: (i) to issue, transfer or exchange any of the Bonds during a period beginning at the close of business on the fifth (5<sup>th</sup>)

day next preceding the day of selection of Bonds to be redeemed and ending at the close of business on the day on which such notice is given, or (ii) to transfer or exchange any Bond selected for redemption in whole or in part.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon, against any commissioner, officer or employee, past, present or future, of the Township or of any successor body, as such, either directly or through the Township or through any such successor body under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such commissioners, officers or employees is released as a condition of and as consideration for the execution and issuance of this Bond.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the Commonwealth of Pennsylvania or in the jurisdiction in which the corporate trust or payment office of the paying agent is located are authorized or required by law or executive order to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth of Pennsylvania for the Township to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by the Constitution and the statutes of the Commonwealth of Pennsylvania; that the Township has established a sinking fund for the Bonds and shall deposit therein amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Bond, the full faith, credit and taxing power of the Township are hereby irrevocably pledged.

This Bond shall not be entitled to any benefit under the Ordinance or be valid or become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent by execution of the certificate endorsed hereon.

IN WITNESS WHEREOF, the Township of Radnor, Delaware County, Pennsylvania has caused this Bond to be signed in its name and on its behalf by the signature of the President of its Board of Commissioners and an impression of its corporate seal to be hereunto affixed, duly attested by the signature of the Secretary of the Township.

TOWNSHIP OF RADNOR

By: \_\_\_\_\_  
President, Board of Commissioners

Attest: \_\_\_\_\_  
Secretary

(SEAL)

AUTHENTICATION CERTIFICATE

This Bond is one of the Township of Radnor General Obligation Bonds, Series of 2020, described in the within mentioned Ordinance.

DATE OF AUTHENTICATION:

U.S. BANK NATIONAL ASSOCIATION,  
Paying Agent

By: \_\_\_\_\_  
Authorized Representative

ASSIGNMENT AND TRANSFER

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR  
EMPLOYER IDENTIFICATION NUMBER OF  
ASSIGNEE

\_\_\_\_\_

\_\_\_\_\_ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

\_\_\_\_\_ attorney to transfer said Bond on the books of the within named Paying Agent, with full power of substitution in the premises.

Dated:

Signature Guaranteed by:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution, an institution which is a participant in a Securities Transfer Association recognized signature guaranteed program.

\_\_\_\_\_  
NOTICE: The signature to this Assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Signature)

[END OF BOND FORM]

**EXHIBIT B**

**SCHEDULE OF ESTIMATED DEBT SERVICE SAVINGS RELATED TO THE  
REFUNDING OF THE REFUNDED BONDS  
IN ACCORDANCE WITH SECTION 8242(b) OF THE ACT**

<u>Date</u>	<u>New Debt Service</u>	<u>Existing Debt Service</u>	<u>Savings</u>
11/01/2020	\$503,887.78	\$561,310.00	\$57,422.22
11/01/2021	505,912.50	561,110.00	55,197.50
11/01/2022	502,212.50	560,810.00	58,597.50
11/01/2023	503,362.50	560,410.00	57,047.50
11/01/2024	509,212.50	564,635.00	55,422.50
11/01/2025	504,612.50	563,222.50	58,610.00
11/01/2026	504,862.50	561,407.50	56,545.00
11/01/2027	508,162.50	564,180.00	56,017.50
11/01/2028	506,262.50	561,402.50	55,140.00
11/01/2029	504,262.50	563,187.50	58,925.00
11/01/2030	502,162.50	560,387.50	58,225.00
11/31/2031	504,962.50	562,187.50	57,225.00
11/01/2032	507,562.50	563,387.50	55,825.00
11/01/2033	509,012.50	563,987.50	54,975.00
11/01/2034	505,237.50	563,987.50	58,750.00
11/01/2035	506,350.00	563,387.50	57,037.50
11/01/2036	502,237.50	562,187.50	59,950.00
11/01/2037	501,987.50	560,387.50	58,400.00
11/01/2038	501,487.50	559,618.76	58,131.26
11/01/2039	505,737.50	563,306.26	57,568.76
11/01/2040	504,612.50	561,268.76	56,656.26
11/01/2041	507,668.76	563,687.50	56,018.74
11/01/2042	500,331.26	559,750.00	59,418.74
11/01/2043	<u>502,862.50</u>	<u>560,250.00</u>	<u>57,387.50</u>
<b>Total</b>	<b>\$12,114,962.80</b>	<b>\$13,489,456.28</b>	<b>\$1,374,493.48</b>

**EXHIBIT C**

**MAXIMUM BOND AMORTIZATION SCHEDULE**

<b>Dates</b>	<b>Max Par</b>	<b>Max Coupon</b>	<b>Interest</b>	<b>Semi-Annual Debt Service</b>	<b>Annual Debt Service</b>
05/01/2020	-	-	-	-	-
11/01/2020	\$575,000.00	5.500%	\$405,704.44	\$980,704.44	\$980,704.44
05/01/2021	-	-	310,200.00	310,200.00	-
11/01/2021	400,000.00	5.500	310,200.00	710,200.00	1,020,400.00
05/01/2022	-	-	299,200.00	299,200.00	-
11/01/2022	405,000.00	5.500	299,200.00	704,200.00	1,003,400.00
05/01/2023	-	-	288,062.50	288,062.50	-
11/01/2023	405,000.00	5.500	288,062.50	693,062.50	981,125.00
05/01/2024	-	-	276,925.00	276,925.00	-
11/01/2024	420,000.00	5.500	276,925.00	696,925.00	973,850.00
05/01/2025	-	-	265,375.00	265,375.00	-
11/01/2025	425,000.00	5.500	265,375.00	690,375.00	955,750.00
05/01/2026	-	-	253,687.50	253,687.50	-
11/01/2026	435,000.00	5.500	253,687.50	688,687.50	942,375.00
05/01/2027	-	-	241,725.00	241,725.00	-
11/01/2027	445,000.00	5.500	241,725.00	686,725.00	928,450.00
05/01/2028	-	-	229,487.50	229,487.50	-
11/01/2028	450,000.00	5.500	229,487.50	679,487.50	908,975.00
05/01/2029	-	-	217,112.50	217,112.50	-
11/01/2029	455,000.00	5.500	217,112.50	672,112.50	889,225.00
05/01/2030	-	-	204,600.00	204,600.00	-
11/01/2030	460,000.00	5.500	204,600.00	664,600.00	869,200.00
05/01/2031	-	-	191,950.00	191,950.00	-
11/01/2031	470,000.00	5.500	191,950.00	661,950.00	853,900.00
05/01/2032	-	-	179,025.00	179,025.00	-
11/01/2032	480,000.00	5.500	179,025.00	659,025.00	838,050.00
05/01/2033	-	-	165,825.00	165,825.00	-
11/01/2033	490,000.00	5.500	165,825.00	655,825.00	821,650.00
05/01/2034	-	-	152,350.00	152,350.00	-
11/01/2034	500,000.00	5.500	152,350.00	652,350.00	804,700.00
05/01/2035	-	-	138,600.00	138,600.00	-
11/01/2035	510,000.00	5.500	138,600.00	648,600.00	787,200.00
05/01/2036	-	-	124,575.00	124,575.00	-
11/01/2036	520,000.00	5.500	124,575.00	644,575.00	769,150.00
05/01/2037	-	-	110,275.00	110,275.00	-
11/01/2037	530,000.00	5.500	110,275.00	640,275.00	750,550.00
05/01/2038	-	-	95,700.00	95,700.00	-
11/01/2038	540,000.00	5.500	95,700.00	635,700.00	731,400.00



<b>Dates</b>	<b>Max Par</b>	<b>Max Coupon</b>	<b>Interest</b>	<b>Semi-Annual Debt Service</b>	<b>Annual Debt Service</b>
05/01/2039	-	-	\$80,850.00	\$80,850.00	-
11/01/2039	\$560,000.00	5.500%	80,850.00	640,850.00	\$721,700.00
05/01/2040	-	-	65,450.00	65,450.00	-
11/01/2040	570,000.00	5.500	65,450.00	635,450.00	700,900.00
05/01/2041	-	-	49,775.00	49,775.00	-
11/01/2041	590,000.00	5.500	49,775.00	639,775.00	689,550.00
05/01/2042	-	-	33,550.00	33,550.00	-
11/01/2042	605,000.00	5.500	33,550.00	638,550.00	672,100.00
05/01/2043	-	-	16,912.50	16,912.50	-
11/01/2043	<u>615,000.00</u>	5.500	<u>16,912.50</u>	<u>631,912.50</u>	<u>648,825.00</u>
<b>Totals:</b>	<b>\$11,855,000</b>		<b>\$8,388,129.44</b>	<b>\$20,342,129.44</b>	<b>\$20,342,129.44</b>

**CERTIFICATE OF SECRETARY**

The undersigned, Secretary of the Township of Radnor HEREBY CERTIFIES that:

The foregoing Ordinance authorizing the issuance of General Obligation Bonds, Series of 2020 of the Township was duly moved and seconded and enacted by a majority vote of all the Board of Commissioners of said Township at a duly called and convened meeting of said Board held on February 10, 2020; that public notice of said meeting was given as required by law; and that the roll of the Board of Commissioners was called and such members voted or were absent as follows:

<b><u>Name</u></b>	<b><u>Vote</u></b>
Jack Larkin, President	_____
Lisa Borowski, Vice President	_____
Jake Abel	_____
Richard F. Booker, Esq.	_____
Damien Enderle	_____
Sean Farhy	_____
Moira Mulrone, Esq.	_____

and that such Ordinance and the votes thereon have been duly recorded in the minutes.

