

BOARD OF COMMISSIONERS
Revised AGENDA
Monday, February 12, 2018 - 6:30 PM

Pledge of Allegiance

Notice of Executive Session on February 5, 2018 and preceding the Board of Commissioners meeting of February 12, 2018

1. Consent Agenda

- a) Disbursement Review and Approval: 2018-01A, 2018-01B, 2018-01C, 2018-01D
- b) Approval of Board of Commissioner Meeting Minutes - January 16, 2018 and January 22, 2018
- c) HARB - HARB-2018-02 – 303 South Wayne Avenue - New roof to front of house over porch and house; optional two (2) car garage to back of the home
- d) Resolution #2018-17 - Authorization to Purchase Capital Vehicles and Equipment, 2018 Approved Budget
- e) Resolution #2018-18 - Authorization to Purchase Seed and Fertilizer
- f) Resolution #2018-19 – Authorizing Payment of Change Orders to the General Prime Contractor, Dolan Construction, Incorporated, for the Memorial Library of Radnor Renovation and Expansion Project
- g) Resolution #2018-20- Authorizing Municipal Maintenance Company, Incorporated to Replace Six Valves at the Hermitage Pumping Station

2. Police Commendation

3. Township Recognition

4. Recognition of The Saturday Club and Taste of Britain

5. Resolution #2018-23 – Recognizing and Celebrating the Month of February as Black History Month

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

7. **Resolution #2018-24 - Appointing Alternate Members to The Radnor Township Zoning Hearing Board in Accordance with the Municipalities Planning Code Reassignment of Recent Appointments to Community Development Volunteer Boards**

8. Committee Reports

FINANCE & AUDIT

A. Quarterly 2017 Finance Update

PERSONNEL & ADMINISTRATION

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

C. Resolution #2018-21 – Amending Resolution #2017-65 Establishing A Policy for Televising or Taping Public Meetings Within the Radnor Township Municipal Building (**Requested by Commissioner Abel**)

PUBLIC WORKS & ENGINEERING

D. Resolution #2018-22 - SALDO Application #2016-D-04 Penn Medicine – **Final** – Preliminary Land Development Plan **resolution in meeting packet – back-up materials as supplement to meeting packet**

E. Waiver of Land Development – 372 West Lancaster Avenue

F. Ordinance #2018-01 – (**Introduction**) – An Ordinance of Radnor Township, Delaware County, Pennsylvania, Amending Chapter 235, Sewers, by Creating a New Article VI, “Adoption of PWD Wastewater Control Regulations by Reference”, Which Formally Adopts the Philadelphia Water Department Sewer and Wastewater Control Regulations as Amended January 1, 2013, for that Portion of the Sanitary Sewer System of Radnor Township Which Flows into Lower Merion Township

COMMUNITY DEVELOPMENT
PUBLIC SAFETY
PARKS & RECREATION
LIBRARY
PUBLIC HEALTH

Old Business

New Business

- The Ward 7 Initiative (*Requested by Commissioner Farhy*)
- Introduction of the Gateway Enhancement Trust (*Requested by Commissioner Marshall*)

Public Participation

Adjournment



RADNOR TOWNSHIP
DISBURSEMENTS SUMMARY
February 12, 2018

The table below summarizes the amount of disbursements made since the last public meeting held on January 8, 2018. 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.

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

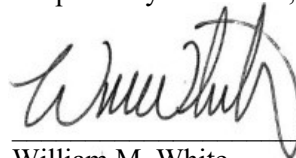
Fund (Fund Number)	2018-1A January 12, 2018	2018-1B January 19, 2018	2018-1C January 26, 2018	2017-2A February 2, 2018	Total
General Fund (01)	\$19,344.04	\$412,074.23	\$362,051.36	\$266,846.42	\$1,060,316.05
Sewer Fund (02)	89,523.01	7,357.60	23,757.90	15,705.56	136,344.07
Liquid Fuels Fund (03)	47,181.62	264,421.31	80,558.56	3,339.31	395,500.80
Storm Sewer Management (04)	0.00	498.68	118.00	1,408.33	2,025.01
Capital Improvement Fund (05)	12,753.77	295,484.12	184,009.49	5,587.50	497,834.88
Police Pension Fund (07)	0.00	0.00	5,122.33	5,343.35	10,465.68
OPEB Fund (08)	0.00	0	132,185.52	1,701.97	133,887.49
Escrow Fund (10)	0.00	900.00	3,000.00	0.00	3,900.00
Civilian Pension Fund (11)	0.00	0.00	4,565.32	4,762.14	9,327.46
Investigation Fund (12)	0.00	251.10	0.00	0.00	251.10
\$8 Million Settlement Fund (18)	0.00	10,675.41	1,830.00	17,832.95	30,338.36
The Willows Fund (23)	376.05	0.00	53.89	0.00	429.94
Library Improvement Fund (500)	0.00	386,523.41	0.00	41,415.00	427,938.41
Park & Trail Improvement Fund (501)	0.00	19,706.48	0.00	21,473.53	41,180.01
Total Disbursements	\$169,178.49	\$1,397,892.34	\$797,252.37	\$385,416.06	\$2,749,739.26
<i>Electronic Disbursements</i>	n/a	n/a	n/a	n/a	508,000.00
Grand Total	\$169,178.49	\$1,397,892.34	\$797,252.37	385,416.06	\$3,257,739.26

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 of 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 insure that amounts obligated are within the budgetary limits established by the Board of Commissioners. Those procedures are monitored on a daily basis 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 26, 2018

Description	Account No.	Date	Purpose	Amount
Credit Card Revenue Fees - Estimated	Various Funds	2/10/2018	1/18 Credit Card Revenue Processing Fees	\$5,000.00 *
Payroll [Bi-Weekly] Transaction - Estimated	01-various	2/22/2018	Salaries and Payroll Taxes - General Fund	\$485,500.00
Payroll [Bi-Weekly] Transaction - Estimated	02-various	2/22/2018	Salaries and Payroll Taxes - Sewer Fund	\$17,500.00
Period Total				\$508,000.00

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

<u>Original Estimate</u>			<u>Actual Amount</u>
\$485,500.00	1/11/2018	Salaries and Payroll Taxes - General Fund	\$478,580.07
\$17,500.00	1/11/2018	Salaries and Payroll Taxes - Sewer Fund	\$13,317.05
\$503,000.00			\$491,897.12
\$10,000.00	1/31/2018	Sick Pay Bonus - General Fund	\$6,708.17
<u>\$1,000.00</u>	1/31/2018	Sick Pay Bonus - Sewer Fund	<u>\$639.01</u>
\$11,000.00			\$7,347.18
\$485,500.00	1/25/2018	Salaries and Payroll Taxes - General Fund	\$474,268.49
\$17,500.00	1/25/2018	Salaries and Payroll Taxes - Sewer Fund	\$13,518.21
\$503,000.00			\$487,786.70
\$485,500.00	2/8/2017	Salaries and Payroll Taxes - General Fund	\$430,867.07
\$15,000.00	2/8/2017	Salaries and Payroll Taxes - Sewer Fund	\$14,087.36
\$500,500.00			\$444,954.43
\$186,839.03	2/1/2018	Police Pension Payroll	\$186,839.03
\$135,553.28	2/1/2018	Civilian Pension Payroll	\$135,553.28
\$322,392.31			\$322,392.31

TOWNSHIP OF RADNOR
Minutes of the Meeting of January 16, 2018

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

Commissioners Present

*Lisa Borowski , President Luke Clark, Vice-President Jake Abel
Richard Booker Sean Farhy John Nagle*

Also Present: *Robert A. Zienkowski, Township Manager; Kathryn Gartland, Treasurer; John Rice, Township Solicitor; Andrew Block, Deputy Superintendent of Police; Steve Norcini, Township Engineer; Roger Philips, Township Engineer; and Jennifer DeStefano, Executive Assistant to the Township Manager.*

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

Notice of Executive Session on January 16, 2018 preceding the Board of Commissioners meeting

There was an Executive Session on January 16, 2018 where all Commissioners participated and matters of Litigation, Real Estate and Personnel were discussed.

Notice of Executive Session on January 11, 2018 via Conference Call

There was an Executive Session via conference call on January 11, 2018 where all Commissioners participated with the exception of Commissioner Booker to discuss a lawsuit filed against the Township by Commissioner Booker.

1. *Consent Agenda*

- a) *Disbursement Review and Approval – 2017-12B, 2017-12C, 2017-12D, 2017-12E*
- b) *Approval of Board of Commissioner Meeting Minutes - November 27, 2017, December 11, 2017 and December 18, 2017*
- c) *Resolution #2018-01 - Authorizing the Township to enter into agreement with the Pennsylvania Recreation & Parks Society for 2018 Seasonal Discount Ticket Program*
- d) *Resolution #2018-02 - Authorizing the Township to enter into agreement with Brandywine Learning Center, LLC for Seasonal Harry Potter Camps*
- e) *Resolution #2018-03 – Authorizing the Township to enter into an agreement for Recreation & Community Programming Department usage of Radnor School District Facilities for the 2018 Summer Camp Season*
- f) *Resolution #2018-04 - Authorizing the Township to enter into an agreement for Recreation & Community Programming Department usage of Radnor Township School District Transportation Services for Radnor Day Camp 2018*
- g) *Resolution #2018-08 – Extending the Payment In Lieu of Taxes Agreement with the Jewish Federation of Greater Philadelphia*
- h) *123 Hickory Lane GP #17-178 – Requesting a waiver from \$245-22 Groundwater Recharge*

Commissioner Borowski requested for item e to be removed and Mr. Yannopoulos requested item g to be removed.

Commissioner Clark made a motion to approve excluding items e & g, seconded by Commissioner Farhey. Motion passed 6-0.

- e) Resolution #2018-03 - Authorizing the Township to enter into an agreement for Recreation & Community Programming Department usage of Radnor School District Facilities for the 2018 Summer Camp Season

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

- g) Resolution #2018-08 - Extending the Payment In Lieu of Taxes Agreement with the Jewish Federation of Greater Philadelphia

Jim Yannopoulos – He commented that we should collect PILOT from other organizations within Radnor Township.

Commissioner Clark made a motion to approve, seconded by Commissioner Nagle. There was a brief discussion amongst the Commissioners. Commissioner Borowski called the vote, motion passed 6-0.

2. Public Participation - The public is invited to address the Board of Commissioners during the public comment portions of the meeting regarding items on the meeting agenda or other topics of interest related to the township.

- Please print your name on the sign-in sheet at the table next to the podium

- Clearly state your name, ward and/or street address and topic(s) to be addressed

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

Chris Todd, WBA – He commented regarding the WBOD improvements.

Christina Perrone – She commented regarding Commissioner invites to Villanova events, Willows MOU status and her frustrations with the process.

Mr. Zienkowski commented that he would like to see an agenda item on the January 22nd meeting to discuss the Willows process and status.

Roberta Winters, President of LWV – She read a statement on behalf of the League of Women Voters regarding civil discourse.

Dan Sherry, Wayne – He commented regarding a posting made by Commissioner Farhy.

Leslie Morgan, Farm Road – She commented regarding public comment.

Jim Yannopoulos – He commented regarding public comment.

Betty Norcini, Ward 7 – She commented regarding audience disrespect.

Kelly Martin – She commented regarding social media posts by the Ward 7 Commissioner.

Alex Yannopoulos, Ward 7 – He commented regarding the need for resident, staff and commissioner comments to be civil.

3. Acceptance of Vacancy Board Chair Resignation

Commissioner Clark made a motion to accept the resignation, seconded by Commissioner Nagle. Motion passed 6-0.

4. Appointment of Vacancy Board Chairperson

Commissioner Abel made a motion to nominate John Osborne, seconded by Commissioner Booker.

There was a brief discussion amongst the Commissioners regarding Mr. Osbornes nomination.

Public Comment

Dan Sherry – He commented in support of Mr. Osborne.

Leslie Morgan, Farm Road – She commented in support of Mr. Osborne.

Jane Galli, Ward 7 – She commented in support of Mr. Osborne.

Kelly Martin, Ward 7 - She commented in support of Mr. Osborne.

Commissioner Borowski called the vote, motion failed 3-3 with Commissioners Borowski, Farhy and Nagle opposed.

Commissioner Nagle made a motion to nominate John Smith, seconded by Commissioner Farhy.

There was an in-depth discussion amongst the Commissioners regarding Mr. Smith's nomination.

Commissioner Clark made a motion to table item 4 until the January 22nd meeting (all interested parties need to submit a LOI by Friday at 4 PM), seconded by Commissioner Booker.

There was a discussion amongst Commissioners and staff regarding tabling the votes until next meeting.

Public Comment

Dan Sherry, Wayne – He commented regarding the process of the vacancy board.

Regina Marajchek – She commented that she agrees that the vote should be tabled.

Jim Yannopoulos – He commented regarding his support to table the vote.

Kelly Martin – She commented regarding the process of candidates for vacancy board and agrees with tabling.

Scott Simon – He commented in agreement that the process is flawed.

John Smith – He commented regarding the process.

Alex Yannopoulos – He commented regarding preparation that can occur for interviewing the candidates if the vote occurs tonight.

Sara Pilling – She spoke in support of Mr. Smith.

Commissioner Borowski called the vote on tabling until next meeting, motion failed 3-3 with Commissioners Borowski, Farhy and Nagle opposed.

Public Comment

Dan Sherry, Wayne – He spoke regarding the motion.

Commissioner Borowski called the vote for Mr. Smith, motion failed 3-3 with Commissioners Booker, Abel and Clark opposed.

Commissioner Farhy made a motion to nominate Alex Yannopoulos, seconded by Commissioner Clark.

There was a brief discussion amongst the Commissioners regarding the nomination of Mr. Yannopoulos.

Public Comment

Leslie Morgan – She spoke in support of Mr. Yannopoulos.

Jane Galli – She spoke in support of Mr. Yannopoulos.

Dan Sherry – He spoke in support of Mr. Yannopoulos.

Commissioner Borowski called the vote, motion failed 2-3 with Commissioner Clark and Borowski opposed and Commissioner Booker abstaining.

5. Discussion and Possible Motion Regarding the Process for Appointment of Interim Commissioner by Vacancy Board

Commissioner Clark made a motion to remove the item from the agenda, seconded by Commissioner Booker. Motion passed 5-0 with Commissioner Farhey out of the room.

Mr. Zienkowski requested for a 5-minute recess as well as item D to be moved to the next meeting.

Commissioner Clark made a motion for items 10, 11A and 11D to be removed, seconded by Commissioner Nagle. Motion passed 5-0 with Commissioner Farhy out of the room.

E. Resolution #2018-07 - SALDO Application #2017-S-08: 1 Meadowood Drive – Final - Minor Final Subdivision

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

Greg Robert Louis representing the applicant briefly discussed the proposed plan.

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

6. Interviews of Potential Ward 1 Interim Commissioner

After a brief discussion of the interview process and possible appointment procedure by Vice President Clark, each of the following potential Ward 1 Interim Commissioner Candidates gave a brief statement about themselves and answered questions put forth by the Commissioners:

1) Jack Larkin 2)Jim Rogers 3)Leslie Morgan 4)Candyce Wilson 5)Matthew Marshall

Commissioner Clark made a motion to extend the meeting to 11:15, seconded by Commissioner Abel. Motion passed 4-2 with Commissioner Booker and Nagle opposed.

7. Possible Appointment of Interim 1st Ward Commissioner

Commissioner Booker made a motion to nominate Matt Marshall, seconded by Commissioner Clark. There was discussion amongst the Commissioners.

Public Comment

Leslie Morgan, Farm Road – She spoke in support of Matt Marshall.

Dan Sherry, Wayne – He spoke in support of Matt Marshall.

Regina Marjchek – She spoke regarding all of the candidates and in support of Matt Marshall.

Commissioner Borowski called the vote, motion failed 3-3 with Commissioners Borowski, Farhy and Nagle opposed.

Commissioner Nagle made a motion to nominate Candyce Wilson, seconded by Commissioner Farhy. There was discussion amongst the Commissioners.

Public Comment

Dan Sherry, Wayne – He commented regarding how to handle potential conflicts.

Commissioner Borowski called the vote, motion failed 3-3 with Commissioners Booker, Clark and Abel opposed.

Commissioner Farhy made a motion to nominate Jack Larkin, seconded by Commissioner Borowski. There was discussion amongst the Commissioners.

Commissioner Borowski called the vote, motion failed 3-3 with Commissioners Booker, Clark and Abel opposed.

Commissioner Clark made a motion to extend the meeting to 11:30, seconded by Commissioner Abel. Motion passed 4-2 with Commissioner Farhy and Nagle opposed.

Commissioner Clark made a motion to table item 8, 9 & 11C until January 22nd, seconded by Commissioner Farhy. Motion passed 6-0.

8. Appointments to Chair and Members of Standing Committees

Item has been tabled.

9. Reappointments to Advisory Boards and Commissions

Item has been tabled.

10. Possible Appointments to Advisory Boards and Commissions

Item has been tabled.

11. Committee Reports

FINANCE & AUDIT

A. Discussion regarding Radnorshire Room Equipment Replacement

Item has been tabled.

B. Ordinance #2017-19 – (Adoption) Amending Chapter 262 Towing, Sections 262-4.B.(9) And 262-4.B.(10), Of The Radnor Township Code Of Ordinances To Increase The Appointment Terms Of Duty Towers From Two Years To Four Years And To Increase The Effective Period For Duty Towing Licenses From Two Years To Four Years

Commissioner Clark made a motion to adopt, seconded by Commissioner Nagle. Motion passed 6-0.

PUBLIC WORKS & ENGINEERING

C. Resolution #2018-05 - Award of the of Contract for the Structural Evaluation and Permitting of the Roberts Road Culvert End wall and Storm Sewer Project to Gannett Fleming, Incorporated

Item has been tabled.

D. Presentation and Possible Resolution #2018-09- Authorizing a Multimodal Fund Transportation Fund (MTF) Grant Application for Improvements to the King of Prussia Road/Eagle Road/Pine Tree Road Intersection, in partnership with Cabrini and Eastern Universities

Item has been tabled.

PUBLIC SAFETY

F. Ordinance #2018-02 – (Introduction) - Oak Grove Lane and Upper Gulph Road Stop Sign (Requested by Commissioner Booker)

Commissioner Clark made a motion to introduce, seconded by Commissioner Booker.

There was a brief discussion amongst the Commissioners and staff regarding the intersection.

Public Comment

Myles Keelam, Ward 2, spoke regarding the need for some type of traffic calming in the area.

Mr. Zienkowski commented that he will authorize the Superintendent to do the traffic study for the signal at the intersection.

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

Commissioner Clark made a motion to extend the meeting to 11:40, seconded by Commissioner Booker. Motion passed 4-2 with Commissioner Farhy and Nagle opposed.

PARKS & RECREATION

None

COMMUNITY DEVELOPMENT

None

PERSONNEL & ADMINISTRATION

None

LIBRARY

None

PUBLIC HEALTH

None

Old Business

None

New Business

- *The Ward 7 Initiative – FeeLot (Requested by Commissioner Farhy)*

This Item has been tabled.

Public Participation

Dan Sherry, Wayne – He commented regarding comments made by Commissioner Farhy.

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

*Respectfully submitted,
Jennifer DeStefano*

TOWNSHIP OF RADNOR
Minutes of the Meeting of January 22, 2018

The Radnor Township Board of Commissioners met at approximately 6:40 PM in the Radnorshire Room in the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087

Commissioners Present

Lisa Borowski , President Luke Clark, Vice-President Jake Abel Richard Booker
Sean Farhy John Nagle Matthew Marshall (appointed during meeting)

Also Present: Robert A. Zienkowski, Township Manager; Kathryn Gartland, Treasurer; John Rice, Township Solicitor; William White, Assistant Township Manager & Finance Director; William Colarulo, Superintendent of Police; Steve Norcini, Township Engineer; Roger Philips, Township Engineer; Dammon Drummond, Township Traffic Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.

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

Notice of Executive Session on January 22, 2018 preceding the Board of Commissioners meeting

There was an Executive Session on January 22, 2018 where all Commissioners participated and matters of Litigation, Real Estate and Personnel were discussed.

1. Consent Agenda

- a) Staff Traffic Committee Meeting Minutes – December 20, 2017
- b) Acceptance of Department Monthly Reports
- c) HARB-2018-01 – 420 Meadowbrook Avenue - One car garage, accessory structure to be added to the southeast corner of the property
- d) Resolution #2018-12 – Authorizing the Township Manager to enter into an agreement with Environmental Systems Research Institute, Inc. (ESRI) for the Maintenance Renewal, Purchase, Installation, and Migration Assistance for ArcGIS Software
- e) Resolution #2018-15 – Approving the Purchase of Fifteen Watch Guard 4renista In-Car Cameras and Four Watch Guard 4rsnista Motorcycle Cameras for Use by The Radnor Township Police Department
- f) Resolution #2018-14 – Approving the Purchase of Thirteen Powerheart G5 Semi-Automatic Automated External Defibrillators for Use by The Radnor Township Police Department
- g) Resolution #2018-13 – Advising the Pennsylvania Department of Transportation, The Pennsylvania State Police, Amtrak And Septa That the King of Prussia Road Bridge in Radnor Township Constitutes A Continuing Traffic Safety Hazard
- h) Resolution #2018-05 - Award of the Evaluation and Permitting for Repairs to the Roberts Road Endwall
- i) Resolution #2018-10 - Award of the Design, Permitting, Engineering, and Bidding Documents Contract for the Rawles Run Sanitary Sewer Replacement & Repair and Valley Run Streambank Restoration Contract, to Gannett Fleming, Incorporated
- j) Resolution #2018-06 - Award of Contract #B-17-004, Custodial Services for the Radnor Township Municipal Building and Radnor Activity Center
- k) Resolution #2018-09 Authorizing a Multimodal Fund Transportation Fund (MTF) Grant Application for Improvements to the King of Prussia Road/Eagle Road/Pine Tree Road Intersection, in partnership with Cabrini and Eastern Universities

Items a & k were requested to be removed from the consent agenda.

Commissioner Clark made a motion to approve excluding items a & k. Motion passed 6-0.

a) Staff Traffic Committee Meeting Minutes – December 20, 2017

Commissioner Clark commented requesting clarification in the minutes under the item discussed about S. Wayne Avenue, Conestoga Road and Brook Road to include the traffic control measures and research requested.

Commissioner Clark made a motion to accept with the above amendments, seconded by Commissioner Nagle. Motion passed 6-0.

2. Recognition of the Passing of Charles Harper

Commissioner Borowski briefly spoke regarding the passing of Charles Harper.

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

None

4. Appointments to Advisory Boards and Commissions

Commissioner Clark made a motion for the following residents to be appointed to the following boards: Charles Wheeler, Board of Health; Tim Frey, Design Review Board; Rahul Kothari, Design Review Board; Howard Childs, Park and Recreation Board; Scott Simon, Code Appeals Board; Ron Katzman, Environmental Advisory Council; David Natt, Planning Commission. Motion seconded by Commissioner Farhy. Motion passed 6-0.

5. Reappointments to Advisory Boards and Commissions

Commissioner Clark made a motion for the following residents to be reappointed to the following boards:

Amit Khanna - Board of Health; Enrique Hervada – Civil Service Commission; Liz Springer - Code Appeals Board; Elizabeth Cahill Bernabeo – Environmental Advisory Council; Matthew Holtman – Environmental Advisory Council; Bill Remphrey – Parks and Recreation Board; Robert Temko - Rental Housing; Augustine Feudale – Shade Tree Commission; George Nagle - Zoning Hearing Board; Carl Rosenfeld, CARFAC; Jeff Ruben, CARFAC. Motion seconded by Commissioner Nagle. Motion passed 6-0.

Commissioner Nagle made a motion to reappoint Lane Vines, Ethics Board; seconded by Commissioner Farhy.

There was a brief discussion regarding the above motion.

Public Comment

Kelly Martin, Ward 7 – She commented regarding the Exhibit 6 investigation and when it will be released to the public.

Dan Sherry, Wayne – He commented regarding the investigation of Exhibit 6.

Commissioner Borowski called the vote, motion failed 3-3 with Commissioners Booker, Clark and Abel opposed.

Commissioner Nagle made a motion to reappoint Bud Hirsch as an alternate to the Zoning Hearing Board, seconded by Commissioner Farhy.

There was a brief discussion amongst the Commissioners regarding the motion.

Public Comment

Jane Galli, Barcladen – She commented regarding her opposition to the reappointment.

Dan Sherry – He commented regarding his opposition to the reappointment.

Commissioner Borowski called the vote, motion failed 3-3 with Commissioners Booker, Clark and Abel opposed.

6. Appointments to Chair and Members of Standing Committees

Commissioner Clark made a motion to appoint the following to the 2018 Chair and Members of the Board of Commissioners Standing Committees are as follows, seconded by Commissioner Booker.

Committee of the Whole

Lisa Borowski, Chair	Richard Booker
Luke Clark, Vice Chair	Sean Farhy
Jake Abel	John Nagle
Ward 1 Commissioner	

Community Development

Luke Clark, Chair
Lisa Borowski
Rich Booker

Finance and Audit

All Commissioners

Library

Lisa Borowski, Chair
Rich Booker
Ward 1

Open Space

Jake Abel, Chair
Lisa Borowski
John Nagle

Parks and Recreation

John Nagle, Chair
Jake Abel
Luke Clark

Personnel and Administration

Jake Abel, Chair
John Nagle
Ward 1

Public Health

John Nagle, Chair
Sean Farhy
Ward 1

Public Safety

Luke Clark, Chair
Jake Abel
Sean Farhy

Public Works & Sewer

Rich Booker, Chair
Luke Clark
Ward 1

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

C. Resolution #2018-16 - Authorizing Payment of Change Orders to the General Prime Contractor, Dolan Construction, Incorporated, for the Memorial Library of Radnor Renovation and Expansion Project

Commissioner Clark made a motion to approve, seconded by Commissioner Booker. There was a brief discussion amongst Commissioners, staff and representatives of the Library. Commissioner Borowski called the vote, motion passed 6-0.

Commissioner Clark made a motion to table Item B, seconded by Commissioner Nagle. Motion passed 6-0.

7. Discussion and Possible Appointment of Vacancy Board Chairperson

Commissioner Borowski briefly discussed that the following individuals have submitted their interest to serve on the Vacancy Board: Mike Lihota, John Osborne, John Smith, Alex Yannopoulos. Each of the candidates briefly spoke on their background and interest to serve on the vacancy board.

Commissioner Abel made a motion to nominate Mr. Osborne, seconded by Commissioner Booker.

Commissioner Nagle made a motion to nominate Mr. Smith, seconded by Commissioner Farhy.

Commissioner Farhy made a motion to nominate Mr. Yannopoulos, seconded by Commissioner Clark.

Commissioner Farhy made a motion to nominate Mr. Lihota, seconded by Commissioner Nagle.

There was a brief discussion amongst the Commissioners regarding the motions above. Commissioner Abel made a statement regarding the process and a conversation he had over the weekend with a Commissioner. Commissioner Farhy responded to Commissioner Abel.

Public Comment

Dan Sherry, Wayne – He commented regarding comments made by Commissioners on the nominations.

Jane Galli, Barcladen – She spoke regarding the nominations and urged the Commissioners to please pick a candidate.

Kelly Martin, Ward 7 – She commented regarding a social media post by Commissioner Farhy as well as her support for Mr. Osborne to the Vacancy Board.

Mike Lihota, Wayne – He commented that the process for vacancy board is not clear.

Commissioner Borowski called the vote on the nomination of Mr. Osborne, motion failed 3-3 with Commissioners Borowski, Farhy and Nagle opposed.

Commissioner Borowski called the vote on the nomination of Mr. Smith, motion passed 6-0.

8. Interviews of Potential Ward 1 Interim Commissioner by the Vacancy Board

9. Possible Appointment of Interim 1st Ward Commissioner by the Vacancy Board

The Vacancy Board convened with Mr. Smith as Chair of the Vacancy Board. Mr. Smith made a few opening comments. Mr. Larkin, Mr. Marshall and Ms. Candyce Wilson gave brief statements.

Commissioner Clark made a motion to nominate Mr. Marshall, seconded by Commissioner Booker.

Commissioner Borowski made a motion to nominate Ms. Wilson seconded by Commissioner Nagle.

Commissioner Booker made a motion to nominate Ms. Morgan, seconded by Commissioner Clark.

Commissioner Farhy made a motion to nominate Mr. Larkin, seconded by Commissioner Borowski.

Public Comment

Dan Sherry, Wayne – He commented regarding the importance of the candidate's answers on whether they are planning to run for Ward 1 Commissioner.

Alex Yannopoulos, Ward 7 – He commented regarding his views on each candidate.

Kelly Martin, Ward 7 – She commented regarding the importance of the candidate's decisions on whether they would run for Ward 1 Commissioner.

Sara Pilling, Garrett Avenue – She commented in support of Mr. Marshall.

The Commissioners made their comments regarding the candidates. Mr. Smith, Vacancy Board Chair made a few comments himself.

Mr. Smith called the vote on the nomination of Mr. Marshall, motion passed 4-3 with Commissioners Borowski, Farhy and Nagle opposed.

Commissioner Clark made a motion for a 5-minute recess, seconded by Commissioner Nagle. Motion passed 5-0 with Commissioner Farhy out of the room.

Oath of Office to Ward 1 Commissioner Matthew Marshall

Commissioner Borowski administered the Oath of Office to Mr. Marshall.

Mr. Smith made a few closing comments.

Resolution #2018-09- Authorizing a Multimodal Fund Transportation Fund (MTF) Grant Application for Improvements to the King of Prussia Road/Eagle Road/Pine Tree Road Intersection, in partnership with Cabrini and Eastern Universities

Steve Norcini, Township Engineer and representatives of Cabrini University briefly discussed the proposed resolution. There was a discussion amongst the Commissioners, staff and representatives of the applicant.

Commissioner Nagle made a motion to approve, seconded by Commissioner Farhy. Motion passes 5-2 with Commissioners Booker and Marshall opposed.

10. Committee Reports

PUBLIC WORKS & ENGINEERING

A. SALDO Application #2016-D-04 Penn Medicine – Caucus – Preliminary Land Development Plan

Representatives to Penn Medicine made a presentation to the Board of Commissioners which can be found on the Township website at: <http://www.radnor.com/910/Board-of-Commissioners-Presentations> .

There was an in-depth discussion amongst the Commissioners, staff and the applicant pertaining to their proposed plan.

Public Comment

Roberta Winters – She commented regarding the need for monitoring and base line data be available during the demolishing of the buildings.

B. Ordinance #2018-01 – (Introduction) – An Ordinance of Radnor Township, Delaware County, Pennsylvania, Amending Chapter 235, Sewers, by Creating a New Article VI, “Adoption of PWD Wastewater Control Regulations by Reference”, Which Formally Adopts the Philadelphia Water Department Sewer and Wastewater Control Regulations as Amended January 1, 2013, for that Portion of the Sanitary Sewer System of Radnor Township Which Flows into Lower Merion Township

Commissioner Clark made a motion to table, seconded by Commissioner Nagle. Motion passed 6-0.

COMMUNITY DEVELOPMENT

D. Ordinance #2018-03 – (Introduction) - Amending the Code of The Township Of Radnor, Chapter 270, Vehicles And Traffic, Section 270-30, Time Limit Parking – Glenbrook Avenue

Commissioner Clark made a motion to table, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Nagle not at the dais for the vote.

PERSONNEL & ADMINISTRATION

None

PUBLIC SAFETY

None

FINANCE & AUDIT

None

PARKS & RECREATION

None

LIBRARY

None

PUBLIC HEALTH

None

Old Business

None

Commissioner Clark made a motion to extend the meeting to 11:45 PM, seconded by Commissioner Abel. Motion passed 4-2 with Commissioners Booker and Farhy opposed and Commissioner Nagle away from the dais.

New Business

None

Public Participation

Dan Sherry, Wayne – He commented regarding comments made by Commissioners and taking their jobs seriously.

Jane Galli, Barcladen – She commented regarding the need to have environmental studies at the Penn site similar to the studies that were done at Villanova project.

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

*Respectfully submitted,
Jennifer DeStefano*

CERTIFICATE OF APPROPRIATENESS

Radnor Township Historical and Architectural Review Board
Radnor Township, Pennsylvania



NAME OF OWNER: DEVINE & ASSOCIATES LLC
OWNER ADDRESS: 600 CLARK AVENUE, KING OF PRUSSIA, PA 19
ADDRESS OF PROPERTY: 303 S WAYNE AV , WAYNE PA 19087
APPLICATION NUMBER: HARB-2018-02

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

New roof to front of house over porch and house; optional two (2) car garage to back of the home.

