

TOWNSHIP OF RADNOR
Minutes of the Meeting of March 27, 2017

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

Commissioners Present

<i>Elaine Schaefer, President</i>	<i>Phil Ahr, Vice President</i>	<i>Donald Curley</i>	<i>Luke Clark</i>
<i>John Nagle</i>	<i>Richard F. Booker</i>	<i>James C. Higgins</i>	

Also Present: *Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; Steve Norcini, Director of Public Works; William Colarulo, Superintendent of Police; Roger Philips, Township Engineer; Amy Kaminski, Traffic Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

President Schaefer called the meeting to order

Notice of Executive Session preceding the Board of Commissioners meeting of March 27, 2017

All commissioners attended the March 27, 2017 executive session; where matters of personnel, real estate and litigation were discussed.

1. *Consent Agenda*

- a) *Disbursement Review and Approval: 2017-03B, 2017-03C*
- b) *Acceptance of Department Monthly Reports*
- c) *Staff Traffic Committee Meeting Minutes – March 15, 2017*
- d) *Resolution #2017-57 - Emergency Repairs to Solid Waste Packer #29*
- e) *121 Poplar Avenue GP#17-024 – Requesting a waiver from §245-22 the Stormwater Management Requirements for Groundwater Discharge*
- f) *Authorization to Enforce Settlement Agreement re: 712 Brook Street*
- g) *Motion to endorse a Letter of Support for STEM education program at The Academy of Notre Dame – RACP application*
- h) *Motion to Reject All Proposals for the Stormwater Project Administrator*
- i) *Resolution #2017-58 – Authorizing the Execution of a Grant Application to the Pennsylvania Department of Conservation and Natural Resources Community Conservation Partnerships Program (DCNR C2P2) for the Radnor Trail Extension Project*

Commissioner Schaefer requested item h be removed from the Consent Agenda and Commissioner Booker requested items g & I be removed. Also, a resident requested for item e to be removed.

Commissioner Clark made a motion to approve the consent agenda minus items e, g, h & I, seconded by Commissioner Ahr. Motion passed 7-0.

2. *Radnor Township Police Department Citations*

Superintendent Colarulo thanked the community for the appreciation shown for the Officers and thanked the Township Manager as well as the Board of Commissioners for acknowledging the Police Officers on an ongoing basis. Superintendent Colarulo along with Lieutenants Block and Flanagan recognized Officers Alexander, Cieslinski, Greaves, Heneks, Lunger and Ryan for excellent Police work on February 25, 2017.

Members of the Race for Peace Committee presented Superintendent Colarulo with a certificate of appreciation.

e) 121 Poplar Avenue GP#17-024 – Requesting a waiver from §245-22 the Stormwater Management Requirements for Groundwater Discharge

Roger Philips gave a brief background of the proposed project. There was a brief discussion amongst the Commissioners.

Commissioner Higgins made a motion to approve, seconded by Commissioner Ahr. Motion passed 7-0.

g. Motion to endorse a Letter of Support for STEM education program at The Academy of Notre Dame -RACP application

Commissioner Schaefer commented that The Academy of Notre Dame is applying for a Federal grant and inquired if Radnor Township would write a letter of support on their behalf.

Commissioner Schaefer made a motion to approve, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Booker abstaining.

i. Resolution #2017-58 - Authorizing the Execution of a Grant Application to the Pennsylvania Department of Conservation and Natural Resources Community Conservation Partnerships Program (DCNR C2P2) for the Radnor Trail Extension Project

Commissioner Booker requested the background and details for the above resolution. Commissioner Schaefer gave a brief background and explained that there is more detail information available on the Township website as well as upcoming meetings to discuss further.

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

Public Comment

Leslie Morgan, Farm Road – She inquired in regards to an update on the trail to Ardrossan and the application for any grant money there.

Dan Sherry, Wayne – He inquired in regards to who would be completing the grant application.

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

3. Public Participation

Sara Pilling, Garrett Avenue – She thanked Mr. Zienkowski and Superintendent Colarulo for their concern in regards to her safety.

Leslie Morgan, Farm Road – She commented that she would like to see the Board get back to Township Business.

Lynn Ellis – Representing the Radnor Historical Society and presented the Board with their latest bulletin.

Dan Sherry, Wayne – He commented in regards two items on the agenda that he feels are inadequately advertised on the agenda.

Patrick Harper, W. Beechtree Road – He commented in regards to implementing effective solutions in the Township pertaining to flooding.