WITNESS my hand and seal of the Township this 10<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
Robert A. Zienkowski, Secretary

(TOWNSHIP SEAL)

**ORDINANCE NO. 2020-03**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA,  
AMENDING THE CODE OF THE TOWNSHIP OF RADNOR, CHAPTER 270, SECTION  
270-21 SPECIAL PURPOSE PARKING ZONES**

The Board of Commissioners of the Township of Radnor does hereby **ENACT** and **ORDAIN** the following amendments to Section 270-21 as follows:

**Section 1.** Section 270-21, Special Purpose Parking Zones, is hereby establishing new handicapped parking spaces as follows:

Space No.	Location
151	North Wayne Avenue
184	North Wayne Avenue
564	East Lancaster Avenue

**Section 2.** Section 270-21, Special Purpose Parking Zones, is hereby amended to change handicapped parking space numbers as follows:

Space No.	Location
538 to 548	East Lancaster Avenue
260 to 251	West Avenue
123 to 125	West Lancaster Avenue
649 to 648	West Wayne Avenue
202 to 199	North Wayne Avenue

**Section 3.** Section 270-21, Special Purpose Parking Zones, is hereby amended to rescind handicapped parking as follows:

Street	Location
West Wayne Avenue	For a length of 20 feet commencing 124 feet from South Wayne Avenue

**Section 4:** Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 5:** Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof other than that portion specifically declared invalid.

**Section 6.** Effective date. This ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

**ENACTED** and **ORDAINED** this        day of        , 2020.

RADNOR TOWNSHIP

By: \_\_\_\_\_  
Name: Jack Larkin  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski, Secretary

MARY C. EBERLE  
JOHN B. RICE  
DIANNE C. MAGEE \*  
DALE EDWARD CAYA  
DAVID P. CARO ♦  
DANIEL J. PACI ♦ †  
JONATHAN J. REISS ◊  
GREGORY E. GRIM †  
PETER NELSON \*  
PATRICK M. ARMSTRONG  
SEAN M. GRESH  
KELLY L. EBERLE \*  
JOEL STEINMAN  
MATTHEW E. HOOVER  
COLBY S. GRIM  
MICHAEL K. MARTIN  
MITCHELL H. BAYLARIAN  
IAN W. PELTZMAN  
WILLIAM D. OETINGER  
ROBERT D. CARO

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125TH ANNIVERSARY 1895-2020

[www.grimlaw.com](http://www.grimlaw.com)

John B. Rice  
e-mail: [jrice@grimlaw.com](mailto:jrice@grimlaw.com)

J. LAWRENCE GRIM, JR., OF COUNSEL  
JOHN FREDERIC GRIM, OF COUNSEL

104 S. SIXTH STREET  
P.O. BOX 215  
PERKASIE, PA. 18944-0215  
(215) 257-6811  
FAX (215) 257-5374  
(215) 536-1200  
FAX (215) 538-9588  
(215) 348-2199  
FAX (215) 348-2520

\* ALSO ADMITTED IN NEW JERSEY  
◊ ALSO ADMITTED IN NEW YORK  
† MASTERS IN TAXATION  
♦ ALSO A CERTIFIED PUBLIC ACCOUNTANT

January 29, 2020

**VIA ELECTRONIC CORRESPONDENCE**

Delaware County Daily Times  
Attn: Legal Department  
500 Mildred Avenue  
Primos, PA 19018

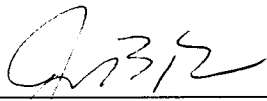
Re: Radnor Township –Special Purpose Parking Ordinance

Dear Legal Department:

Enclosed please find for advertisement one (1) time in the January 31<sup>st</sup> edition of your newspaper, a Legal Notice for the possible enactment of the above ordinance by the Board of Commissioners of Radnor Township at their meeting on February 10, 2020. Kindly provide proof of publication and your invoice for the advertisement directly to Radnor Township, c/o Robert Zienkowski, 301 Iven Avenue, Wayne, PA 19087. A full copy of the text of the ordinance is enclosed for public inspection. If you have any questions regarding the enclosed, please do not hesitate to contact my office.

Sincerely,

**GRIM, BIEHN & THATCHER**

By:   
John B. Rice

JBR/hlp  
Enclosure

cc: Jennifer DeStefano (w/encl.) – via email  
Bill White (w/encl.) – via email

## **LEGAL NOTICE**

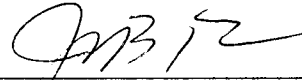
Notice is hereby given that the Board of Commissioners of the Township of Radnor, Delaware County, Pennsylvania, will consider for possible enactment an ordinance, of which this Notice is a summary, amending the Code of the Township of Radnor, Chapter 270, Section 270-21 Special Purpose Parking Zones.

The Board of Commissioners will hold a public hearing on February 10, 2020, at 6:30 p.m., at the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087 to consider the ordinance. Copies of the full text of the proposed ordinance are available at the Township offices, the Delaware County Law Library, and the offices of this newspaper during normal business hours.

**RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS  
301 Iven Avenue  
Wayne, PA 19087-5297**

ATTEST:

I do hereby certify that this is a true and correct copy of the proposed Ordinance of Radnor Township, being advertised for possible adoption by the Radnor Township Board of Commissioners on February 10, 2020.



---

John B. Rice, Esquire  
Grim, Biehn & Thatcher  
Township Solicitor

**ORDINANCE NO. 2020-04**  
**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,**  
**PENNSYLVANIA, AMENDING SECTION 5-70, CIVIL SERVICE PROVISIONS, OF**  
**CHAPTER 8 OF THE RADNOR TOWNSHIP RULES AND REGULATIONS**

**Section 1. Chapter 8, Section 5-70, Civil Service Provisions, is hereby amended to read as follows:**

**Section 5-70. Civil Service Provisions.**

**A. Definition of terms; word usage.**

- 1) Definitions. Unless otherwise expressly stated, the following words and phrases, whenever used in this section, shall be construed to have the meanings indicated herein:
  - a. Alternate Commissioner – An individual appointed by the Appointing Authority in a First-Class Township to serve as an “Alternate Civil Service Commissioner.”
  - b. Applicant - Any individual who applies in writing to the Commission in response to a legally advertised notice of vacancy and/or examination for any position full time in the Police Department.
  - c. Appointing Authority – The Board of Commissioners of the Township of Radnor, County of Delaware, Pennsylvania.
  - d. Certification - The submission to the Appointing Authority pursuant to its request of the top three (3) names taken from the Eligibility List created by the Civil Service Commission.
  - e. Chairperson - The Chairperson of the Civil Service Commission of the Township of Radnor, County of Delaware, Pennsylvania,
  - f. Commission - The Civil Service Commission of the Township of Radnor, County of Delaware, Pennsylvania.
  - g. Eligibility List – The document created by the Commission after completion of the examination requirements set forth in Subsection D(1) through (6) for Patrol Officer and Subsection E(1) through (4) for higher Ranks.
  - h. Examination - The series of examinations given to applicants to determine their qualifications for a position in the Police Department.
  - i. Furlough List - The list containing the names of persons temporarily laid off from positions in the Police Department because of a reduction in the number of police officers.