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 12, 2018

TOWNSHIP OFFICIAL

ACCEPTED BY APPLICANT

RESOLUTION NO. 2018-17

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AUTHORIZING THE PURCHASE OF PUBLIC WORKS
CAPITAL VEHICLES AND EQUIPMENT, AS NOTED IN THE 2018
APPROVED BUDGET**

WHEREAS, the Board of Commissioners adopted Ordinance 2017-17, on December 11th, 2017, “the 2018 Board Adopted Comprehensive Budget”

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

2018 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 #35	2001		Sanitation Packer	\$40,300/year	5 year capital lease
Sanitation				4 Cart Tippers	\$80,000	CoStars Purchase
Fleet Maintenance	Roadside Utility Truck #48	1994		Roadside Utility Truck	\$65,000	CoStars Purchase
Parks Maintenance	Pick Up #77	2004		Pick Up	\$38,750	CoStars Purchase
Parks Maintenance	New Holland Tractor	2001		New Holland Tractor	\$75,000	CoStars Purchase
Parks Maintenance	Core Aerator	1990		Aera-vator	\$22,000	CoStars Purchase
Parks Maintenance	Single Axle X-country	1994/1995		Utility Trailer (2)	\$10,000	Proposal

NOW, THEREFORE, be it **RESOLVED** by the Board of Commissioners of Radnor Township does hereby Authorize the Purchase of Public Works Capital Vehicles and Equipment, as noted in the 2018 Approved Budget, specifically listed in the table above.

SO RESOLVED this 12th day of February, A.D., 2018

RADNOR TOWNSHIP

By: _____
Name: Lisa Borowski
Title: President

ATTEST: _____
Robert A. Zienkowski
Manager/Secretary

Radnor Township

PROPOSED LEGISLATION

DATE: February 2, 2018

TO: Radnor Township Board of Commissioners

CC: Robert A. Zienkowski, Township Manager
William R. White, Finance Director

FROM: Steve McNelis, Co-Interim Director of Public Works

LEGISLATION: Resolution 2018-17: Authorization to Purchase Capital Vehicles and Equipment, 2018 Approved Budget

LEGISLATIVE HISTORY: By virtue of Ordinance 2017-17, dated December 11, 2017, the Board of Commissioners adopted the “2018 Board Adopted Comprehensive Budget”. The Capital Plan, in this case specifically the Public Works Department’s vehicles and equipment, is included in the Budget.

PURPOSE AND EXPLANATION: The Public Works Department is requesting to purchase (1) Sanitation Vehicle, (4) Cart Tipper Hoists to be installed on existing sanitation trucks, (1) Pick Up Truck, (1) Fleet Roadside Utility Truck, (1) New Holland Tractor, (1) Aero-vator, (2) Utility (Towable) Trailers. 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:

2018 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 #35	2001	Sanitation Packer	\$40,300/year	5 year capital lease
Sanitation			4 Cart Tippers	\$80,000	CoStars Purchase
Fleet Maintenance	Roadside Utility Truck #48	1994	Roadside Utility Truck	\$65,000	CoStars Purchase
Parks Maintenance	Pick Up #77	2004	Pick Up	\$38,750	CoStars Purchase
Parks Maintenance	New Holland Tractor	2001	New Holland Tractor	\$75,000	CoStars Purchase
Parks Maintenance	Core Aerator	1990	Aera-vator	\$22,000	CoStars Purchase
Parks Maintenance	Single Axle Xcountry	1994/1995	Utility Trailer (2)	\$10,000	Proposal

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 2018 Approved Budget, specifically listed in the table above.

Public Works Sanitation Vehicles | Replace Packer #35

Description:

After evaluating the fleet in 2011, it was determined that many vehicles were past their useful life, from a dependability and cost standpoint. There was no vehicle replacement plan at that time. To address this issue, a rolling stock replacement plan was created, based on years of service, life span, mileage, equipment condition, and other factors. The vehicle requested to be replaced is packer #35. Please note that packers (trash trucks) are used for solid waste collection, recycling collection, leaf collection, and snow removal.



Justification | Benefit Derived:

Packer #35 is a 2001 vehicle, which is 5 years beyond its service life. To rebuild this vehicle would cost more than the current value of the vehicle, and the useful life would only be extended a few years. The ROI is not acceptable regarding a rebuild; the truck should be replaced. The proposed new truck will have a useful life of twelve years, and presumable less repair costs than the current truck #35. This will provide the Township with more reliable, safer service in regards to trash collection, recycling collection, leaf collection, and snow removal, and will be equipped with a cart tipper to better empty larger cans.

Current Status:

The rolling stock replacement plan was created to provide for a method to replace vehicles on a formal basis, which allows for a meaningful, specific, and a formulated plan to replace rolling stock, in this instance, a solid waste packer. Without such a plan, the Township would revert to previous years, where no formal plan was in place, and packers beyond their useful life were “band aided” to keep them on the road. These vehicles are needed, yet expensive assets that have to be managed to obtain the most use from them. Due to the lack of replacement in past years, it was determined that a five-year capital lease was the most prudent way to update the fleet, in the shortest amount of time.

Project Sources	2018	2019	2020	2021	2022
General Tax Proceeds	\$40,300	\$40,300	\$40,300	\$40,300	\$40,300
Total Funding Sources	\$40,300	\$40,300	\$40,300	\$40,300	\$40,300
Project Uses					
Capital Lease (5 Year Term)	40,300	40,300	40,300	40,300	40,300
Total Financing Uses	\$40,300	\$40,300	\$40,300	\$40,300	\$40,300

(NOTE: Sources must equal Uses)

Public Works Sanitation Division | Cart Tipper/Hoist for Refuse Trucks

Description:

The Sanitation Division within the Public Works Department has four newer Refuse Trucks which can be outfitted with a Cart Tipper/Hoist to allow for the emptying of larger trash receptacles.



Justification | Benefit Derived:

Since the Township has moved away from rear yard refuse and recycling collection, residents are choosing to purchase larger trash receptacles on wheels for their convenience in getting their refuse to the curb. This is creating a problem for our workers as the cans are very heavy when empty yet alone with trash inside. In order to better serve our residents, reduce workman's comp claims, and to assist our limited staff, we find it appropriate to outfit the four newest refuse trucks with a cart tipper/hoist to allow for easier emptying of these larger cans.

Current Status:

Currently there are no assistance devices installed on any of the Radnor Refuse Trucks. The trucks are sent out each morning with a driver and two collectors.

Financial Plan

Project Sources	2018	2019	2020	2021	2022	2023
General Tax Proceeds	\$80,000	-	-	-	-	-
Total Funding Sources	\$80,000	-	-	-	-	-
Total Financing Uses	\$80,000	-	-	-	-	-

(NOTE: Sources must equal Uses)

Public Works Highway/Fleet Maintenance | Fleet Roadside Utility Truck #48

Description:

After evaluating the fleet in 2011, it was determined that many vehicles were past their useful life, from a dependability and cost standpoint. There was no vehicle replacement plan at that time. To address this issue, a rolling stock replacement plan was created, based on years of service, life span, mileage, equipment condition and other factors. The most effective way to replace the most vehicles efficiently is through a five-year capital lease. The vehicle requested for replacement is the Mechanics Roadside Repair Utility Truck #48. This truck is the Township's traveling fleet repair vehicle and responds to vehicle and equipment emergencies when the township vehicles and equipment cannot make it back to the PW facility for repair. This truck responds to flat tires, dead batteries, accidents, etc. This truck is equipped to handle vehicle and equipment failures out on the road.



Justification | Benefit Derived:

Vehicle 48 is the work horse of the Fleet Maintenance division of Public Works. It is a 1994 Chevy 3500 HD Turbo Diesel with 125,200 miles. At 24 years old, this vehicle responds to road calls for the Refuse, Parks, Highway, Sewer, and Police Departments. It also services the tub grinder located at Skunk Hollow and also delivers barricades and generators during police emergencies. It is equipped with a hydraulic liftgate, air compressor, and tool boxes to service our equipment away from the Township Garages. The Fleet Maintenance Utility Truck (aka Truck #48), is now at the end of its useful service life and needs to be replaced.

Current Status:

The rolling stock replacement plan was created to provide for a method to replace vehicles on a formal basis, which allows for a meaningful, specific, and a formulated plan to replace rolling stock, in this instance, a utility truck. Without such a plan, the Township would revert to previous years, where no formal plan was in place, and trucks beyond their useful life were "band aided" to keep them on the road. This current truck is 24 years old, and is need of replacement as well as upgrading.

Financial Plan

Project Sources	2018	2019	2020	2021	2022	2023
General Tax Proceeds	\$65,000	-	-	-	-	-
Total Funding Sources	-	-				
Project Uses						
Capital Lease (7 year term)	-	-				
Total Financing Uses	-	-				

(NOTE: Sources must equal Uses)

Public Works Park Maintenance Vehicles | Replace Pick Up Truck #77

Description:

After evaluating the fleet in 2011, it was determined that many vehicles were past their useful life, from a dependability and cost standpoint. There was no vehicle replacement plan at that time. To address this issue, a rolling stock replacement plan was created, based on years of service, life span, mileage, equipment condition and other factors. The vehicle requested to be replaced is Parks Maintenance Pick Up Truck #77. Please note that parks maintenance pick-up trucks are used for maintenance and trash collection in the parks, leaf collection in parks, clearing streets of downed trees, tree maintenance, and snow removal on the Township's streets.



Justification | Benefit Derived:

Parks Maintenance Pick Up Truck #77 is a 2004 vehicle, which is 14 years old. The body of this truck is exhibiting rust and body wear. Repairs would cost more than the current value of the vehicle, and the useful life would only be extended a few years. The proposed new truck will have a useful life of twelve years, and presumable less repair costs than the current truck #77. This will provide the Township with a more reliable, safer vehicle for the scheduled uses.

Current Status:

The rolling stock replacement plan was created to provide for a method to replace vehicles on a formal basis, which allows for a meaningful, specific, and a formulated plan to replace rolling stock, in this instance, a pick-up truck. Without such a plan, the Township would revert to previous years, where no formal plan was in place, and vehicles well beyond their useful life were "band aided" to keep them on the road. These vehicles are needed, and will be managed and maintained to get the most use from them.

Financial Plan

Project Sources	2018	2019	2020	2021	2022
General Tax Proceeds	\$38,750				
Total Funding Sources	\$38,750				

(NOTE: Sources must equal Uses)

Public Works, Parks Maintenance – New Holland Tractor

Description:

After evaluating the vehicle and equipment fleet in 2011, it was determined that many vehicles and pieces of equipment were past their useful life, from a dependability and cost standpoint. There was no vehicle replacement plan at that time. To address this issue, a rolling stock replacement and equipment replacement plan was created, based on years of service, life span, mileage, equipment condition, and other factors. The Township’s current tractor is a 2001 New Holland which is rusted and worn. This tractor is heavily used in the Park Maintenance operation during every season. They are also versatile as they are used with attachments for leaf blowing, roadside mowing, aerating and snow removal. The requested replacement will be a NEW HOLLAND tractor of an upgraded, but similar style.



Justification | Benefit Derived:

The Parks Maintenance Division uses tractors for many functions. It is used for fall and spring clean-up of the parks, to seed and aerate the fields, for tree removal, snow removal, and roadside and field mowing. These units are used constantly to maintain the parks in all seasons. The current tractor is a 2001 and is rusted and in need of replacement. The new model will be able to accept attachments, and is also four-wheel drive, which allows for safer operations for the crew.

Current Status:

The current tractor (NH1) is operational, but is used on a limited and emergency use basis. As you can see in the picture there are holes in the bucket which limits use. The lack of four-wheel drive reduces the efficiency and safety of the current machine.

Financial Plan

Project Sources	2018	2019	2020	2021	2022	2023
General Tax Proceeds	\$75,000	-	-	-	-	-
n/a	-	-	-	-	-	-
n/a	-	-	-	-	-	-
Total Funding Sources	\$75,000	-	-	-	-	-
Project Uses						
Planning Engineering Legal	-	-	-	-	-	-
Right-of-Way (if needed)	-	-	-	-	-	-
Construction	-	-	-	-	-	-
Inspection	-	-	-	-	-	-
Contingency	-	-	-	-	-	-
Capital	75,000	-	-	-	-	-
Total Financing Uses	\$75,000	-	-	-	-	-

(NOTE: Sources must equal Uses)

Public Works Parks Equipment | Aera-vator

Description:

The Parks Division of the Public Works Department maintains the playing fields throughout the Parks system. This piece of equipment seeds and aerates the turf at the same time. This request is for a new piece of equipment, one (1) Aera-vator.



Justification | Benefit Derived:

The requested Aera-vator is a tractor attachment which aerates while re-seeding the turf. Applying new grass seed while aerating increases the odds of germination for thicker and healthier turf. It is also a time saver.

Current Status:

The Public Works Department has one older model Aera-vator, and this request is for a new piece of equipment which attaches to the new tractor.

Financial Plan

Project Sources	2018	2019	2020	2021	2022	2023
General Tax Proceeds	\$22,000	-	-	-	-	-
Total Funding Sources	\$22,000	-	-	-	-	-
Project Uses						
Planning Engineering Legal	-	-	-	-	-	-
Right-of-Way (if needed)	-	-	-	-	-	-
Construction	-	-	-	-	-	-
Inspection	-	-	-	-	-	-
Contingency	-	-	-	-	-	-
Capital Purchase	\$22,000	-	-	-	-	-
Total Financing Uses	\$22,000	-	-	-	-	-

(NOTE: Sources must equal Uses)

Public Works Parks Equipment | New Utility Trailer (Towable)

Description:

The Parks Division within the Public Works Department has crews that cut grass and maintain the ballfields throughout the Township. The request is for two heavy duty utility trailers to transport the equipment they use daily in this operation.



Justification | Benefit Derived:

The requested utility trailers will provide a means to transport mowers and small equipment, including weed whackers, and blowers from the Public Works Facility to where they are being used each day. This will provide an organized traveling work station for the crews. They will be dual axle, with a 4 ton capacity equipped with electric brakes, a tool box, and a spring assist full gate ramp and a trickle charger. There are many uses for a utility trailer, including hauling mowers, ball field machines, and they can also be utilized for the hayrides provided by the Recreation and Community Programming Department events.

Current Status:

The two current utility trailers are over 20 years old and are single axle, and undersized for today's equipment and safety standards. This is a request for two new trailers.

Financial Plan

Project Sources	2018	2019	2020	2021	2022	2023
General Tax Proceeds	\$10,000	-	-	-	-	-
Total Funding Sources	\$10,000	-	-	-	-	-
Project Uses						
Planning Engineering Legal	-	-	-	-	-	-
Right-of-Way (if needed)	-	-	-	-	-	-
Construction	-	-	-	-	-	-
Inspection	-	-	-	-	-	-
Contingency	-	-	-	-	-	-
Capital Purchase	\$10,000	-	-	-	-	-
Total Financing Uses	\$10,000	-	-	-	-	-

(NOTE: Sources must equal Uses)

RESOLUTION NO. 2018-18

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

WHEREAS, the Public Works Department semi-annually places grass seed and organic fertilizer, spring and fall, on the Township's athletic fields

WHEREAS, the Public Works Department wishes to purchase 80 bags of organic fertilizer and 120 bags of grass seed for the aforementioned task from Site One Landscape Supply, in the amount of \$9,608.96

NOW, THEREFORE, be it *RESOLVED* the Board of Commissioners of Radnor Township does hereby authorize the purchase of seed and fertilizer from Site One Landscape Supply in the amount of \$9,608.96.

SO RESOLVED this 12th day of February, A.D., 2018

RADNOR TOWNSHIP

By: _____
Name: Lisa Borowski
Title: President

ATTEST: _____
Robert A. Zienkowski
Manager/Secretary

Radnor Township
PROPOSED LEGISLATION

DATE: February 5, 2018
TO: Radnor Township Board of Commissioners
CC: Robert A. Zienkowski, Township Manager
William R. White, Finance Director
FROM: Mark Domenick, Co-Interim Director of Public Works
LEGISLATION: Resolution 2018-18: Purchase of Seed and Fertilizer

LEGISLATIVE HISTORY: The purchase of seed and fertilizer is brought before the Board of Commissioners semi-annually, in the spring and fall.

PURPOSE AND EXPLANATION: The Public Works Department semi-annually applies seed and organic fertilizer to the Township's athletic fields, each spring and fall. The Department wishes to purchase from Site One Landscape Supply, the following for the fall application:

15-3-7 #40 Organic Fertilizer	80 bags @ \$15.487 / bag
Double Eagle Ryegrass Seed Blend	120 bags @ \$69.75 / bag

TOTAL **\$9,608.96**

IMPLEMENTATION SCHEDULE: Upon Board of Commissioners approval, the seed and fertilizer will be purchased and used this fall.

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 \$9,608.96

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

Quotation



Stronger Together

West Chester PA #647
 1414 Wilmington Pike
 West Chester, PA 19382-8315
 W: (610)455-0540

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
02/06/2017	2982281	03/06/2017	03/06/2017	03/06/2017

Printed	Job Name	Job Description	Job Start Date
02/02/2018 13:15:46	Spring Turf		03/06/2017

Line #	Item #	Item Desc	Qty	Unit Price	Extended Price
1	30-62-950	LESCO Double Eagle Blend (50# bag)	120	69.750	8,370.00
2	510028	LESCO 15-3-7 30% Polyplus 50% Bio 2.5Fe 40# <i>Item Note:</i> 50% Bio (organic)	80	15.487	1,238.96

Total Price: \$ 9,608.96

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. 2018-19

A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AUTHORIZING PAYMENT OF CHANGE ORDERS TO THE GENERAL PRIME CONTRACTOR, DOLAN CONSTRUCTION, INCORPORATED, FOR THE MEMORIAL LIBRARY OF RADNOR RENOVATION AND EXPANSION PROJECT

WHEREAS, during construction, it was determined that change orders are required for work that was unforeseen and work requested by the owner

WHEREAS, Change Order cost proposals have been submitted by Dolan Construction, the General Prime Contractor

WHEREAS, the Change Order cost proposals have been reviewed by the architect of record and the owner's representative

NOW, THEREFORE, be it *RESOLVED* by the Board of Commissioners of Radnor Township does hereby authorize and approve the following change orders, as outlined on the attached AIA documents, as follows:

Dolan Construction, General Prime, Change Orders Change Orders 23, 26, 28, 32, and 34 in the amount of \$76,963.73

SO RESOLVED this 12th day of February, A.D., 2018

RADNOR TOWNSHIP

By: _____

Name: Lisa Borowski

Title: President

ATTEST: _____

Robert A. Zienkowski

Manager/Secretary

Radnor Township

PROPOSED LEGISLATION

DATE: February 6, 2018

TO: Radnor Township Board of Commissioners

FROM: Stephen F. Norcini, P.E., Township Engineer *SFN*

CC: Robert A. Zienkowski, Township Manager
 William M. White, Assistant Township Manager/Finance Director
 Helen McGrane, President, Board of Directors, Memorial Library of Radnor
 Anny Laepple, Director, Memorial Library of Radnor
 Rick Capone, QCI

LEGISLATION: **Resolution #2018-19:** Authorizing Payment of Change Orders to the General Prime Contractor for the Memorial Library of Radnor Renovation and Expansion Project

LEGISLATIVE HISTORY: The Board of Commissioners authorized the payment of \$131,386.30 and \$48,105.38 in change orders for this project by virtue of Resolutions #2017-116 (October of 2017) and #2018-16 (January of 2018), respectively.

PURPOSE AND EXPLANATION: During construction, change orders are required for work that was not included in the original contract. In the case of the Library Renovation and Expansion project, change orders are required for work that was unforeseen and for work requested by the owner. Please note that one of the change orders is a credit.

The purpose of the legislation is to have the Board of Commissioners authorize the work under the change orders to be completed, at the Not To Exceed (NTE) costs noted. There are other possible change orders pending, which may be brought before the Board at a future meeting.

Memorial Library of Radnor General Prime Change Orders		
Change Order #	Description	NTE Cost
23	Movable wall at story room	\$16,071.73
26	Remove glass at vestibule transom, replace w/GWB	-\$1,678.95
28	Paint Lower Level Friends Area floor w/epoxy	\$7,273.75
32	Replace Rear Building Wall at Patio	\$53,213.65
34	Soffit at entry area	\$2,083.55
TOTAL NTE COST OF LISTED CHANGE ORDERS		\$76,963.73

IMPLEMENTATION SCHEDULE: Pending Board of Commissioners approval, additions to the original contract amounts will be made, noting the change order numbers, and the Resolution number that noting the Board of Commissioners authorization to proceed with the work under the change orders. The contractors will be notified, and work will begin as soon as possible.

FISCAL IMPACT: The cost of the change orders will be paid from the contingency fund of the Library construction project. The accompanying resolution will staff to authorize the change orders, as well as payment upon completion of the work. The cost of the Change Orders before the Commissioners is \$76,963.73. The total cost to date, including the above referenced items, is \$256,455.41.

Recommendation: Staff respectfully recommends that the Board of Commissioners authorizes and approves Change Orders for Dolan Construction as noted on the attached AIA Documents, Change Orders 23, 26, 28, 32 and 34, for the Not to Exceed amount of \$76,963.73.

RESOLUTION NO. 2018-20
A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE
COUNTY, PENNSYLVANIA, AUTHORIZING MUNICIPAL
MAINTENANCE COMPANY, INCORPORATED TO
REPLACE SIX VALVES AT THE HERMITAGE PUMPING
STATION

WHEREAS, the Township wishes to replace six faulty valves at the Hermitage Pumping Station

WHEREAS, The Township has received a cost proposal from Municipal Maintenance, to supply and install the required valves at a cost of \$15,030.

NOW, THEREFORE, be it *RESOLVED* by the Board of Commissioners of Radnor Township does hereby authorize Municipal Maintenance Company, Incorporated, to Replace Six Valves at the Hermitage Pumping Station, at a cost of \$15,030

SO RESOLVED this 12th day of February, A.D., 2018

RADNOR TOWNSHIP

By: _____
Name: Lisa Borowski
Title: President

ATTEST: _____
Robert A. Zienkowski
Manager/Secretary

Radnor Township
PROPOSED LEGISLATION

DATE: February 5, 2018

TO: Radnor Township Board of Commissioners

FROM: Stephen F. Norcini, P.E., Township Engineer *SFN*

CC: Robert A. Zienkowski, Township Manager
William R. White, Assistant Township Manager & Finance Director
Steven Amarant, Public Works Department

LEGISLATION: **Resolution #2018-20 Authorizing Municipal Maintenance Company, Incorporated to Replace Six Valves at the Hermitage Pumping Station**

LEGISLATIVE HISTORY: This legislation has not been before the Board of Commissioners previously.

PURPOSE AND EXPLANATION: The Hermitage Pumping Station conveys sanitary sewer from houses on Hermitage Drive, Rock Rose Lane, Gulph Creek Road (partial), and Pine Tree Road (partial) to the King of Prussia Pumping Station. The Hermitage Pumping Station needs to have six valves replaced. The Township has received a cost proposal (please see attached) from Municipal Maintenance, to supply and install the required valves at a cost of \$15,030.

Implementation Schedule: Pending Board of Commissioners approval, a purchase order will be processed, and work will begin immediately.

Fiscal Impact: This work will be funded by the "02" Sewer Fund, Contracted Repairs

Recommended Action: I respectfully request the Board of Commissioners authorize Municipal Maintenance Company, Incorporated to Replace Six Valves at the Hermitage Pumping Station, at a cost of \$15,030.

Enclosures: Municipal Maintenance Cost Proposal

**MUNICIPAL
MAINTENANCE CO.**

1352 Taylors Lane
Cinnaminson, NJ 08077
Ph: 856-786-9434
Fax: 856-786-0642
www.mmc-nj.com

Bill To:
Steve Amarant
Radnor Township
301 Ivan Avenue
Radnor Twp., PA 19087

Ph: 610-688-5600
Fax: 610-687-0201
Email: samarant@radnor.org

Project Name: Hermitage PS - Valve Replacement

Quotation

DATE: 1/23/2018
Quotation #: 40298Q

Quotation valid until: 2/22/2018
Terms: Net 30 Days
Delivery: TBD

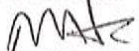
Item	Qty	Description	Unit Price	Total Price
1.	1	Perform the following: • Supply and install four(4) - 4" check valves OLW • Supply and install two(2) - 4" suction gate valves	\$ 10,960.00 \$ 4,070.00	
Total				

Comments:

- This quotation does not include any taxes if applicable
- Radnor Township to control flow

If you have any questions concerning this quotation, please contact:

Michael Hawes



Sales Representative
mhawes@mmc-nj.com
Cell: (609) 471-9321

MMC approval 

**THANK YOU FOR YOUR BUSINESS!
ELECTRICAL CONTRACTOR LICENSE #15195**

Police Commendation

Township Recognition

Recognition of
The Saturday Club
and
Taste of Britain

RESOLUTION NO. 2018-23

A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, RECOGNIZING AND CELEBRATING THE MONTH OF FEBRUARY AS BLACK HISTORY MONTH

WHEREAS, the contributions of African American citizens as scientists, inventors, farmers, educators, homemakers and explorers, in addition to countless other professions have greatly benefited our nation; and

WHEREAS, Dr. Carter G. Woodson first initiated the recognition of African Americans during the month of February in 1926 when Dr. Woodson set aside a special period in February to recognize the heritage and achievement of African Americans of the United States; and

WHEREAS, “Black History Month” was officially recognized in the United States in 1976 as part of the bicentennial celebration when President Gerald Ford urged Americans to honor the “too often neglected accomplishments of black Americans in every area of endeavor throughout our history”; and

WHEREAS, since 1976, Black History Month has continued to be a month-long celebration of African American history and accomplishments in the United States.

NOW, THEREFORE, be it hereby *RESOLVED* that the Township of Radnor, Delaware County, Pennsylvania, does hereby recognize the contributions of the African American Community to our Township, our State and our Nation, and encourage all citizens to seek increased awareness and understanding of these contributions.

SO RESOLVED this _____ day of _____, 2018.

RADNOR TOWNSHIP

By: _____
Name: Lisa Borowski
Title: President

ATTEST: _____
Robert A. Zienkowski, Secretary

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

RESOLUTION NO. 2018-24

A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, APPOINTING ALTERNATE MEMBERS TO THE RADNOR TOWNSHIP ZONING HEARING BOARD IN ACCORDANCE WITH THE MUNICIPALITIES PLANNING CODE

WHEREAS, Radnor Township Zoning Hearing Board consists of five residents of the Township; and

WHEREAS, Section 903 (b) of the Pennsylvania Municipalities Planning Code (MPC) permits the appointment of up to three alternate members for terms of three years; and

WHEREAS, alternate Board members may be designated by the chairman of the Board to replace any absent or disqualified members in order to reach a quorum pursuant to Section 906 (b) of the MPC.

NOW, THEREFORE, be it hereby *RESOLVED*, that the following individuals are appointed as members of the Radnor Township Zoning Hearing Board for the terms of office as set forth below:

1. Rahul Kothari- January 1, 2018 to December 31, 2020 (3year term)
2. Scott Simon- January 1, 2018 to December 31, 2020 (3 year term)

Repealer. All resolutions or parts of resolutions which are inconsistent herewith are repealed.

SO RESOLVED this 12th day of February, 2018.

Township of Radnor Township

By: _____
Name: Lisa Borowski
Title: President

Attest: _____

INTEROFFICE MEMORANDUM

TO: ROBERT ZIENKOWSKI, TOWNSHIP MANAGER
FROM: KEVIN KOCHANSKI, DIRECTOR
SUBJECT: VOLUNTEER BOARDS
DATE: 2/5/2018



Community
Development
Department

At the January 22, 2018 Board of Commissioners Meeting, four volunteers were appointed to vacancies under the Community Development Boards and Commissions. Unfortunately, several of our Boards have specific background / experience requirements listed in our codes for the members on those boards. In reviewing the resumes for the appointed volunteers, it appears that two (2) of the appointed members do not have the qualifications, as outlined in the Code, for the boards on which they were appointed. Fortunately, Community Development has other vacancies where these volunteers may be better utilized. I offer the following for your consideration:

Volunteer	Appointed Board	Proposed Board
Dr. Charley Wheeler	Board of Health	No Change
Tim Frey	Design Review Board	No Change
Rahul Kothari	Design Review Board	Zoning Hearing Board – Alternate 1
Scott Simon	Code Appeals Board	Zoning Hearing Board – Alternate 2

Should consideration be given to reassigning Mr. Kothari and Mr. Simon, Community Development will be left with a vacancy on the Code Appeals Board and Design Review Board. Volunteers appointed to these boards should have the following background/experience:

Design Review Board – per Chapter 5, section 42.A - Membership. The membership of the Design Review Board shall consist of five registered electors, three of whom shall have a professional background and experience in the fields of architecture, engineering or landscaping.

1 vacancy - Currently only 2 of the appointed members meet the above qualifications.

Code Appeals Board – per Chapter 15, section 1 – Establishment; composition. A Code Appeals Board is hereby established which shall consist of five qualified persons appointed by the Board of Commissioners. The Board shall consist of two architects or structural engineers licensed within the Commonwealth of Pennsylvania; a general contractor, master plumber and master electrician, all of whom shall be licensed in their respective trades with the Township of Radnor.

1 vacancy – Currently, the board does not have a Master Electrician, Master Plumber, or General Contractor appointed.

Quarterly 2017
Finance Update

ORDINANCE NO. 2018-05

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, APPROVING A LEASE AGREEMENT BETWEEN THE
TOWNSHIP OF RADNOR AND WILLOWS PARK PRESERVE**

WHEREAS, Radnor Township and Willows Park Preserve have negotiated and agreed upon a 20 year lease of the Willows Mansion building at 490 Darby-Paoli Road in the Township; and

WHEREAS § 3.01 of the Radnor Township Home Rule Charter permits the lease of real property by the Township for a term in excess of three years by ordinance.

NOW, THEREFORE, be it hereby *ENACTED* and *ORDAINED* that the Radnor Township Board of Commissioners hereby approves the Lease Agreement with Willows Park Preserve, a copy of which is attached hereto and incorporated herein as Exhibit "A".

ENACTED AND ORDAINED this 12th day of February, 2018.

RADNOR TOWNSHIP

By: _____
Name: Lisa Borowski
Title: President

ATTEST: _____
Robert A. Zienkowski, Secretary

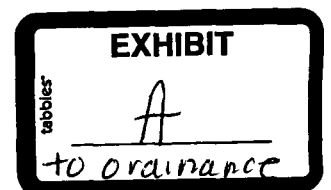
LEASE AGREEMENT

BETWEEN

RADNOR TOWNSHIP

AND

WILLOWS PARK PRESERVE



LEASE AGREEMENT

THIS LEASE AGREEMENT made this _____ day of _____, 2018 by and between **RADNOR TOWNSHIP**, a municipal subdivision of the Commonwealth of Pennsylvania (hereinafter called "**Township**"), and **WILLOWS PARK PRESERVE** a Pennsylvania nonprofit corporation (hereinafter called "**WPP**").

1. DEFINED TERMS.

(a) "**Leased Premises**": shall mean the Willows Mansion building, including the patio, located at 490 Darby-Paoli Road, Radnor Township, Pennsylvania, and known hereinafter as "the Mansion".

(b) "**Park**": shall mean Willows Park a public park owned by the Township. The Leased Premises is located in the Park.

(c) "**Term**":

(i) The Term of this Lease shall commence upon completion of all contingencies as set forth in paragraphs 1 and 2 of the Addendum ("Commencement Date") and shall expire 20 years from the date when a certificate of occupancy is issued for the Mansion after the construction is completed. Upon completion of all contingencies, the parties shall confirm in writing the Commencement Date.

(ii) Upon completion of the initial 20 year Term, the Lease shall automatically renew for additional periods of 1 year each (each a "Renewal Term") unless either party gives notice to the other in writing at least six (6) months prior to the last day of any Renewal Term.

(iii) Upon the execution of this Lease, WPP shall have early access to the Leased Premises and the Park in furtherance of the Permitted Uses.

2. **LEASED PREMISES.** Township, subject to the provisions and conditions hereof, leases to WPP and WPP accepts from Township, the Leased Premises. WPP shall not use or occupy, or permit or suffer to be used or occupied, the Leased Premises or any part thereof, other than for the Permitted Uses, as described below. WPP shall have a right of first offer with regard to any improvements to or use of the cottage located in the Park by a third party. This right will not apply to Township proposed improvements or uses.

