

TOWNSHIP OF RADNOR
Minutes of Public Meeting of September 15, 2015

The Radnor Township Board of Commissioners met at approximately 7:00 PM in the Radnorshire Room in the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087

Commissioners Present

*James C. Higgins, President
Richard F. Booker
Donald Curley
Cheryl Graff Tumola*

*John Fisher, Vice President
John Nagle
Elaine Schaefer*

Also Present: *Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; John Osborne, Township Treasurer; William White, Finance Director; Kevin Kochanski, Director of Community Development; Steve Norcini, Director of Public Works; William Colarulo, Superintendent of Police; Tammy Cohen, Director of Community Programming and Recreation; Damon Drummond, Traffic Engineer; Roger Philips, Township Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

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

Notice of Executive Session on September 15, 2015

All commissioners were in attendance at the September 15, 2015 executive session where matters of personnel, real estate and litigation were discussed.

Commissioner Higgins commented that at the August 17, 2015 Board of Commissioners meeting, Cheryl Tumola was appointed as interim 3rd Ward Commissioner by the Vacancy Board.

1. Public Participation

Jim Geingrich – He commented in regards to N. Wayne Field and the possible land swap with Radnor Township School District.

2. Consent Agenda

- a) *Disbursement Review and Approval: 2015-08B, 2015-08C, 2015-08D, 2015-09A*
- b) *Acceptance of Department Monthly Reports*
- e) *Approval of minutes for Board of Commissioners meeting of August 17, 2015*
- d) *Consideration of a Motion to Approve the Certificate of Appropriateness:*
 - *HARB-2015-15 – 320 Louella Avenue – Modify and renovate carriage house to include a 3 car garage with second floor art studio*
 - e) *Staff Traffic Committee Meeting Minutes of Wednesday, August 19, 2015*
 - f) *Approval and acceptance of Proposal for Completion of the Comcast Franchise Agreement*
 - g) *Resolution #2015-94 – Authorizing the Sale of A Surplus Police Vehicle*
- h) *Motion to authorize John Rice to attend the Zoning Hearing Board meeting and oppose the following: Appeal #2952 - The Applicant, Chris Fischer, property located at 220 Lowrys Lane, Rosemont, PA 19010, appeals the*

enforcement notice issued by the Township Zoning Officer dated February 18, 2014. Applicant seeks a determination that Code Section 280-115.2 (Student Housing Ordinance) is unconstitutional on its face and as applied to the Applicant. Alternatively, the Applicant contends that he is entitled to a Special Exception under the Student Housing Ordinance, Section 280-115.2. Applicant further contends that it is entitled to a variance from Section 115.2E and any other provision of the Student Housing Ordinance with which the Applicant's property does not currently comply. In addition, Applicant contends that the existing use at the property qualifies as a lawful, nonconforming use. Applicant further seeks any applicable variance or other relief required under the Zoning Code, or contends that the present use is permitted of right.

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

Commissioner Curley asked for item c to be removed from the consent agenda.

Commissioner Higgins called the vote, motion passes 6-0 with Commissioner Schaefer was not present for the vote.

c) Approval of minutes for Board of Commissioners meeting of August 17, 2015

Commissioner Curley commented that on page 1 of the minutes in regards to the executive sessions. He commented that there were additional items discussed that were not executive session items and there were not four Commissioners present. He suggested that they be deleted from the minutes or stated that these were not executive sessions.

Commissioner Curley made a motion to strike the word executive session and replace with discussion and remove Higgins name from the statement in regards to August 3, 2015. It should then read:

Commissioners Fisher, Curley and Booker were in attendance at the August 3, 2015 discussion where matters of personnel and real estate were discussed; motion seconded by Commissioner Booker.

Commissioner Higgins called the vote, motion passes 6-0 with Commissioner Schaefer was not present for the vote.

Commissioner Curley also commented in regards to the following motion that was made on page 3 of the August 17, 2015 meeting minutes: *Commissioner Booker made a motion to lower the percentage to 25% of the premium in the opt-out policy, seconded by Commissioner Curley. Motion failed 2-4 with Commissioners Schaefer, Higgins, Fisher and Nagle opposed.* There was a discussion in regards to whether it was 25% of premium or benefit. Solicitor Rice suggested that the motion be clarified in these minutes under old business.