- j. Patrol Officer - For purposes of this section, an entry level sworn full-time position in the Police Department.
  - k. Police Department – The Police Department of the Township of Radnor.
  - l. Police Officer – A person employed by the Police Department as an Act 120 certified law enforcement officer, including a Patrol Officer, Corporal, Sergeant, Lieutenant, Captain, Deputy Superintendent and Superintendent.
  - m. Probationer – A police officer in the Police Department who has been appointed or promoted, but who has not yet completed the one-year probationary period specified in Subsection D(14).
  - n. Rank - Recognized ranks in the Police Department are: (1) Patrol Officer; (2) Corporal; (3) Sergeant; (4) Lieutenant; (5) Captain; (6) Deputy Superintendent; and (7) Superintendent.
  - o. Reduction in Rank - A change to a different rank where the employee fulfilled all of the requirements of this section for both the prior and current rank. However, a decrease in salary without a change to a different rank shall not necessarily constitute a reduction in rank.
  - p. Removal - The permanent separation of a police officer from the Police Department.
  - q. Secretary - The Secretary of the Civil Service Commission of Radnor.
  - r. Suspension - The temporary separation without pay of a police officer from the Police Department.
  - s. Vice Chairperson - A Commissioner of the Civil Service Commission elected by the Commissioners to preside over meetings in the Chairperson's disability, absence or recusal.
- 2) Gender. The words he, his, him, and men when used in this Ordinance represent both the masculine and feminine genders.

## B. THE COMMISSION

- 1) Civil Service Commission
  - a. The Commission shall consist of three (3) Commissioners who shall be qualified electors of the Township of Radnor and shall be appointed by the Appointing Authority for an initial term of six (6) years and with only one reappointment, not to exceed 12 years. Any vacancy occurring in the Commission for any reason whatsoever shall be filled by the Appointing Authority for the unexpired term within the period of thirty (30) days after such vacancy occurs.



- b. Each member of the Commission, before entering upon the discharge of the duties of his office, shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity. No Civil Service Commissioner shall receive compensation.
- c. The Board of Commissioners may appoint no more than three qualified electors of the Township to serve as alternate members of the Commission. The term of office shall be six (6) years with only one (1) reappointment. When serving in the stead of a Commissioner, an Alternate Commissioner shall be entitled to participate in all proceedings and discussions of the Commission to the full extent as provided by law for Commission members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in the First Class Township Code and as otherwise provided by law. Any Alternate Commissioner not serving in the stead of a Commissioner may participate in any proceeding or discussion of the Commission but shall not be entitled to vote as a member of the Commission unless designated as a voting alternate member pursuant to Section 628 of the First Class Township Code.

2) Offices Incompatible with Civil Service Commissioner

No Commissioner or Alternate Commissioner shall at the same time hold an elective or appointed office under the United States government, the Commonwealth of Pennsylvania, the Township of Radnor, or any political subdivision of the Commonwealth of Pennsylvania, except that one member of the Commission may be a member of the Board of Township Commissioners.

3) Organization of Commission; Quorum

- a. The Commission first appointed shall organize within 10 days of its appointment and shall elect one of its members as its Chairperson, one as its Vice Chairperson and one as its Secretary. The Commission shall thereafter meet and organize on the first Monday of January year. Three (3) members of the Commission shall constitute a quorum and no action of the Commission shall be valid unless it shall have the concurrence of at least two members.
- b. If, by reason of absence or disqualification of a member, a quorum is not reached, the Chairperson shall designate as many Alternate Commissioners to sit on the Commission as may be needed to provide a quorum. Any Alternate Commissioner shall continue to serve on the Commission in all proceedings involving the matter or case for which the Alternate Commissioner was initially designated until the Commission has made a final determination of the matter or case. Designation of an

Alternate Commissioner shall be made on a case-by-case basis in rotation according to declining seniority among all Alternate Commissioners.

- c. For purposes of hiring and promoting police officers under this section, each step of the hiring or promotional process requiring official action by the Commission shall be considered a separate “matter or case” under Subsection B(3)(b), above, and each step of the hiring or promotional process need not be voted upon or approved by the same composition of Commissioners or Alternate Commissioners, as the case may be, provided that the quorum requirement has been satisfied.

4) Duties of Chairperson and Secretary

The Chairperson, or in his or her absence, the Vice-Chairperson, shall preside at all meetings and hearings of the Commission, decide all points of order or procedure and perform any duties required by law or this section. The Chairperson shall carry on at the direction of the Commission all official correspondence of the Commission, send out all notices required by law and this section, keep a record of each examination or other official action of the Commission, and perform all other duties required by law or this section. The Secretary shall carry on at the direction of the commission all official correspondence of the commission, send out all notices required by law and these Rules, keep a record of each examination or other official action of the commission, and perform all other duties required by law or these Rules.

5) Meetings

Except for the annual organizational meeting, all meetings shall be held either at the call of the Chairperson or at the call of two (2) members of the Commission. The Commission shall have the discretion to determine whether meetings shall be open to the public when not specifically regulated by law or this section. The Chairman of the Commission shall give each Commissioner and Alternate Commissioner forty-eight (48) hours written notice of each and every meeting of the Commission.

6) Clerks and Supplies

The Appointing Authority shall furnish the Commission with such supplies and clerical assistance as may be necessary for the Commission to fulfill its duties. In addition, the Commission may retain counsel, and any other consultants or experts as are necessary. The elected and appointed officials of the Township of Radnor shall assist the Commission with all reasonable and appropriate efforts including compensation for any counsel or experts retained by the Commission. Physicians, psychiatrists, psychologists and other qualified medical professionals shall be appointed by the Appointing Authority.

7) Amendment of Ordinance

The Commission may recommend to the Appointing Authority that this section be amended, revised, voided or replaced for any reason by action of a majority of the Commission at any properly convened meeting of the Commission. Before any changes to this section may become effective, those changes after adoption by the Commission must be approved by the Appointing Authority.

8) Minutes and Records

The Commission shall keep minutes of its proceedings and records of examinations and other official actions. All records of the Commission shall be preserved and disposed of according to the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued by the Local Government Records Committee under the authority of the Municipal Records Act, 1968 P.L. 961, Number 428, 53 P.S. § 9001. Any and all records related to any disciplinary action filed with the Commission shall be open to public inspection subject to reasonable regulation. The Chairperson shall keep minutes of its proceedings showing the vote of each member upon each question. If the member is absent or fails to vote, the Chairperson shall indicate that fact in the minutes.

9) Investigations

The Commission shall have the power to make investigations concerning all matters relating to the administration and enforcement of this section. The Chairperson of the Commission is authorized to administer oaths and affirmations in connection with such investigations.

10) Subpoenas

a. The Commission shall have the power to issue subpoenas over the signature of the Chairperson, or designee, to acquire the attendance of witnesses and the production of records and papers pertaining to any hearing, investigation or inquiry. The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the Court of Common Pleas, County of Delaware, Pennsylvania, and shall be paid from appropriations for the incidental expense of the Commission. All elected and appointed officials, police officers, and employees of the Township of Radnor shall attend and testify when required to do so by the Commission without additional compensation.

b. If any person shall refuse or neglect to obey any subpoena issued by the Commission, upon conviction of such refusal or neglect in a summary proceeding, that person shall be sentenced to pay a fine not to exceed one hundred dollars (\$100.00), and in default of the payment of such fine and cost shall be imprisoned not to exceed thirty (30) days.

- c. If any person shall refuse or neglect to obey any subpoena, the Commission may apply by petition to the Court of Common Pleas, County of Delaware, Pennsylvania for its subpoena, requiring the attendance of such persons before the Commission or the court to testify and to produce any records and papers necessary, and in default thereof shall be held in contempt of court.

11) Annual Report

The Commission shall make an annual report to the Township Commissioners containing a brief summary of its work during the year which shall be available for public inspection.

C. APPLICATIONS TO THE POLICE DEPARTMENT

1) Eligibility for Examination

In order to be eligible for participation in any examination for a position with the Police Department, every applicant must submit a completed application form to the Commission before the deadline stated by the Commission for that specific examination. The applicant must make an oath or affirmation that the application is completed truthfully, and the applicant is subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

2) Non-discrimination in Employment

The Township of Radnor is an equal opportunity employer. It is the policy of the Township of Radnor and the Commission to grant equal employment opportunities to qualified persons without regard to race, religion, color, national origin, gender, age, veteran's status, marital status or non-job-related physical or mental handicap or disability. The Township of Radnor and the Commission will provide equal opportunities in employment and promotion. No disciplinary or other adverse action by the Appointing Authority or Commission taken against a Police Officer covered by this section shall be based on race, religion, color, national origin, gender, age, veteran's status, marital status or non-job-related physical or mental handicap or disability.

3) Availability

Application forms shall be available to all interested persons in the Office of the Township of Radnor Secretary and from such other offices and officers that the Commission, from time to time, may choose to designate.

4) Age

All applicants for the position of Patrol Officer must have reached their twenty-first (21st) birthday on or before the deadline for submitting completed applications.