3. **LEASE PURPOSE.** To restore the Mansion, and to maintain and operate programs from the Leased Premises, thereby alleviating the Township's burden of preserving the Leased Premises, to seek Arboretum status in the Park, and furthermore to provide innovative programs for all age groups and to make the Leased Premises available for community and fundraising events to support the preservation of the Leased Premises as a historic, community resource.

4. PERMITTED USES. WPP is a non-profit organization providing cultural, educational, recreational, historical, and community programs to the public. WPP shall be entitled to use the Leased Premises as its office and to conduct programs, classes and events in the Leased Premises in furtherance of the restoration and maintenance of the Mansion. WPP may make the Leased Premises available to other persons, groups and organizations for cultural, educational, recreational, historical or charitable events. WPP may use the Park for arboretum purposes, provided any such plan is approved by the Board of Commissioners. WPP shall procure and thereafter maintain any license or permit required for the proper and lawful conduct of WPP's business or other activity carried on in the Leased Premises. Subject to the approval of the Board of Commissioners, WPP may expand its holistic approach to other areas of the Park.

5. USE OF PARK. WPP shall have the non-exclusive use of the Park to seek an Arboretum status. WPP shall have the non-exclusive use of the parking areas in the Park, for the purpose of parking vehicles of WPP and its guests. WPP shall at all times have the right of access, ingress and egress to and from the Leased Premises by the roads, driveways and walkways existing in the Park, for itself and its guests, subject to such reasonable public safety restrictions as may be imposed by Township. WPP shall be entitled to post signs in front of the Leased Premises, in the adjacent parking area, and at other permissible locations, provided that the signs are pre-approved by the Township. WPP may use the grounds near the Leased Premises for its Permitted Use activities. WPP shall have use of the parking lot adjacent to the Leased Premises.

6. RENT. The Rent for the Term shall be One Dollar (\$1.00) per year, payable 10 years in advance, upon commencement of this Lease.

7. UTILITIES AND SERVICES. After the date when the certificate of occupancy is issued and subject to the WPP being Self-Sustaining (as that term is defined in Section 7 of the attached Addendum), WPP will be responsible, at its sole cost and expense, to pay for (a) all utilities (including, electricity, gas, water, and sewer,) that are furnished to or consumed within the Leased Premises. WPP shall be responsible for telephone, cable, and internet services.

8. WPP RESPONSIBILITIES.

(a) **MAINTENANCE/REPAIR.** WPP and the Township shall cooperate in maintaining and keeping the Leased Premises in good order and repair, for its intended use as a community resource once the construction and renovation has occurred as described in paragraph nine. If Township determines that maintenance and/or repairs are necessary to keep the Leased Premises in good order and repair, it shall be Township's obligation to perform such additional maintenance and repairs. All work performed by WPP or Township shall be done in a good and workmanlike manner in accordance with all applicable laws and ordinances.

(b) **ALTERATIONS/ADDITIONS.** WPP shall not make any alterations or additions to the Leased Premises without the prior written approval of Township, except for minor maintenance and repair work. All alterations or additions performed by WPP shall be done in a good and workmanlike manner in accordance with all applicable laws and township ordinances. Upon expiration or earlier termination of this Lease, all such alterations or additions

shall remain at the Leased Premises and shall become the property of Township without payment by Township.

(c) Any proposed resident caretaker shall be subject to a separate agreement between WPP and the Township.

(d) WPP shall comply at all times with any and all Federal, State and Township statutes, regulations, ordinances, or other requirements, including any insurers insuring the building relating to WPP's use, occupancy or alteration of the Leased Premises.

9. TOWNSHIP RESPONSIBILITIES.

(a) Prior to the commencement and use of the Leased Premises by WPP, the Township shall initiate the bidding and construction process to implement improvements to the Mansion consistent with the goals of the WPP. The Township has budgeted \$1,816,660 in funding to make improvements to the Leased Premises and WPP has secured \$1,000,000 in donor funding pursuant to a Charitable Gift Agreement with Addendums. Attached hereto as **Exhibit "A"** is the Township's 2018 budget and attached as **Exhibit "B"** is the Charitable Gift Agreement with Addendum #1 and Addendum #2.

(b) Subject to the public bidding process, WPP shall have the right to review and provide input on the selection of the architect, designer, and contractor for the improvements and may attend all construction meetings. The Township will contract and pay all architects and construction vendors in accordance with public bidding requirements and township procedures. The Township shall be responsible for all aspects of constructing and paying for the improvements provided the improvements and costs are within budgeted funds. Budgeted funds include both the Township funds of \$1.8 million and Donor funds of \$1 million. WPP shall have no liability for or responsibility to complete the improvements.

(c) Township shall provide or cause to be provided the following services throughout the Term: (i) maintain the road, driveway, paths and parking areas in the Park in good condition and repair, and keep such areas free and clear of ice and snow; (ii) maintain all sewer and other utility lines; (iii) provide trash and recyclables removal from the Leased Premises in accordance with Township's general trash and recyclables removal policies; (iv) provide cleaning services, except for any WPP private events; (v) mow the grass, remove leaves and maintain the landscaping around the Leased Premises; (vi) provide building maintenance, repairs and replacements necessary for the intended uses, including, but not limited to HVAC services, roof, foundation, elevator, pest control and gutter cleaning; and (vii) provide all commercially reasonable fire protection and fire alerts and inspections and security alarm services.

10. SUBLETTING AND ASSIGNING. WPP shall not assign this Lease or sublet all or any portion of the Leased Premises without first obtaining Township's prior written consent, which shall not be unreasonably withheld, provided that any tenant/caretaker premises shall be code compliant.

11. TOWNSHIP'S INSURANCE.

(a) Township shall carry all risk property insurance, premises liability insurance and any other insurance deemed appropriate by Township covering fire and extended coverage, vandalism and malicious mischief, and all other perils of direct physical loss or damage insuring the improvements and betterments located at the Leased Premises for one hundred percent (100%) of the replacement value thereof, together with all other coverages deemed appropriate by Township.

(b) If the Leased Premises is destroyed by fire or other casualty that, in Township's reasonable judgment requires substantial alteration or reconstruction of the building, or if the Leased Premises has been substantially damaged, and insurance proceeds are insufficient to repair the damage, Township may, at its option, terminate this Lease by notifying WPP in writing of such termination within sixty (60) days after the date of such casualty. Such termination shall be effective as of the date of fire or casualty with respect to any portion of the Leased Premises that was rendered to WPP and secondly, as of the effective date of termination specified in Township's notice with respect to any portion of the Leased Premises that remains WPP. If this Lease is not so terminated by Township, Township shall proceed with reasonable diligence to restore the Leased Premises.

12. WPP INSURANCE. WPP shall purchase and maintain throughout the term of this lease its own general liability and renters insurance, including other required insurance for its volunteers and employees. WPP insurance may be in the form of a rider to the Township's insurance policies if approved by the Township.

13. INSOLVENCY. Each of the following shall constitute a breach of this Lease by WPP: (a) The appointment of a receiver or trustee to take possession of all or a portion of the assets of WPP, or (b) an assignment by WPP for the benefit of creditors, or (c) the institution by or against WPP of any proceedings for bankruptcy or reorganization under any State or Federal law (unless in the case of involuntary proceedings, the same shall be dismissed within forty-five (45) days after institution), or (d) any execution issued against WPP which is not stayed or discharged within fifteen (15) days after issuance of any execution sale of the assets of WPP.

14. DEFAULT.

(a) If (i) WPP sublets the Leased Premises or assigns this Lease in violation of the provisions of Section 10 hereof; or (ii) WPP fails to maintain the insurance required pursuant to Section 14 hereof; or (iii) WPP fails to perform or observe any of the other covenants, terms or conditions contained in this Lease and such failure continues for more than 30 days after written notice thereof from Township (or such longer period as is reasonably required to correct any such default, provided WPP promptly commences and diligently continues to effectuate a cure, but in any event within sixty (60) days after written notice thereof by Township); then and in any of said cases (notwithstanding any former breach of covenant or waiver thereof in a former instance), Township, in addition to all other rights and remedies available to it by law or equity or by any other provisions hereof, may at any time thereafter terminate this Lease upon written notice to WPP and, on the date specified in said notice, this Lease and the term hereby leased and all rights of WPP hereunder shall expire and terminate and WPP shall thereupon quit and surrender possession of the Leased Premises to Township in the

condition elsewhere herein required.

(b) Township acknowledges that WPP shall provide \$1,000,000 for improvements to the Leased Premises; and therefore, notwithstanding anything to the contrary herein, Township agrees that prior to initiating a default notice under this Section, Township and WPP shall negotiate in good faith for a period of 30 days after receipt of notice of a dispute from the other to resolve any issues or potential defaults before claiming a default under this Section.

(c) No waiver of any provision of this Lease shall be implied by any failure of Township to enforce any remedy allowed for the violation of such provision, even if such violation is continued or repeated, and no express waiver shall affect any provision other than the one(s) specified in such waiver and only for the time and in the manner specifically stated.

15. WAIVER OF SUBROGATION. WPP hereby waives any rights it may have against the Township on account of any loss or damage occasioned to WPP in or about the Leased Premises or its contents, arising from any risk covered by fire and extended coverage insurance. The parties hereto each, on behalf of their respective insurance companies insuring the property of the parties hereto against such loss, waives any right of subrogation that such insurers may have against the parties hereto.

16. MUTUAL RELEASE.

(a) WPP and its employees, officials, volunteers and agents shall be solely responsible for any loss or damage to the Leased Premises or the property of WPP or its invitees, employees, officials, volunteers, agents and representatives while such property is on the Leased Premises.

(b) Subject to the limits of WPP's liability insurance, WPP agrees to defend, indemnify and hold harmless Township from any suits, claims, damages and payment of monies, including any reasonable legal fees and costs arising from the gross negligence or willful misconduct of WPP in performing its obligations under the terms of this Lease.

(c) Only to the extent that the Township may otherwise be held directly liable under applicable law, including, but not limited to, 42 Pa.C.S.A. 8542, *et seq.*, (Pennsylvania Political Subdivision Tort Claim Act), Township hereby agrees to defend, indemnify and hold harmless WPP from any suits, claims, damages and payment of monies, including any reasonable legal fees and costs arising from the gross negligence or willful misconduct of Township relating to the performance of this Lease.

17. ACCESS. Township shall have the right to enter the Leased Premises at all times to inspect the Leased Premises, provided that Township shall avoid interference with the conduct of WPP's operations during leased events.

18. EXPIRATION OR EARLIER TERMINATION; HOLDING-OVER. WPP, upon sixty (60) days prior written notice to Township, may terminate this Lease at any time. Upon or prior to the expiration or earlier termination of this Lease, WPP shall vacate the Leased Premises and remove all possessions, leaving the Leased Premises in broom-clean condition.

19. QUIET ENJOYMENT. Township covenants and agrees that WPP, so long as it shall not be in material default hereunder, shall and may, at all times during the Term, peaceably and quietly have, hold, occupy and enjoy the Leased Premises pursuant to the terms of this Lease.

20. WAIVER OF LIENS. WPP agrees that in the event that the Township gives written approval and permits any alterations or repairs to be made to the Leased Premises, that before any work is started or performed, a waiver of liens shall be prepared by the Township and signed by the contractor and/or materialmen and the Township. Said waiver of liens shall be filed of record in accordance with the Mechanic's Lien Laws of the Commonwealth of Pennsylvania. The parties hereto agree that a waiver of liens will only be required where the improvements or repairs are in excess of Five Thousand Dollars (\$5,000).

21. NOTICES. All notices required to be given hereunder shall be sent by registered or certified mail, return receipt requested, by Federal Express or other overnight express delivery service, or by hand delivery against written receipt or signed proof of delivery, to the respective Notice Addresses set forth below, and to such other person and address as each party may from time-to-time designate in writing to the other. Notices shall be deemed to have been received on the date delivered when sent by hand delivery, the next day when sent by Federal Express or other overnight express delivery service and within two (2) business days when sent by registered or certified mail.

To Township: Township Manager, Radnor Township
301 Iven Avenue, Radnor, PA 19087

To WPP: Willows Park Preserve
234 Walnut Avenue
Wayne, PA 19087

22. MISCELLANEOUS

(a) WPP represents and warrants to Township that WPP has dealt with no broker, agent or other intermediary in connection with this Lease.

(b) The covenants and agreements contained in this lease shall be binding on the parties hereto and on their respective successors and permitted assigns.

(c) If Township or WPP is delayed or prevented from performing any of their respective obligations under this Lease due to strikes, acts of God, shortages of labor or materials, war, civil disturbances or other causes beyond the reasonable control of the performing party ("**Force Majeure**"), the period of such delay or prevention shall be deemed added to the time herein provided for the performance of any such obligation by the performing party. Notwithstanding the foregoing, events of Force Majeure shall not extend any period of time for the payment of Rent or other sums payable by either party or any period of time for the written exercise of an option or right by either party.

(d) Any rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not apply to the interpretation of this Lease or any amendments or exhibits hereto.

(e) This Lease, the exhibits, and addendum attached hereto and forming a part hereof set forth all of the promises, agreements, conditions, warranties, representations, understandings and promises between Township and WPP relative to the Leased Premises and this leasehold and WPP expressly acknowledges that Township and Township's agents have made no representation, agreements, conditions, warranties, representations, understandings or promises, either oral or written, other than as herein set forth, with respect to the Leased Premises, this leasehold or otherwise. No alteration, amendment, modification, waiver, understanding or addition to this Lease shall be binding upon Township or WPP unless reduced to writing and signed by Township, or by a duly authorized agent of Township and by WPP.

(f) The captions of the paragraphs in this Lease are inserted and included solely for convenience and shall not be considered or given any effect in construing the provisions hereof.

(g) If any provision contained in this Lease shall, to any extent, be invalid or unenforceable, the remainder of this Lease (and the application of such provision to the persons or circumstances, if any, other than those as to which it is invalid or unenforceable) shall not be affected thereby, and each and every provision of this Lease shall be valid and enforceable to the fullest extent permitted by law.

(h) This Lease shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania.

(i) Notwithstanding any provision of this Lease to the contrary, no officer or director of WPP or Township shall have any personal liability with respect to any provisions of this Lease or the Leased Premises.

(j) Township and WPP each represents and warrants to the other that (a) the execution and delivery of this lease has been fully authorized by all necessary corporate or municipal action, as applicable; (b) each person signing this Lease has the requisite authority to do so and the authority and power to bind the party on whose behalf he/she has signed, and (c) to the best of its knowledge and belief, this Lease is valid, binding and legally enforceable in accordance with its terms.

(k) This Lease may be executed in two or more counterparts, each of which shall be deemed to be an original hereof, but all of which, taken together, shall constitute one and the same instrument.

23. MEDIATION/ARBITRATION. Any controversy or claim related to this Lease Agreement shall be submitted to a mutually agreed upon mediator within thirty (30) days of written notice by either party of a dispute. If there is no agreement or resolution within sixty (60) days after submission to a mediator or the appointment of a mediator, the parties shall submit to binding arbitration under the rules of the American Arbitration Association, and any decision rendered by an arbitrator shall be final and enforceable in any court of proper jurisdiction.

TOWNSHIP:

RADNOR TOWNSHIP

Attest: _____

By: _____

Name:

Title:

WILLOWS PARK PRESERVE:

WILLOWS PARK PRESERVE

Attest: _____

By: _____

Name:

Title:

**Willows Mansion Operations
Five Year Plan**

	1ST FLOOR OPEN BY CONSTRUCTION JUNE	12 MONTHS ACTIVITY	12 MONTHS ACTIVITY	12 MONTHS ACTIVITY
	2018	2019	2020	2021

Revenue LIMIT LARGE EVENTS TO 25 PER YEAR \$ - \$ 75,000 \$ 150,000 \$ 225,000 \$ 302,000

Expense Category

Willows Park Preserve Non-Profit Incremental Expense

Staff

Marketing/Scheduling/Facility Management Coordinator

Salary \$40,000 \$60,000 \$60,000 \$60,000 \$60,000

Fringes \$16,000 \$24,000 \$24,000 \$24,000 \$24,000

Fill in Custodian/Day-Of Coordinating (Hourly)

Salary \$13,000 \$13,000 \$13,000 \$13,000 \$13,000

Fringes \$28,000 \$28,000 \$28,000 \$28,000 \$28,000

Fringes \$16,000 \$16,000 \$16,000 \$16,000 \$16,000

Contracted Services

Cleaning-- Large Events \$7,000 \$14,000 \$14,000 \$14,000 \$14,000

Minor Repairs \$5,000 \$9,000 \$9,000 \$9,000 \$9,000

Web Design and hosting \$12,000 \$6,000 \$6,000 \$6,000 \$6,000

Consultants:

Grant writers/ Graphic Design/ Historical Designation \$10,000 \$2,000 \$2,000 \$2,000 \$2,000

Event Contract Development \$6,000

Event Planning Consultation \$9,000

Computers/Printers/ Software/ Website \$9,000 \$4,000 \$4,000 \$4,000 \$4,000

Office Supplies/ phone/internet \$10,000 \$12,000 \$12,000 \$12,000 \$12,000

Event and Donor Literature \$15,000 \$12,000 \$12,000 \$12,000 \$12,000

Organizational Expenses

Accounting Software & Audit \$5,000 \$5,000 \$5,000 \$5,000 \$5,000

Legal \$2,000 \$2,000 \$2,000 \$2,000 \$2,000

D & O Insurance \$2,500 \$2,500 \$2,500 \$2,500 \$2,500

Total Non-Profit Expense \$136,500 \$198,500 \$209,500 \$209,500 \$209,500

RESERVES FOR FUTURE REPAIRS \$0 \$50,000 \$50,000 \$50,000 \$50,000

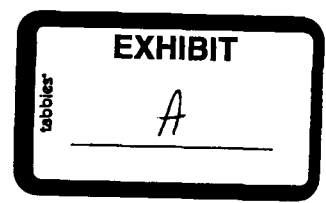
Total Non-Profit Expense with Reserves \$136,500 \$248,500 \$259,500 \$259,500 \$259,500

ANNUAL TOWNSHIP CONTRIBUTION -\$136,500 -\$173,500 -\$109,500 -\$34,500 \$42,500

*** Township continues to pay these annual expenses and provide these services

- Property Insurance
- Trash Hauling
- Snow Removal
- Grounds Maintenance & Trees
- HVAC Maintenance
- Electricity
- Water
- Fire Protection Inspection
- Security Alarm Monitoring
- Pest Control
- Gutter Cleaning & Ornamental Planting Maintenance

One Time Start up costs	
Furniture Tables and Chairs	\$ (50,000)
Outdoor Tables, planting, pots	\$ (40,000)
Kitchen equipment/APPLIANCES	\$ (40,000)
Start up Expense	\$ (130,000)



CONFIDENTIAL

ADDENDUM TO
CHARITABLE GIFT
AGREEMENT, DATED
SEPTEMBER 10, 2017

THIS Addendum to the CHARITABLE GIFT AGREEMENT ("Agreement") dated September 10th, 2017 is made between an individual with an address at [REDACTED] 19333 (the "Donor") and Willows Park Preserve, a Pennsylvania nonprofit corporation (E.I.N. 82-2732470, Pennsylvania Business Entity Number 6603389), with a registered address at 234 Walnut Avenue, Wayne, PA 19087 (the "Donee") (each a "Party"; together the "Parties").

WITNESSETH:

WHEREAS, Donor is committed to providing funding toward the repair, renovation, restoration and construction of the Willows Mansion (the "Mansion") in Radnor Township (the "Township") for the public's use and enjoyment; and

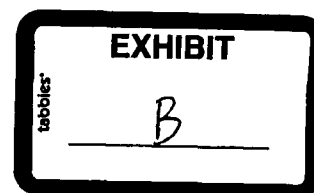
WHEREAS, on September 10th, 2017, Donor and Donee entered into a Charitable Gift Agreement specifically for the purposes of maintaining the Mansion, and thereby alleviating the Township's burden of caring for and preserving this historic property, and Donee fulfills its mission by supporting the repair, renovation, restoration and construction of the Mansion, promoting the Mansion, making the Mansion open and available for public use and enjoyment, leading innovative programs for all ages in the Mansion, making the Mansion available for various events held by members of the community and fundraising to support the maintenance of the Mansion as a historic treasure and community resource (A signed copy of this Charitable Gift Agreement is attached hereto and incorporated by reference herein); and

WHEREAS, Donor intends to support the Township's repair, renovation, restoration and construction of the Mansion (the "Project") and Donor desires to support the Project by pledging One Million Dollars (\$1,000,000); and

WHEREAS, the payment terms of the One Million Dollar (\$1,000,000) donation specified in the Agreement caused an undue burden on the township; and

WHEREAS, in connection with its support of the Project, Donor wishes to modify and amend the schedule of the pledge (defined below) and replace in its entirety Paragraph 1 of the September 10, 2017 signed Agreement with the following:

1. Pledge of Funds. Donor irrevocably pledges to match any and all third-party donations made to the Donee, including, but not limited to, those made by the Township, that are intended to be used in furtherance of the renovation, restoration, repair and construction of the Mansion, in an amount not to exceed One Million Dollars (\$1,000,000) (the "Funds") payable on the following schedule:



\$500,000.00

Upon the full and complete expenditure of the Township's allocated budget of One Million, Eight Hundred Thousand (\$1,800,000.00), Donor will contribute Five Hundred Thousand (\$500,000) during the calendar year 2018, and contribute the remaining Five Hundred Thousand (\$500,000.00) in January, 2019.

Donor authorizes Donee to share a redacted copy of this document with the Township.

All other paragraphs and provisions of the Charitable Gift Agreement dated September 10, 2017 remain in full force and effect and are incorporated herein by reference as if reproduced in their entirety.

If to Donor:

[Redacted]

With a copy to:

J. Stoddard Hayes, Jr., Esq.
Gawthrop Greenwood, PC
17 E. Gay St, Ste 100
West Chester, PA 19380
Email: jhayes@gawthrop.com

Ronald Logue
Wilmington Trust Company
1100 N. Market St.
Wilmington, DE 19899
rlogue@wilmingtontrust.com

If to Donee:

Christina Perrone, Co-Founder
234 Walnut Ave.
Wayne, PA 19087

Tish Long, Co-Founder
35 Aldwyn Lane
Villanova, PA 19085

**ADDENDUM TO LEASE BETWEEN RADNOR TOWNSHIP AND
WILLOWS PARK PRESERVE**

The parties have agreed to work together cooperatively to restore and maintain the Leased Premises and to insure that Willows Park Preserve ("WPP") can generate revenue from fundraising and public or private events to cover its operating costs and to establish a reasonable reserve to serve the mutual goal of making the operation self-sustaining. To that end the parties have agreed to the following parameters as to: 1) the financing and construction of the proposed improvements; and 2) the rental and programming activities of WPP.

1. The Township has budgeted and allocated \$1,816,660 in funds to renovate the property in accordance with an improvements plan agreed to by the parties and which is consistent with the goals of the WPP. Upon the execution of this Lease, the Township will expend a portion of its allocated funds to hire an architect to prepare plans and construction documents. Upon lease execution, the Township will allow \$100,000.00 of such restricted funds to be used by WPP for pre-opening marketing costs and operating expenses. The release of the remaining Township funds shall be contingent upon: a) the approval of WPP as a 501(c) 3 tax exempt organization; and b) execution by the Township of a construction contract to improve the Mansion.
2. WPP has secured a \$1,000,000 donation to be used to support the renovation of the leased premises and the mission of WPP. Additionally, pursuant to Addendum #2 of the Charitable Gift Agreement, Donor shall provide an additional \$100,000 for pre-opening marketing costs and operating expenses. Upon award of a successful bid and execution of a construction contract by the Township, Township funds and WPP donated funds (as per the terms of the Donor Agreement) shall be deposited in a separate account and held by the Township to administer the implementation and payment of the designated contractor and expenses of construction. Any surplus shall be returned to the WPP.
3. The proposed improvements shall be subject to public bidding by the Township in accordance with township, state and federal requirements. WPP shall have input throughout the construction process but all final decisions regarding the means and manner of constructing the improvements shall remain with the Township, including payment applications, change orders and construction management. The Township shall designate a representative who shall handle all correspondence and information related to the construction.
4. In utilizing the renovated Mansion, all WPP employees and volunteers working on Township property shall be subject to such ongoing background checks as deemed reasonably necessary by the Township. Any caretaker/sub-tenants shall likewise be subject to the reasonable approval and clearance by the Township.

5. WPP shall be responsible for set-up and janitorial services for all activities and events that it sponsors at the Leased Premises.
6. The Township and WPP shall meet at least annually to discuss a budget for any required maintenance and repairs of the Mansion.
7. WPP will make commercially reasonable efforts to be "self-sustaining". "Self-sustaining" means generating revenue from fundraising and events to cover its operating expenses, exclusive of expenses covered by the Township as outlined in this Lease, plus a reasonable reserve. The Township and WPP agree that once the apartment and Mansion meet code requirements, a caretaker or facility director may be permitted to rent the apartment, subject to further agreement with the Township. The Township may audit WPP on at least an annual basis and shall be entitled to all WPP financial records within 20 days of a request.
8. The Township and WPP shall meet at least annually to establish a schedule of Mansion use for: a) major, private uses; and b) resident, community group use; and c) Township use. WPP will not schedule more than 25 major, private events per year, each with no more than 150 attendees at the event. WPP shall have priority to schedule its 25 major, private events in the Mansion. For each major event, WPP shall coordinate in advance with the Township to address hours of operation, parking and necessary security issues.

**RESOLUTION NO. 2018-21
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AMENDING RESOLUTION #2017-65
ESTABLISHING A POLICY FOR TELEVISIONING OR TAPING PUBLIC
MEETINGS WITHIN THE RADNOR TOWNSHIP MUNICIPAL
BUILDING**

WHEREAS, the Radnor Township Board of Commissioners desires to establish a policy for televising or taping public meetings held within the Township Municipal Building; and

WHEREAS, the Board stresses the importance of transparency to ensure residents are informed and engaged in Township issues; and

WHEREAS, the Township currently televises and/or tapes several public meetings for Township Advisory Boards and Commissions; and

WHEREAS, the Board appreciates the commitment of its residents, who volunteer their time to contribute their experience and vision for these committees; and

NOW, THEREFORE, be it hereby **RESOLVED** that the Radnor Township Board of Commissioners does hereby establish the following policy for televising or taping public meetings of Township Advisory Boards and Commissions:

1. Radnor Township will televise all public meetings(except for certain meetings identified below) .
2. In order to achieve this goal the Township shall arrange for a second venue for videotaping meetings in addition to the Radnorshire Room in the Township Building.
3. Township Manager is required to notify Board in advance if mandatory televised public meeting will not be televised, after all efforts are exhausted to reschedule.
4. Mandatory public meetings shall not go consecutive months without being televised.
5. Recognizing that there are certain Boards and Commissions for which mandatory televising is not necessary or well suited the following Boards shall not be required to be televised: Civil Service Commission, Building Code Appeals Board, Educational Services Agency, and Rental Housing Appeals Board.
6. All advisory Boards and Commissions have the right to meet in executive session provided that such meetings comply with the Pennsylvania Sunshine Act. Robert's Rules of

Order shall apply and minutes shall be taken at all meetings.

7. The Township staff is directed to evaluate and report on the feasibility and cost of creating a second venue for televising advisory Board and Commission meetings.

SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this _____ day of _____, 2018.

RADNOR TOWNSHIP

By: _____
Name: Lisa Borowski
Title: President

ATTEST: _____

RESOLUTION NO. 20187-65
RADNOR TOWNSHIP

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, ESTABLISHING A POLICY FOR TELEVISIONING
OR TAPING PUBLIC MEETINGS WITHIN THE RADNOR
TOWNSHIP MUNICIPAL BUILDING**

WHEREAS, the Radnor Township Board of Commissioners desires to establish a policy for televising or taping public meetings held within the Township Municipal Building; and

WHEREAS, the Board stresses the importance of transparency to ensure residents are informed and engaged in Township issues; and

WHEREAS, the Township currently televises and/or tapes several public meetings for Township Advisory Boards and Commissions; and

WHEREAS, the Board appreciates the commitment of its residents, who volunteer their time to contribute their experience and vision for these committees; and

~~*WHEREAS, the Board desires to clarify and prioritize what Advisory Boards and Committees should be televised.*~~

NOW, THEREFORE, be it hereby **RESOLVED** that the Radnor Township Board of Commissioners does hereby establish the following policy for televising or taping public meetings of Township Advisory Boards and Commissions:

1. ~~*It is the desire of the Board of Commissioners to*~~*Radnor Township will* televise all public meetings ~~*(except for certain meetings identified below) to the extent it is possible and practical.*~~

2. In order to achieve this goal the Township shall arrange for a second venue for videotaping meetings in addition to the Radnorshire Room in the Township Building.

3. Township Manager is required to notify Board in advance if mandatory televised public meeting will not be televised, after all efforts are exhausted to reschedule.

4. Mandatory public meetings shall not go consecutive months without being televised.

~~*35.*~~ Recognizing that there are certain Boards and Commissions for which mandatory televising is not necessary or well suited the following Boards shall not be required to be televised: Civil Service Commission, Building Code Appeals Board, Educational Services Agency, and Rental Housing Appeals Board ~~*and CARFAC except for the four committee meetings as described in CARFAC'S creating resolution.*~~

~~*46.*~~ All advisory Boards and Commissions have the right to meet in executive session provided that such meetings comply with the Pennsylvania Sunshine Act. Robert's Rules of Order shall apply and minutes shall be taken at all meetings.

~~*57.*~~ The Township staff is directed to evaluate and report on the feasibility and cost of creating a second venue for televising advisory Board and Commission meetings.

SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this _____ day of _____, ~~2017~~2018.

RADNOR TOWNSHIP

By: _____

Name: ~~Elaine P. Schaefer~~Lisa

Title: President

Borowski

ATTEST: _____

To the Board of Commissioners,

CARFAC was established to independently assess, interpret and analyze complicated, highly technical topics the Board must consider in managing the township. Over the last six years, CARFAC members have been honored to advise the township on critical issues and initiatives such as pension and OPEB funding, an existing swaption, financial forecasting, creation of a stakeholders report, as well as the annual audit and annual budget.

CARFAC's analysis identifies best practices in use in other municipalities and what is sustainable over the long-term. CARFAC makes no decisions. Its analysis has no direct effect on any person or institution in the Township. It is strictly deliberative and advisory. It has no enforcement authority. The word advisory is in the committee's name, and defines its purpose. Members of the public have always been welcome to observe its meetings. The minutes of its meetings are available on the Township's website.

The members of CARFAC have held extensive discussions regarding televising and recording its meetings since the issue came up last December. We believe that the issue is not actually about televising meetings. Rather, we believe that it has developed from a mistaken opinion that CARFAC is being influenced by township administration to take certain positions. Nothing could be further from the truth. There seems to be a belief that televising or recording our meetings will either demonstrate that this is occurring or prevent it from happening – essentially placing a “nanny cam” at our meetings. We view this as entirely disrespectful to our professionalism and the personal integrity of each CARFAC member. If there is truly a concern about CARFAC's independence, then let's discuss that explicitly. Televising meetings is not the solution.

We have always held our openness, honesty, integrity and transparency in the highest regard. In fact, we do televise and/or publically publish our reports, typically at a BOC meeting. We also have created recorded reports, posted to the township web site. We televised our March meeting and plan to televise key meetings regarding the audit report and five year financial forecast. However, we do not believe that a formal resolution that mandates televised meetings provides the needed flexibility or is the best use of the township's resources, nor is it respectful of our professional judgement.

CARFAC is a project-based committee. Recording or televising meetings would inhibit, or worse, eliminate brainstorming and the free flow of ideas as committee members would be concerned that developing ideas would be later misrepresented or taken out of context. This is of particular concern since the recordings are made available permanently and accessible essentially anywhere in the world. Further, the physical layout of the meeting room as a dais would hinder informal and effective conversation.

CARFAC members are further concerned that people may inappropriately exploit their professional affiliations, which could inhibit the free flow and brainstorming of ideas.

Televising all CARFAC meetings will defeat its ability to examine the technical aspects of its assigned projects from a purely analytical, independent, neutral viewpoint. That is, it will not be able to do what it was asked to do when it was formed. When CARFAC provides its product to the Board and the public, it is the responsibility of the Board to seek and benefit from public input.