4. Committee Reports

PUBLIC WORKS & ENGINEERING

A. Discussion of the Stormwater Study (Follow-up from March 13, 2017 meeting)

There was an in-depth discussion amongst the Commissioners, staff and Dan Wible representing CH2M in regards to the scoring/weighting which is used in the study. Paige Maz representing the Stormwater Advisory Committee gave their perspective on CH2M township-wide assessment as well.

Public Comment

Ken Taylor, Willow Avenue – He spoke about the modeling that was completed in regards to the N. Wayne Field outfall.

Jim Gingrich, St. Davids – He commented in regards to his disagreement with the recent Stormwater study.

Bryan Morrison, Poplar Avenue – He commented about his frustrations that nothing has been done to remedy the flooding in N. Wayne area.

Gail Morrison, Poplar Avenue – She spoke in regards to here extreme disappointment that there has not been a remedy implemented yet.

Fred, Delaware Riverkeeper Network – He commented in regards to infiltration.

Kathy Pearsall, W. Beechtree Lane – She commented in regards to the N. Wayne Field Basin and the West Avenue project.

Patrick Harper, W. Beechtree Lane – He commented in regards to the need for projects to be started to help with the flooding.

Dan Sherry, Wayne – He commented in regards to a news article which was published on April 1, 2015 in the Main Line Suburban Life.

Paul Burgmeyer – He commented that the SWMAC has appreciated the work done by CH2M.

B. Motion regarding changes to the structure, composition, and function of the Stormwater Management Advisory Committee

Commissioner Higgins read a motion that originated from the Public Works sub-committee that the Stormwater Management Advisory Committee hereafter shall be comprised of 5 members. The Stormwater Management Advisory Committee shall continue to advise the Public Works Department and Board on matters related to the Townships compliance with Pennsylvania State regulations on Municipal Separate Stormwater Systems. The Stormwater Management Advisory Committee will continue to implement the credit program for Township Property Owners under the Townships Stomwater Fee Ordinance. To assist the Township in setting budgets for Stormwater projects the committee may propose to the Director of Public Works in the second quarter of each calendar year projects for the Township to undertake and their associated planning, engineering and construction cost estimates. The Director of Public Works may use the committee’s information in formulating a Public Works storm water budget and submit the budget to the Township Manager and Board of Commissioners as part of the Townships budgeting process.

There was an in-depth discussion amongst the Commissioners and member of SWMAC in regards to above. Mr. Zienkowski commented in regards to who will propose the budget and would like the administration to be removed from the process; that there needs to be consistency on the way each Board or Commission performs their duties.

Commissioner Curley would like the staff to modify the resolution governing the duties and responsibilities of the Stormwater Management Advisory Committee in the following ways: 1 - Number of members on committee be changed from 7-5 (although existing membership shall remain and it will be allowed to achieve five through natural attrition); composition and capabilities will remain as specified in resolution #2013-103; Terms and Appointments will remain as specified #2015-135; Duties – Stormwater Management budget will be prepared by the staff, the stormwater committee will have from January – June to evaluate projects and make recommendations; there will be no O & M duties associated with the Stormwater Management Advisory Committee; maintain the responsibility for the credit program and maintain the responsibility for the MS4 program. Only 20% of the stormwater budget can be spent on stormwater maintenance and repair projects.

Commissioner Booker commented that the concept seems to be that the stormwater management committee will no longer report to the Board of Commissioners; but will work in connection with the Administration to determine what projects are prioritized and they will develop recommendations to the Administration rather than preparing a budget and recommending that to the Board of Commissioners. This is changing the nature of the Committee; one that had the delegation of the authority of the Board now to an advisory committee. The difference is the money and the funding source. This is a tax not a fee. The differences between this Board and other Advisory Boards is this one has a specific monetary charge and a specific revenue source which affords it a different place. He thinks that we should disband the entire program and go back to the lawful collection of taxes, expenditures and decisions by this Board and the Administration and/or exclude the second ward from this fee because there are no projects for the second ward and its improper to take from our constituents and call it a fee.

Public Comment

Ken Taylor, Willow Avenue – He spoke in regards to his concerns with the proposed changes to the resolution.

Motion to Reject All Proposals for the Stormwater Project Administrator

Mr. Zienkowski recommended to reject the above item. It was agreed to table until next meeting for further discussion.