5) General Qualifications for Patrol Officer

a. Every applicant for the position of Patrol Officer in the Police Department shall possess at the time of filling the application a high school diploma or equivalent, have successfully completed Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Commission Act 120 training and thereby be eligible for certification by the Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Commission. Every applicant for the position of Patrol Officer shall be a United States citizen, be physically and mentally fit to perform the full duties of a Police Officer, and possess a valid motor vehicle operator's license at the time of appointment.

b. Veterans' Preference Points

Pursuant to the Veterans' Preference Act, 51 Pa. C.S. § 7104(a), any applicant for the position of Patrol Officer, whether lateral or nonlateral, who qualifies as a "soldier" under this Act, shall have ten (10) points added to his total score if he had received passing scores in all other areas of testing and qualification. Any applicant claiming veterans' preference shall be responsible for providing any and all relevant documents to the Commission.

6) General Qualifications – Deputy Superintendent, Captain, Lieutenant, Sergeant and Corporal [Amended 1-5-2015 by Ord. No. 2014-16]

a. All applicants for a promotional position shall currently be Radnor Police Officers and have continuous prior service with the Police Department of the Township of Radnor as follows:

1. An applicant for the position of Corporal shall have at least three (3) years of experience as a Patrol Officer in the Police Department of the Township of Radnor.
2. An applicant for the position of Sergeant shall have at least four (4) years of experience as a Patrol Officer or higher rank in the Police Department of the Township of Radnor.
3. An applicant for the position of Lieutenant shall have at least six (6) years of experience as a Patrol Officer or higher rank with the Police Department of the Township of Radnor and two (2) years of experience as a Sergeant or higher rank with the Police Department of the Township of Radnor.
4. An applicant for the position of Captain or Deputy Superintendent shall have at least ten (10) years of experience as a Patrol Officer or higher rank with the Police Department of the Township of Radnor and two (2) years of experience as a

Lieutenant or higher with the Police Department of the Township of Radnor.

7) Rejection of Applicant

The Commission may refuse to examine, or, if examined, may refuse to certify as eligible after examination, any applicant who is found to lack any of the minimum qualifications for examination prescribed in this section for the particular position for which the applicant has applied. In addition, the Commission may refuse to examine, or if examined, may refuse to certify as eligible any applicant who is incapable of performing all the essential functions of the position or who has a physical or mental condition which restricts the person's ability to perform all of the essential functions of the position applied for, or who is a habitual substance abuser, who is guilty of any crime involving moral turpitude, or who has been dismissed from public service for delinquency or misconduct in office.

8) Public Notice

The Commission shall conspicuously post, at least three (3) weeks prior to the deadline for accepting applications, in the Township of Radnor Municipal Building Administration Office and the Township of Radnor Police Department notice of the time and place of the initial examination, together with the information as to the type of position to be filled, the requirements for that position, where applications may be obtained for the examination, and the deadline for filing applications. In addition, at least three (3) weeks prior to the deadline for accepting applications, publication of the notice shall occur in at least one (1) newspaper of general circulation or a newspaper circulating generally in the Township of Radnor.

9) Recording and Filing Applications

Applications for the position in the Police Department to be filled shall be received at the Township of Radnor Municipal Building Administration Office only after an examination has been properly advertised and before the deadline for receiving applications which must be set forth in the public advertisement. Applications and required documents will be received by the Township of Radnor Secretary or his/her designee in full and no portion thereof shall be accepted. That person shall record the receipt of the application. Applicants for the position of Patrol Officer shall submit the following documents with the application: a photocopy of his driver's license; a photocopy of documentation certifying receipt of his high school diploma or equivalent; a photocopy of documentation certifying completion of Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Commission Act 120 training; proof of citizenship; and if Veterans' Preference is being sought, a photocopy of his/her Honorable Discharge or DD-214 from the United States Armed Forces. Any application containing material errors or omissions may, at the discretion of the

Commission, be returned to the applicant for correction, provided that such action by the Commission shall not serve to extend the applicant's filing deadline.

10) Hearing for Disqualified Applicants

If any applicant or person is aggrieved by the refusal of the Commission to examine or to certify the applicant as eligible after examination, the Commission shall at the written request of the applicant, within ten (10) days appoint a time and place for a public hearing, at which time the Commission shall take testimony and review its refusal to provide examination or certification. The hearing shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa.C.S.A. § 101 et seq. The applicant or aggrieved party must make his request for a hearing in writing within ten (10) calendar days of the date when he knew or should have known of the Commission's action which is being challenged. The decision of the Commission shall be final.

11) Fees

Radnor Township may set a reasonable fee to be charged in connection with the filing of an application for Patrol Officer. The fee shall be identified in the public notice required by Subsection C(8). There shall be no fee assessed in connection with any application for promotion.

D. FOR THE EXAMINATION OF APPLICANTS FOR THE POSITION OF PATROL OFFICER

- 1) Hiring Procedures for the Position of Patrol Officer. The Commission shall have two separate procedures for screening and ranking applicants for Patrol Officer. One, for lateral transfers, will limit applicants to current Act 120 Certified Pennsylvania municipal Police Officers and current Pennsylvania State Troopers, in each case with at least two years of full time service as of the application filing deadline. The other, for non-lateral transfers, will be open to anyone who meets the requirements of Subsections C(4) and (5). At the time a testing cycle for a Patrol Officer is announced, the Commission shall specify whether the testing cycle is open to lateral transfers or to non-lateral transfers.
- 2) The lateral transfer examination for a Patrol Officer shall consist of two oral examinations which will be graded on a one-hundred (100) point scale with each exam representing fifty percent (50%) of the final score. Both oral examinations shall include questioning applicants regarding how they would respond to relevant law enforcement situations and other matters which reasonably test the applicants' ability to perform police work as a Patrol Officer. One oral examination shall be conducted by a panel designated by the Commission. The other examination shall be conducted by a panel designated by the Superintendent. In addition, each applicant will undergo a physical fitness test. This physical fitness test will be graded on a pass/fail basis for every applicant. After an applicant has been extended an offer of employment, final appointment shall be contingent upon the

applicant passing a medical and psychological examination as well as passing a background investigation.

- 3) The non-lateral examination procedure for Patrol Officer shall consist of a written and an oral examination which will be graded on a one hundred (100) point scale with the written examination representing fifty percent (50%) of the final score and the oral examination representing fifty percent (50%) of the final score. In addition, each applicant will undergo a physical fitness test. This physical fitness test will be graded on a pass/fail basis for every applicant. After an applicant has been extended an offer of employment, final appointment shall be contingent upon the applicant passing a medical and psychological examination as well as passing a background investigation.

- 4) Written Examination for Non-Lateral Patrol Officer

The written examination for applicants for non-lateral Patrol Officer shall be graded on a one-hundred (100) point scale. Only the applicants receiving a grade of seventy-five percent (75%) or higher will continue in the application process and participate in the oral examination. Within thirty (30) days after the administration of the written examination, all applicants shall be given written notice of their test results and the passing applicants shall be scheduled for an oral examination appointment.

- 5) Oral Examination for Non-Lateral Patrol Officer

The applicants for Patrol Officer who scored seventy-five percent (75%) or higher in the written examination shall be given an oral examination which will be graded on a one hundred (100) point scale with a score of seventy-five percent (75%) or higher necessary for passing. The oral examination shall include questioning applicants regarding how they would respond to relevant law enforcement situations and other matters which reasonably test the applicants' ability to perform police work as a Patrol Officer. Within thirty (30) days after the applicants' oral examination, they shall be informed of the score in their oral examination and total overall score, and each passing applicant shall be informed of the date for physical fitness testing.

- 6) Physical Fitness Testing for Patrol Officer

All applicants for the position of Patrol Officer must pass four (4) fitness regimens: a 300 Meter Run; a series of Push Ups; a series of Sit Ups; and, a 1.5 Mile Run. Written criteria for performing and passing each regimen will be approved by the Commission when it announces the submission date for Patrol Officer applications. Moreover, this written criteria will be included with each application.