We are concerned that televising meetings will lead to politicizing the meetings and encourage “playing to the camera.” For example, at a recent BOC meeting, in addressing the CARFAC recommendation to contribute surplus funds to the pension fund, an accusation was made that it was initiated by administration to protect their pensions. This simply was not the case. Further, this type of behavior is disrespectful to the volunteer citizens of CARFAC, is embarrassing to the township, and is not productive of the goal of managing the township finances.

Resolving that all CARFAC meetings be televised is a fundamental change to its structure that will ultimately make it impossible for it to independently assess, interpret and analyze projects assigned to it by the Board. We are greatly concerned that our personal integrity is being questioned and that some Board members feel that our meetings need to be televised and recorded because of that. We are also concerned that televising meetings will impact our continued success and inhibit our ability to provide our best advice to the Board. Because of this, each member of CARFAC has individually determined that if the Board proceeds in that direction, CARFAC as it currently exists, cannot function.

Radnor Township Citizens Audit Review and Financial Advisory Committee
4.19.17

**RESOLUTION NO. 2018-22
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, APPROVING THE PRELIMINARY PLAN OF
TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA HEALTH
SYSTEM FOR PROPERTY LOCATED AT 145 KING OF PRUSSIA
ROAD IDENTIFIED AS FOLIO #36-02-01234-00**

WHEREAS, the Trustees of the University of Pennsylvania Health Systems (“Applicant”) submitted a Preliminary Land Development Plan to demolish three existing buildings on the site, and construct three new buildings and two parking structures for mixed uses which include a mixed use medical facility, hotel, and office within the Township’s PLO Zoning District (“Property”); and

WHEREAS, the Radnor Township Planning Commission and the Delaware County Planning Commission have reviewed the Applicant’s Preliminary Plan submission; and

NOW, THEREFORE, be it hereby *RESOLVED* that the Radnor Township Board of Commissioners does hereby approve the Penn Medicine at Radnor Preliminary Land Development Plans prepared by Pennoni Associates, Inc., consisting of twenty-six (26) sheets and dated September 29, 2017, last revised January 16, 2018 (“Plan”), subject to the following Preliminary Plan Approval conditions:

1. Compliance with the correspondence of Gannett Fleming dated February 5, 2018, a copy of which is attached hereto and incorporated herein as *Exhibit “A”*.
2. Compliance with the correspondence of Gilmore & Associates dated February 6, 2018, a copy of which is attached hereto and incorporated herein as *Exhibit “B”*.
3. Applicant shall construct all road improvements as set forth on *Exhibit “C”*. The improvements set forth on *Exhibit “C”* are a revision to the list of improvements attached to the Agreement to Accept Conditions executed by the Applicant, and *Exhibit “D”* to this resolution.
4. The Applicant shall obtain all required approvals from various agencies having jurisdiction over the Project, including, but not limited to, the Pennsylvania Department of Environmental Protection, the Delaware County Conservation District, and the Pennsylvania Department of Transportation.
5. The Applicant shall execute Development, and Financial Security Agreements and Documents (including all necessary agreements, easements, deeds, and declarations), all in a form and manner established and approved by the Township Solicitor and shall post sufficient financial security in a form acceptable to the Township.

6. Applicant shall submit to the Township Engineer for review all necessary legal descriptions and construction cost estimates of the site improvements.

7. Prior to the recording of the Plan, the Applicant shall have paid, in full, all appropriate fees applicable to this project including all outstanding legal, engineering and administrative fees, as well as any other outstanding bills from the Township's professional consultants.

8. The Applicant shall comply with all other applicable Township Ordinances with respect to sewage, stormwater management, zoning, and building codes, as well as comply with all other applicable Township, County, Commonwealth, and Federal rules, regulations, codes, ordinances, and statutes.

9. Applicant shall comply with the Agreement to Accept Conditions attached hereto and incorporated herein as *Exhibit "D"*, except as modified by this preliminary plan approval resolution with respect to required road improvements.

10. Separate land development plans shall be submitted for the proposed four-story hotel, four-story office building or 47,478 square foot parking garage as shown on the plan, attached hereto and incorporated herein as *Exhibit "E"*, to ensure compliance with the overall preliminary plan approval and conditions set forth in this resolution.

IN ADDITION to the foregoing conditions of preliminary plan approval, the Board does hereby approve the following waiver request:

1. SALDO §255-21.A(6) - The Applicant requests a waiver from the requirement that final plans be on a sheet having a minimum size of 18 inches by 30 inches and a maximum size of 24 inches by 34 inches.

SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this 12th day of February, 2018.

RADNOR TOWNSHIP

By: _____
Name: Lisa Borowski
Title: President

ATTEST: _____



Excellence Delivered As Promised

Date: February 5, 2018

To: Steve Norcini, PE Township Engineer

From: Roger Phillips, PE

cc: Kevin W. Kochanski, RLA, CZO – Director of Community Development
Peter Nelson, Esq. – Grim, Biehn, and Thatcher
Amy B. Kaminski, P.E. – Gilmore & Associates, Inc.
Patricia Sherwin – Radnor Township Engineering Department
Ray Daly – Radnor Township Codes Official

RE: 145 King of Prussia Road – Preliminary Land Development Plan
Penn Medicine – Applicant

Date Accepted: October 2, 2017

90 Day Review: December 31, 2017, extended to February 13, 2018

Gannett Fleming, Inc. has completed a review of the Preliminary Land Development Plans. We have reviewed the plans based on the contents of ordinance No. 2016-13 amending Chapter 280 Zoning, Article XV, PLO Planned Laboratory District Sections 280-62, 280-63 and 280-64. These Plans were also reviewed for conformance with Subdivision and Land Development, and other applicable codes of the Township of Radnor.

The applicant is proposing to demolish the three existing buildings on the site, and construct three new buildings and two parking structures for mixed use medical facility, hotel and office.

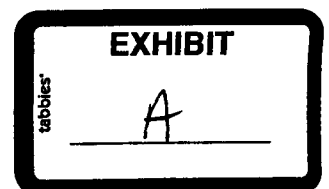
The applicant has indicated that a waiver will be requested from the following requirement:

1. §255-21.A(6) – A waiver is requested for the maximum plan sheet size of 24 inches by 34 inches. The plans will be reduced for recording purposes.

Penn Medicine at Radnor

Plans Prepared By: Pennoni Associates, Inc.

Dated: 09/29/2017, revised 01/16/2018, sheets CS001, CS0002, CS0200, CS1001, CS1501, CS 1701, CS 9502, CS9503, CS 9504, L100 and L400 revised 02/05/2018.



Sewage Facilities Planning

1. Final plan approval will not be granted until Planning Approval is received from the PA DEP.

Zoning

1. §280-64.G(8) – The greatest dimension in length or depth of a building (as specified in §280.64.D) may be up to 350 feet provided that: (a) the façade is constructed of brick, stone, architectural concrete, architectural metal work, or articulated glass; (b) is constructed with vertical and horizontal articulation; (c) is approved by the Township. The applicant will coordinate with the Township consultants and provide additional detail as part of the Final Land Development.

Subdivision and Land Development

1. §255.21.A(6) – Final plans shall be on a sheet having a minimum size of 18 inches by 30 inches and a maximum size of 24 inches by 34 inches, and all lettering shall be drawn as to be legible if the plan should be reduced to half size. The applicant has requested a waiver from this requirement.
2. §255-37.E – Sidewalks and pedestrian paths shall be adequately lighted, if required by the Board of Commissioners. The applicant has indicated this is under discussion with the Board of Commissioners.
3. §255-43.1.E(2) – Where, upon agreement with the applicant or developer, it is determined that the dedication of all or any portion of the land area required for park and recreation purposes is not feasible, the applicant or developer shall pay a fee in lieu of dedication of any such land to the Township. The fee for non-residential subdivisions or land developments shall be \$3,307 per 4,000 square feet of building area. The applicant has acknowledged they will submit the required fee upon Final Land Development approval.
4. §255-54.B – The central water system should be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specification of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided. We note that the applicant is working with the Township Engineer and Township Fire Marshall.



Sanitary Sewer

1. A profile of the proposed sanitary sewer must be provided. The sizes of all proposed sanitary sewer must be shown on the profile. All utilities crossing the sanitary sewer must be shown on the profile to ensure adequate clearance. This is a requirement of the Final Land Development plan and the applicant has indicated that this will be provided as part of the Final Land Development submission.

Stormwater

1. The Subsurface Infiltration Basin #1 detail calls out the chamber length as 172.50 LF whereas the basin volume credit lists the length as 166.5 LF. This discrepancy must be revised. This is a requirement of the Final Land Development plan and will be addressed as part of the Final Land Development submission.
2. The Bio-Retention Basin #2 detail shows the chamber length as 124 LF whereas the basin volume credit lists the length as 120 LF. This discrepancy must be revised. This is a requirement of the Final Land Development plan and will be addressed as part of the Final Land Development submission
3. The basin volume credit for Bio-Retention Basin 3 lists the areas for elevation 386 and 386.50 as 6,000 SF and 6,770 SF respectively. The contours on the plans show approximately 4,550 SF and 6,150 SF. This results in a difference of 527 CF of dead storage volume. This discrepancy must be revised. This is a requirement of the Final Land Development plan and will be addressed as part of the Final Land Development submission
4. The basin volume credit lists the length of infiltration trench pipe as 75 LF; however, sheets CS1501 and CS1701 call out the infiltration trench as 100 LF. This discrepancy must be revised. In addition, the Subsurface Infiltration Trench Detail shall show an overflow outlet. This is a requirement of the Final Land Development plan and will be addressed as part of the Final Land Development submission
5. The basin volume credit for Surface Detention Basin 1 lists the areas for elevation 360, 361, and 361.15 as 6,985 SF, 8,117 SF, and 8,250 SF respectively. The contours on the plans show approximately 6,280 SF, 7,290 SF, and 7,415 SF. This results in a difference of 880 CF of dead storage volume. Please revise this discrepancy. This is a requirement of the Final Land Development plan and will be addressed as part of the Final Land Development submission
6. Infiltration volume credits for water quality volume cannot be approved at this time as infiltration test has not been completed at this time due to weather conditions. This is a



requirement of the Final Land Development plan and the applicant has indicated that this will be provided as part of the Final Land Development submission.

7. Please provide permeability/infiltration rates for the permeable pavers and permeable pavement. This is a requirement of the Final Land Development plan and the applicant has indicated that this will be provided as part of the Final Land Development submission.
8. Infiltration testing results including a depth to the limiting zone must be provided. Also, please show location of test pits on the plans. This is a requirement of the Final Land Development plan and the applicant has indicated that this will be provided as part of the Final Land Development submission.
9. A profile of the proposed storm sewer must be provided. The sizes of all proposed storm sewer must be shown on the profile. All utilities crossing the storm sewer must be shown on the profile to ensure adequate clearance. This is a requirement of the Final Land Development plan and the applicant has indicated that this will be provided as part of the Final Land Development submission.
10. Stormwater calculations demonstrating that the requirements of the stormwater ordinance are met must be submitted as part of the Final Plan submission. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time. This is a requirement of the Final Land Development plan and the applicant has indicated that this will be provided as part of the Final Land Development submission.

General

1. New deeds must be prepared and recorded at the Delaware County Court house at the time of plan recording for the consolidation of the lots. The applicant will provide and record deeds as part of the Final Land Development.
2. Detailed parking structure plans must be provided for review. The applicant will provide parking structure details as part of the Final Land Development submission.

The applicant appeared before the Planning Commission on January 9, 2018. The Planning Commission recommended approval of the preliminary land development plans and waivers noting a level of service C is recommended in conjunction with other improvements as discussed with staff.



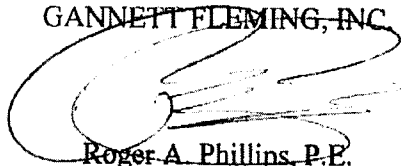
Gannett Fleming

S. Norcini
Penn Medicine at Radnor
February 5, 2018

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC

A handwritten signature in black ink, appearing to read "Roger A. Phillips", is written over the company name.

Roger A. Phillips, P.E.
Senior Project Manager





MEMORANDUM

Date: February 6, 2018

To: Steve Norcini, P.E.,
Radnor Township Engineer

From: Amy Kaminski, P.E., PTOE,
Gilmore & Associates, Inc.

cc: Kevin Kochanski, RLA, CZO –Director of Community Development
Ray Daly, Radnor Township Codes Official
Patricia Sherwin, Radnor Township Engineering Department
John Rice, Esq. – Grim, Biehn & Thatcher
Peter Nelson, Esq. – Grim, Biehn & Thatcher
Roger Phillips, P.E. – Gannett Fleming, Inc.
Damon Drummond, P.E., PTOE – Gilmore & Associates, Inc.

Reference: 145 King of Prussia Road – The University of Pennsylvania Health Systems
Radnor Township No. 2016-D-04
Preliminary Land Development Review 3
Transportation Impact Study Review 3
Radnor Township, Delaware County, PA
G&A # 15-12020

Gilmore & Associates, Inc. (G&A) has completed a transportation review for the above referenced project and offers the following transportation comments for Radnor Township consideration:

I. BACKGROUND

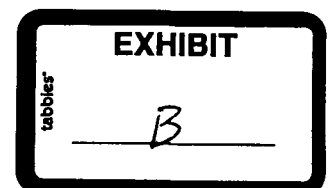
The University of Pennsylvania Health Systems is proposing the re-development of a 26 acre parcel, located at 145 King of Prussia Road, in Radnor Township, Delaware County. The project includes a total proposed gross floor area of 475,000 sf. The proposed development will consist of a 250,000 square foot Mixed Medical Use building with two parking structures (1,000 and 850 spaces), a four-story 150,000 square foot general office building, a four-story 75,000 square foot (120 room) hotel and an associated 850 space parking garage. The site is expected to generate a total of 731 AM peak hour trips, 583 PM peak hour trips, and 7,518 weekday trips without any trip reductions for internal or transit trips. The Average Daily Traffic in both directions of travel along King of Prussia Road is 10,283 vehicles.

II. DOCUMENTS REVIEWED

A. Preliminary Land Development Plans for Penn Medicine at Radnor, prepared for the University of Pennsylvania Health Systems, prepared by Pennoni Associates, Inc., dated September 29, 2017, last revised January 16, 2018 along with revised sheets dated February 5, 2018 as follows: CS0001 (Cover Sheet), CS0002 (Note Sheet), CS0200 (Existing Conditions Plan), CS1001 (Site Plan), CS1501 (Grading Plan), and CS1701 (Utility Plan), CS9502, CS9503, and CS9504 (Post-Construction Stormation Management Details; L100 (Tree Removals Plan) and L400 (Tree Replacement Plan).

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

Gilmore & Associates, Inc.
Building on a Foundation of Excellence
www.gilmore-assoc.com



- B. Traffic Impact Study for Mixed Medical Facility 145 King of Prussia Road, prepared for the University of Pennsylvania Health System, prepared by Pennoni Associates, Inc., dated September 2017, last revised January 2018 along with the Level of Service C Improvements Letter addressed to Mr. Robert Zienkowski, dated February 1, 2018, revised February 6, 2018; Response letter dated January 17, 2018 prepared by Pennoni Associates, Inc.
- C. Waiver Request Letter for Penn Medicine at Radnor, prepared for Radnor Township, prepared by Pennoni Associates, Inc., dated January 17, 2018.

III. IDENTIFIED IMPROVEMENTS

- A. A bus shelter will be provided on King of Prussia Road southeast of the SEPTA Access/Northern Site Access to the extent that it is approved by SEPTA.
- B. Traffic Signal Timing Optimization at the following intersections:
 - 1. King of Prussia Road and Matson Ford Road/Park Driveway.
 - 2. King of Prussia Road and Radnor-Chester Road.
 - 3. Lancaster Avenue and I-476 SB Off-Ramp.
 - 4. Lancaster Avenue and Radnor-Chester Road.
 - 5. Lancaster Avenue and I-476 NB On-Ramp/Hillside Circle.
- C. King of Prussia Road and SEPTA Station Driveway:
 - 1. Restripe southbound King of Prussia Road to provide a dedicated left turn lane.
 - 2. Coordinate with SEPTA to construct bus shelter.
- D. King of Prussia Road and Raider Road/Site Driveway:
 - 1. Construct a new traffic signal.
 - 2. Provide left turn lanes on both approaches of King of Prussia Road.
 - 3. Widen east side of King of Prussia Road to provide two continuous northbound lanes from Lancaster Avenue to the signalized intersection at Main Site Driveway/Raider Road.
- E. King of Prussia Road and Southern Site Driveway:
 - 1. Restripe northbound King of Prussia Road to provide a shared through/right turn lane.
 - 2. Widen the east side of King of Prussia Road to provide two continuous northbound lanes from the south driveway to Main Site Driveway/Raider Road, with a transition into a dedicated right turn lane.
- F. King of Prussia Road and Lancaster Avenue (U.S. Lancaster Avenue (S.R. 30))/NB Off-Ramp:
 - Restripe the northbound I-476 off-ramp at Lancaster Avenue to provide a shared through/right turn lane.
- G. Partner with Radnor Township to install Traffic Adaptive Signal System at the following intersections:
 - 1. Lancaster Avenue (S.R. 30) & I-476 Northbound On Ramps
 - 2. Lancaster Avenue (S.R. 30) & I-476 Off Ramps /King of Prussia Road
 - 3. Lancaster Avenue (S.R. 30) & I-476 Southbound Ramps
 - 4. Lancaster Avenue (S.R. 30) & Radnor-Chester Road
 - 5. Lancaster Avenue (S.R. 30) & Radnor Financial Center Eastern Driveway

6. Lancaster Avenue (S.R. 30) & Radnor Financial Center Western Driveway
7. King of Prussia Road & Radnor-Chester Road
8. King of Prussia Road & Matson Ford Road
9. Matson Ford Road & South Centennial Drive
10. Matson Ford Road & North Centennial Drive
11. King of Prussia Road & Raider Road
12. Radnor-Chester Road & Raider Road
13. Radnor-Chester Road & Radnor Financial Center

IV. REQUESTED WAIVERS

1. §255-20.B(1)(n) – To allow an aerial photograph demonstrating existing conditions within 500 feet of the site; the applicant has subsequently withdrawn this request for a waiver and provided the required information in Sheet CS0200 *Existing Conditions Plan*.
2. §255-21.A(6) – The Applicant has requested a waiver from providing the maximum plan sheet size of 24 inches by 34 inches; the plans will be reduced for recording purposes.
3. §255-20.B(5)(d)[6][a] – A waiver is requested for the requirement that streets or intersections showing Level of Service below C shall be considered deficient and specific recommendations for elimination of these problems shall be listed. The applicant has subsequently withdrawn this request for a waiver and provided the required information in the updated February 6, 2018 letter to Mr. Robert Zienkowski. The Applicant is required to provide this in the Final Traffic Impact Study.

V. LAND DEVELOPMENT PLAN REVIEW

Subdivision and Land Development Ordinance (SALDO) comments:

1. §255-37.E – Sidewalks and pedestrian paths shall be adequately lighted, if required by the Board of Commissioners.
2. §255-37.H – Where sidewalk grades exceed 5%, a nonslip surface texture shall be used. The Final Land Development plans should provide additional details regarding any proposed walking paths or sidewalks to ensure compliance with this section.

VI. TRAFFIC IMPACT STUDY (TIS) REVIEW

We have no additional comments on the TIS.

The current preliminary plan submission is adequately completed to support preliminary approval; we recommend resolving the above comments during the Final Land Development phase of the project.

If you have any questions regarding the above, please contact this office.

ABK:DAD:kmn

PENN MEDICINE ROAD IMPROVEMENTS

- A. King of Prussia Rd & Lancaster Ave/I-476 NB Off-ramps (Improvements subject to PennDOT review and approval)
 - 1. Re-stripe northbound I-476 Offramps to provide dual left-turn lanes, dual through lanes and a dedicated right-turn lane.

- B. King of Prussia Rd & Raider Rd:
 - 1. Construct a new traffic signal at intersection
 - 2. Construct a minimum of 150' left turn lanes on both approaches of King of Prussia Rd
 - 3. Provide two northbound lanes on the northbound approach with a transition to a northbound through lane and a dedicated right turn lane at the Main Site Driveway (lane drop at Raider Road intersection)

- C. King of Prussia Rd Frontage
 - 1. Construct five (5) foot wide sidewalks along the entire property frontage on King of Prussia Road

- D. King of Prussia Road and Southern Site Access-
 - 1. Restripe and/or widen northbound King of Prussia Road to provide two northbound through lanes on the northbound departure of the intersection.
 - 2. Construct minimum 45-foot curb radii for the anticipated delivery traffic.

- E. King of Prussia Road and SEPTA Access/Northern Site Access-
 - 1. Construct a southbound King of Prussia Road left turn lane into the Northern Site Access.
 - 2. Construct a bus shelter on King of Prussia Road southeast of the SEPTA Access/Northern Site Access, to the extent that it is approved by SEPTA.
 - 3. Construct sidewalks from the site to the R-100 Station at the rear of the property.

- F. Partner with Radnor Township to install Traffic Adaptive Signal System at the following intersections, subject to PennDOT review and approval.
 - 1. Lancaster Ave & I-476 Northbound Ramps
 - 2. Lancaster Ave & I-476/King of Prussia Rd
 - 3. Lancaster Ave & I-476 Southbound ramps
 - 4. Lancaster Ave & Radnor-Chester Rd
 - 5. Lancaster Ave & Radnor Financial Center Eastern Driveway
 - 6. Lancaster Ave & Radnor Financial Center Western Driveway
 - 7. King of Prussia Road & Northern Driveway (if signalized).
 - 8. King of Prussia Rd & Radnor-Chester Rd
 - 9. King of Prussia Rd & Matson Ford Rd
 - 10. Matson Ford Rd & S. Centennial Dr
 - 11. Matson Ford Rd & N. Centennial Dr
 - 12. King of Prussia Rd & Raider Rd
 - 13. Radnor Chester Rd & Raider Rd.
 - 14. Radnor Chester Rd & Radnor Financial Center

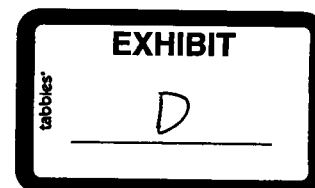
- G. Construct a trail extension from the Southern Driveway through the existing PennDOT Right-of-Way, southeast of the site with connections to the existing Route 30 sidewalks. The location, width and composition of the path materials shall be approved by the Radnor Township Engineer.

AGREEMENT TO ACCEPT CONDITIONS
Penn Medicine at Radnor

This Agreement to Accept Conditions (“Agreement”) is made on the _____ day of _____, 2017 by and between **THE TOWNSHIP OF RADNOR**, a Home Rule municipality, with offices located at 301 Iven Avenue, Wayne, PA 19087 (hereinafter the “Township”) and the **TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, through its operating division, the UNIVERSITY OF PENNSYLVANIA HEALTH SYSTEM**, 3400 Civic Center Boulevard, Philadelphia, PA 19104, legal owner of Folio No. 36-02-01234-00 (hereinafter the “Applicant”).

BACKGROUND OF AGREEMENT

- A. The Applicant is the legal owner of a certain parcel of land known as Delaware County Folio No. 36-02-01234-00 (hereinafter referred to as “Property”); and
- B. The Applicant has requested preliminary/final approval of a Land Development Plan for the Property, as shown on the Plan entitled “**Penn Medicine at Radnor**”, prepared by Pennoni Associates, Inc., dated September 29, 2017, consisting of sheets 1 to 26 (the “Plan”); and
- C. The Plan and Application are being reviewed by the Township Engineer the Township Planning Commission and the Delaware County Planning Commission pursuant to the Pa. Municipalities Planning Code.
- D. On December 4, 2017, the Applicant appeared before the Township Planning Commission regarding the Plan and agreed to certain conditions of land development approval relating to such Plan, including but not limited to, conditions pertaining to taxes and road improvements.



NOW THEREFORE, for good and valuable consideration, receipt of which is acknowledged, and in consideration of the mutual promises contained herein, and intending to be legally bound, the parties agree as follows:

1. The Applicant agrees that, upon preliminary land development approval the Applicant will agree as a condition of that approval that the Property will be subject to the payment of real estate taxes and business/privilege taxes imposed by Radnor Township, the Radnor Township School District, and Delaware County as long as the Applicant or any related entity operates a mixed medical/ambulatory care facility on the Property.
2. Notwithstanding any right to do so, Applicant agrees it will not seek a tax exemption from the Delaware County Board of Assessment as long as the Applicant or any related entity operates a medical facility on the Property. The foregoing covenant does not prohibit Applicant from seeking an assessment reduction based on fair market value under applicable law.
3. The Applicant agrees that as a condition of its preliminary land development plan submission it will include those traffic improvements, set forth on *Exhibit "A"*, as a condition of preliminary land development approval, provided that the same shall be subject to modification and amendment as approved by the Board of Commissioners during the land development process.
4. Applicant further agrees that if the Plan as described above is withdrawn and/or revised in the future that the terms and conditions of this Agreement to Accept Conditions will be applicable to any future revised

or new land development plans for the Property so long as Applicant or any related entity operates a mixed medical/ambulatory care facility on the Property. This agreement will not apply to the pending land development plan for office building and laboratory uses prepared by Nave Newell, Inc., dated September 3, 2014, last revised March 17, 2015 (the "2015 Plan"), nor to any other land development plan proposed under the same ordinances as the 2015 Plan.

5. Notwithstanding anything contained to the contrary herein, the parties hereby agree and acknowledge that the Township shall be under no obligation to grant any variance nor adopt any zoning amendment or modification as a result of this Agreement.

[signatures on following page]

IN WITNESS WHEREOF, the parties have hereunto caused the execution of
this Agreement this _____ day of _____, 2017.

ATTEST:

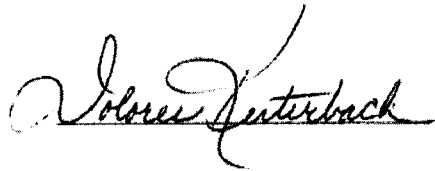
RADNOR TOWNSHIP

_____ By: _____


Legal Owner:

ATTEST:

TRUSTEES OF THE UNIVERSITY
OF PENNSYLVANIA HEALTH
SYSTEMS



By:


Name: KEVIN B. MAHONEY
Title: BYP

ACKNOWLEDGMENT

By Developer

COMMONWEALTH OF PENNSYLVANIA :
:SS
COUNTY OF Philadelphia :

On this 11th day of December, 2017, before me a Notary Public, personally appeared Jacob Mahoney, of *Trustees of The University of Pennsylvania Health System*, and acknowledged that the instrument to which this Acknowledgement is attached is his/her act and deed and that he/she desires the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my official hand and seal.

Jane A. Gallen
Notary Public

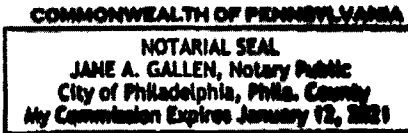


EXHIBIT "A"

PENN MEDICINE ROAD IMPROVEMENTS

- A. King of Prussia Road and Lancaster Avenue (U.S. Route 30)/I-476 NB Off-Ramp-
 - i. Restripe northbound I-476 off-ramp for a shared through/right-turn lane.
- B. King of Prussia Road and Raider Road-
 - i. Construct a new traffic signal.
 - ii. Construct left turn lanes on both approaches of King of Prussia Road
- C. King of Prussia Road and Southern Site Access-
 - i. Restripe northbound King of Prussia Road to provide a shared through/ right lane
 - ii. Widen the east side of King of Prussia Road to provide two continuous northbound lanes from Lancaster Avenue to the signalized intersection at the Main Site Driveway/ Raider Road, with a transition into a dedicated right turn lane.
 - iii. Provide 45-foot curb radii (at minimum), or larger if necessary for the anticipated delivery traffic.
- D. King of Prussia Road and SEPTA Access/Northern Site Access-
 - i. Widen the roadway to 25 feet.
 - ii. Construct a southbound King of Prussia Road left turn lane into the Northern Site Access.
 - iii. Construct a bus shelter on King of Prussia Road southeast of the SEPTA Access/Northern Site Access, to the extent that it is approved by SEPTA.
 - iv. Construct sidewalks from the site to the R-100 Station at the rear of the property.
- E. King of Prussia Road-
 - i. Provide a four-lane cross section along the property's site frontage along King of Prussia Road (between the Southern Access and the Main Site Driveway/ Raider Road).
 - ii. Construct 5 foot wide sidewalks along the entire property frontage on King of Prussia Road.

F. Partner with the Township to install Traffic Adaptive Signal Coordination at the following intersections, subject to PennDOT review and approval:

- i. Route 30 & I-476 Northbound Ramps
- ii. Route 30 & I-476/King of Prussia Road.
- iii. Route 30 & I-476 Southbound Ramps.
- iv. Route 30 & Radnor-Chester Road.
- v. Route 30 & Radnor Financial Center Eastern Driveway
- vi. Route 30 & Radnor Financial Center Western Driveway
- vii. King of Prussia Road & Radnor-Chester Road.
- viii. King of Prussia Road & Matsonford Road.
- ix. Matsonford Road & South Centennial Drive.
- x. Matsonford Road & North Centennial Drive.
- xi. King of Prussia Road & Raider Road.
- xii. King of Prussia Road & Northern Driveway (if signalized).
- xiii. Radnor Chester and Raider Road
- xiv. Radnor Chester and Radnor Financial Center

G. Construct a trail extension from the Southern Driveway through the existing PennDOT Right-of-Way, southeast of the site with connections to the existing Route 30 sidewalks. The location, width and composition of the path materials shall be approved by the Radnor Township Engineer.



Gannett Fleming

*Excellence Delivered **As Promised***

Date: February 5, 2018

To: Radnor Township Board of Commissioners

From: Roger Phillips, PE

cc: Robert Zienkowski – Township Manager
Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
John Rice, Esq – Grim, Biehn, and Thatcher
Amy Kaminski, PE – Gilmore and Assoc.
Steve Gabriel - Rettew

RE: 372 West Lancaster Ave
Waiver of Land Development

The applicant is requesting a waiver of the Township's Land Development process for the above referenced project located at 372 West Lancaster Avenue.

The applicant is proposing to remove the existing 5,570 square foot restaurant building footprint and replace it with a three-story building with an approximately 5,200-square foot 3 story building footprint. This project will reduce the total impervious coverage on the site from 66.3% to 65.3%. Also, the existing side yard non-conformity will be brought into conformity with the existing side yard being 10.9 feet and the proposed side yard 20.5 feet. The applicant is required to complete the grading permit process, which will include the review and approval of the required stormwater management system. The plan as proposed is in conformance with all applicable Zoning requirements.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.

Roger A. Phillips, P.E.
Senior Project Manager



PIERCE, CANIGLIA & TAYLOR
ATTORNEYS AT LAW
125 Strafford Avenue - Suite 110
P. O. Box 312
Wayne, Pennsylvania 19087

JAMES M. PIERCE
NICHOLAS J. CANIGLIA
KENNETH C. TAYLOR

TELEPHONE
(610) 688-2626
FAX
(610) 688-5761
EMAIL

Nick@piercecانigliataylor.com

January 15, 2018

Stephen F. Norcini, P.E.
Township Engineer
Radnor Township
301 Iven Avenue
Wayne, PA 19087



Re: Application of Walker Family Properties, LLP
372 West Lancaster Avenue, Wayne, PA
Request for Waiver of Land Development

Dear Steve:

Please present the above to the Board of Commissioners for a waiver of the Land Development process for the construction of new medical offices for Dr. Rocklan Walker. The subject premises is zoned C-2 Commercial and currently contains a one-story building which has been used as a restaurant. The proposed new building will comply with all zoning and lands use requirements. Enclosed with this letter are the following: (1) Sketch Plan; (2) Elevations; (3) Traffic Report.

Dr. Walker is a lifelong resident of Radnor Township and attended the Radnor public schools. He has operated his medical practice known as Radnor Family Practice for the last 16 years, first at his father's dental office building on King of Prussia Road and since 2010 at 427 E. Lancaster Avenue in Wayne. In 2010 his practice was joined by the Wayne Family Practice which has existed for 45 years.

The expansion of Dr. Walker's practice requires increased office space. The site at 427 E. Lancaster was non-conforming as to the office use. He requested relief from the Zoning Hearing Board for an increase in office space at this location but the request was denied. He sold this location and purchased the new property at 372 West Lancaster Avenue on August 3, 2017. Currently his practice is being operated out of temporary trailers at the 372 West Lancaster Avenue site. Clearly time is of the essence in his being placed in permanent office space.