3. Police Personnel Matter

Commissioner Higgins stated that we've just concluded an Executive Session where we had discussions concerning one of our Police Officers. Are there any motions among the six Commissioners present regarding that discussion?

Commissioner Fisher made a motion that pursuant to the First Class Township Code, 53 P.S. § 55644, we vote to terminate the employment of Officer Kevin Myers for neglect and/or violation of his official duties as well as conduct unbecoming an officer. Commissioner Tumola seconded the motion.

Commissioner Higgins called the vote, motion passes 6-0 with Commissioner Schaefer was not present for the vote.

Commissioner Higgins states that Mr. Kevin Myers's employment as a Township Police Officer is terminated, effective immediately. The Township will inform Mr. Myers of the Board's decision and also provide notice to the Township's civil service commission. Because Mr. Myers has a right of appeal from Board's decision, the Township will make no further comment regarding this matter at this time.

4. *Recognition of Elsie Holley Fuller*

Commissioner Fisher recognized Elsie Holley Fuller who was a longtime resident of Garrett Hill. She recently passed away at the age of 97 and the Commissioners are recognizing her for her extensive services in her lifetime.

5. *Letters of Commendation - Radnor Police Department*

Superintendent of Police, William Colarulo recognized Officer Raymond Rodden; Lieutenant Hanagan, SEPTA Police; Lieutenant Flanagan; Detective Schreiber and Detective Four for commendable actions in recent incidents.

6. *Committee Reports*

PUBLIC WORKS & ENGINEERING

E. *Caucus (Final) - 212 & 216 Bloomingdale Avenue*

A representative from Momenee & Associates was in attendance on behalf of the applicant. He briefly reviewed the proposed project. There was a brief discussion amongst the Commissioners and the representative for the applicant.

Public Comment

Baron Gemmer, S. Wayne Avenue – He commented that the applicant did go back in front of HARB late last year and according to the agreement between the builder and the neighbors there cannot be any building on the site until 2018.

F. *Caucus (Preliminary) - 120 & 124 Bloomingdale Avenue*

George Broseman representing the applicant briefly reviewed the plan. The applicant is proposing to remove the lot line between the two existing properties, keep the existing single family home and construct two new single family homes and three attached dwellings. He also requested Preliminary/Final approval for the plan as the Planning Commission also recommended this. There was a brief discussion amongst the Commissioners, Township Solicitor and staff in regards to the proposed project.

Commissioner Tumola made a motion to make approval at next meeting to be Preliminary/Final, seconded by Commissioner Nagle.

Commissioner Booker commented that he would like the conditions to be strictly related to the land development and not the personal or other compensatory between the developer and any of the neighbors.

Commissioner Higgins called the vote, motion passes 6-0 with Commissioner Schaefer absent.

Public Comment

Baron Gemmer, S. Wayne Avenue – He commented in regards to the conditions listed in the plan.

Jane Galli, Barcladen Rd. – Inquired if the road would be a dedicated road to the Township. Response was that it would be a private road.

PERSONNEL & ADMINISTRATION

A. Resolution #2015-99 – Establishing an Ending Time Limit for Public Meetings

Commissioner Fisher made a motion to approve, seconded by Commissioner Tumola.

There was an in depth discussion amongst the Commissioners in regards to the proposed resolution. Commissioner Fisher amended his motion to read: *Now, therefore be it resolved the Board of Commissioners shall end their meetings by 11:00 PM unless the majority of the Commissioners present plus one may vote to extend the meeting beyond 11:00 PM*, seconded by Commissioner Nagle.

There was a brief discussion to amend the resolution so it would expire on June 30, 2016. Commissioner Curley made a motion to amend the resolution to expire on June 30, 2016, seconded by Commissioner Booker. Motion fails 2-5 with Commissioners Tumola, Fisher, Nagle, Higgins and Schaefer opposed.

Public Comment

Sara Pilling, Garrett Hill – She commented that the Board of Commissioners need to attend to; one if the meeting is called to begin at 6:30 that it begins at 6:30 and that there needs to be 2 meetings a month through the summer as well and if a special meeting needs to be called then it needs to be held.

Patti Barker, Garrett Hill – She commented that she would like to see the Board needs to be run in a more efficient manner.

Phil Ahr, Meredith Avenue – He commented in regards to procedures that need to be addressed throughout the meetings and what is the actual practice at other Townships.