- 7) Background Investigation



- a. The Commission shall request the Superintendent to arrange for a background investigation for applicants on the eligibility list. An investigation will be conducted on the top applicants to ensure a sufficient certified eligibility list for each opening. The background investigation shall include interviews with the applicant's family, acquaintances, current and former employers, current and former neighbors, references and current and former teachers and school officials. In addition, the applicant's record of criminal history shall be investigated. The applicant may be interviewed directly when the information collected during the background investigation requires clarification or explanation.
- b. All applicants shall execute an appropriate authorization for release of personal information, and cooperate fully in providing information upon request to ensure a thorough and complete investigation. After completion of the background investigation, the Superintendent shall make a recommendation to the Commission as to whether or not the applicant is an appropriate candidate for consideration for appointment as a Patrol Officer.
- c. As part of the background investigation, all applicable applicants shall undergo a polygraph test(s) based upon a personal data questionnaire that an applicant shall be required to complete and submit to the polygraph examiner. The polygraph examination will adhere to the professional standards of the American Polygraph Association. If the examiner shall deem any of the applicant's responses to be deceptive, the examiner shall inform the applicant and give the applicant the opportunity to explain, deny, or admit the deception. If the applicant denies being deceptive or if the examiner finds an explanation to be unsatisfactory, the applicant shall be given the opportunity to reanswer the question or, if determined by the examiner to be necessary, to retake the test.
- d. Eligibility of the applicant shall be based upon the criteria set forth in Subsection C(7) of this section and on passing the polygraph examination. The Commission's recommendation shall be in writing and if the recommendation is to disqualify, then a detailed written explanation of the reasons for disqualification must be included. The Commission shall make the final determination as to whether the information collected during the background investigation warrants rejection of the candidate.
- e. Within thirty (30) days after the Commission considers the recommendation of the Superintendent or his/her designee, each applicant will be informed whether he has passed the background investigation. Disqualified applicants may appeal pursuant to Subsection C(10).

8) Certification of the List of Eligible Candidates and Appointment

- a. At the completion of the examination requirements set forth in Subsection D(1) through (7), the Commission shall rank all passing applicants receiving the highest score at the top of the Eligibility List and the applicant receiving the lowest passing score at the bottom of the Eligibility List. Applicants who qualify for veterans' preference points shall have those points added to their passing score prior to being ranked on the Eligibility List. In the case of tied scores, the tie shall be broken in favor of the earliest time/date stamp on the application.
- b. The Eligibility List shall be valid for one (1) year from the date the Commission ranks all passing applicants, assigns veterans points and formally adopts the eligibility list. The Commission may, at its sole discretion, by a vote of the majority of the Commission at a duly authorized Commission meeting, extend the Eligibility List up to an additional twelve (12) months. In the absence of a lawful extension by the Commission, the Eligibility List shall expire. The Commission may, at its sole discretion, void an Eligibility List at any time for any reason.

9) Vacancy

The Appointing Authority may fill any vacancy in an existing position of Patrol Officer in the Police Department which occurs as a result of expansion of the Police Department, retirement, resignation, disability or death, by the reappointment or reinstatement of a former employee who has been furloughed. Any officer, who has been furloughed for more than one year, will be required to undergo a medical examination, a psychological examination and a full background investigation, inclusive of criminal conviction search.

10) Vacancy Appointment

If no Furlough List exists or if positions remain to be filled after all names on the Furlough List have been offered re-employment, every vacant position, except that of Superintendent, shall be filled only in the following manner:

- a. The Appointing Authority shall notify the Commission of any vacancy which is to be filled and shall request the certification of three (3) names from the Eligibility List;
- b. If three (3) names are not available, then the Commission shall certify the name(s) remaining on the Eligibility List.

11) Conditional Appointment

When the Appointing Authority deems it appropriate to make an appointment to fill a Patrol Officer vacancy, it shall make a conditional appointment from any of the three (3) names certified as eligible, subject to that person passing the medical and psychological examinations. When one or more of the three (3) applicants on the certified list is a veteran, then the veteran shall be selected.

12) Procedures After Conditional Appointment

After the Appointing Authority selects an applicant from the certified list of three (3) for appointment to fill a vacancy, the candidate shall submit to a medical examination and a psychological examination by the appropriate medical experts. The applicant shall be notified of his conditional appointment contingent upon passing these two components. The medical and psychological examinations shall be as specified in Subsection D(15).

13) Disqualification

Should the applicant be disqualified based upon failure of any of the following components: written examination, oral examination, physical agility test, medical examination, psychological examination or background investigation, the Commission shall then certify another name to be included with the two (2) previously certified names for consideration by the Appointing Authority.

14) Probationary Period

Every successful applicant appointed to the position of Patrol Officer with the Police Department shall serve a one (1) year probationary period. During the probationary period, the Probationer may be dismissed only for cause for the reasons set forth in Subsection C(7). However, at the end of the one (1) year probationary period, if the conduct of the Probationer has not been satisfactory to the Appointing Authority, the Probationer shall be notified in writing that the appointment will not be permanent. At that time, the Probationer's employment shall end. Any Probationer, who is not informed in writing that his performance has been unsatisfactory, shall receive a permanent appointment. Any Probationer who is notified in writing that his appointment will not be made permanent has no rights of appeal under this section.

15) Medical and Psychological Examinations.

Physical examinations shall be under the direction of a physician or other qualified medical professional. Psychological medical examinations shall be under the direction of a psychiatrist or psychologist.

- a. The physician or other qualified medical professional and the psychiatrist or psychologist shall be appointed by the Appointing Authority and shall render an opinion as to whether the conditional appointee has a physical or mental condition which calls into question his ability to perform all of the essential functions of the position for which he was conditionally appointed.
- b. If the opinion rendered by the physician, other qualified medical professional, psychiatrist or psychologist calls into question the conditional appointee's ability to perform any essential functions of a position, a person designated by the Appointing Authority shall meet with

the conditional appointee for the purpose of having one or more interactive discussions on whether the conditional appointee can, with or without reasonable accommodation, perform all the essential functions of the position.

c. If, at the conclusion of the interactive discussion under subsection D(15)(b), the Appointing Authority determines that the conditional appointee is not qualified, the Appointing Authority shall give written notice to the conditional appointee and the Civil Service Commission.

d. As used in this section, the following definitions shall apply:

1. "Medical examination" shall mean any examination, procedure, inquiry or test designed to obtain information about medical history or a physical or mental condition which might disqualify an applicant if it would prevent the applicant from performing, with or without a reasonable accommodation, all of the essential functions of the position.

2. "Physician" shall have the meaning given to it in 1 Pa.C.S. § 1991 (relating to definitions).

3. "Qualified medical professional" shall mean an individual, in collaboration with or under the supervision or direction of a physician, as may be required by law, who is licensed:

a) As a physician assistant pursuant to the Act of December 20, 1985 (P.L. 457, No. 112), known as the "Medical Practice Act of 1985," or the Act of October 5, 1978 (P.L. 1109, No. 261), known as the "Osteopathic Medical Practice Act"; or

b) As a certified nurse practitioner pursuant to the Act of May 22, 1951 (P.L. 317, No. 69), known as "The Professional Nursing Law."

E. PROCEDURE FOR THE EXAMINATION OF CANDIDATES FOR THE POSITIONS OF CORPORAL, SERGEANT, LIEUTENANT, CAPTAIN AND DEPUTY SUPERINTENDENT

1) General Examination Requirements for Promotions.

a. Corporal and Sergeant.

The examination for the positions of Corporal and Sergeant shall be a written and oral examination which will be graded on a one hundred (100) point scale with the written examination representing fifty percent (50%) of the final score and the oral examination representing fifty percent (50%) of the final score. After a candidate has been extended an offer of promotion, the promotion shall be final.

b. Lieutenant.

The examination for the position of Lieutenant shall be a written and oral examination which will be graded on a one hundred (100) point scale with the written examination representing fifty percent (50%) of the final score, and the oral examination representing fifty percent (50%) of the final score. After a candidate has been extended an offer of promotion, the promotion shall be final.

c. Captain.

The examination for the position of Captain shall be an oral examination which will be graded on a one hundred (100) point scale. After a candidate has been extended an offer of promotion, the promotion shall be final.

d. Deputy Superintendent.

The examination for the position of Deputy Superintendent shall be an oral examination which will be graded on a one hundred (100) point scale. After a candidate has been extended an offer of promotion, the promotion shall be final.

2) Oral Examinations.

a. All applicants for the positions of Corporal, Sergeant, Lieutenant, Captain and Deputy Superintendent shall be given an oral exam which will be graded on a one hundred (100) point scale. The oral examination process designated by the Commission shall, in addition to any other issues deemed appropriate by the Commission or its designee(s), include questioning applicants regarding how they would respond to relevant law enforcement situations and other matters which reasonably test the officer's ability to perform police work in that particular Rank.

b. The manner in which the oral examination process is conducted, as well as the identity of the individuals who will actually administer the oral examinations, shall be determined by the Commission.

3) Certification of the List of Eligible Candidates for Promotion

a. At the completion of the promotional examination requirements set forth in Subsections E(1) and (2), the Commission shall, for each promotion test, rank all passing applicants receiving the highest score at the top of the Eligibility List and the applicant receiving the lowest passing score at the bottom of the list. In the case of tied scores, the tie shall be broken in favor of the earliest time/date stamp on the candidate's letter of intent to be examined.

- b. The Eligibility List shall be valid for one (1) year from the date the Commission ranks all passing applicants and formally adopts the Eligibility List. The Commission may, at its sole discretion, by a vote of the majority of the Commission at a duly authorized Commission meeting, extend the Eligibility List up to an additional twelve (12) months. In the absence of a lawful extension by the Commission, the list shall expire. The Commission may, at its sole discretion, void an Eligibility List at any time for any reason.