Walker

Page 2
1/15/18

The only change to the site is to remove the existing restaurant, box-looking, 5,570 square foot building footprint and replace it with a three story building with a 5,200 square foot building footprint. The existing non-conformity in regards to side-yard setback will be brought into conformity. The total impervious coverage will be reduced. The existing site provides for no storm-water management. The proposal calls for managing storm-water for the new building footprint.

The attached Traffic Analysis indicates a reduction in daily and peak hour traffic as compared to the existing restaurant use. The required number of parking spaces will comply with the ordinance.

Outside of the above description, no other changes are being proposed for the site. There is no review that needs to be conducted by the Township Boards. Dr. Walker will still need to proceed through the township permit requirements for grading, storm-water, and building.

Please schedule this request before the Board of Commissioners at the next available meeting.

Thank you for your time and consideration.

Very truly yours,

A handwritten signature in black ink that reads "Nicholas J. Caniglia". The signature is written in a cursive, flowing style.

NICHOLAS J. CANIGLIA

c. John Rice, Esquire



F. Tavani and Associates, Inc.
Traffic Engineering and Planning

105 Kenilworth Street • Philadelphia • PA • 19147 • (215) 625-3821 Phone • (484) 792-9495 Fax
www.FTAVANIASSOCIATES.COM

16 January 2018

Rocklan Walker
Walker Family Properties, LLC
314 Chamounix Rd.
Wayne, PA 19087

VIA ELECTRONIC MAIL ONLY

**RE: 327 W. Lancaster Avenue,
Trip Generation Investigations,
Radnor Township, Delaware County**

FTA Job # 218-004

Dear Dr. Walker:

F. Tavani and Associates, Inc. (FTA) has performed trip generation investigations of your proposed medical office building project in Wayne.

EXISTING SITE CONDITIONS

The existing site is occupied by a now-closed restaurant which served lunch and dinner seven days a week. The restaurant was part of a chain and was called *Carmel Café & Wine Bar*. It was open 11 AM to 11 PM Monday through Saturday and 10 AM to 9 PM on Sunday, on which day brunch was also served. This restaurant featured 175 seats in an area totaling about 5,500 SF.

This site has hosted several different restaurants over the years, and for approximately twenty years had been a *Denny's* which served breakfast, lunch, and dinner seven days a week.

PROPOSED SITE CONDITIONS

The proposed plan includes medical office space. Specifically 12,480 SF of leasable space is proposed. The space is anticipated to be leased to physicians, including your practice which is currently located elsewhere in Radnor Township. The leased space is expected to be in use principally during weekdays.

TRIP GENERATION – EXISTING vs PROPOSED USE

Trip generation activity for many land uses can be investigated utilizing the Institute of Transportation Engineers' (ITE) publication entitled Trip Generation Manual (10th edition, 2017). Radnor Township also provides guidance on trip generation in its SALDO ordinance, and in fact applicants are directed to use township rates when conducting traffic studies. Township trip generation information is limited; for example, it only contains trip generation rates for fast-food restaurants – no other type of restaurant is mentioned. The Township trip generation rates are also based on dated research which is now over 40 years old as shown in the footnotes of the Township exhibit. Because of the limited and dated nature of Township trip generation rates, trip generation investigations for this site are possibly inaccurate if based

solely on Township trip generation rates alone. Accordingly, trip generation investigations for your site were conducted twice – once using available Township rates and again using modern ITE data – to provide the most insight into your project.

The first table below shows the estimated trip generation for both the existing use (restaurant) and the proposed use (medical office) using Township rates. The second table uses ITE rates.

TRIP GENERATION – TOWNSHIP METHOD

LAND USE	DAILY TWO-WAY			AM PEAK HOUR			PM PEAK HOUR		
	<u>WEEKDAY</u>	<u>SATURDAY</u>	<u>SUNDAY</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
restaurant ¹	462	462	462	6	4	10	40	36	76
office ²	661	0	0	20	2	22	35	35	70

As shown, the proposed use generates comparable weekday peak hour traffic. On a weekly basis, the proposed use also generates comparable traffic, per the Township trip generation analysis³.

TRIP GENERATION – ITE METHOD

LAND USE	DAILY TWO-WAY			AM PEAK HOUR			PM PEAK HOUR		
	<u>WEEKDAY</u>	<u>SATURDAY</u>	<u>SUNDAY</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
restaurant ⁴	617	673	785	30	25	55	33	21	54
office ⁵	435	107	0	27	8	35	12	32	44

As shown, the proposed use generates lower weekday peak hour traffic. On a weekly basis, the proposed use generates significantly lower traffic, per the ITE trip generation analysis⁶.

¹ Township TG rates are not available for non-fast food restaurants so “neighborhood” shopping center TG rates were used. This TG rate is expressed as trips per KSF of GFA; an estimate of 5.5 KSF of GFA was made based on plans of the building which Gabe Clark provided.

² Township TG rates for medical office during the AM peak hour are not provided so office TG rates are used for that hour.

³ The existing use generates 3,234 trips over the course of a week while the proposed use generates 3,305 trips. (Twp rates).

⁴ Based on ITE LUC 932; see attachments.

⁵ Based on ITE LUC 720; see attachments.

⁶ The existing use generates 4,543 trips over the course of a week while the proposed use generates 2,282 trips. (ITE rates).

Rocklan Walker
16 January 2018
Page 3 of 3

CONCLUSIONS

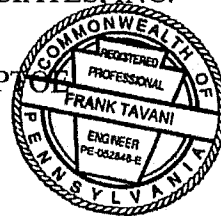
Daily and peak hourly trip generation of your proposed use will be lower than the existing use. In fact, overall weekly trip generation will be significantly lower. Your project will have a traffic impact on surrounding intersections which is less than the current use. This is particularly true on Saturdays and Sundays.

If you have any questions please contact me at your convenience.

Yours truly,

F. TAVANI AND ASSOCIATES, INC.


FRANK TAVANI P.E., P.C.
Principal



attachments

(Township trip generation table plus ITE information)

cc: Gabe Clark
(via email only)

SUBDIVISION OF LAND

255 Attachment 4

Township of Radnor

Trip Generation Rates (4)(5)(6)

Type of Land Use	Type of Development	Average Weekday Generation Rates	Peak-Hour Rates			Peak Shopping Hour Generated Rates			Total
			A.M.	P.M.	Total	In	Out	Total	
Residential	Single-family detached	9.5 per occupied D.U.	0.21	0.32	0.85	0.77	0.29	0.29	0.58
	Single-family attached	8.1 per occupied D.U.	0.18	0.28	0.73	0.65	0.25	0.25	0.50
	Apartment	6.9 per occupied D.U.	0.15	0.23	0.62	0.55	0.21	0.21	0.42
	Mobile home	6.1 per occupied D.U.	0.14	0.21	0.55	0.49	0.18	0.18	0.36
	Retirement village	3.3 per occupied D.U.	0.14	0.11	0.34	0.27	0.10	0.10	0.20
Commercial	Shopping center								
	Regional (GFA over 400,000 square feet)	33 per 1,000 square feet GFA	0.40	1.30	0.60	1.70	2.50	2.00	4.50
	Community (GFA 100,000 to 400,000 square feet)	58 per 1,000 square feet GFA	0.80	2.10	1.20	2.80	3.50	3.50	7.00
	Neighborhood (GFA less than 100,000 square feet)	84 per 1,000 square feet GFA	1.00	6.60	1.80	7.20	7.50	7.10	14.60
	Freesanding retail store	69 per 1,000 square feet GFA	0.40	5.00	1.00	4.70	5.40	5.50	10.90
	Fast-food restaurant	2,100 per restaurant	(2)	1.20	0.60	1.40	1.75	1.40	3.15(3)
	Motel	10 per unit	0.30	0.22	0.60	0.38	0.40	0.40	0.80
	Medical offices	53 per 1,000 square feet GFA	(2)	2.80	1.80	2.40	2.30	1.00	2.00
	Business offices	10.3 per 1,000 square feet GFA	0.20	1.90	0.43	0.40	0.13	(1)	(1)
	Single building over 500,000 square feet GFA	4.2 per 1,000 square feet GFA	0.16	0.15	0.54	0.36	0.15	(1)	(1)
Industrial	Single building over 500,000 square feet	4.9 per 1,000 square feet GFA	0.45	0.82	0.64	0.39	0.16	(1)	(1)
	Warehouse	5.5 per 1,000 square feet GFA	0.57	0.25	0.82	0.39	0.16	(1)	(1)
Institutional	Colleges	2.5 per student	0.17	0.03	0.20	0.05	0.12	(1)	(1)
	Junior college	1.4 per student	0.17	0.03	0.20	0.05	0.12	(1)	(1)
	High schools	1.4 per student	0.21	0.07	0.28	0.05	0.12	(2)	(2)
	Elementary schools	0.5 per student	(2)	0.24	0.80	0.66	0.38	(1)	(1)
	Hospitals	14 per bed	0.56	0.24	0.80	0.66	0.38	0.91	1.30

- NOTES:
- (1) Not applicable: Peak coincides with a.m. or p.m. street peak hours.
 - (2) Data not available.
 - (3) Store peak, noon to 1:00 p.m.
 - (4) The rates shall be reviewed biennially by the Township Planner and the Planning Commission for any changes that may be appropriate. The applicant is required to use the rates where applicable. Where the appropriate data is not available, the developer shall provide the rates and document the appropriate source. If the developer requests to use significantly different rates than those given, he shall submit the rates and the specific justification to the Planning Commission prior to submission of the transportation impact study for its approval or denial.
 - (5) D.U. - dwelling unit; GFA - gross floor area.
 - (6) Sources:
 - A: "Guidelines for Driveway Design and Location," Traffic Engineering, February 1973.
 - B: Trip Generation by Land Use, Maricopa Assoc. of Governments, Urban Area of Maricopa County, Arizona, April 1974.
 - C: Calltrans Progress Reports on Trip Ends Generation Research Counts, Dept. of Transportation, State of California, 1970 through 1974.
 - D: "Trip Generation Study Provides Useful Preliminary Data," Traffic Engineering, March 1974.
 - E: "Traffic Generation and Fast Food Restaurants," Traffic Engineering, March 1975.

High-Turnover (Sit-Down) Restaurant (932)

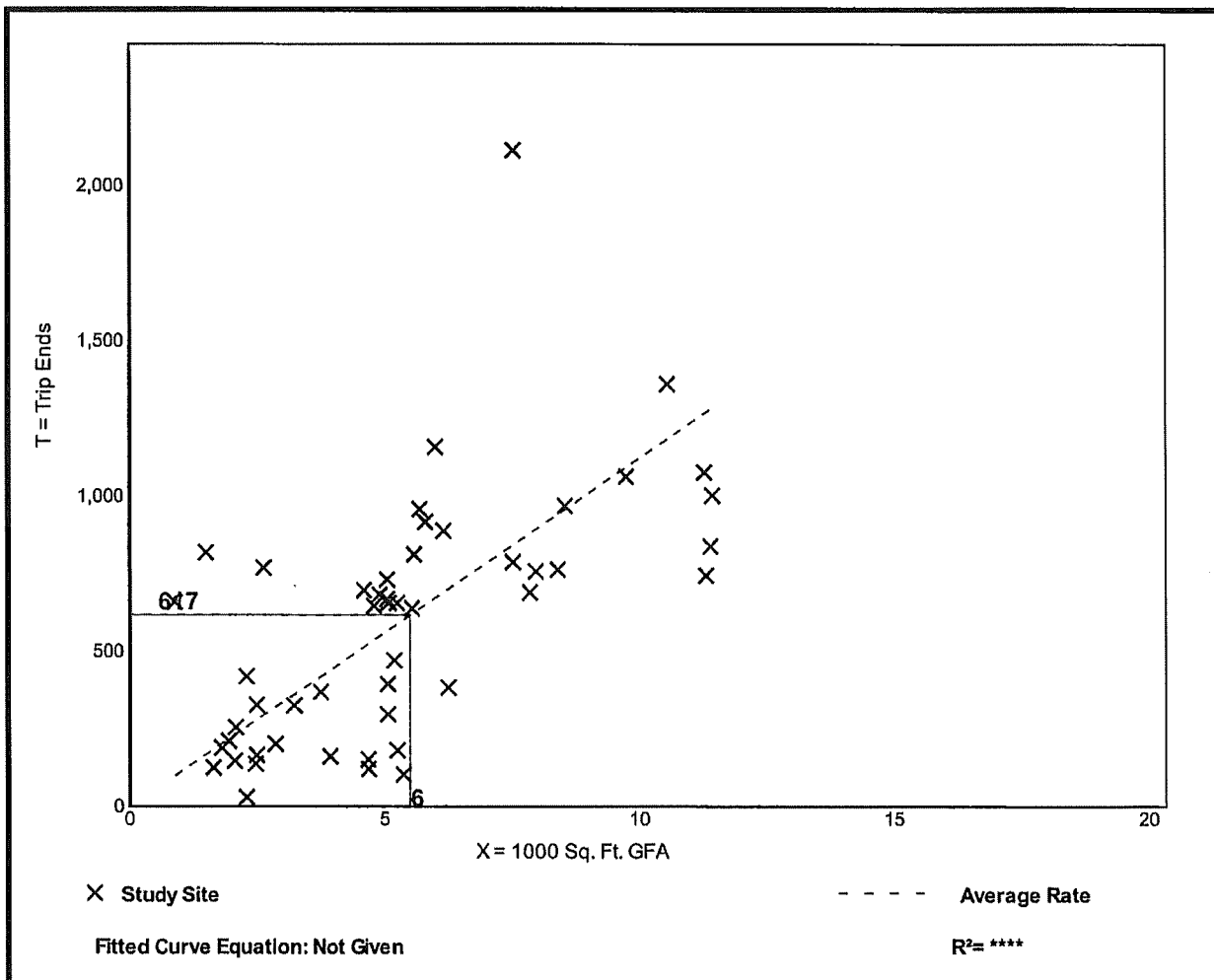
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 50
Avg. 1000 Sq. Ft. GFA: 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
112.18	13.04 - 742.41	72.51

Data Plot and Equation



High-Turnover (Sit-Down) Restaurant (932)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Saturday

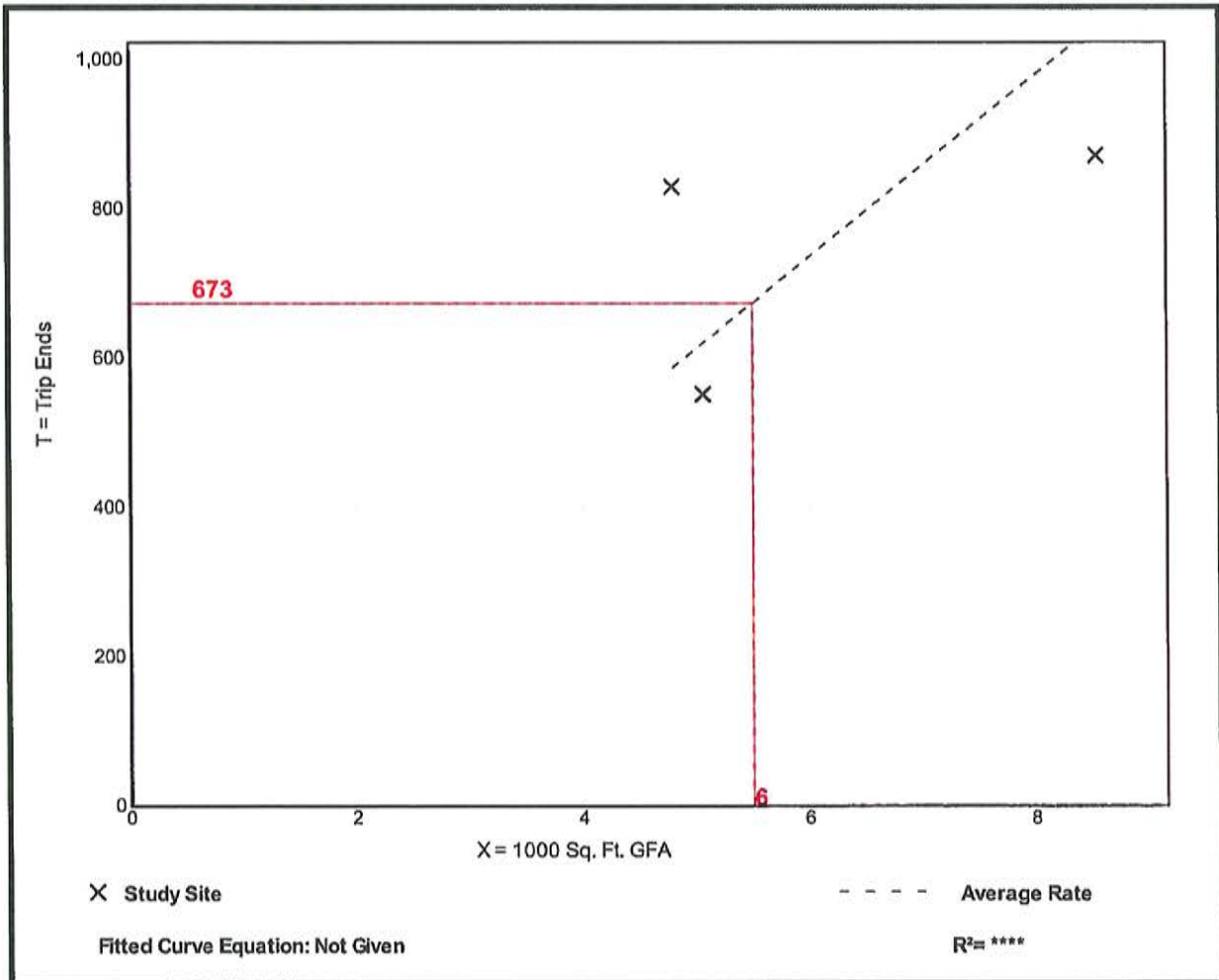
Setting/Location: General Urban/Suburban
Number of Studies: 3
Avg. 1000 Sq. Ft. GFA: 6
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
122.40	101.99 - 173.07	36.99

Data Plot and Equation

Caution – Small Sample Size



High-Turnover (Sit-Down) Restaurant (932)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Sunday

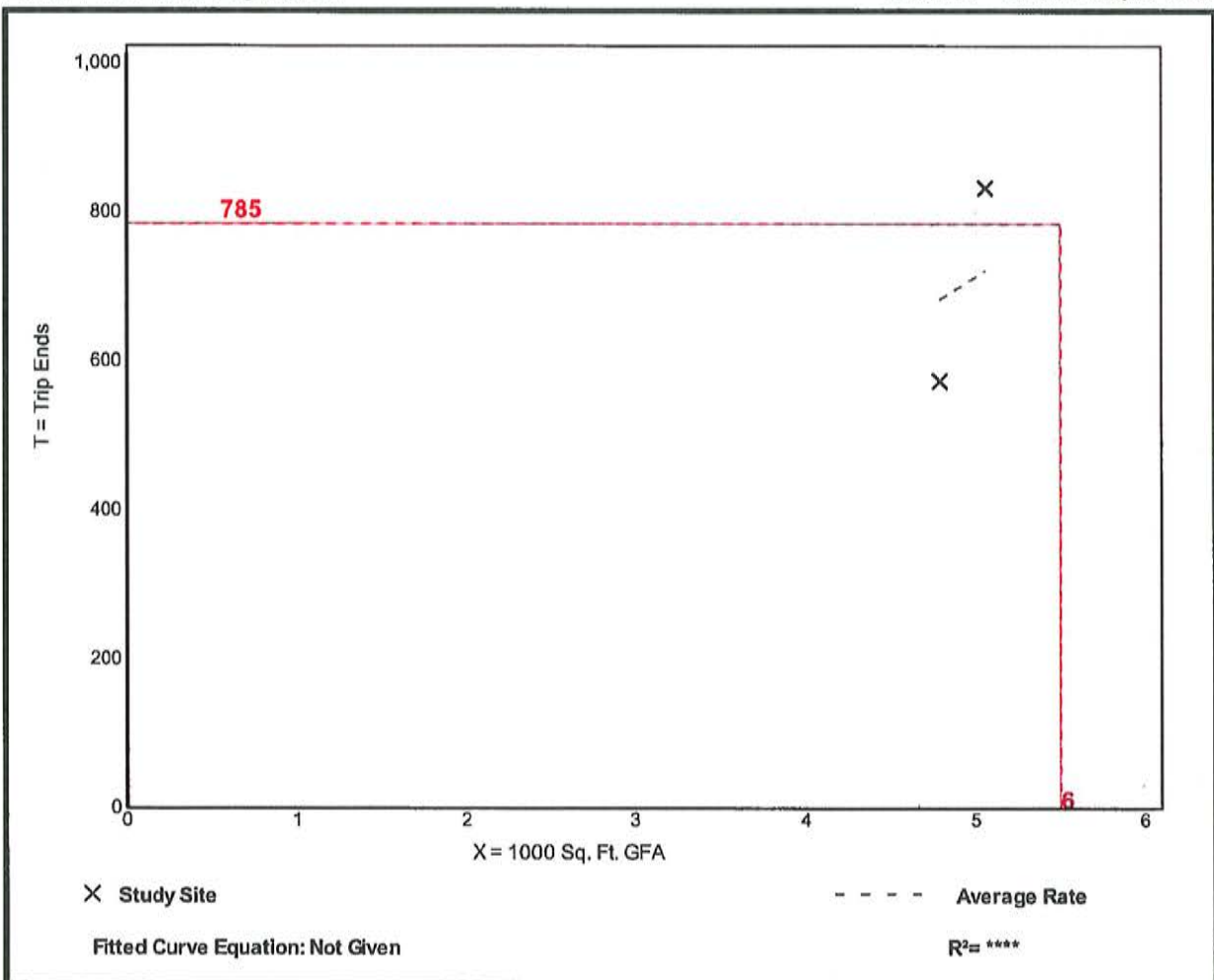
Setting/Location: General Urban/Suburban
Number of Studies: 2
Avg. 1000 Sq. Ft. GFA: 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
142.64	119.62 - 164.43	*

Data Plot and Equation

Caution – Small Sample Size



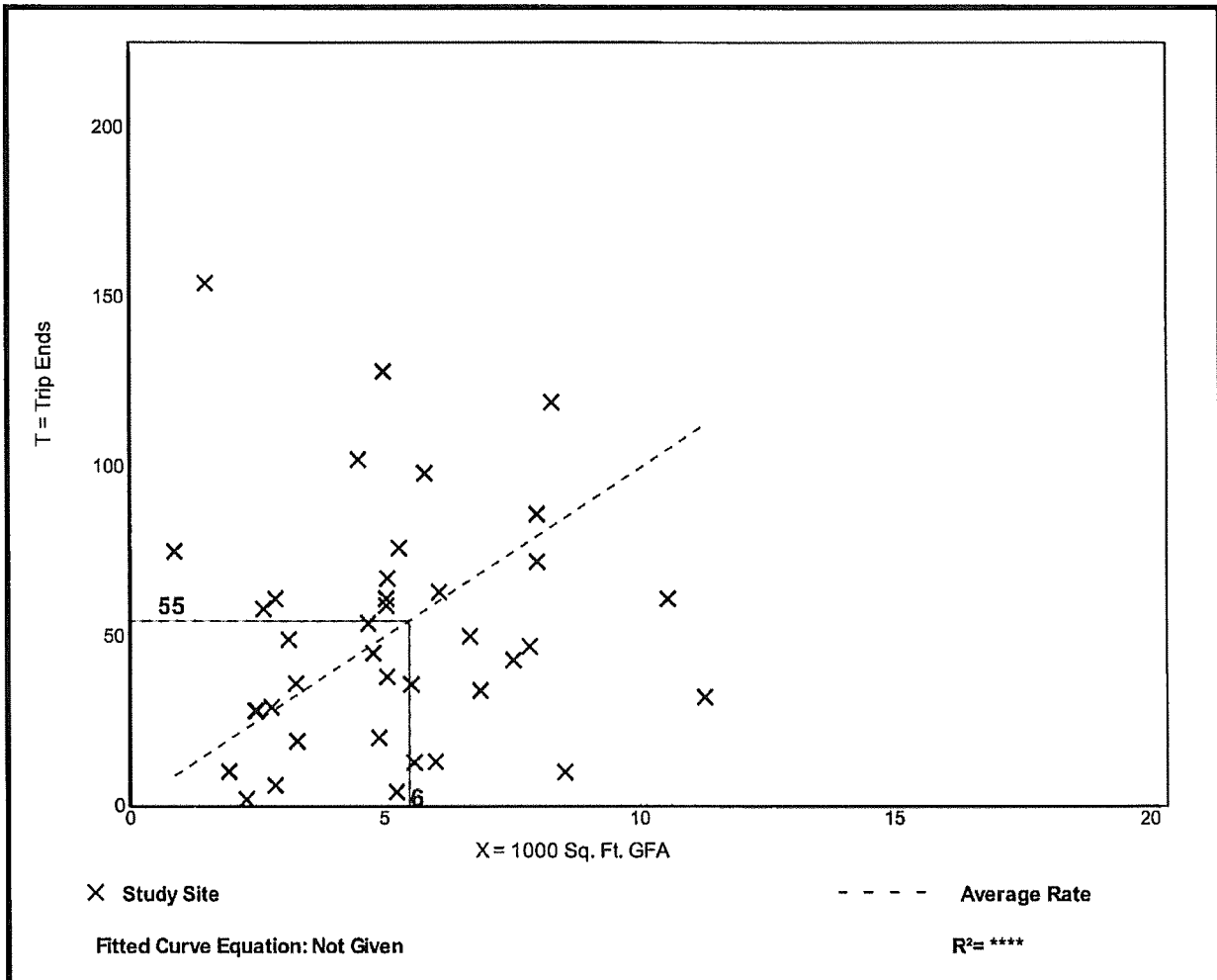
High-Turnover (Sit-Down) Restaurant (932)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 39
 Avg. 1000 Sq. Ft. GFA: 5
 Directional Distribution: 55% entering, 45% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
9.94	0.76 - 102.39	11.33

Data Plot and Equation



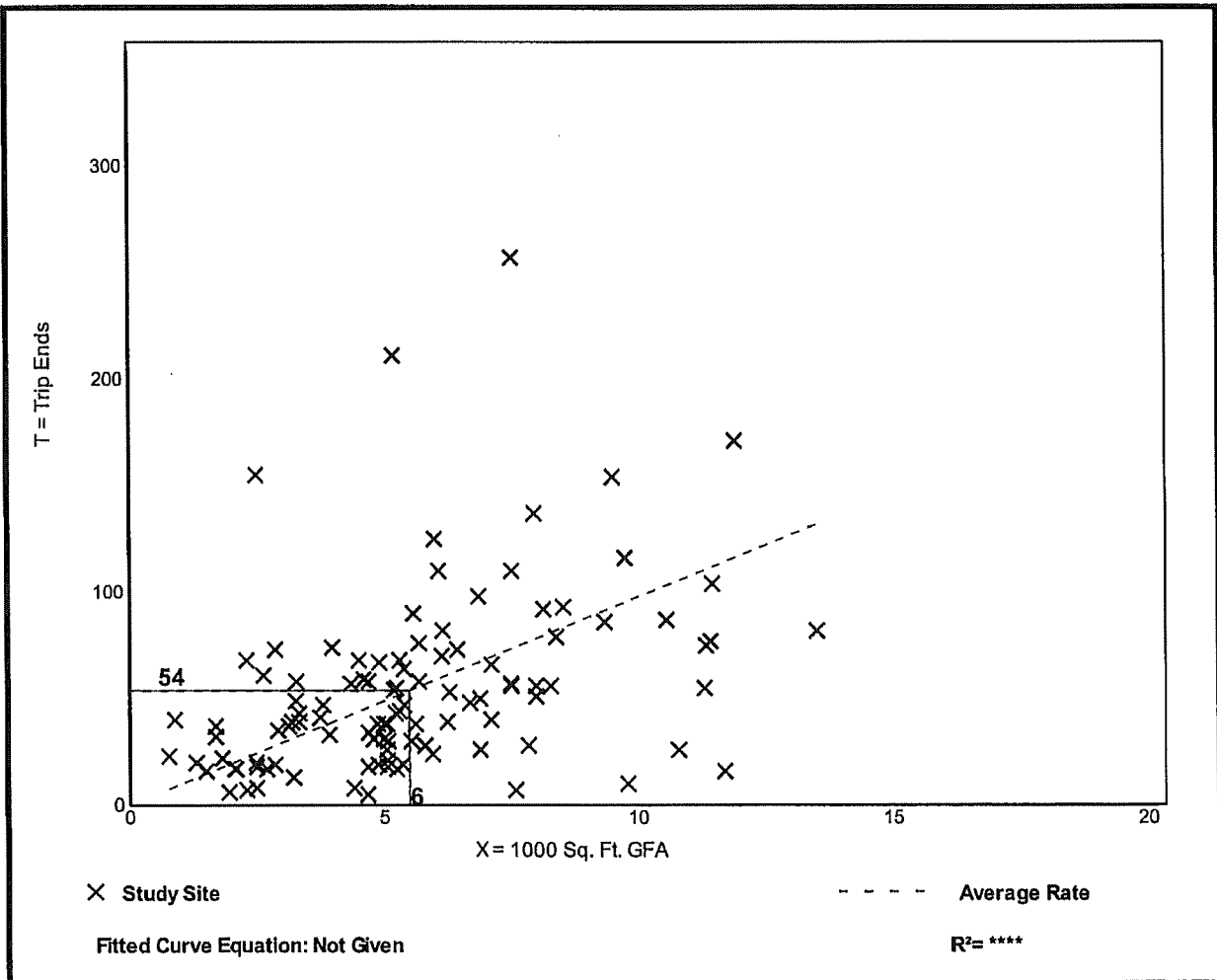
High-Turnover (Sit-Down) Restaurant (932)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 107
 Avg. 1000 Sq. Ft. GFA: 6
 Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
9.77	0.92 - 62.00	7.37

Data Plot and Equation



Medical-Dental Office Building (720)

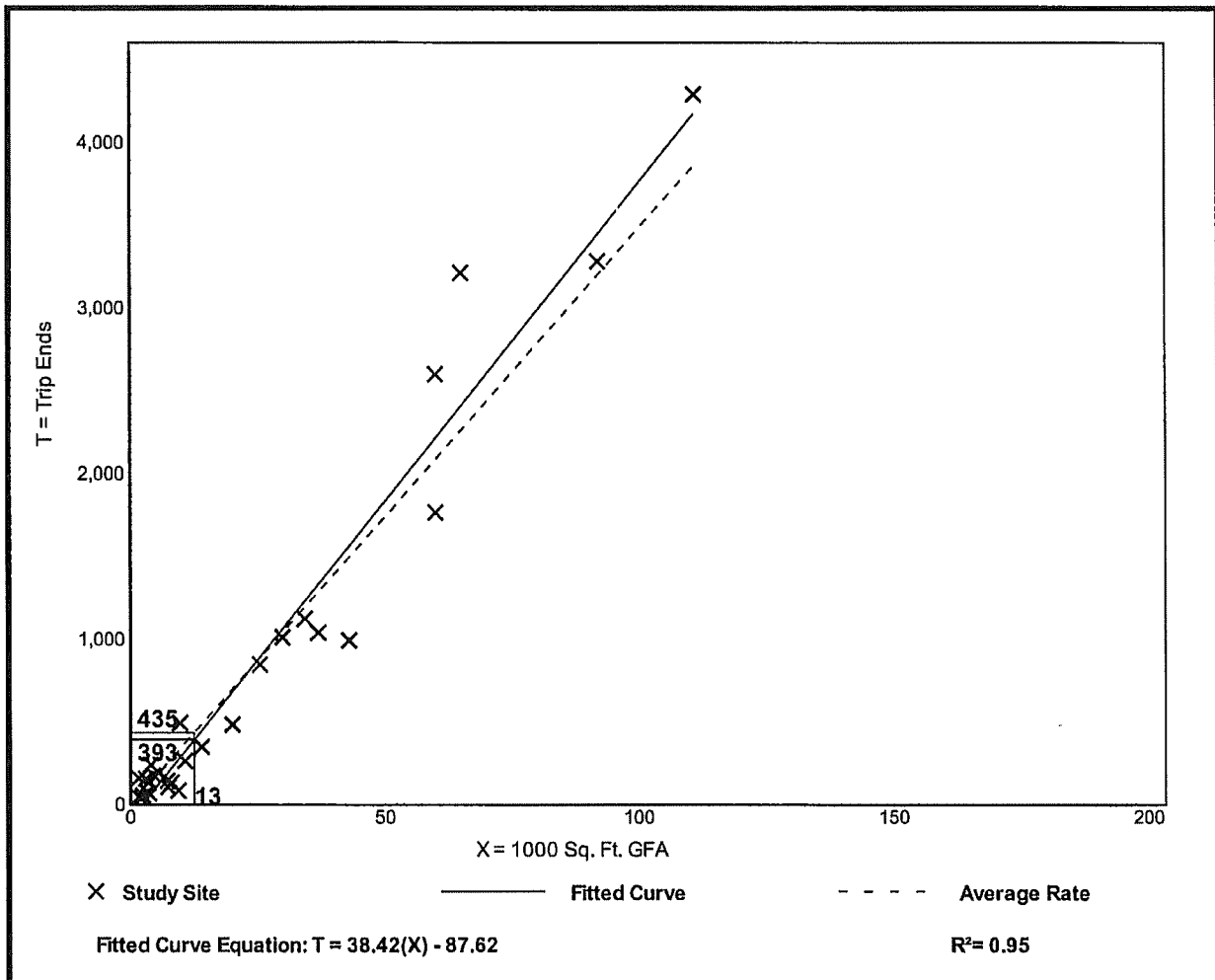
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 28
Avg. 1000 Sq. Ft. GFA: 24
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
34.80	9.14 - 100.75	9.79