PERSONNEL & ADMINISTRATION

C. Discussion and Possible Motion Regarding a Policy to Televis Boards and Commissions Public Meetings

Mr. Zienkowski briefly discussed a survey that was taken with surrounding communities which can be found on the Township website at: <http://www.radnor.com/DocumentCenter/Home/View/16008>. There was a discussion amongst the Commissioners in regards to looking further into second meeting room with recording capabilities as well as televising all Boards and Commission meetings.

The Township shall develop a resolution regarding televising or taping Public Meetings which should include the following items: All Public Meeting shall be televised this requirement does not include non-Township entities such as RHM and Library; The Township should aspire to televise all meetings in the event that an irresolvable conflict exists the Township may bump the following meetings – Citizens Communication Council, Civil Service Commission, Code Appeals Board, Education Service Agency or

Rental Housing Appeals Board. Boards and Commissions not identified from here in may not be bumped from televising but must be rescheduled if they can't be revised; Any Board or Commission may go into Executive Session when allowed or required by the rules governing executive session – executive session shall not be televised; The Township shall evaluate the cost and feasibility of creating a second venue for televising meetings and report that to the Board of Commissioners, seconded by Commissioner Clark.

Public Comment

Dan Sherry, Wayne – He spoke about the importunacy he sees that it is to televise all meetings.

Lisa Borowski, Newtown Square – She made a few suggestions of ways to televise meetings.

Baron Gemmer – He spoke about the numerous conflicts that arise when televising multiple meetings.

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

D. Resolution #2017-59 – Establishing Policies and Procedures for Volunteer Members of all Boards, Commissions and Ad Hoc Committees and Repealing Resolution 2011-31

John Rice, Township Solicitor briefly described the above resolution and the background leading to it. There was an in-depth discussion amongst the Commissioners and staff.

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

Public Comment

Dan Sherry, Wayne – He commented in regards to past ethical violations.

Commissioner Curley requested a five-minute recess

Commissioner Curley made a motion to extend the meeting to 11:15 PM, seconded by Commissioner Ahr. Motion passed 6-1 with Commissioner Nagle opposed.

Dan Sherry, Wayne – He commented that it is his opinion that Commissioner Schaefer has an apparent conflict with the University of Penn.

Myles Kellam, member of HARB – He commented in regards to items in the proposed exhibit to the resolution which need revision.

Commissioner Booker made a motion to table, seconded by Commissioner Curley. Motion failed 3-4

Commissioner Booker made a motion to make the resolution as an introduction. Motion failed for lack of a second.

Commissioner Clark made a motion to amend the resolution with regards to Exhibit A, paragraph K – Historical Architectural Review Board to add the S. Wayne Historic District and Louella Historic District, seconded by Commissioner Ahr. Motion passed 7-0.

Commissioner Booker made a motion to further amend the procedures of the manual, failed for lack of a second.

Commissioner Schaefer called the vote on the original motion as amended. Motion passed 6-1 with Commissioner Booker opposed.

*Commissioner Ahr made a motion to extend meeting 15 minutes, seconded by Commissioner Higgins.
Motion passed 5-2 with Commissioners Nagle and Booker opposed.*

E. Resolution #2017-56 - Approving Additional Funding for Finalizing Negotiations with Comcast With Respect to the Township Franchise Agreement

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

There was a brief discussion amongst the Commissioners and the Township Solicitor.

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

***PUBLIC SAFETY
PARKS & RECREATION
COMMUNITY DEVELOPMENT
FINANCE & AUDIT
LIBRARY
PUBLIC HEALTH
Old Business - None
New Business***

- *Discussion of Matsonford Road Pedestrian Bridge
Moved to next agenda*

- *Discussion and Possible motion to schedule a public meeting between the Board of Commissioners and members of HARB (Requested by Commissioner Clark)*

Commissioner Clark made a few brief comments; Myles Kellam member of HARB briefly discussed the above request so the members of HARB can have a better clarification from the Board on their role. There was a brief discussion amongst the Commissioners.

Commissioner Curley made a motion to authorize staff to provide training to HARB on the Sunshine Act and the scope of the limitations of HARB ordinance at a meeting that is convenient, seconded by Commissioner Clark. Motion passed 6-0 with Commissioner Higgins abstaining.

Public Participation

*Commissioner Curley made a motion to extend meeting 5 minutes, seconded by Commissioner Higgins.
Motion passed 6-1 with Commissioner Nagle opposed.*

Dan Sherry, Wayne – He commented in regards to how he felt about Commissioner Schaefer’s comments earlier in the meeting and commented on the Conflict of Interest Resolution.

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

*Respectfully submitted,
Jennifer DeStefano*