4) Probationary Period

Every successful applicant appointed to a promotional position with the Police Department shall serve a one (1) year probationary period. A promoted officer, during probation, may be returned to a prior Rank only for cause for the reasons set forth in Subsection C(7). However, at the end of the one (1) year probationary period, if the conduct of the Probationer has not been satisfactory to the Appointing Authority, the Probationer shall be notified in writing that the appointment will not be permanent. At that time, a promoted officer shall return to his previous Rank. Any Probationer who is not informed in writing that his performance has been unsatisfactory shall receive a permanent appointment to the new position. Any Probationer who is notified in writing that his appointment will not be made permanent has no rights of appeal under this Ordinance.

F. SUSPENSIONS, REMOVALS AND REDUCTIONS IN RANK

1) Grounds for Disciplinary Action

- a. No person appointed to a position in the Police Department pursuant to this Ordinance may be suspended without pay or removed and no person promoted in Rank pursuant to this Ordinance may be reduced in Rank except for the following reasons:
  - 1. Physical or mental disability affecting his ability to continue in service, in which cases the person shall receive an honorable discharge from service;
  - 2. neglect or violation of any official duty;
  - 3. violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or felony;
  - 4. inefficiency, neglect, intemperance, disobedience of order, or conduct unbecoming an officer
  - 5. intoxication while on duty;

6. engaging or participating in conducting of any political or election campaign otherwise than to exercise his own right of suffrage, except that this clause shall only apply to a police officer while on duty or in uniform or while using any township property.
  7. engaging or participating in the conduct of any political or election campaign for an incompatible office pursuant to section 1401 of the First Class Township Code.
- b. No Police Officer shall be removed for religious, racial, color, national origin, gender, age, veteran's status, marital status or non-job-related physical or mental handicap or disability, or political reasons.

2) Furloughs

If for reasons of economy or other valid reasons, it shall be deemed necessary by the Appointing Authority to reduce the number of Police Officers in the Police Department, then the Appointing Authority shall furlough the person or persons, including probationers, last appointed to the respective force.

- a. Such removal shall be accomplished by furloughing in numerical order commencing with the person last appointed until such reduction shall have been accomplished.
- b. In the event that the Appointing Authority decides to increase the number of Police Officers in the Police Department, the furloughed Police Officers shall be reinstated in order of their seniority in the Police Department if the furloughed Police Officer accepts reinstatement in writing within thirty (30) days of receiving notice of the opening.
- c. Any furloughed Police Officer must accept reinstatement in writing within thirty (30) days of receiving notice of the opening or shall forego the reinstatement.

3) Notice of Suspension, Removal or Reduction in Rank

- a. Whenever a Police Officer is suspended, removed or reduced in Rank, the specific charges warranting such actions shall be stated in writing by the Appointing Authority clearly and in sufficient detail to enable the Police Officer to understand the nature of the charges against him and to allow him an opportunity to respond to those charges. The charges shall specify the subsection of Subsection F(1) which provides the basis for the disciplinary action as well as an explanation of the factual circumstances upon which the appointing authority relied in finding a violation of Subsection F(1).
- b. Hearings shall be before the Commission. Within five (5) days after the imposition of disciplinary action, a written statement of the charges shall

be delivered to the officer either by personal service or by certified mail. In addition, the charges shall notify the officer of the right to appeal under Subsection F(4) of this section. A copy of the statement of charges shall also be served upon the members of the Civil Service Commission.

4) Hearings on Suspension, Removals and Reductions in Rank

- a. The Police Officer who has been suspended, removed or reduced in Rank may appeal such decision by written notice to the Chairperson, Township of Radnor Civil Service Commission, 301 Iven Avenue, Wayne, PA 19087, requesting a hearing. The notice must be received by the Commission no later than ten (10) days of the Police Officer's receipt of the notice under Subsection F(3)(b). The officer may make written answers to any charges filed not later than the date fixed for the hearing. Failure of the officer to provide written answers to any of the charges shall not be deemed an admission by the officer.
- b. Hearings shall be conducted by the Commission. The Commission shall schedule a hearing within ten (10) days from receipt of the Police Officer's written request for a hearing. At any such hearing, the officer against whom the charges have been made may be present and represented by counsel, may call witnesses and present testimony and documentation in defense. The Township of Radnor may also be represented by counsel, call witnesses and present evidence as is necessary to support the charges. A stenographic record of all testimony shall be taken at every hearing and preserved by the Commission.
- c. All testimony shall be given under oath administered by the chairperson, or in the absence of the chair, the vice-chairperson. The Commission shall have the power to issue subpoenas as set forth in Subsection B(10). The hearing shall be open to the public unless, prior to the commencement of the hearing, a written or oral request to close the hearing is made by either the charged officer or the Township of Radnor.
- d. In conducting a hearing under this Ordinance, the Commission's standard of review shall be to determine whether a preponderance of evidence has been presented to support the reason for the disciplinary action. The Commission may request post-hearing briefs, and shall issue a written decision containing specific findings of facts and conclusions of law within 60 days of receipt of the hearing transcript.
- e. In the event the charges are dismissed, the record shall be sealed and not be available for public inspection. Additionally, the Police Officer sought to be suspended, removed or demoted shall be reinstated with full pay for the period of the suspension, removal or demotion, and no charges relating to the suspension, removal or reduction in Rank shall be officially recorded in the officer's record.



REPEALER

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SEVERABILITY

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

EFFECTIVE DATE

This Ordinance shall become effective upon adoption.

ENACTED and ORDAINED by the Board of Commissioners this \_\_\_\_ day of \_\_\_\_\_, 2020.

TOWNSHIP OF RADNOR

BY: \_\_\_\_\_  
Jack Larkin

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski, Township Manager/Secretary

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JOHN B. RICE  
DIANNE C. MAGEE \*  
DALE EDWARD CAYA  
DAVID P. CARO ♦  
DANIEL J. PACI ♦ †  
JONATHAN J. REISS ◊  
GREGORY E. GRIM †  
PETER NELSON \*  
PATRICK M. ARMSTRONG  
SEAN M. GRESH  
KELLY L. EBERLE \*  
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MATTHEW E. HOOVER  
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IAN W. PELTZMAN  
WILLIAM D. OETINGER  
ROBERT D. CARO

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125TH ANNIVERSARY 1895-2020

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\* ALSO ADMITTED IN NEW JERSEY  
◊ ALSO ADMITTED IN NEW YORK  
† MASTERS IN TAXATION  
♦ ALSO A CERTIFIED PUBLIC ACCOUNTANT

January 29, 2020

**VIA ELECTRONIC CORRESPONDENCE**

Delaware County Daily Times  
Attn: Legal Department  
500 Mildred Avenue  
Primos, PA 19018

Re: Radnor Township –Civil Service Ordinance

Dear Legal Department:

Enclosed please find for advertisement one (1) time in the January 31<sup>st</sup> edition of your newspaper, a Legal Notice for the possible enactment of the above ordinance by the Board of Commissioners of Radnor Township at their meeting on February 10, 2020. Kindly provide proof of publication and your invoice for the advertisement directly to Radnor Township, c/o Robert Zienkowski, 301 Iven Avenue, Wayne, PA 19087. A full copy of the text of the ordinance is enclosed for public inspection. If you have any questions regarding the enclosed, please do not hesitate to contact my office.

Sincerely,

**GRIM, BIEHN & THATCHER**

By: 

John B. Rice

JBR/hlp

Enclosure

cc: Jennifer DeStefano (w/encl.) – via email  
Bill White (w/encl.) – via email

## **LEGAL NOTICE**

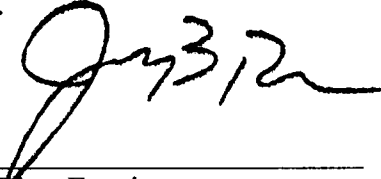
Notice is hereby given that the Board of Commissioners of the Township of Radnor, Delaware County, Pennsylvania, will consider for possible enactment an ordinance, of which this Notice is a summary, amending Section 5-70, Civil Service Provisions, of Chapter 8 of the Radnor Township Rules and Regulations.

The Board of Commissioners will hold a public hearing on February 10, 2020, at 6:30 p.m., at the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087 to consider the ordinance. Copies of the full text of the proposed ordinance are available at the Township offices, the Delaware County Law Library, and the offices of this newspaper during normal business hours.

RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS  
301 Iven Avenue  
Wayne, PA 19087-5297

ATTEST:

I do hereby certify that this is a true and correct copy of the proposed Ordinance of Radnor Township, being advertised for possible adoption by the Radnor Township Board of Commissioners on February 10, 2020.