Data Plot and Equation



Medical-Dental Office Building (720)

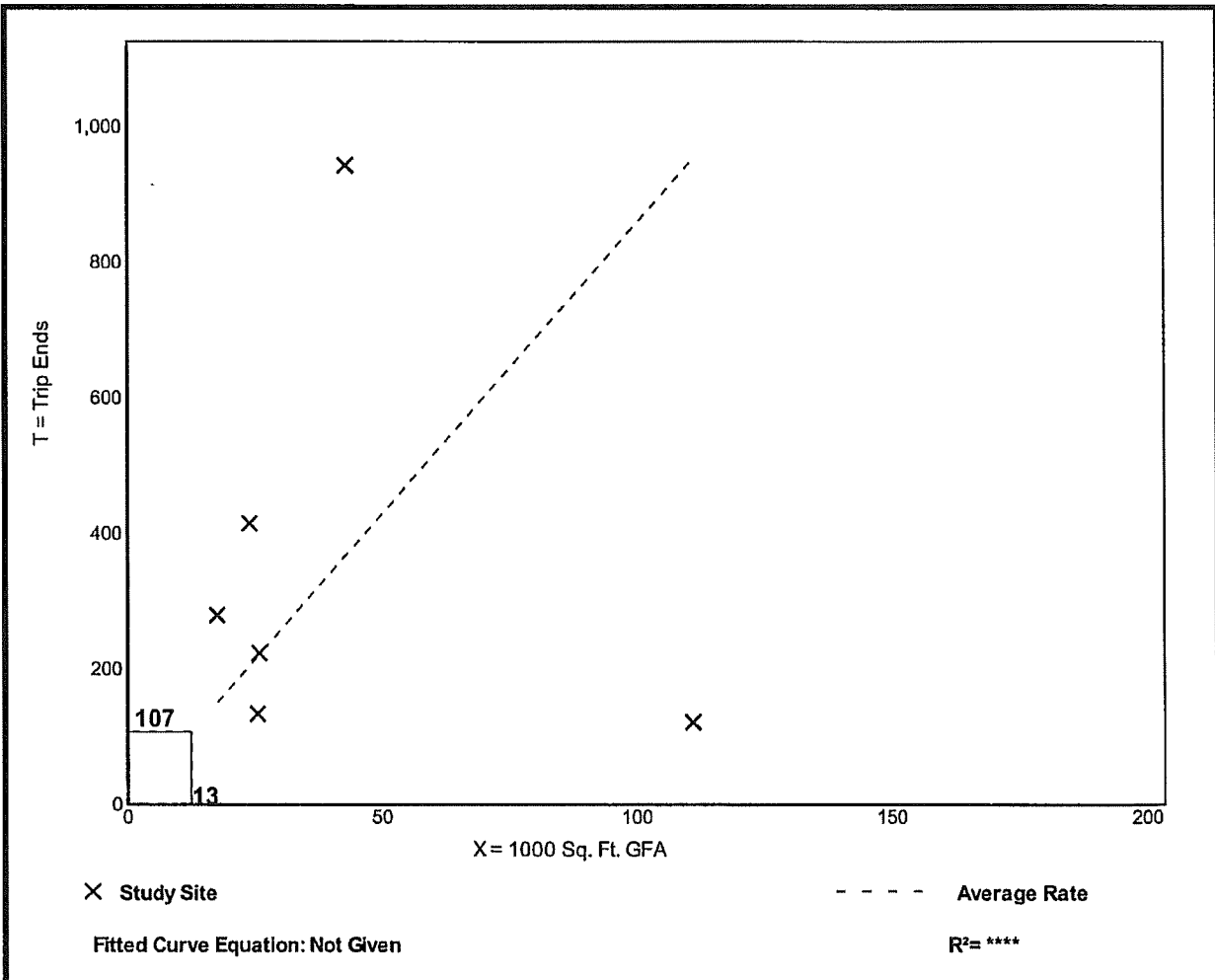
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Saturday

Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. 1000 Sq. Ft. GFA: 41
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
8.57	1.10 - 21.93	9.07

Data Plot and Equation



Medical-Dental Office Building (720)

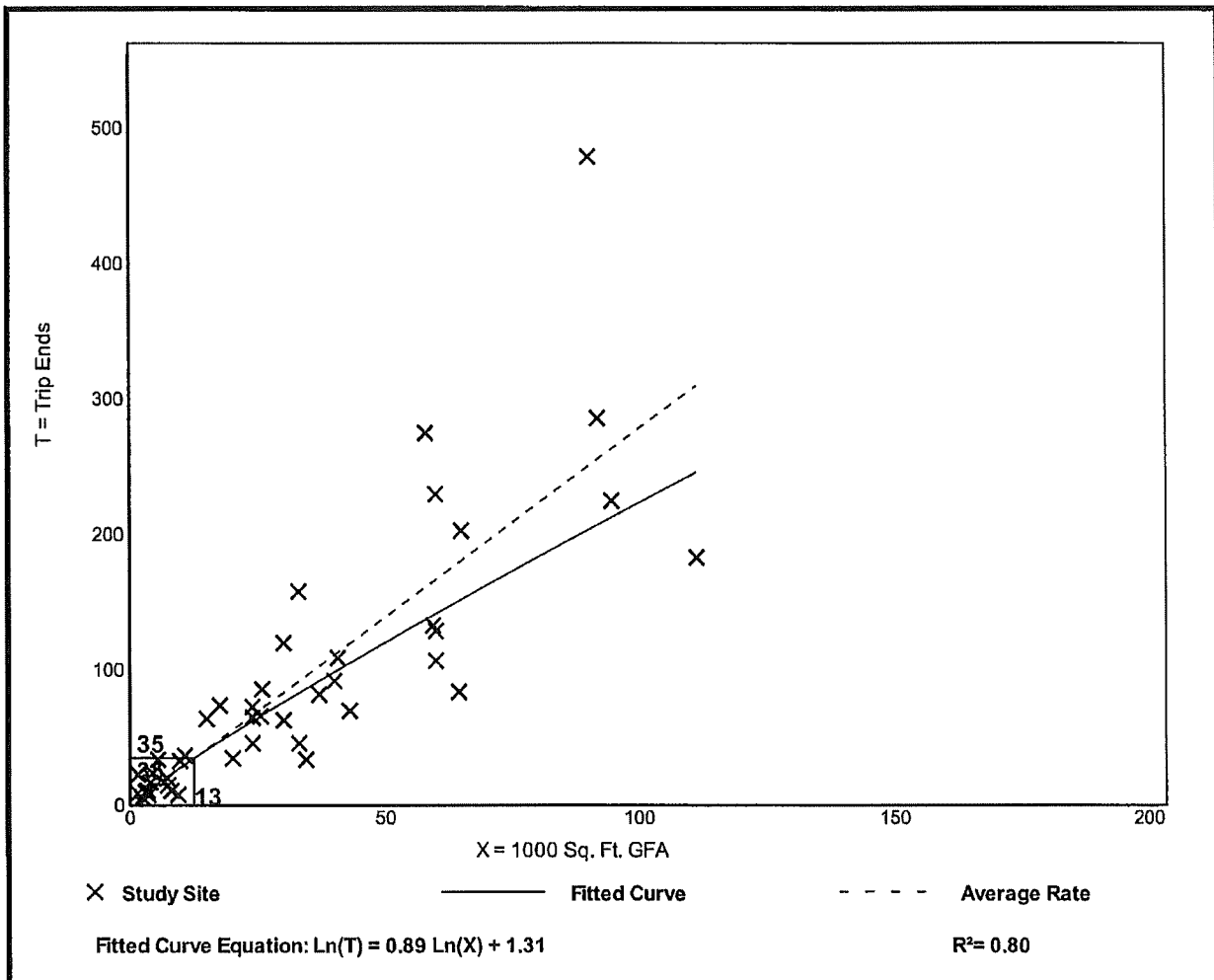
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban
 Number of Studies: 44
 Avg. 1000 Sq. Ft. GFA: 32
 Directional Distribution: 78% entering, 22% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
2.78	0.85 - 14.30	1.28

Data Plot and Equation



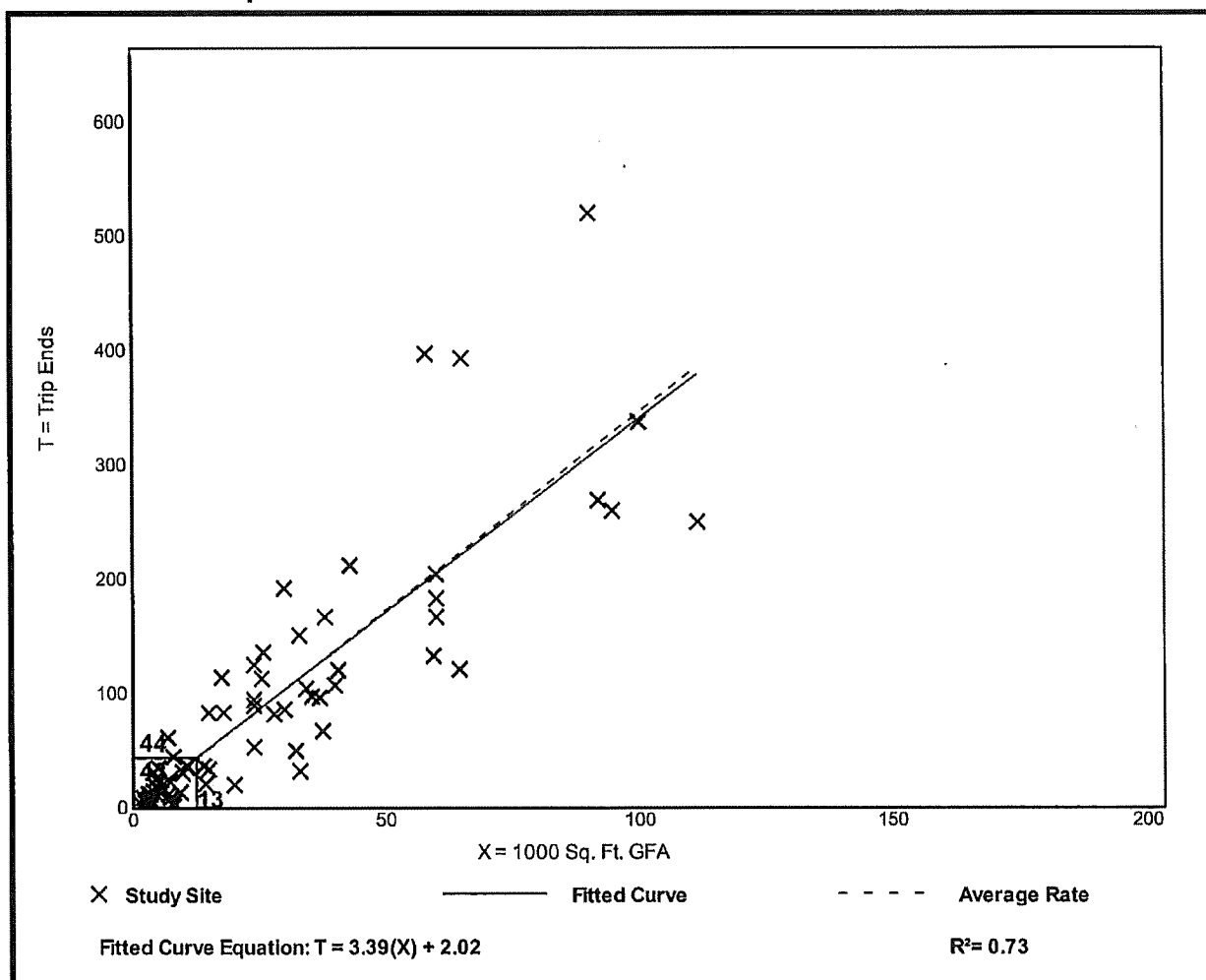
Medical-Dental Office Building (720)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 65
 Avg. 1000 Sq. Ft. GFA: 28
 Directional Distribution: 28% entering, 72% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.46	0.25 - 8.86	1.58

Data Plot and Equation





REVISED
JAN 17 2018

Perspective

372 W. LANCASTER AVE

prepared for:
Walker Family Properties, LLP

4/8/17



© 2017 Black & Veatch Architects
This drawing is not to be copied or transmitted in any form without the express written authorization of Black & Veatch Architects.
All ideas and concepts depicted or suggested in this drawing are the property of Black & Veatch Architects

ORDINANCE NO. 2018_01

AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 235, SEWERS, BY CREATING A NEW ARTICLE VI, "ADOPTION OF PWD WASTEWATER CONTROL REGULATIONS BY REFERENCE" WHICH FORMALLY ADOPTS THE PHILADELPHIA WATER DEPARTMENT SEWER AND WASTEWATER CONTROL REGULATIONS AS AMENDED JANUARY 1, 2013 FOR THAT PORTION OF THE SANITARY SEWER SYSTEM OF RADNOR TOWNSHIP WHICH FLOWS INTO LOWER MERION TOWNSHIP

WHEREAS, the City of Philadelphia requires that all contributing municipalities adopt by reference its Wastewater Control Regulations; and

WHEREAS, a portion of the Radnor Township wastewater flow enters the Lower Merion Township wastewater system and ultimately discharges to the City of Philadelphia wastewater facilities; and

WHEREAS, Lower Merion Township has requested that Radnor Township adopt and incorporate the Philadelphia Water Department Wastewater Control Regulations as adopted on January 1, 2013.

WHEREAS, Radnor Township wishes to adopt and incorporate the Philadelphia Water Department Wastewater Control Regulations into Chapter 235 of its Code of Ordinances.

NOW, THEREFORE, be it hereby *ENACTED* and *ORDAINED* by the Radnor Township Board of Commissioners as follows:

SECTION 1. Chapter 235, Article VI, Adoption of PWD Wastewater Control Regulations by Reference, is hereby added to read as follows:

ARTICLE VI: Adoption of PWD Wastewater Control Regulations by Reference

§235-29. Adoption and Incorporation.

Radnor Township hereby adopts and incorporates by reference the City of Philadelphia Water Department ("PWD") Wastewater Control Regulations, effective January 1, 2013 which shall apply to all Radnor Township wastewater flowing into the Lower Merion Township Wastewater System. A copy of the January 1, 2013 PWD Wastewater Control Regulations is attached hereto and incorporated herein as *Exhibit "A"*.

§235-30. Additional Requirements.

The Township's adoption of the PWD Wastewater Control Regulations shall be implemented and enforced in accordance with the following additional requirements:

- A. The PWD and/or Township may enforce the PWD Wastewater Control Regulations, including inspections and penalties, and shall provide notice of such enforcement.
- B. All notifications and reports required by a user subject to the PWD Wastewater Control Regulations shall be provided to both the PWD and the Township.
- C. Any industrial user responsible for any accidental discharge of wastewater must immediately notify both the PWD and the Township of said discharge.
- D. The knowing transmittal of false information by an industrial user to either the PWD or the Township is prohibited and constitutes a wastewater control regulation violation.
- E. The PWD or the Township may require an industrial user to install monitoring and pretreatment facilities, and these shall be provided and operated at the user's own expense.
- F. Any authorized officer or employee of the PWD may, upon twenty-four (24) hours' notice to the Township, enter and inspect, sample or test at any reasonable time any part of the Township's wastewater collection system, and, as permitted by law, enter onto private property to inspect, sample or test waste discharges of industrial users; the Township may also choose to inspect, sample and test waste discharges of the industrial users subject to the PWD Wastewater Control Regulations.
- G. Where a discharge to the wastewater collection system appears to present an imminent danger to the health and welfare of persons, or presents or may present an imminent danger to the environment, or threatens to interfere with the operation of the PWD's wastewater treatments system, the PWD or the Township may immediately initiate steps to identify the source of the discharge, and to prevent said discharge.
- H. In addition, to those penalties for violations specified in the PWD Wasterwater Control Regulations, effective January 1, 2013, any user who is found to have violated, continues to violate or fails to comply with any provisions of the regulations and permits issued hereunder shall be liable to the Township for a civil penalty not to exceed \$1,000 plus attorneys fees and costs of prosecution for each and every violation or, in default of payment of such fine and costs, to undergo imprisonment for not more than ninety (90) days for each violation. Each day a violation continues shall constitute a separate offense.

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 Radnor Township Home Rule Charter.

ENACTED and **ORDAINED** this ___ day of January, 2018.

RADNOR TOWNSHIP

By: _____

Name:

Title:

Attest: _____

Robert A. Zienkowski, Secretary

Radnor Township

PROPOSED LEGISLATION

DATE: February 6, 2018

TO: Radnor Township Board of Commissioners

FROM: Stephen F. Norcini, P.E., Township Engineer *SN*

CC: Robert A. Zienkowski, Township Manager
William M. White, Assistant Township Manager & Finance Director
John Rice, Solicitor

LEGISLATION: **Ordinance #2018-01 – (Introduction)** – An Ordinance of Radnor Township, Delaware County, Pennsylvania, Amending Chapter 235, Sewers, by Creating a New Article VI, “Adoption of PWD Wastewater Control Regulations by Reference”, Which Formally Adopts the Philadelphia Water Department Sewer and Wastewater Control Regulations as Amended January 1, 2013, for that Portion of the Sanitary Sewer System of Radnor Township Which Flows into Lower Merion Township

LEGISLATIVE HISTORY: This item has not been before the Board of Commissioners previously.

PURPOSE AND EXPLANATION: Portions of Radnor Township’s sanitary sewer flows are conveyed to the Philadelphia Treatment Plant via Lower Merion Township. The Philadelphia Water Department (PWD) required Lower Merion Township to adopt the Philadelphia Water Department Sewer & Wastewater Control Regulations (please see attached Exhibit A). Any entity that conveys sewer flows to the PWD, through Lower Merion Township, is also required to adopt the regulations. This is standard practice for all wastewater treatment plants. The Regulations cover many items (again standard fare) including, but not limited to: pollution limits (also known as local limits), cross connections, penalties, prohibitions, etc. The properties in Radnor Township whose flows are conveyed to the PWD through Lower Merion Township are noted in the table below:

Radnor Township Sanitary Sewer Flows to Lower Merion Township		
Area	Street	Street Address
South of Lancaster Avenue	Braxton	2,4,6,8
Lancaster Avenue	Lancaster Avenue	985,987,989,995
North of Lancaster Avenue	North Black Friar Road	102,110
South of Lancaster Avenue	Black Friar Road	100,106,108,112,114
Villanova University	West, North, and Main Campus	County Line Road, North Ithan Avenue, Lancaster Avenue

The Township Solicitor has prepared Ordinance #2018 – 01 (please see attached) for introduction to the Board of Commissioners and residents. If so moved, the Ordinance will be before the Commissioners for adoption at the February 12, 2018 regularly scheduled meeting, and will be in affect thirty days from that point.

IMPLEMENTATION SCHEDULE: If so moved, the Ordinance will be before the Commissioners for adoption at the February 26th, 2018 regularly scheduled Board of Commissioners meeting, and will be in affect thirty days from that point.

FISCAL IMPACT: There is no fiscal impact associated with the adoption of Ordinance #2018-01.

RECOMMENDED ACTION: *I respectfully request that the Board of Commissioners adopt Ordinance #2018-01 – (Introduction) – An Ordinance of Radnor Township, Delaware County, Pennsylvania, Amending Chapter 235, Sewers, by Creating a New Article VI, “Adoption of PWD Wastewater Control Regulations by Reference”, Which Formally Adopts the Philadelphia Water Department Sewer and Wastewater Control Regulations as Amended January 1, 2013, for that Portion of the Sanitary Sewer System of Radnor Township Which Flows into Lower Merion Township*

MOVEMENT OF LEGISLATION: It is being requested the Board of Commissioners adopt this legislation.

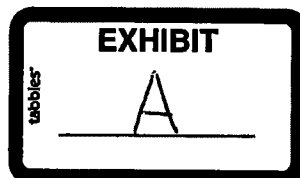
Enclosures: Exhibit A
 Ordinance #2018-01

PHILADELPHIA WATER — DEPARTMENT —

PHILADELPHIA WATER DEPARTMENT SEWER & WASTEWATER CONTROL REGULATIONS

Effective January 1, 2013

**Also available at
<http://www.phila.gov/water/PDF/PWDregCH5.pdf>**



[This page intentionally left blank]

**CHAPTER 5
SEWER & WASTEWATER CONTROL**

**500.0 CROSS CONNECTED SEWER
LATERALS**

500.1 Definitions

(a) City shall mean the City of Philadelphia acting through its Water Department (Department) or other City departments.

(b) Cross Connection shall mean a connection of sewer lateral(s) to the sewer main(s) such that a Dye Test, as herein defined, has demonstrated that flow in the sanitary sewer lateral discharges only to the City's municipal separate storm sewer system.

(c) Dye Test shall mean a test utilizing water-soluble dyes conducted by the City for the purpose of investigating the discharge of sewage into the municipal separate storm sewer system.

(d) Internal Cross shall mean the connection of particular plumbing fixture(s) within the property such that a Dye Test, as herein defined, has demonstrated that the flow from these particular plumbing fixture(s) within the property discharges to the municipal separate storm sewer system while flow from the other plumbing fixture(s) within the property discharges to the sanitary sewer.

500.2 General Policy

Cross Connections and Internal Crosses result in the discharge of untreated sewage into rivers and streams. Cross Connections and Internal Crosses are public nuisances and are prohibited by the Philadelphia Code, the Pennsylvania Clean Streams Law and the federal Clean Water Act. The

investigation of Cross Connections and Internal Crosses is necessary for the health and safety of the public. The hindrance of Cross Connection investigations or Internal Cross investigations is prohibited. Cross Connections or Internal Crosses that are identified must be promptly abated.

500.3 Investigation of Cross Connections

As a condition of water and sewer service, the City shall be permitted access to all properties for the purpose of conducting Dye Tests and other investigations to identify Cross Connections.

500.4 Abatement of Cross Connections

(a) When a Cross Connection has been identified by a Dye Test, the Department shall notify the property owner, and the Department shall arrange for and bear the cost of the abatement of the Cross Connection.

(b) The property owner and any other occupant shall cooperate with the Department to abate the Cross Connection.

(1) The property owner and any other occupant shall provide the City, its agents or contractors with access to the property for testing, developing work orders, plumbing repair, inspections and other necessary or desirable work.

(2) Failure to comply with this Section may result in the suspension of water service and/or imposition of other penalties established by law.

500.5 Investigation of Internal Crosses

As a condition of water and sewer service, the City shall be permitted access to all properties for the purpose of conducting Dye

Tests and other investigations to identify Internal Crosses.

500.6 Abatement of Internal Crosses

(a) Except as provided in Section 500.6(e) of these Regulations, when an Internal Cross has been identified at a property, the property owner shall arrange and bear the cost of the abatement of the Internal Cross.

(b) Internal Crosses shall be abated within thirty (30) days from the date of notification by the City, or such shorter period as determined necessary by the City to protect public health and safety or the environment. The City's notification shall state the time period granted for abatement. Failure to promptly abate the Internal Cross may result in the suspension of water service and/or the imposition of other penalties established by law.

(c) The property owner and any other occupant shall provide the City, its agents or contractors with access to the property for testing, developing work orders, plumbing repair, inspections and other necessary or desirable work.

(d) Failure to comply with this Regulation may result in the suspension of water service and/or imposition of other penalties established by law.

(e) Subject to the availability of funds, the owner of a property where an Internal Cross has been identified may be eligible for the Water Department assistance program if that property owner can satisfy the conditions set forth in Sections 200.2(a)(c)(e) and (f), Section 200.3, and Section 200.4 of these Regulations.

501.0 WASTEWATER CONTROL

Whereas, the Philadelphia Home Rule Charter, Section 5-800 et seq. mandates that the Philadelphia Water Department operate the City of Philadelphia ("City") water supply and wastewater system; and

Whereas, the Philadelphia Water Department must ensure sound and safe operation of the City wastewater treatment plants and sewer system ("Wastewater System"); and

Whereas, the Federal Clean Water Act requires that the City prevent the introduction of pollutants into the City Wastewater System which will interfere with the operation of the Wastewater System or contaminate the resulting sludge; and

Whereas, an objective of the Federal Clean Water Act requires that the City prevent the introduction of pollutants into the City Wastewater System which will pass through the Wastewater System, inadequately treated, into receiving waters or atmosphere or otherwise be incompatible with the Wastewater System; and

Whereas, an objective of the Federal Clean Water Act is to improve the opportunity to recycle and reclaim wastewater and sludge from the Wastewater System.

Now therefore, the City of Philadelphia Water Department promulgates these Wastewater Control Regulations ("Regulations").

501.1 Purpose and Policy

The purposes of these Regulations are:

(a) To set forth uniform requirements for direct and indirect contributors to the City

Wastewater System owned and operated by the City of Philadelphia and to enable the City to comply with all applicable state and federal laws required by the Clean Water Act, the General Pretreatment Regulations (40 CFR Part 403) and the National Categorical Pretreatment Standards (40 CFR Chapter I, Subchapter N).

(b) To prevent the introduction of pollutants into the City Wastewater System which will:

(1) interfere with the operation of the Wastewater System;

(2) contaminate the resulting sludge;

(3) cause the Wastewater System to violate its National Pollutant Discharge Elimination System ("NPDES") discharge permit;

(4) pass through the Wastewater System, inadequately treated, into receiving waters or the atmosphere; or

(5) be otherwise incompatible with the Wastewater System.

(c) To improve the opportunity to recycle and reclaim wastewaters and sludges from the Wastewater System. These Regulations provide for the regulation of direct and indirect contributors to the City Wastewater System through the issuance of permits to certain non-domestic users and Industrial Users and through enforcement of general requirements for other Users: the Regulations authorize monitoring and enforcement activities and require User reporting and compliance schedule submissions.

501.2 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in these Regulations, shall have the following meanings:

(a) Act or "the Act" or Clean Water Act: Federal Water Pollution Control Act, as amended by the Federal Water Pollution Control Act Amendments of 1972, the Clean Water Act of 1977 and the Water Quality Act of 1987, and any subsequent amendments thereto.

(b) Approval Authority: The Director in an NPDES state with an approved State Pretreatment Program and the Administrator of the EPA in a non-NPDES state or NPDES state without an Approved State Pretreatment Program.

(c) Authorized Representative of Industrial User:

(1) In the case of a corporation, a president, secretary, treasurer or vice president of the corporation who is in charge of a principal business function;

(2) In the case of a partnership or proprietorship, a general partner or proprietor; and

(3) A duly authorized representative of the individual designated above if:

(A) such representative is responsible for the overall operation of the facilities from which the indirect discharge into the Publicly Owned Treatment Works ("POTW") originates;

(B) the authorization is in writing; and

(C) the written authorization is submitted to the City.

(d) **Best Management Practices or BMPs:** Management practices that are implemented to comply with any Pretreatment Standard or Requirement. Such activities include, but are not limited to, schedules of activities, prohibitions of practices, and maintenance procedures.

(e) **Biochemical Oxygen Demand or BOD₅:** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at 20 degrees Celsius expressed in terms of concentration (milligrams per liter (mg/l)).

(f) **Building Sewer:** A private sewer conveying wastewater from the premises of a User to the City Wastewater System.

(g) **Bypass:** The intentional diversion of wastestreams from any portion of an Industrial User's pretreatment facility.

(h) **Categorical Standards:** National Categorical Pretreatment Standards.

(i) **City:** The City of Philadelphia, including, but not limited to, the Philadelphia Water Department.

(j) **Collector System:** All piping leading to a treatment plant, including those pipes connected to a combined sewer overflow that lead directly to a receiving stream.

(k) **Commissioner:** The Water Commissioner of the City of Philadelphia or his designee.

(l) **Commonwealth:** The Commonwealth of Pennsylvania.

(m) **Composite Sample:** A series of samples based on time (time-proportioned) or flow (flow-proportioned), taken over a given period of time and combined in a single reservoir to determine pollutant level(s).

(n) **Cooling Water:** The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat and which does not contain a level of contaminants detectably higher than that of the source of the water.

(o) **Daily Maximum:** The maximum allowable discharge of a pollutant during a calendar day or other twenty-four (24) hour period as allowed by the POTW. Where maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of a day. Where daily maximum limitations are expressed in terms of concentration, the daily discharge is the arithmetic average of all measurements taken that day.

(p) **Direct Discharge:** The discharge of treated or untreated wastewater directly to the waters of the Commonwealth which may occur through the City's stormwater conduits or combined sewer outfall structures.

(q) **Effluent Data:** For any user discharging wastewater to the City's sewer system, effluent data shall mean:

(1) Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of any pollutant which has been discharged by the source (or of any pollutant resulting from any discharge from the source), or any combination of the foregoing;

(2) Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of the pollutants which, under an applicable standard or limitation, the source was authorized to discharge (including, to the extent necessary for such purpose, a description of the manner or rate of operation of the source); and

(3) A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

(r) Environmental Protection Agency or EPA: The United States Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

(s) Grab Sample: A sample which is taken from a wastestream on a one-time basis, in fifteen (15) minutes or less, and with no regard to the volume of flow of the wastestream.

(t) Holding Tank Waste: Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

(u) Indirect Discharge: The discharge or the introduction of pollutants, including Holding Tank Waste, into the POTW.

(v) Industrial User or User: Any person that introduces or has the potential to introduce an Indirect Discharge regulated under the Act, State or local law, to the POTW.

(w) Interference: A discharge which, alone or in conjunction with a discharge or discharges from other sources:

(1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

(2) is a cause of a violation of any requirement of the City's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

(3) In addition, Interference shall mean any of the following:

(A) the introduction of pollutants into the POTW which alone or in conjunction with other discharges, inhibits or disrupts the process, operations or maintenance of the POTW, or causes an evacuation of any POTW personnel, whether or not it causes or contributes to a violation of the City's NPDES Permit; or

(B) the introduction of pollutants, either alone or in conjunction with other discharges, which when reaching the Treatment Plant, inhibits, disrupts or limits the Solid Waste Byproducts disposal options

available to the POTW, whether or not it causes or contributes to a violation of Section 405 of the Act, the Solid Waste Disposal Act or any other law or regulation regulating Solid Waste Byproducts; or

(C) the introduction of pollutants into the City's Collector System, which alone or in conjunction with other discharges, inhibits, disrupts or adversely affects the operations or maintenance of the Collector System.

(x) Monthly Average: The arithmetic mean of the daily values for effluent samples collected over a calendar month.

(y) National Categorical Pretreatment Standards: Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act (33 USC 1317) which applies to a specific category of Industrial Users and Pretreatment Standards as published in 40 CFR Chapter I, Sub Chapter N.

(z) National Pollutant Discharge Elimination System or NPDES Permit: A permit issued pursuant to Section 402 of the Act (33 USC 1342).

(aa) National Prohibitive Discharge Standard or Prohibitive Discharge Standard: Any regulation developed under the authority of Section 307(b) of the Act and 40 CFR Part 403.5.

(bb) New Source:

(1) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act which will be

applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

(A) the building, structure, facility or installation is constructed at a site at which no other source is located; or

(B) the building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(C) the production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site.