Commissioner Higgins called the vote on the amended motion, motion passed 7-0. Commissioner Higgins called the vote on the resolution as amended, motion passed 6-1 with Commissioner Booker opposed.

B. 240 Radnor Chester Road Agreement

John Rice, Township Solicitor briefly explained the agreement as well as Nick Caniglia, representing the property owner at 240 Radnor Chester Road. There was a brief discussion amongst the Commissioners, staff and Mr. Caniglia. The project is for access to the property to finalize the installation of a traffic signal at Radnor Chester Road and Raider Drive. There was in depth discussion amongst the Commissioners, the applicant and staff in regards to the agreement as well as an escrow account in question.

Commissioner Fisher made a motion to authorize staff and the solicitor to execute the access and indemnity agreement with Radnor Chester Road LP, seconded by commissioner Schaefer. Motion passed 6-1 with Commissioner Booker opposed.

FINANCE & AUDIT

C. Review of the Capital Budget

Mr. Zienkowski, Township Manager and Bill White, Finance Director gave a presentation to review the proposed Capital Budget which can be found on the Township website at:

<http://www.radnor.com/DocumentCenter/Home/View/11052>. There was a discussion in regards various

funding options to fund projects such as the renovations at the Library, Parks improvements, trails, etc. as well as projects listed within. Representatives from the Radnor Memorial Library spoke about their financial needs for the proposed renovation project and their current status with the ongoing capital campaign to help fund the project. Staff is requesting direction from the Board to assist in building the operating budget. The Board requested for staff to begin drafting a parameters ordinance as well as presenting a breakdown of the estimated millage increase that would be needed for each project.

D. Ordinance #2015-12 – (Adoption) - Amending the 2015 Appropriation Budget to include appropriations for the Clem Macrone Park Improvement Project

Commissioner Fisher made a motion to approve, seconded by Commissioner Tumola.

There was a discussion amongst the Commissioners and staff in regards to the proposed project and funding options for the project.

Public Comment

Patti Barker – She commented that she would like to see the Board fund the park and is tired of Garrett Hill being at the bottom of the list.

Jane Galli, Barcladen Road – She commented that the park is in need of replacement and is in support of the project. There are items at the park that are in desperate need of replacement for safety reasons.

Commissioner Higgins called the vote, motion passed 5-2 with Commissioners Booker and Curley opposed.

COMMUNITY DEVELOPMENT

G. Ordinance #2015-11 (Introduction) Park and Recreational Land and Fee Requirements – Amending Chapter 255 of the Radnor Township Code, Subdivision and Land Development Ordinance to redefine the basis for calculating the fees in-lieu-of dedication and revising other recreational land requirements in accordance with Act 135 of 2014

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

Mr. Rice briefly reviewed the amendments to the ordinance. There was a brief discussion amongst the Commissioners and staff in regards to the edits proposed in the ordinance.

Public Comment

Nick Caniglia – He commented in regards to article 2e and he would like to see the old language to remain in the ordinance.

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

PUBLIC SAFETY

Superintendent Colarulo commented that ballpark figures for the cost of Papal Visit are \$115,000.00. Commissioner Booker inquired about any other precautions the Township can take in regards to trucks becoming stuck under the bridge on Radnor Chester Road.

PARKS & RECREATION

Tammy Cohen announced upcoming events. The Truck Zoo will be on S. Wayne Ave this upcoming Saturday as well as the Fall Festival on Sunday at N. Wayne Avenue. Also, the fall recreation brochure is available on the website and registration for the youth basketball program is open.

LIBRARY

None

PUBLIC HEALTH

Commissioner Nagle commented that the Board of Health meeting is scheduled for Monday and they will discuss the Yang Ming affair at that time.

Old Business

None

New Business

Commissioner Fisher commented in regards to Parking Tickets and would like to look at signage in the Old Oaks neighborhood. Commissioner Schaefer announced that the Radnor Trails meeting has been rescheduled for September 24, 2015 at 7 PM in the Roll Call Room.

Public Participation

Jane Galli – She commented in regards to an article about tripling the students on South Campus in the dorm rooms and would like to know how this will be handled.

Debbie Laurie, Aldwyn Lane – She commented that as a graduate of the Radnor Citizens Police Academy that they are along with Town Watch will be helping with the upcoming Papal visit and hopefully saving the Township money by using volunteers.

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

Respectfully submitted,

Jennifer DeStefano