A handwritten signature in black ink, appearing to read "JBR", written over a horizontal line.

John B. Rice, Esquire  
Grim, Biehn & Thatcher  
Township Solicitor

**ORDINANCE NO. 2020-01**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF  
RADNOR, CHAPTER 267, VEHICLES, ABANDONED**

The Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN the following amendment to Chapter 267, Section 267-1 as follows:

**Section 1. Chapter 267, Section 267-1.** Definitions. Is hereby amended revising the definition of “abandoned” to read as follows:

Any motor vehicle which is found unattended without the current year’s registration or identification markers as required by law and that has been continuously parked on any public street, public land or private property for a period of ten (10) days or is so disabled as to be incapable of being operated under its own power or is without one or more tires.

**Section 2. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 3. Severability.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

**Section 4. Effective Date.** This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

*ENACTED* and *ORDAINED* this \_\_\_\_ day of \_\_\_\_\_, 2020.

RADNOR TOWNSHIP

By:

\_\_\_\_\_  
Name: Jack Larkin  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski, Secretary

MARY C. EBERLE  
JOHN B. RICE  
DIANNE C. MAGEE \*  
DALE EDWARD CAYA  
DAVID P. CARO ♦  
DANIEL J. PACI ♦ †  
JONATHAN J. REISS ◊  
GREGORY E. GRIM †  
PETER NELSON \*  
PATRICK M. ARMSTRONG  
SEAN M. GRESH  
KELLY L. EBERLE \*  
JOEL STEINMAN  
MATTHEW E. HOOVER  
COLBY S. GRIM  
MICHAEL K. MARTIN  
MITCHELL H. BAYLARIAN  
IAN W. PELTZMAN  
WILLIAM D. OETINGER  
ROBERT D. CARO

\* ALSO ADMITTED IN NEW JERSEY  
◊ ALSO ADMITTED IN NEW YORK  
† MASTERS IN TAXATION  
♦ ALSO A CERTIFIED PUBLIC ACCOUNTANT

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ESTABLISHED 1895 AND 1956,  
RESPECTIVELY  
125TH ANNIVERSARY 1895-2020

[www.grimlaw.com](http://www.grimlaw.com)

John B. Rice  
e-mail: [jrice@grimlaw.com](mailto:jrice@grimlaw.com)

J. LAWRENCE GRIM, JR., OF COUNSEL  
JOHN FREDERIC GRIM, OF COUNSEL

104 S. SIXTH STREET  
P.O. BOX 215  
PERKASIE, PA. 18944-0215  
(215) 257-6811  
FAX (215) 257-5374  
  
(215) 536-1200  
FAX (215) 538-9588  
  
(215) 348-2199  
FAX (215) 348-2520

January 29, 2020

**VIA ELECTRONIC CORRESPONDENCE**

Delaware County Daily Times  
Attn: Legal Department  
500 Mildred Avenue  
Primos, PA 19018

Re: Radnor Township –Abandoned Vehicles Ordinance

Dear Legal Department:

Enclosed please find for advertisement one (1) time in the January 31<sup>st</sup> edition of your newspaper, a Legal Notice for the possible enactment of the above ordinance by the Board of Commissioners of Radnor Township at their meeting on February 10, 2020. Kindly provide proof of publication and your invoice for the advertisement directly to Radnor Township, c/o Robert Zienkowski, 301 Iven Avenue, Wayne, PA 19087. A full copy of the text of the ordinance is enclosed for public inspection. If you have any questions regarding the enclosed, please do not hesitate to contact my office.

Sincerely,

**GRIM, BIEHN & THATCHER**

By: \_\_\_\_\_

  
John B. Rice

JBR/hlp  
Enclosure

cc: Jennifer DeStefano (w/encl.) – via email  
Bill White (w/encl.) – via email

## **LEGAL NOTICE**

Notice is hereby given that the Board of Commissioners of the Township of Radnor, Delaware County, Pennsylvania, will consider for possible enactment an ordinance, of which this Notice is a summary, amending the Code of the Township of Radnor, Chapter 267, Vehicles, Abandoned, further defining the definition of an abandoned vehicle.

The Board of Commissioners will hold a public hearing on February 10, 2020, at 6:30 p.m., at the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087 to consider the ordinance. Copies of the full text of the proposed ordinance are available at the Township offices, the Delaware County Law Library, and the offices of this newspaper during normal business hours.

**RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS  
301 Iven Avenue  
Wayne, PA 19087-5297**

ATTEST:

I do hereby certify that this is a true and correct copy of the proposed Ordinance of Radnor Township, being advertised for possible adoption by the Radnor Township Board of Commissioners on February 10, 2020.



---

John B. Rice, Esquire  
Grim, Biehn & Thatcher  
Township Solicitor



## ORDINANCE NO. 2020-05

### AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, CREATING A NEW CHAPTER 183 OF THE RADNOR TOWNSHIP CODE, "EMERGENCY RESPONSE RAPID ENTRY SYSTEMS" REQUIRING THE INSTALLATION OF LOCKED BOXES FOR EMERGENCY RESPONSE AND PROVIDING REGULATIONS FOR THE INSTALLATION

*WHEREAS*, the Radnor Township Board of Commissioners is committed to the protecting the lives and property of members of the Radnor Township community;

*WHEREAS*, the Radnor Township Board of Commissioners finds the safety of the community and the protection of property is advanced by the implementation of a program requiring lockbox installation in which first responders will have access in the case of emergency;

**NOW THEREFORE**, the Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN as follows:

#### **ARTICLE I.**

The Radnor Township Code is hereby amended to create a new Chapter 183 entitled "Emergency Response Rapid Entry Systems" to read as follows:

**§183-1. Purpose-** The purpose of this Ordinance is to implement the installation of secured boxes containing keys, plans, and other items of critical significance in emergency response to structures in Radnor Township. The use of the secured boxes will allow first responders to enter properties safely and without the damage attendant to forced entry.

#### **§183-2. Definitions**

**Rapid Entry System-** A small or large box of Knox Box brand, or similar brand, comprised of steel or other secure material with locking mechanism containing labeled keys to access exterior doors, mechanical rooms, elevator rooms and control rooms, fenced and secured areas, and any other areas which may need to be accessed by first responders. A Rapid Entry System shall also contain a list of emergency contacts, floor plans showing locations of shutoffs, and a list of hazardous materials on the property, if applicable.

#### **§183-3. Requirements**

- A. **Installation-** Rapid Entry Systems shall be required as a condition of land development for all buildings or structures located in the Radnor Township, whether privately or publicly owned, including, without limitation, any building owned by Radnor Township, or any other public, quasi-public, or private entity or person; provided, however, that this

chapter shall not apply to owner-occupied one- and two-family dwellings. Properties with multiple buildings will need to have a single Rapid Entry System installed for each building on the Property.

- B. **Mounting Location and Inspection-** Rapid Entry Systems shall be mounted near the main entry door on the address side of the property five feet above ground level, where possible, or placed at the direction of the Radnor Township Office of Emergency Management. Upon installation of the Rapid Entry System, landowner shall notify Radnor Township to have the Rapid Entry System secured.
- C. **Access-** The owner or operator of a Rapid Entry System equipped property shall provide means of access to the Rapid Entry System to the Radnor Township Office of Emergency Management.
- D. **Privately Owned Driveways-** Radnor Township will hold access keys for Rapid Entry Systems into gated privately owned driveways only upon execution of a waiver to the satisfaction of the Township Solicitor.
- E. **Commercial Properties Containing Pharmaceuticals-** Any bank or commercial business which holds pharmaceuticals or narcotics on the premises must purchase a Rapid Entry System with the option for a tamper switch added to the system.
- F. **Duty of Maintenance-** It shall be the duty of the Township Office of Emergency Management to assure the Rapid Entry System is properly secured and its contents up-to-date.

#### **§183-4. Implementation**

The Radnor Township Office of Emergency Management shall establish rules and regulations to implement the purposes of this ordinance and shall create educational material for residents, institutions and businesses in Radnor Township.

#### **§183-5. Penalties**

Any person, firm, or corporation who shall violate any provision of this act shall be guilty of a summary offense and, upon conviction thereof, be subject to a fine of not less than \$25 nor more than \$1,000. Each day that a violation continues shall constitute a separate offense.

**ARTICLE II.** Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**ARTICLE III.** Severability. If any clause, sentence, paragraph, section, subsection, part, or provision of this Ordinance is, for any reason, found to be unconstitutional, illegal, or invalid by a court of competent jurisdiction, such unconstitutionality, illegality, or invalidity shall not affect

the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid. It is hereby declared as the intent of the Board of Commissioners of Radnor Township, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid clause, sentence, paragraph, section, subsection, part, provision, or part thereof not been included therein.