(2) Construction on a site at which an existing source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility or installation meeting the criteria of Section 501.2(bb)(1)(B) or Section 501.2(bb)(1)(C), but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a new source as defined in Section 501.2(bb)(1) and Section 501(bb)(2) has commenced if the owner or operator has either:

(A) begun or caused to begin as part of a continuous onsite construction program:

(i) any placement, assembly, or installation of facilities or equipment; or

(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the

placement, assembly, or installation of new source facilities or equipment.

(B) or entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

(cc) Non-Domestic Users: Commercial, industrial or municipal users who discharge to the POTW.

(dd) Pass Through: A discharge which exits the POTW to the receiving stream or its atmosphere in quantities or concentrations which alone or in conjunction with other discharges is a cause of a violation of any requirement of the City's NPDES permit or a violation of any air emission standard set by the Clean Air Act, State or local rules and regulations governing emissions to the air (including an increase in the magnitude or duration of a violation).

(ee) Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

(ff) pH: The negative logarithm (base 10) of the concentration of hydrogen ions expressed in moles per liter of solution.

(gg) Pollution: The man-made or man-induced alteration of the chemical, physical,

biological, and/or radiological integrity of water.

(hh) Pollutant: Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, and agricultural waste or any other contaminant discharged into water.

(ii) Pretreatment or Treatment: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction, elimination or alteration can be obtained by physical, chemical or biological processes, process changes, or other means, except as prohibited by Section 501.3(b)(20)(G).

(jj) Process Wastewater: Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

(kk) Pretreatment Standards or Requirements: Any substantive or procedural requirement related to pretreatment, including, but not limited to, those requirements found in the Clean Water Act, the General Pretreatment Regulations (40 CFR Part 403), the National Categorical Pretreatment Standards, the Resource Conservation and Recovery Act (42 USC 6901 et seq.), the Solid Waste Management Act (35 P.S. 6018.101 et seq.) as they relate to the proper disposal of pretreatment sludges, these Regulations and any order issued under these Regulations, the

Industrial User's Wastewater Discharge Permit and any other federal, state or local law or regulation which regulates discharges to the POTW.

(ll) Publicly Owned Treatment Works or POTW: A treatment works as defined by Section 212 of the Act (33 USC 1292) which is owned by the City including any devices and systems used in the storage, treatment, recycling or reclamation of municipal sewage and industrial waste. This definition includes any sewers that convey wastewater to the POTW Treatment Plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this regulation, "POTW" shall also include any sewers that convey wastewater to the POTW from persons outside the City who are, by contract or agreement with the City, users of the City's POTW.

(mm) POTW Treatment Plant or Treatment Plant: That portion of the POTW designed to provide treatment to wastewater.

(nn) Shall is mandatory; May is permissive.

(oo) Significant Industrial User: The term Significant Industrial User shall mean the following:

(1) any Industrial User subject to any National Categorical Pretreatment Standard; or

(2) any Industrial User that discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater) or contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW Treatment Plant; or

(3) any Industrial User that is found by the City, DEP or EPA to have a reasonable potential, either alone or in conjunction with other discharges, to adversely affect the POTW, the Collector System, the Solid Waste Byproducts of the POTW, or air emissions from the POTW.

(pp) Solid Waste Byproducts: Materials related to POTW operations which include, but are not limited to, grit, scum, screenings, incinerator ash, sludge and dredge spoils.

(qq) Spill or Slug Discharge: Any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or non-customary batch discharge, or any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards found in Section 501.3, Section 501.4 and Section 501.5 of these Regulations.

(rr) State: The Commonwealth of Pennsylvania.

(ss) Standard Industrial Classification (SIC): A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, as amended.

(tt) Stormwater: Any flow occurring during or following any form of natural precipitation and resulting therefrom.

(uu) Suspended Solids: The total suspended matter that floats on the surface of, or is suspended in water, wastewater or other liquids, and which is removable by laboratory filtering, expressed in terms of concentration (milligrams per liter (mg/l)).

(vv) Toxic Pollutant: Any pollutant or combination of pollutants listed as toxic pursuant to Pennsylvania Statutes and Rules, Section 307(a) of the Act or other Federal statutes.

(ww) Wastewater: The liquid and water-borne wastes from dwellings, commercial buildings, industrial facilities, utility structures, institutions and construction sites, together with any groundwater, surface water and stormwater that may be present, whether treated or untreated.

(xx) Waters of the Commonwealth: All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the Commonwealth or any portion thereof.

(yy) Wastewater Discharge Permit or Permit: As set forth in Section 502.1 of these Regulations.

(zz) Abbreviations --The following abbreviations shall have the designated meanings:

(1) BOD₅: Five-day Biochemical Oxygen Demand

(2) BMP: Best Management Practice.

(3) CERCLA: Comprehensive Environmental Response, Compensation and Liability Act. (42 USC 9601 et seq., as amended)

(4) CFR: Code of Federal Regulations

(5) DEP: Pennsylvania Department of Environmental Protection

(6) EPA: United States Environmental Protection Agency

(7) l: Liter

(8) mg: Milligrams

(9) mg/l: Milligrams per liter

(10) NAICS: North American Industry Classification System

(11) NPDES: National Pollutant Discharge Elimination System

(12) POTW: Publicly Owned Treatment Works

(13) RCRA: Resource Conservation and Recovery Act

(14) SIC: Standard Industrial Classification

(15) SIU: Significant Industrial User

(16) SWDA: Solid Waste Disposal Act, 42 USC 6901 et seq.

(17) TSS: Total Suspended Solids

(18) USC: United States Code

501.3 General Discharge Prohibitions

(a) No User shall contribute or cause to be contributed, directly or indirectly, to the POTW any pollutant or wastewater which will pass through or interfere with the operation or performance of the POTW. These general prohibitions apply to all Users of the POTW whether or not the User is

subject to Federal Categorical Pretreatment Standards or any other Federal, State, or local Pretreatment Standards or Requirements.

(b) No User shall contribute the following substances to any POTW:

(1) any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall the atmosphere in a private sewer leading to a POTW structure exceed 25% Lower Explosive Limit (LEL) unless the User can demonstrate that such a discharge does not create at the point of discharge into the POTW or at any other point in the POTW a reading over 10% LEL as measured by an explosimeter. Prohibited materials include, but are not limited to, any substances which can create a fire or explosion hazard to the POTW;

(2) solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch, manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes or any material which can be disposed of as trash;

(3) any wastewater having a pH less than 5.5 or higher than 12.0 as measured by

a grab sample or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW;

(A) No Industrial User measuring pH continuously at the point of discharge shall discharge wastes having a pH lower than 5.5 or higher than 12.0 at any time except for a period not to exceed a total of five (5) minutes in any one (1) hour period. In the event that a discharge of a pH lower than 5.5, or higher than 12.0 for a period exceeding five (5) minutes occurs, the Industrial User must demonstrate that the pH will not exceed the range of 5.5 to 10.0 at a down stream point designated by the City. In no case may the Industrial User's discharge contain a pH less than 5.0 at the point of discharge into the POTW.

(B) In the event that the influent wastewater flow arriving at a Treatment Plant is outside the pH range of 6.5 to 8.5, the City may limit the Industrial Users to that Treatment Plant to a pH range of 6.0 to 9.0, upon oral or written notice, for as long as the City deems necessary.

(4) any wastewater containing pollutants which may, either singly or by interaction with other pollutants:

(A) injure, adversely affect or interfere with any wastewater treatment process; or

(B) constitute a hazard to humans or other biota, or may create an adverse effect in the receiving waters of the POTW, as determined through biomonitoring conducted on the POTW's effluent or through in-stream monitoring; or

(C) violate any provision of the Federal Clean Air Act (42 USC 7401 et

seq.) as amended, or local air quality regulations;

(%) any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or may result in toxic gases, vapor or fumes or are sufficient to prevent entry into the POTW for maintenance and repair without respiratory protection or other personal safety equipment;

(6) any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the City to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, nor any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management methods being used by City;

(7) any substance which will cause the City to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards;

(8) any wastewater with objectionable color not removed in the treatment process, including, but not limited to, dye wastes and vegetable tanning solutions;

(9) any wastewater having a temperature which will inhibit biological activity in the POTW Treatment Plant resulting in Interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds

60°C (140°F) or which shall cause the wastewater entering the POTW Treatment Plant to exceed 40°C (104°F);

(10) any pollutants, including oxygen demanding pollutants and suspended solids released at a flow rate and/or pollutant concentration which a User knows or has reason to know will cause Interference or Pass Through to the POTW. In no case shall a slug load have a flow rate or contain concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour permitted concentration, quantities, or flow during normal operation;

(11) any wastewater containing any radioactive wastes or isotopes of such half life or concentrations as may exceed limits established by the City in compliance with applicable State or Federal regulations;

(12) any wastewater which causes a hazard to human life or creates a public nuisance;

(13) any wastewater containing motor oils or lubricants removed from vehicles or other machinery;

(14) any wastewater containing substances which may solidify or become viscous at temperatures between 0° C (32° F) and 65 °C (149°F);

(15) any wastewater containing in excess of 100 mg/l of fats, oils and greases of mineral, petroleum or unknown origin at any time as shown by grab sample;

(A) Wastewaters discharged to the POTW shall contain no floatable or non-mulsified fats, oils and greases of animal or vegetable origin. Specific numerical limits

for these pollutants may be placed in an Industrial User's Wastewater Discharge Permit if found by the City to be necessary. Wastewater shall in no case contain concentrations of these pollutants high enough to cause Interference or Pass Through. The limits for both fats, oils and greases of mineral, petroleum or unknown origin and of animal or vegetable origin may be reduced by the City without amending these Regulations where the existing limits cause adverse impacts to the Collector System and/or POTW.

(16) any sludges from septage or holding tanks without prior written approval of the City;

(17) any wastewater which because of its chemical nature or composition causes the sewer atmosphere to contain airborne chemical concentrations in excess of concentrations established by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) under 29 CFR Part 1910, regardless of duration of exposure experienced by any individual, whether a City or contractor's employee, unless written authorization is granted by the Commissioner;

(18) wastewater which may create a fire or explosive hazard in the POTW, including, but not limited to, wastewater with a closed-cup flashpoint of less than 60°C (140 °F) using the test methods specified in 40 CFR 261.21; or

(19) any wastewater which, alone or in conjunction with any other discharges, causes foam anywhere in the Treatment Plant or its effluent.

(20) In addition, the following activities are prohibited:

(A) No person shall discharge wastewater, pollutants, chemicals or any other substance or contaminant into street inlets or through sewer manholes without the prior written approval of the City.

(B) No person who generates wastewater at one property shall discharge it at another property without prior written approval from the City.

(C) No person shall discharge wastewater in quantities or at rates of flow which may have an adverse or harmful effect on or overload the City's sewer system or Treatment Plants or cause excessive or additional treatment costs or render inaccurate or interfere with the function of sewer metering devices.

(D) No person shall discharge a wastewater flow contributing greater than 2,500 pounds per day of five (5) day biochemical oxygen demand, or contributing greater than 1,750 pounds per day of suspended solids or having a volume in excess of three (3) million gallons per day without prior written approval of the City.

(E) No person shall store or handle any material, including hazardous substances defined by CERCLA, in any area draining to the City Wastewater System, because discharge or leakage from such storage or handling may create an explosion hazard in the sewer system or Treatment Plants or may constitute a hazard to human beings or animals or the receiving stream, or may in some other way have a deleterious effect upon the Treatment Plants. Such storage or handling shall be subject to review by the City, and shall require a spill control plan with reasonable safeguards to prevent discharge or leakage of such materials into the sewers.

(F) Industrial Users processing regulated wastestreams through their pretreatment facilities shall not bypass such pretreatment facilities unless they notify the City in writing and obtain prior written approval from the City.

(G) No person shall increase the use of potable water, groundwater, rainwater, river water or process water or in anyway attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with any Pretreatment Standards or Requirements.

501.4 General Pretreatment Regulations and National Categorical Pretreatment Standards:

All users shall comply with all provisions contained in the General Pretreatment Regulations (40 CFR Part 403) as amended, and if applicable, National Categorical Pretreatment Standards (40 CFR Chapter I, Subchapter N) as amended. Any limitations imposed under the General Pretreatment Regulations or the National Categorical Pretreatment Standards which are more stringent than the limitations in these Regulations shall supersede the limitations imposed under these Regulations.

(a) Modification of Federal Categorical Pretreatment Standards: Where the City's Wastewater System achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the City may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards of an Industrial User or a whole category.

501.5 Specific Pollutant Limitations

(a) No person shall discharge the following substances in excess of the concentrations,

in milligrams per liter, (mg/l), as expressed below:

<u>Substance</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>
arsenic	0.15	0.10
cadmium	0.2	0.1
chromium (total)	7.0	4.0
copper	4.5	2.7
cyanide (total)	10.0	
lead	0.69	0.43
mercury	0.01	0.005
nickel	4.1	2.6
selenium	0.2	0.1
silver	0.43	0.24
zinc	4.2	2.6

(b) No person shall discharge any of the substances listed below to the POTW without obtaining prior written approval of the City.

- Acrylonitrile
- Aldrin
- Alpha BHC
- Aluminum
- Benzene
- Benzo (a) pyrene
- Benzotrachloride
- Beryllium
- Bis(2-ethylhexyl)phthalate (DEHP)
- Bromobenzene
- Bromodichloromethane
- Bromoform
- Carbon tetrachloride

Chlordane
 Chlorobenzene
 Chlorodibromomethane
 Chloroethane
 Chloroform
 2-Chlorophenol
 Cumene (Isopropylbenzene)
 DDT/DDE/DDD
 Dibutylphthalate
 Dichlorobromomethane
 bis (2-chloroethyl) ether
 Dieldrin
 Dioxins
 Dimethyl Sulfoxide (DMSO)
 Dimethylnitrosamine
 Ethylbenzene
 Heptachlor
 Hexachlorobutadiene
 Hexachlorobenzene
 Iron
 Lindane
 Dichlorobenzene
 Methyl chloride (Chloromethane)
 Methyl Ethyl Ketone
 Methyl Isobutyl Ketone
 Molybdenum
 Xylenes
 o-Chlorotoluene
 o-Dichlorobenzene
 p-Dichlorobenzene
 p-Chlorotoluene
 Phenanthrene
 Phenols
 Pyrene
 Styrene
 Tetrachloroethylene (Perchloroethylene)
 Titanium
 Toluene
 Toxaphene (chlorinated camphene)
 Trichloroethylene
 Vinyl chloride
 Tetrachloroethane
 1,1,2-Trichloroethane
 Dichloroethane
 1,1-Dichloroethylene
 1,1-Dichloropropene

trans-1,2-Dichloroethylene
 1,2,3-Trichloropropane
 cis-1,2-Dichloroethylene
 1,2-Dibromo-3-Chloropropane
 1,2-Dichloropropane
 1,3-Dichloropropane
 1,3-Dichloropropene
 2,2-Dichloropropane
 2,4-Dinitrophenol
 2,4-Dinitrotoluene
 3,3-Dichlorobenzidiene
 Volatile Organic Sulfides

(c) The City reserves the right to modify this list of materials prohibited from entering the POTW.

(d) Polychlorinated Biphenyls (PCBs): The PCB content of waste shall be non-detectable by EPA method 608.

501.6 State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in these Regulations.

501.7 Accidental Discharges

(a) Spill and Slug Discharge Prevention Plan: Each Significant Industrial User shall provide protection from accidental discharge of prohibited materials or other substances which may interfere with the POTW by developing a Spill and Slug Discharge Prevention Plan. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and shall be approved by the City before construction of the facility. The Spill

and Slug Discharge Plan shall contain, at a minimum, the following:

(1) description of discharge practices, including routine and non-routine batch discharges;

(2) description of stored chemicals;

(3) procedures for promptly notifying the City of spills or slug discharges, with procedures for follow-up written notification within five (5) working days;

(4) any necessary procedures to prevent accidental spills and slug discharges, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff and worker training;

(5) any necessary measures for building containment structures or equipment;

(6) any necessary measures to assure the integrity of storage;

(7) any necessary measures for controlling toxic organic pollutants (including solvents);

(8) any necessary procedures and equipment for emergency response; and

(9) any necessary follow-up practices to limit the damage suffered by the POTW or the environment.

(b) All existing Users shall complete such a plan within three (3) months of notice to do so by the City. No User who commences a new discharge to the POTW after the effective date of these Regulations shall be permitted to introduce pollutants into the

Wastewater System until accidental discharge procedures have been approved by the City. Review and approval of such plans and operating procedures shall not relieve the Industrial User from the responsibility to modify the User's facility as necessary to meet the requirements of these Regulations.

(c) Notification: In the case of an accidental discharge, it is the responsibility of the User to immediately notify the City of the incident by telephone. The notification shall include date, time and location of discharge, type of waste including concentration and volume, duration of discharge, and any corrective actions taken by the User.

(d) Written Notice: Within five (5) business days, unless a different period is prescribed by the City, following an accidental discharge, the User shall submit to the City a detailed written report describing the cause of the discharge and the measures that will be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by these Regulations or other applicable law.

(e) Notice to Employees: A notice shall be permanently posted on the User's bulletin board(s) or other prominent places advising employees whom to call in the event of a dangerous discharge. Employers shall advise all employees who may cause or be injured by such a discharge of the emergency notification procedure.

501.8 Fees

(a) Purpose: It is the purpose of this Section to provide for the recovery of costs from the Users of the City's Wastewater System for the implementation of the program established herein.

(b) Charges and Fees

(1) All Industrial Users applying for or issued a permit after the promulgation of these Regulations shall pay a fee of One Thousand Dollars (\$1,000.00) per permit application.

(2) The City may adopt charges and fees which may include:

(A) fees for reimbursement of costs of setting up and operating the City's Pretreatment Program;

(B) fees for monitoring, inspections and surveillance procedures;

(C) fees for reviewing accidental discharge procedures and construction; and

(D) other fees as the City may deem necessary to carry out the requirements contained herein.

(3) These fees relate solely to the matters covered by these Regulations are separate from all other fees chargeable by the City. The City reserves the right to change the fees set forth herein.

501.9 Civil Penalty Assessment Policy

(a) Purpose: The purpose of this section is to enact a civil penalty assessment policy pursuant to the Publicly Owned Treatment Works Penalty Law, Act No.1992-9.

(b) Scope: The POTW Penalty Law allows the City, as the owner and operator of publicly owned treatment works with an approved pretreatment program, to assess civil penalties of up to Twenty-Five Thousand Dollars (\$25,000) per violation of any Pretreatment Standards or Requirements per day. Each term, condition or parameter violated shall constitute a separate and distinct offense. Each day on which a violation occurs or continues to occur shall constitute a separate and distinct offense. In developing this Civil Penalty Assessment Policy, the City considered the following factors:

(1) the damage to air, water, land or other natural resources of this City and Commonwealth and their uses;

(2) cost of restoration and abatement;

(3) savings resulting to the person in consequence of the violation;

(4) history of past violations;

(5) deterrence of future violations;

(6) harm and/or potential harm to the POTW and/or its employees;

(7) whether the violation resulted or could have resulted in the City violating its NPDES Permit; and

(8) whether the violation resulted or could have resulted in the City violating any law or regulation affecting its sludge disposal options.

(c) Mandatory Civil Penalties: Civil Penalties shall be assessed against any Industrial User in significant noncompliance ("SNC") with any Pretreatment Standards or Requirements. The amount of the civil

penalty shall be calculated in accordance with Sections 501.9(f), (g), and (h) of these Regulations. An Industrial User is in significant noncompliance if it meets one or more of the following criteria.

(1) If 33% or more of all samples taken for any single parameter during a six month period demonstrate exceedances of any numeric Pretreatment Standard or Requirement, including the daily maximum effluent limitation, the monthly average limitation, and any instantaneous limits, as defined by any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to Section 501.5.

(2) Monitoring for any parameter less than 100% of the total sampling events required by the Permit.

(3) Discharging without the required Permit under these Regulations.

(4) Violation of any Pretreatment Standard or Requirement that the City determines has caused, either alone or in combination with any other discharges, interference or pass through (including endangering the health of POTW personnel or the general public).

(5) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or the environment or has resulted in the City's exercise of its emergency authority.

(6) Violation by forty-five (45) days or more of the scheduled date of compliance with milestones for starting construction, completing construction, attaining final

compliance or any other milestone event described in any compliance schedule.

(7) Failure to provide any required reports such as Baseline Monitoring Reports, 90 Day Compliance Reports, Periodic Compliance Reports, Spill or Slug Discharge Reports, Responses to Notices of Violation or Notices of Significant Non Compliance, Compliance Schedule Reports, Pretreatment Facilities Report or any other Report required by law or Permit within thirty (30) days after the report's due date.

(8) Failure to report noncompliance accurately.

(9) Violation of any Best Management Practice requirements or any other violation or group of violations that:

(A) adversely affects the operation or implementation of the local pretreatment program; or

(B) either alone or in conjunction with any other discharge causes harm to the POTW.

(d) Discretionary Civil Penalties: Civil Penalties are discretionary where an Industrial User's violation(s) of the Pretreatment Standards or Requirements do not constitute significant noncompliance as defined in Section 501.9(c) of these Regulations. In exercising its discretion as to whether to assess civil penalties for these violations, the City shall consider the following factors:

(1) Compliance History
The City shall examine the Industrial User's compliance history for the specific term or condition now being violated as well as the Industrial User's compliance history with all

other Pretreatment Standards or Requirements.

(2) Reasons for noncompliance.

(3) Magnitude of violation.

(4) Good faith compliance efforts.

Good faith compliance efforts consist of the following actions:

(A) whether the Industrial User properly notified the City of the violation;

(B) whether the Industrial User responded to the Notice of Violation within fifteen (15) days as required in the Notice;

(C) the corrective actions the Industrial User has taken or will take to ensure a return to compliance; and

(D) the timeliness of these corrective actions.

(e) Where it is determined that a civil penalty should be levied under this Section, the amount of the civil penalty shall be calculated in accordance with Sections 501.9(f), (g), and (h).

(f) Civil Penalty

The calculation of the civil penalty which shall be assessed shall be in conformity with this Section and Sections 501.9(g) and 501.9(h) of these Regulations.

In this Section, violations of Pretreatment Standards or Requirements are contained in Column I of the Civil Penalty Grid. (See note 1, immediately after the Grid, for further explanation.) Once the specific type of violation has been identified in the Civil Penalty Grid, the appropriate range of civil penalties for the violation is selected from either: Column II, III or IV. (See notes 2, 3 and 4, for further explanation on the selection of civil penalty ranges.) Once the range of fines is selected, the precise civil penalty within that range is determined by considering the factors enumerated in Column V. (See note 5 for further explanation in applying the selection factors.) Finally, there are two exceptions to the general rules in using this Civil Penalty Grid. (See note 6 for further explanation.)

CIVIL PENALTY GRID

Column I	Column II	Column III	Column IV	Column V
Violations ¹	Non-SNC or First SNC Notification ²	Second Consecutive SNC Notification ³	Third Consecutive SNC Notification or Causes or Contributes to Pass Through or Interference ⁴	Selection Factors ⁵
1. Daily, Hourly or Instantaneous Effluent Limits or Best Management Practices	\$300 – \$5,000	\$5,000 – 15,000	\$15,000 - \$25,000	B, A, C, D
2. Monthly Average Effluent Limits	\$300 - \$9,000	\$3,000 - \$12,000	\$12,000 - \$25,000	B, A, C, D
3. Self-Monitoring (sampling)	\$300 – \$5,000	\$5,000 - \$15,000	\$15,000 - \$25,000	B, D, C.
4. Reporting	\$300 - \$1,000	\$1,000 - \$5,000	\$5,000 – \$25,000	B, D, C
5. Incomplete Reporting	\$300 – \$5,000	Not Applicable (N/A)	N/A	B, E, D
6. Intentional Falsification of Reports or Data or knowingly rendering any monitoring device or method inaccurate	\$25,000	N/A	N/A	N/A
7. Spills or Slug Discharges	\$300 - \$10,000	N/A	\$15,000 - \$25,000	B, A, C, D
8. Unauthorized Discharge	\$300 - \$10,000	N/A	\$10,000 - \$25,000	A, D
9. Compliance Schedule Completion Dates	\$300 - \$5,000	\$5,000 - \$15,000	\$15,000 – \$25,000	F, D
10. Dilution to Meet Effluent Limits	\$300 - \$25,000	N/A	N/A	B, D
11. Inadequate Record Keeping ⁶	\$300 - \$5,000	\$5,000 - \$15,000	\$15,000 - \$25,000	B, D, E
12. Failure to Admit Authorized Personnel ⁶	\$300 – \$10,000	\$10,000 - \$25,000	N/A	D, B
13. Failure to notify of any Substantial Change in Volume of Pollutants in Discharge (See 40 CFR 403.21(j))	\$300 - \$10,000	N/A	\$10,000 - \$25,000	B, A, C, D
14. Failure to Mitigate Noncompliance	\$300 - \$10,000	N/A	\$10,000 - \$25,000	A, B, C, D
15. Improper Disposal of Pretreatment sludges and spent chemicals	\$300 - \$10,000	N/A	\$10,000 - \$25,000	B, D
16. Unauthorized Bypass	\$300 - \$10,000	N/A	\$10,000 - \$25,000	C, A

Explanatory Notes to Civil Penalty Grid:

Note Number 1

Column I contains a list of sixteen categories of Pretreatment Standard or Requirement violations. These sixteen categories of violation should be all inclusive, covering all possible types of Pretreatment Standards or Requirement violations. If, however, a violation occurs which does not fall within one of the categories, then the civil penalty for that violation shall be assessed in accordance with the method used for assessing civil penalties for violation of daily or hourly effluent limits.

The sixteen categories of Pretreatment Standards or Requirements violations found in Column I are explained in greater detail immediately below:

1. Daily, Hourly or Instantaneous Effluent Limits or Best Management Practices: This category addresses violations of the effluent discharge limits for daily, hourly or instantaneous discharges or best management practices.

2. Monthly Average Effluent Limits: This category addresses violations of the monthly average effluent limits.

3. Self-Monitoring (sampling): Permitted Industrial Users must sample their effluent in accordance with the terms and conditions of their Wastewater Discharge Permits. Violations of these self-monitoring requirements are addressed in this category. Examples of these violations include, but are not limited to, the following:

a) failure to sample for any required parameters;

b) failure to follow proper sampling protocols;

c) failure to sample at the appropriate point; and

d) failure to sample as frequently as required in the Wastewater Discharge Permit.

4. Reporting: The Industrial User is subject to numerous reporting and notification requirements. Failure to provide any of these reports and notifications, or providing these reports and notifications in an untimely fashion, is addressed in this category. These reports and notifications include, but are not limited to, the following:

a) Baseline Monitoring Reports;

b) 90 Day Compliance Reports (40 CFR 403.12(d));

c) Periodic Compliance Reports;

d) Spill Plans;

e) Responses to Notices of Violations or Notices of Significant Non Compliance;

f) Surcharge Reports;

g) Reports required pursuant to any Compliance Schedule, Administrative Order or Consent Decree;

h) Notification of spill or slug discharge; Follow-up written report within five (5) days of spill or slug event;

i) Reporting sampling noncompliance within twenty-four (24) hours of becoming aware of violation; Reporting first sample result showing a return to compliance;

j) Application for Wastewater Discharge Permit or late application;

k) Hazardous Waste Notification pursuant to 40 CFR 403.12(p); and

I) Pretreatment Facilities Reports.

5. Incomplete Reporting:

In this category, reports and notifications are timely submitted but contain errors or omissions.

6. Intentional Falsification of Reports or Data or Knowingly Rendering Any Monitoring Device or Method Inaccurate:

In this category, where the Industrial User has intentionally falsified reports or data, the maximum penalty of \$25,000 per falsification will be assessed. Similarly, where the Industrial User knowingly renders any monitoring device or method inaccurate, this category requires that the maximum penalty be assessed.

7. Spills or Slug Discharges: A spill or slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or non-customary batch discharge.

Violations as the result of spills or slug discharges are addressed in this category.

8. Unauthorized Discharge:

This category includes three types of violations. First, where an Industrial User is required to have a Permit discharges pollutants without a Wastewater Discharge Permit. Second, where an already permitted Industrial User is discharging pollutants from a regulated process which has not been specifically approved by the City and controlled by the User's Wastewater Discharge Permit. (Please note that each pollutant discharged without a permit constitutes a separate and distinct offense.) Third, any discharge violating Section 501.3, Section 501.4 or Section 501.5 of these Regulations.

9. Compliance Schedule Completion Dates: In Administrative Orders and Consent Decrees there will often appear compliance schedules for returning the

Industrial User to compliance. This category addresses violations of the compliance schedule completion dates. (Please note that where the Administrative Orders or Consent Decrees contain stipulated penalties for violation of the compliance schedule dates, the stipulated penalties contained therein shall constitute the exclusive civil penalties available for these violations. Therefore, in these cases, the Civil Penalty Grid will not be used.)

10. Dilution to Meet Effluent Limits: This category addresses the situation where the Industrial User is using dilution to achieve compliance with any effluent limit.

11. Inadequate Record Keeping: This category includes any violations of the Pretreatment Standards or Requirements involving record keeping and storage.

12. Failure to Admit Authorized Personnel: This category involves an Industrial User's refusal to allow a City representative ready access to a facility for purposes of inspection, sampling, records examination and/or copying or for the performance of any other duty.

13. Failure to Notify of Any Substantial Change in the Volume or Character of Pollutants in Discharge: (See 40 CFR 403.12(j)). This category involves any violations resulting from the industrial User's failure to comply with the advance notification of changed discharge requirements contained in 40 CFR 403.12(j).

14. Failure to Mitigate Non Compliance: An Industrial User has an obligation to mitigate its noncompliance. Violation of this obligation is addressed in this category.

15. Improper Disposal of Pretreatment Sludge and Spent Chemicals: Industrial

Users must dispose of hazardous sludge and spent chemicals in accordance with all applicable laws including, but not limited to, the Clean Water Act and the Resource Conservation and Recovery Act.

16. Unauthorized Bypass: Industrial Users processing regulated wastewater through their pretreatment facilities are prohibited from bypassing such pretreatment facilities unless they notify the City in advance of any bypass and obtain the City's prior written approval authorizing such bypass.

Notes 2, 3, and 4

After the category of violation has been identified, there are several ranges of civil penalties which can be assessed for the violation. Notes 2, 3 and 4 define the appropriate range to be selected.

(a) Note 2 - COLUMN II

NON-SNC or FIRST SNC NOTIFICATION

If the violation does not rise to the level of Significant Noncompliance (SNC) as defined in Section 501.9(c) of these Regulations, the appropriate fining range is therefore contained in Column II. If the violation does constitute SNC as defined in Section 501.9(c) or this is the first time that the Industrial User has been notified that it is in SNC for that specific standard or requirement, then the appropriate fining range is again contained in Column II.

(b) Note 3 - COLUMN III

SECOND CONSECUTIVE SNC NOTIFICATION: This range of civil penalties applies where the Industrial User has received a second Notice of Significant Noncompliance for the same standard or requirement in two (2) consecutive six (6)-month periods.

Where a Notice of SNC is issued for any standard or requirement, and there was no Notice of SNC issued for the standard or requirement in the previous six-month period, the appropriate range reverts to Column II.

If as the result of the issuance of the first SNC Notice, the Industrial User has been issued an Administrative Consent Order or is subject to a Consent Decree, and stipulated penalties are contained therein, then the stipulated penalties shall be the exclusive method for assessing future civil penalties for as long as the stipulated penalty provision remains in effect.

(c) Note 4 - COLUMN IV

THIRD CONSECUTIVE SNC NOTIFICATION OR CAUSES OR CONTRIBUTES TO PASS THROUGH OR INTERFERENCE: This range of civil penalties applies in two situations. First, where the Industrial User has received a third consecutive notice of SNC for the same standard or requirement. Second, where the violation has caused or contributed to interference or pass through, as defined in Sections 501.2 (w) and (dd) of these Regulations. Again, where an Administrative Consent Order or Consent Decree provides for stipulated penalties, the stipulated penalties shall be the exclusive method for assessing future civil penalties for as long as the stipulated penalty provision remains in effect.