**ARTICLE IV.** Effective Date. This Ordinance shall become effective in accordance with the Radnor Township Home Rule Charter.

**ENACTED** and **ORDAINED** by the Board of Commissioners this \_\_\_\_ day of \_\_\_\_\_, 2020.

**RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Name: Jack Larkin  
Title: President

ATTEST: \_\_\_\_\_  
Robert Zienkowski, Secretary

MARY C. EBERLE  
JOHN B. RICE  
DIANNE C. MAGEE \*  
DALE EDWARD CAYA  
DAVID P. CARO \*  
DANIEL J. PACI \* †  
JONATHAN J. REISS ◊  
GREGORY E. GRIM †  
PETER NELSON \*  
PATRICK M. ARMSTRONG  
SEAN M. GRESH  
KELLY L. EBERLE \*  
JOEL STEINMAN  
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[www.grimlaw.com](http://www.grimlaw.com)

John B. Rice  
e-mail: [jrice@grimlaw.com](mailto:jrice@grimlaw.com)

J. LAWRENCE GRIM, JR., OF COUNSEL  
JOHN FREDERIC GRIM, OF COUNSEL

104 S. SIXTH STREET  
P.O. BOX 215  
PERKASIE, PA. 18944-0215  
(215) 257-6811  
FAX (215) 257-5374  
  
(215) 536-1200  
FAX (215) 538-9588  
  
(215) 348-2199  
FAX (215) 348-2520

\* ALSO ADMITTED IN NEW JERSEY  
◊ ALSO ADMITTED IN NEW YORK  
† MASTERS IN TAXATION  
\* ALSO A CERTIFIED PUBLIC ACCOUNTANT

January 29, 2020

**VIA ELECTRONIC CORRESPONDENCE**

Delaware County Daily Times  
Attn: Legal Department  
500 Mildred Avenue  
Primos, PA 19018

Re: Radnor Township –Knox Box Ordinance

Dear Legal Department:

Enclosed please find for advertisement one (1) time in the January 31<sup>st</sup> edition of your newspaper, a Legal Notice for the possible enactment of the above ordinance by the Board of Commissioners of Radnor Township at their meeting on February 10, 2020. Kindly provide proof of publication and your invoice for the advertisement directly to Radnor Township, c/o Robert Zienkowski, 301 Iven Avenue, Wayne, PA 19087. A full copy of the text of the ordinance is enclosed for public inspection. If you have any questions regarding the enclosed, please do not hesitate to contact my office.

Sincerely,

**GRIM, BIEHN & THATCHER**

By: 

John B. Rice

JBR/hlp  
Enclosure

cc: Jennifer DeStefano (w/encl.) – via email  
Bill White (w/encl.) – via email

## **LEGAL NOTICE**

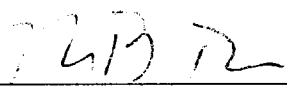
Notice is hereby given that the Board of Commissioners of the Township of Radnor, Delaware County, Pennsylvania, will consider for possible enactment an ordinance, of which this Notice is a summary, creating a new Chapter 183 of the Radnor Township Code, "Emergency Response Rapid Entry Systems" requiring the installation of locked boxes for emergency response and providing regulations for the installation.

The Board of Commissioners will hold a public hearing on February 10, 2020, at 6:30 p.m., at the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087 to consider the ordinance. Copies of the full text of the proposed ordinance are available at the Township offices, the Delaware County Law Library, and the offices of this newspaper during normal business hours.

**RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS  
301 Iven Avenue  
Wayne, PA 19087-5297**

ATTEST:

I do hereby certify that this is a true and correct copy of the proposed Ordinance of Radnor Township, being advertised for possible adoption by the Radnor Township Board of Commissioners on February 10, 2020.



---

John B. Rice, Esquire  
Grim/Biehn & Thatcher  
Township Solicitor

**RESOLUTION NO. 2020-23**

**A RESOLUTION OF RADNOR TOWNSHIP,  
DELAWARE COUNTY, PENNSYLVANIA,  
AUTHORIZING THE PRESIDENT OF THE APPLICATION OF A  
MULTIMODAL TRANSPORTATION FUND GRANT FOR THE  
CONSTRUCTION OF INTERSECTION IMPROVEMENTS  
AT KING OF PRUSSIA, EAGLE AND PINE TREE ROADS**

*Be it RESOLVED*, Radnor Township in Delaware County hereby requests a Multimodal Transportation Fund grant of \$1,302,979 from the Pennsylvania Department of Transportation to be used for roadway, signal and pedestrian safety improvements to the intersection of King of Prussia, Eagle and Pine Tree Roads.

*Be it FURTHER RESOLVED*, that the Applicant does hereby designate John Larkin, President, Board of Commissioners, and/or William M. White, Assistant Township Manager & Finance Director, as the official(s) to execute all documents and agreements between Radnor Township and the Pennsylvania Department of Transportation to facilitate and assist in obtaining the requested grant.

I, William M. White, duly qualified Secretary of Radnor Township in Delaware County, PA, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Board of Commissioners at a regular meeting held February 10, 2020 and said Resolution has been recorded in the Minutes of Radnor Township and remains in effect as of this date.

*IN WITNESS THEREOF*, I affix my hand and attach the seal of Radnor Township, this 10th day of February, A.D., 2020.

RADNOR TOWNSHIP  
DELAWARE COUNTY

BY: \_\_\_\_\_

Name: John Larkin  
Title: President

ATTEST: \_\_\_\_\_

Name: William M. White  
Title: Acting Township Manager

**Radnor Township**  
**PROPOSED LEGISLATION**

DATE: February 4, 2020  
TO: Radnor Township Board of Commissioners  
FROM: Dennis P. Capella, Engineering Project Manager  
CC: William M. White, Assistant Township Manager & Finance Director  
Stephen F. Norcini, P.E., Township Engineer

**LEGISLATION: Resolution #2020-23: Authorizing the President of the Board of Commissioners or the Assistant Township Manager & Finance Director to execute all documents and agreements related to the Multimodal Transportation Fund grant for the Construction of Intersection Improvements at King of Prussia, Eagle and Pine Tree Roads**

---

**LEGISLATIVE HISTORY:** The Commissioners approved Resolution No. 2018-09 authorizing the application of a Multimodal Transportation Fund (MTF) grant. Staff has been contacted by the Pennsylvania Department of Transportation (PennDOT) that the resolution needs to be revised.

**PURPOSE AND EXPLANATION:** After following the pre-application process, it was signed in October 2019 by the Township Manager, specifically Robert Zienkowski. Staff was notified in January 2020 that, as the earlier resolution was written, the President of the Board of Commissioners, specifically Lisa Borowski, also had to sign the application. Since the individuals in those positions have changed, the application may not be simply re-signed under the earlier resolution. Instead, a new resolution is required, including the names and titles of those currently in the positions. The new resolution may also provide that either of those individuals may sign the application.

**IMPLEMENTATION SCHEDULE:** Upon approval by the Board of Commissioners, the resolution will be forwarded to PennDOT and the application will be re-signed.

**FISCAL IMPACT:** The MTF grant application is for \$1,302,979. The Township's share is including in the General Obligation Bond fund.

**RECOMMENDED ACTION:** *Staff requests the Board of Commissioners of Radnor Township to authorize the President of the Board of Commissioners, John Larkin, and/or the Assistant Township Manager & Finance Director, William White, to execute all documents and agreements related to the MTF grant for the Construction of Intersection Improvements at King of Prussia, Eagle and Pine Tree Roads*



# Reports of Standing Committees of the Board

New Business

**SENSE OF THE BOARD**

*AND NOW*, this tenth day of February, 2020, the Radnor Township Board of Commissioners announces that it is the SENSE AND REQUEST of the Board that the Shade Tree Commission should, at its February 19, 2020 meeting, discuss the replanting of the traffic island at the intersection of State Route 476 and Lancaster Avenue, and report back to the Board of Commissioners, by written memorandum, on the following topics:

- (1) A written description outlining three potential replanting projects representing three differentiated tiers of expense;
- (2) The Commission’s best estimate of the rough costs for each potential replanting project so described, which estimates shall be employed by the Board in considering which replanting project or projects to pursue but shall not be used for budgeting purposes; and
- (3) Timing requirements for the Board to issue an RFP; accept bids; and otherwise complete each potential replanting project.

**RADNOR TOWNSHIP**

By: \_\_\_\_\_  
Jack Larkin  
*President*

Attest: \_\_\_\_\_  
William White  
*Acting Manager/Secretary*

# Public Participation

Adjournment