NOTE 5 -

Once the type of violation has been identified in Column I, and the appropriate range of civil penalties selected from Columns II, III and IV, the precise civil penalty within the appropriate range must be selected. Selection of the precise civil penalty will be based on those Selection Factors appropriate for each type of violation

which are found in Column V. The six selection factors are lettered A through F as follows:

- A. SEVERITY OF VIOLATION
- B. SPECIFIC COMPLIANCE HISTORY
- C. GENERAL COMPLIANCE HISTORY
- D. REASONS FOR VIOLATION
- E. COMPLETENESS
- F. CONSENT DECREE OR ADMINISTRATIVE ORDER

Most violations found in Column I contain numerous selection factors which must be considered in selecting the precise civil penalty. The selection factors appropriate for each violation are listed in their order of importance and weight which should be given each factor. The first factor listed should be given the greatest weight; the second factor the second greatest weight, etc. Although the relative weight given each factor is determined by its order of listing, the absolute weight has not been provided. This is because violations, and the circumstances surrounding and causing them, are too different and complex to be resolved in a mathematical formula. This can only be determined on a case by case basis.

Selection Factors A through F are explained in greater detail immediately below:

A. Severity of Violation:
This factor considers the degree of severity of effluent violations in three different ways. First, the frequency of violation should be considered, Next, the level of exceedance should be considered. Finally, the violations should be considered from total mass perspective.

B. Specific Compliance History: This factor considers whether and how often in the past the Industrial User has violated the parameter for which it is now being fined.

C. General Compliance History: This factor considers the Industrial User's present and past overall compliance with all Pretreatment Standards or Requirements.

D. Reasons for Violation: (self-explanatory)

E. Completeness: For the violation categories Incomplete Reporting and Inadequate Record Keeping, the level and/or degree of omissions and errors shall be considered.

F. Consent Decree or Administrative Order:
For the violation category Compliance Schedule Completion Dates, the Industrial User's past and present history of compliance with the Decree or Administrative Order should be examined.

Finally, although addressed separately in Sections 501.9(g) and (h) of these Regulations, for all categories of violations, the economic benefit of noncompliance and any damages, costs and fines must be recovered in selecting the precise civil penalty within the appropriate range.

NOTE 6

For most violations, the appropriate range of penalties is selected by the criteria discussed in notes 2, 3 and 4. However, for the categories of Inadequate Record Keeping and Failure to Admit Authorized Personnel, the appropriate ranges are selected differently.

For these categories, the civil penalty range moves from Column II to III if that Industrial User has ever in the past been cited for a violation in that category. The violations do not need to rise to the level of SNC nor do they need to occur in consecutive six (6) month periods.

Similarly, the civil penalty range moves to Column IV for these two categories of violations if the Industrial User has been cited twice or more, at any time in the past, for the same category of violation.

(g) Economic Benefit of Noncompliance

(1) In all cases, the civil penalty assessed shall exceed the economic benefit of noncompliance gained by the Industrial User as a result of not complying with the Pretreatment Standards or Requirements. The economic benefit of noncompliance is that amount of both capital and operating funds saved by the Industrial User by either failing or delaying to install and/or operate the necessary pretreatment to achieve compliance with all Pretreatment Standards or Requirements. The City may use the Guidance Manual for POTWs to Calculate the Economic Benefit of Noncompliance, U.S. Environmental Protection Agency, September 5, 1990, or any subsequent revision, to assist it in calculating the economic benefit of noncompliance.

(2) If a situation arises where the amount assessed under the Civil Penalty Grid in Section 501.9(f) of these Regulations fails to exceed the economic benefit of noncompliance, then the Civil Penalty Grid shall not be used to determine the civil penalty. Rather, the City shall set the civil penalty by first calculating the economic benefit of noncompliance. Next, the amount calculated to be the economic benefit of noncompliance shall be increased by anywhere from 10% to 100%. This increased amount shall constitute the civil penalty. (Simply assessing the economic benefit of noncompliance fails to penalize the Industrial User).

In determining the appropriate increase factor (anywhere from 10% to 100%) the City shall consider the severity of the violations, the reason for the violation

and how quickly the Industrial User abates the violation.

(h) Recovery of Damages, Costs and Fines

(1) In all cases, the civil penalty shall, at a minimum, be set so that it fully compensates the City for any damage or injury to the POTW, its employees, the POTW's sludge or the environment. Any and all costs incurred by the City to correct or compensate for the damage or injury shall also be fully recovered in the civil penalty. Costs shall include, but not be limited to, attorney's fees, court costs, court reporter fees and other expenses associated with enforcement activities, as well as all sampling and monitoring expenses related to discovering, enforcing and maintaining the Industrial User's compliance. Where violation of the Pretreatment Standards or Requirements causes, either alone or in conjunction with a discharge or discharges from other sources, the City to violate any local, state or federal law or regulation, and the City is fined for this violation, the civil penalty assessed shall fully reimburse the City for the fine paid.

(2) If a situation arises where the amount assessed under the Civil Penalty Grid fails to fully compensate the City for all damages, costs and fines, then the Civil Penalty Grid shall not be used to determine the civil penalty. Rather, the City shall set the civil penalty by first calculating all damages, costs and fines to the City resulting from the violation. Next, this amount shall be increased by anywhere from 10% to 100%. This increased amount shall constitute the civil penalty.

(3) In determining the appropriate increase factor (anywhere from 10% to 100%) the City shall consider the extent and nature of the damage, its impact on the POTW, the reasons for the violation and how quickly the Industrial User corrects the damage.

(i) Civil Penalty Appeal

The Industrial User charged with the penalty shall have thirty (30) days to pay the proposed penalty in full, or, if the Industrial User wishes to contest either the amount of the penalty or the fact of the violation, the Industrial User must file an appeal, pursuant to the Philadelphia Home Rule Charter. Failure to appeal within this period shall result in a waiver of all legal rights to contest the violation or the amount of the penalty.

502.0 WASTEWATER DISCHARGE PERMITS

502.1 Wastewater Discharge Permits Types

(a) General Permits: Any Significant Industrial User proposing to connect to or contribute to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW. All existing Significant Industrial Users connected to or contributing to the POTW shall obtain a Wastewater Discharge Permit within 365 days after the effective date of these Regulations.

(b) No Discharge Permits: Any Significant Industrial User with no wastewater discharge from its regulated process(es) shall obtain a No Discharge

Permit, as long as its facility is connected to or contributes to the POTW and has the potential to discharge wastewater from its regulated process(es).

(c) Trucked or Hauled Wastewater Permit: Any person trucking or hauling wastewater to the POTW must first obtain a septage discharge permit. The following prohibitions apply to all trucked or hauled wastewater:

(1) All wastes are to be discharged only at the designated location contained in the User's septage discharge permit.

(2) All loads are to be sampled and approved prior to discharge.

(3) Only sanitary septic wastes are to be discharged unless prior written approval is given.

(4) Sludges or grease trap wastes shall not be discharged.

(d) Groundwater Discharge Permit: Any non-domestic User discharging pumped-out groundwater to the City's sewer system must first obtain a Groundwater Discharge Permit.

(e) Manhole Pump-out Permit: Any non-domestic User discharging wastewater from underground structures to the City's sewer system must first obtain a manhole pump-out permit.

502.2 Wastewater Discharge Permit Administration

(a) Permit Application: Users required to obtain a Wastewater Discharge Permit shall complete and file with the City a Baseline Monitoring Report or other

report as may be required by the City. Existing Users shall apply for a Wastewater Discharge Permit within 30 days after the effective date of these Regulations, unless the City has previously issued such a permit which has not expired. New Users shall apply at least 90 days prior to connecting to or contributing to the POTW. The Baseline Monitoring Report shall contain the information required by Section 502.4(a).

(1) The City will evaluate the data furnished by the User and may require additional information. After evaluation and acceptance of the data furnished, the City may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

(b) Promulgation of Additional National Categorical Pretreatment Standards: When additional and/or new National Categorical Pretreatment Standards are promulgated, any User subject to such additional or new Standards shall apply for a Wastewater Discharge Permit within 180 days of the promulgation of such Standard. In addition, any User with an existing Wastewater Discharge Permit shall submit to the City within 180 days of the promulgation of an applicable National Categorical Pretreatment Standard the information required by Sections 502.4(a)(7) and (8) of these Regulations.

(c) Permit Modifications: The City may modify any existing permit for any of the following reasons:

(1) to incorporate any new or revised federal, state or local Pretreatment Standards or Requirements;

(2) material or substantial alterations or additions to Industrial User's operation which were not covered in the effective permit;

(3) a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

(4) information indicating that the permitted discharge could in any manner adversely affect the POTW, personnel or receiving waters;

(5) violation of any terms or conditions of the Permit;

(6) obtaining the Permit by misrepresentation or failure to disclose fully all relevant facts; or

(7) upon request of the Industrial User, provided such request does not create a violation of any existing applicable requirements, standards, laws or rules and regulations.

(d) Permit Conditions: Wastewater Discharge Permits shall be expressly subject to all provisions of these Regulations and all other applicable regulations, User charges and fees established by the City. Permits may contain the following:

(1) concentration and/or mass limits on the average and maximum wastewater constituents and characteristics;

(2) limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;

(3) requirements for installation and maintenance of inspection and sampling facilities;

(4) specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;

(5) compliance schedules. The City may, at its discretion, issue interim effluent limits as part of a compliance schedule;

(6) requirements for submission of technical reports or discharge reports (see Section 502.4 of these Regulations);

(7) requirements for maintaining and retaining records relating to wastewater discharge as specified by the City, and affording City access thereto;

(8) requirements for implementation of and compliance with a spill prevention and slug control plan;

(9) requirements for implementation of and compliance with Best Management Practices;

(10) requirements for notification of the City of any facility changes that affect the potential for a slug discharge or any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the Wastewater System;

(11) requirements for notification of a spill or slug discharge; and

(12) other conditions as deemed appropriate by the City to ensure compliance with these Regulations.

(e) Public Notice of Permit Issuance

(1) Public notice of every proposed General Wastewater Discharge Permit and No Discharge Wastewater Discharge Permit shall be published by the City in a newspaper of daily circulation within the geographical area of the discharge. The notice shall include at least the following:

(A) name and address of each permittee;

(B) each permittee's activity or operation which results in the discharge described in the Wastewater Discharge Permit;

(C) address and phone number of premises where a copy of the proposed permit may be requested; and

(D) notice of the 30-day comment period required by Section 502.2(e)(2) of these Regulations.

(2) There shall be a thirty (30)-day period following publication of notice during which written comments may be submitted by the permittee or interested persons located within the City's wastewater processing service area. The Commissioner will make his final determination on a proposed permit following the comment period. The period for comment may be extended at the discretion of the Commissioner for up to 30 additional days.

(3) The Commissioner shall issue the permit as soon as is practicable and this shall be a final decision.

(f) Permit Duration

(1) Permits shall be issued for a specified time period, not to exceed five (5) years. The Permit may be issued for a period less than a year or may be stated to expire on a specific date. The User shall apply for Permit re-issuance a minimum of 180 days prior to the expiration of the User's existing Permit. Where the User has made a timely and complete Permit renewal application, the existing Permit shall continue in effect until a new Permit is issued by the City. The User shall be informed of any proposed changes in the Permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the Permit shall include a reasonable time schedule for compliance.

(2) If a User wishes to contest any provisions of the Permit, the User may file an appeal pursuant to the Philadelphia Home Rule Charter. The appeal shall specifically state all terms and/or conditions of the Permit which are being challenged and shall state all reasons why the User believes the terms and/or conditions are inappropriate. The appeal shall be taken within thirty (30) days of the User's receipt of the Permit. Failure to appeal within this time period shall result in a waiver of all legal rights to challenge the terms and/or conditions of the Permit. Where the Permit has been appealed, the appeal shall only stay the contested terms and/or conditions of the Permit and not the entire Permit. The remainder of the Permit remains in full force and effect.

(g) Wastewater Discharge Permit Transfer: Wastewater Discharge Permits may be transferred to a new owner or operator only if the permittee gives at least thirty (30) days advance written notice to the City and the City approves the Wastewater Discharge Permit transfer in writing. The notice to the City must include a written certification by the new owner or operator which:

(1) states that the new owner and/or operator has no immediate intent to change the facility's operation or processes;

(2) identifies the specific date on which the transfer is to occur;

(3) acknowledges full responsibility for complying with the existing Wastewater Discharge Permit; and

(4) acknowledges full responsibility for correcting all pre-existing violations, including, but not limited to, implementing corrective action plans and paying fines.

(h) Effective Date

The Permit becomes effective when signed by the Commissioner or as specified in the Permit.

502.3 Sampling and Analysis Requirements

(a) Sampling Requirements

(1) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the

regulated process if no pretreatment exists.

(2) Samples and measurements taken for purposes of the monitoring requirements shall be representative of the normal discharges occurring during the reporting period.

(3) Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds.

(A) For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 502.4(a) and (b), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulphide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the City may authorize a lower minimum.

(B) For the reports required by Section 502.4(c), the City shall require the number of grab samples necessary to assess and assure compliance by Industrial Users with applicable Pretreatment Standards and Requirements.

(4) For any pollutants not identified in Section 502.3(a)(3), 24-hour composite samples must be obtained through flow proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the City.

(5) Sampling shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and

amendments thereto including but not limited to sample preservation, sampling vessels and equipment.

(b) Sample Analysis Requirements

(1) Analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto including but not limited to analytical methods and sample holding time.

502.4 Reporting Requirements

(a) Baseline Monitoring Reports

Any User receiving a Baseline Monitoring Report form shall complete the form by providing all information requested therein and shall return the completed form to the POTW within thirty (30) days upon its receipt. In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:

(1) Name, mailing address, and facility address;

(2) NAICS number according to the North American Industry Classification System, Office of Management and Budget, 1997, as amended;

(3) Wastewater constituents and characteristics including but not limited to those mentioned in Section 501.5(a) of these Regulations as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR Part

136, as amended; User shall follow the requirements of Section 502.3 of these Regulations for Sampling and Analysis Requirements;

(4) Time and duration of contribution;

(5) Average daily, maximum daily and thirty (30) minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any;

(6) Description of activities, facilities and plant processes on the premises including all materials, which are or could be discharged;

(7) The nature and concentration of any pollutants in the discharge which are limited by any City, State, or Federal Pretreatment Standards, as well as any information demonstrating compliance with any applicable Best Management Practices, and a statement regarding whether or not the Pretreatment Standards or Requirements are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the User to meet applicable Pretreatment Standards or Requirements;

(8) Where additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to this schedule:

(A) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

(B) No increment referred to in paragraph (A) above shall exceed nine (9) months.

(C) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the City indicating, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. Such progress reports shall be submitted to the City at least every nine (9) months.

(9) Each product produced by type, amount, process or processes and rate of production;

(10) Type and amount of raw materials processed (average and maximum per day);

(11) Number and type of employees, hours of operation of plant and proposed or actual hours of operation of pretreatment system;

(12) Any other information as may be deemed by the City to be necessary to evaluate the permit application;

(13) a list of any environmental control permits held by or for the facility; and

(14) a certification statement, signed and dated by an Authorized Representative of the Industrial User, as required by 40 CFR 403.6(a)(2)(ii) and Section 502.4(k) of these Regulations.

(b) Report on Compliance with National Categorical Pretreatment Standards Deadline (90 Day Compliance Report).

(1) Within ninety (90) days following the date for final compliance with applicable National Categorical Pretreatment Standards or in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any Industrial User subject to Pretreatment Standards or Requirements shall submit to the City a report containing the information described in Section 502.4(a)(3) through (7).

(2) For Industrial Users subject to equivalent mass or concentration limits established by the City in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long term production rate. For all other Industrial Users subject to National Categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period.

(c) Periodic Compliance Reports

(1) The reporting periods shall run from January 1 to June 30 and from July 1 to December 31. Every SIU shall submit to the City during the months of July and January, unless required in different months or more frequently by the City, a Periodic Compliance Report for the preceding reporting period. The Periodic Compliance Report shall contain, at minimum, the following:

(A) The results of the monitoring program conducted by Industrial User, including all sample results, sampling frequency and sample type (grab or composite), and any information demonstrating compliance with any applicable best management practices.

(i) All analyses shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136, as amended; or other test procedures approved by the EPA for use under the Clean Water Act. User shall follow sampling and analysis requirements in Section 502.3 of these Regulations.

(B) Wastewater flow data for the reporting period, specifically daily averages and maximums in gallons per day.

(C) For Industrial Users subject to equivalent mass or concentration limits established by the City in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long term production rate. For all other

Industrial Users subject to National Categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period.

(D) A statement as to whether or not Industrial User has achieved compliance with all Pretreatment Standards or Requirements, including Best Management Practices.

(E) If the Industrial User has not achieved compliance with all Pretreatment Standards or Requirements and Best Management Practices, a proposed schedule indicating what additional pretreatment and/or operations and maintenance will be required to achieve compliance in the shortest time.

(F) a certification statement, signed and dated by an Authorized Representative of the Industrial User, as required by 40 CFR 403.6(a)(2)(ii) and Section 502.4(k) of these Regulations.

(d) Notification of Changed Discharge

All Industrial Users shall promptly notify the City in advance of any facility changes that affect the potential for a slug discharge or any other substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under Section 502.4(e) of these Regulations.

(e) Hazardous Waste Notification Requirement

(1) The Industrial User shall notify the City, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge to the City of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261 (RCRA). Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the Industrial User discharges more than one-hundred (100) kilograms of such waste per calendar month to the City, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during the calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. The notification requirement in this Section does not apply to pollutants already reported under the self-monitoring requirements.

(2) The Industrial User is exempt from the requirements of paragraph (1) of this section during a calendar month in which it discharges no more than fifteen (15) kilograms of hazardous wastes, if allowed under its Permit, unless the wastes are RCRA acute hazardous wastes, which require a one-time notification. Subsequent months during which the Industrial User discharges more than such quantities of

any hazardous waste, where allowed by its Permit, do not require additional notification.

(3) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the Industrial User must notify the City, the EPA Regional Waste Management Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

(4) In the case of any notification made under this Section, the Industrial User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

(f) Closure Statement

If Industrial User requests modification or termination of Industrial User's Wastewater Discharge Permit due to ceasing all or part of the process(es) regulated by the Permit, Industrial User shall submit to the City, in writing, thirty (30) days prior to closing, a Closure Statement which shall contain, at a minimum, the following:

(1) company name and address (at which regulated process(es) are or were located);

(2) name and telephone number of company contact person;

(3) closure date(s) of regulated process(es);

(4) list of other process(es) that will continue to operate at same location;

(5) indication of whether a water shut-off request has been filed if entire facility has or will shut down;

(6) ultimate plans for disposal of building(s), equipment and materials;

(7) schedule for (6) above;

(8) receipts and manifests for disposal of hazardous wastes and materials, etc.; and

(9) a certification statement, signed and dated by an Authorized Representative of the Industrial User, as required by 40 CFR 403.6(a)(2)(ii) and Section 502.4(k) of these Regulations.

(g) Notice of Potential Problems

Industrial User shall notify the City immediately of all discharges which could cause problems to the POTW, including spills or slug discharges.

(h) Notice of Indication of Violation

If sampling performed by Industrial User indicates a violation, User shall notify the City within twenty-four (24) hours of becoming aware of the violation, and submit to the City within five (5) business days, unless otherwise specified, a detailed written report describing the discharge and the measures taken to prevent similar future occurrences. User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City within thirty (30) days of becoming aware of the violation.

(j) Responses to Notices of Violations and Notices of Significant Non Compliance

All Users shall respond in writing to Notices of Violations and Notices of Significant Non-Compliance ("Notice") within fifteen (15) days of their receipt of these Notices or as otherwise required in the Notices. The written response must state the reasons for the violation(s), all actions that have or will be taken to return to compliance, and when full compliance will be achieved.

(k) Certification Requirement

All reports, including, but not limited to, Baseline Monitoring Reports, reports on compliance with categorical pretreatment standards and periodic compliance reports shall include the following certification statement, signed and dated by an authorized representative of the Industrial User: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(l) Signatory Requirements

All reports, including but not limited to, baseline monitoring reports and periodic compliance reports shall be signed by an Authorized Representative of the User.

502.5 Monitoring Facilities

(a) The City shall require monitoring facilities, to be provided and operated at the User's own expense, that allow for inspection, sampling, and flow measurement of the Building Sewer and/or internal drainage systems. The monitoring facility should normally be situated on the User's premises, but the City may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

(b) There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User.

(c) Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the City's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the City.

502.6 Inspection and Sampling

(a) The City may inspect User's facilities to determine compliance with Pretreatment Standards or Requirements. Persons or occupants of premises connected to the City Wastewater System shall allow the City or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination, copying of records or for the performance of any of their duties.

(b) The City shall have the right to set up on the User's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations.

(c) Where a User has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the City shall be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

502.7 Pretreatment

Users shall provide necessary wastewater treatment as required to comply with these Regulations and shall achieve compliance with all Pretreatment Standards or Requirements. Any facilities required to pre-treat wastewater to a level acceptable to the City shall be provided, operated and maintained at the User's expense. A Pretreatment Facilities Report containing detailed plans showing the pretreatment facilities and detailed operating

procedures shall be submitted to the City for review, and shall be acceptable to the City before construction or operation of the facility. Any User currently operating that has not submitted a Pretreatment Facilities Report shall submit this report to the City within fifteen (15) days of the City's request for this Report. The review of such plans and operating procedures will in no way relieve the User from its responsibility of providing an effluent limit which complies with all Pretreatment Standards or Requirements. User shall report in writing to the City any changes in its pretreatment facilities, method of operation or nature or characteristics of the wastewater prior to implementing such changes.

502.8 Record Keeping Requirements

(a) All Users shall retain all records relating to compliance with Pretreatment Standards or Requirements including documentation associated with Best Management Practices for a period of at least three (3) years, and shall contain all of the following requirements:

(1) the date, exact place, method, and time of sampling and the names of the person or persons taking the samples;

(2) the dates analyses were performed;

(3) who performed the analyses;

(4) the analytical techniques/methods used; and

(5) the results of such analyses.

(b) The period of retention shall be automatically extended during the course

of any unresolved dispute between the User and the City, or when the City so requests. Upon request, these records shall immediately be made available to the City for inspection and copying.

502.9 Duty to Mitigate

Industrial User shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with any Pretreatment Standards or Requirements, including such accelerated or additional monitoring as is necessary to determine the nature and impact of the non-complying discharge.

502.10 Confidential Information

(a) Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User.

(b) When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request by governmental agencies for uses related to these Regulations, the City's NPDES Permit, State Disposal System permit and/or the Pretreatment Program, and for use by State and Federal government or any state or

federal agency in judicial review or enforcement proceedings involving the person furnishing the report. Effluent data, as defined in Section 501.2(q), will not be recognized as confidential information.

502.11 Public Notification

The City shall publish, at least semi-annually in the daily newspaper with the largest circulation a list of the Users which were in Significant Noncompliance, as defined in Section 501.9(c) of these Regulations, during the previous six (6) months. The notification may also summarize any enforcement actions taken against the User(s) during the same six (6) months.

502.12 Enforcement

(a) Emergency Suspensions

(1) Notwithstanding any other provisions of these Regulations, the City may suspend the wastewater treatment service and/or a Wastewater Discharge Permit when such suspension is necessary in the opinion of the City, in order to stop an actual or threatened discharge which:

(A) presents or may present an imminent or substantial endangerment to the health or welfare of persons; or

(B) presents or may present an imminent or substantial endangerment to the environment; or

(C) may cause or actually causes Interference to the POTW; or

(D) may cause or actually causes the City to violate any condition of its NPDES Permit.

(2) Any person notified of a suspension of wastewater treatment service and/or the Wastewater Discharge Permit shall immediately stop or eliminate all contributions.

(3) Should the person fail to immediately comply voluntarily with the suspension order, the City shall take such steps as deemed necessary, including but not limited to termination of water service, and/or immediate severance of the sewer connection.

(4) City shall revoke its emergency suspension order and restore wastewater and/or water service once the following information has been provided to and accepted by the City:

(A) a detailed written report describing the cause(s) of the harmful contribution and indicating what measures have been taken to prevent any future occurrence of same, and

(B) proof of the elimination of the harmful discharge.

(5) Revocation of an emergency suspension order and restoration of wastewater and/or water service shall not preclude the City from taking any other enforcement action as permitted under Sections 502.12(b)-(j), inclusive, and Section 501.9 of these Regulations.

(b) Revocation of Permit: Any User who violates these Regulations, the Wastewater Discharge Permit, or any applicable Federal, State or local law, is subject to having his Wastewater

Discharge Permit revoked in accordance with the procedures of Section 502.12(c) of these Regulations. Revocation of a User's Permit requires the User to immediately cease all wastewater discharges.

(c) Procedure for Revocation of Permit

(1) Whenever the City finds that any User has violated or is violating any Pretreatment Standards or Requirements, the City may serve personally or by regular or certified mail upon such person a notice of revocation stating the nature of the violation(s). Notice by regular mail alone shall be deemed sufficient notice.

(2) Within fifteen (15) days of the date of the notice of revocation, the User shall respond in writing. The response must state why the violation occurred, the steps taken to prevent its recurrence, and whether the violation has been corrected. If the response indicates that the violation has not been corrected, the response shall contain a plan for the immediate correction of the violation.

(3) The Commissioner shall consider the User's response, if any, before rendering his final determination order. The Commissioner's final determination order may direct that:

(A) the User's Permit be immediately revoked; or

(B) the User's Permit be revoked on a specified future date unless adequate treatment facilities, devices or other related appurtenances shall have been installed and existing treatment facilities, devices or other related appurtenances are properly operated; or

(C) the User's Permit shall continue in effect.

(4) Further orders and directives as are necessary and appropriate may be issued.

(d) Enforcement of Permit Revocation: If the User fails to immediately cease all wastewater discharges upon the revocation of his Wastewater Discharge Permit, the Commissioner may order any of the following actions to be taken:

(1) immediate termination of the User's water service;

(2) immediate severance of the User's sewer connection; and

(3) any other action designed to immediately terminate the User's wastewater discharge.

(4) All costs related to terminating or reinstating after termination the User's water and/or sewer service shall be borne by the User.

(e) Reissuance of Permit after Revocation

(1) Where a User has failed to respond to a notice of revocation in accordance with Section 501.9(c) of these Regulations and/or has failed to comply with the Commissioner's final determination order, the City may decline to reissue a permit.

(2) No permit shall be reissued until the User has submitted and completed a corrective action plan, which will ensure compliance with all Pretreatment Standards or Requirements.

(3) Prior to reissuance of a Permit the City may require the User to:

(A) file with the City a performance bond payable to the City, in a sum not to exceed a value determined by the City to be necessary to achieve consistent compliance; or

(B) submit proof that it has obtained liability insurance acceptable to the City, sufficient to restore or repair the POTW for damages that may be caused by the User's discharge.

(f) Procedure for Terminating Discharge against Non-Permitted Users

(1) Whenever the City finds that any User has violated or is violating any Pretreatment Standards or Requirements, the City may serve personally or by regular or certified mail upon such User a notice of the City's intent to terminate the User's discharge, along with a description of the User's violation(s). Notice by regular mail shall be deemed sufficient notice.

(2) Within fifteen (15) days from the date of the notice of the City's intent to terminate, the User shall respond in writing. The User's response shall include a plan for the satisfactory correction of the violation(s).

(3) The Commissioner shall consider the User's response, if any, before rendering his final determination order. The Commissioner's final determination order may direct that:

(A) the User immediately cease all wastewater contributions; or

(B) the User be prohibited from contributing wastewater into the POTW unless adequate treatment facilities are installed and operating; or

(C) the User may continue his wastewater contribution.

(4) Further orders and directives as are necessary and appropriate may be issued.

(5) If a User fails to immediately comply with the Commissioner's final determination order, the Commissioner may enforce his order by taking any or all of the actions stated in Section 502.12(d) of these Regulations. In addition, the Commissioner may use any other administrative, legal, or equitable relief available.

(6) After termination, the User may apply to the Commissioner to once again contribute wastewater into the City's system. The Commissioner may accept, deny, or condition his acceptance of the application pursuant to Section 502.12(e) of these Regulations.

(g) Administrative Orders

(1) Whenever a User has violated or continues to violate any Pretreatment Standards or Requirements, the Commissioner may issue an Administrative Order requiring the User to correct the violations and to return to compliance. The Order may require that the User take any or all of the following actions:

(A) install new or additional pretreatment facilities to ensure compliance with all Pretreatment Standards or Requirements;

(B) make operational changes to ensure compliance with all Pretreatment Standards or Requirements;

(C) meet interim and/or final deadlines by which actions and/or compliance must be achieved;

(D) conduct additional self-monitoring and additional reporting;

(E) require remediation of any damage done to the POTW or the environment;

(F) establish interim effluent limits;

(G) require the User's Wastewater Discharge Permit to be amended in accordance with these Regulations;

(H) require the User to submit information and reports;

(I) pay fines in accordance with Section 501.9 of these Regulations; or

(J) take any other action, which the Commissioner deems necessary to ensure both present and future compliance with all Pretreatment Standards or Requirements.

(2) If the User fails to comply with the Administrative Order, the User's wastewater and/or water service may be terminated. The issuance of an Administrative Order shall not be a bar against, or a prerequisite for, taking any other action against the User. If the User wishes to contest the Administrative Order, he shall file its appeal pursuant to

the Philadelphia Home Rule Charter within 30 days. Failure to appeal within this time period shall result in a waiver of all legal rights to contest the violation or any provisions contained in the Order.

(h) Administrative Consent Orders

The Commissioner may enter into Administrative Consent Orders establishing an agreement with any User. An Administrative Consent Order may contain any or all of the provisions contained in Section 502.12(g) of these Regulations. Administrative Consent Orders shall have the same force and effect as Administrative Orders.

(i) Legal Action

If any person violates any Pretreatment Standards or Requirements, the City Solicitor may commence an action for appropriate legal and/or equitable relief in the appropriate court.

(j) Injunctive Relief

If an Industrial User violates any Pretreatment Standards or Requirements, the City may petition the Court for an injunctive relief, which restrains or compels the activities on the part of the Industrial User.

503.0 MISCELLANEOUS

503.1 City's Right of Revision

The City reserves the right to establish by regulation more stringent limitations or requirements on discharges to the City's Wastewater System if deemed necessary to comply with the objectives presented in Section 501.1 of these Regulations.

503.2 Severability

If any provision, paragraph, word, section, or article of these Regulations is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and articles shall not be affected and shall continue in full force and effect.

503.3 Conflict

All other regulations and parts of other regulations inconsistent or conflicting with any part of these Regulations are hereby repealed to the extent of such inconsistency or conflict.

503.4 Effect of Regulations

These Regulations shall apply to the City and to persons outside the City who are, by contract or agreement with the City, users of the POTW.

Radnor Gateway Enhancement District

Meeting Agenda, September 13, 2016

Mission Statement:

The Gateway Enhancement District is a visual reflection of Radnor Township's natural beauty, strong commercial, academic and governmental leadership. The District will accentuate the welcoming reputation, natural aesthetics, and quality of community valued by Radnor's residents.

Action Items

- 1) The main purpose of the District's Board of Directors and operating committee is to enhance and maintain the natural features of Radnor's main commuter artery along PA Route 30 (Lancaster Avenue) from Route 322 (Sproul Rd.) to the east and Radnor Chester Road to the west. The Wayne Town Center will also be considered for Gateway District improvements
- 2) The District has the distinct objective to be organized and funded with private and public resources, and to reduce the costs to the Township and the tax payers. For cost benefit purposes, the goal is to eliminate fifty-percent (+/-50%) of the cost of operations to Radnor Township for projects within the District.
- 3) Design and construction of all roadway improvements, landscaping installations, planting, signage, public art, etc. is to be presented by subject matter experts, with oversight by a committee of accredited professionals. All projects will be managed with the oversight by the Township's Public Works Director.
- 4) Budgeting, scheduling, and project permitting shall be the responsibility of the "District's Board of Directors, who are required to be Township residents, the operations committee, and public works director.
- 5) Approval of all projects within the District will be at the full discretion of Radnor Township's Board of Commissioners, and with administration by the Township Manager and Public Works Director.
- 6) Next Steps;
 - a) Formation of the District's operating committee, officers, and BOC Liaisons on 9/13.
 - b) Petition Radnor Enhancement Trust for seed funding (i.e., Steve Bajus, Clint Stuntebeck, et al.)
 - c) Presentation by the operating committee to the Board of Commissioners in late- September / early October 2016.
 - d) Preparation of budgets, RFP, scheduling, and procurement protocols
 - e) Interviews with landscape architects, community academic resources (i.e. Watershed program, etc.) during Sept. / Oct. 2016.
 - f) Presentation of the projects to BOC, and secure final funding by Nov. 2016
 - g) Award bid to the landscape architect and contractors by December 15, 2016
 - h) Initial District project installations to be phased-in begin early-spring of 2017