

**TOWNSHIP OF RADNOR**  
**Minutes of Public Meeting of April 22, 2013**

*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**

*Elaine Schaefer, President  
John Fisher  
John Nagle  
William Spingler*

*James C. Higgins, Vice President  
Kevin G. Higgins  
Donald Curley*

**Also Present:** *Robert A. Zienkowski, Township Manager; John Osborne, Treasurer; Peter Nelson, Grim, Biehn & Thatcher; William White, Finance Director; Steve Norcini, Director of Public Works; Roger Phillips, P.E., Township Engineer; and Jennifer DeStefano, Executive Assistant to the Township Manager.*

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

*Public Participation*

Michelle Skolnick announced the Carol H. Axelrod Blood Drive will be held on May 14<sup>th</sup> from 7:00 a.m. – 7:00 p.m. in the Radnorshire Room of the Radnor Township Building. To make an appointment can do so by visiting [www.CHABlooddrive.org](http://www.CHABlooddrive.org).

*Notice of Executive Session preceding the Board of Commissioners meeting of April 22, 2013*

All commissioners were in attendance, where matters of personnel, litigation and real estate were discussed.

*Appointments to various Boards, Commissions and Committees*

Commissioner Fisher made a motion to appoint Paul Spector to the Communications Cable Council and Randy Hope to the Shade Tree Commission, seconded by Commissioner Spingler. Motion passed 7-0.

*Wayne Business Association 2013 Event Update*

Diane Jiorle was in attendance to announce some of the upcoming events. Some of the events are clean up day in Wayne – May 18<sup>th</sup>, Main Line Jazz and Food Festival – June 8<sup>th</sup>, Radnor Fall Festival – September 15<sup>th</sup> and the Old Fashioned Christmas Celebration the first Friday and Saturday in December.

*Motion to Accept Department Reports*

Commissioner Fisher made a motion to accept, seconded by Commissioner Spingler. Motion passed 7-0

***PUBLIC WORKS & ENGINEERING***

*Resolution #2013-60 – Authorization of payment of \$7,199 for repairs to the Township’s front end loader*

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

***PERSONNEL & ADMINISTRATION***

*Resolution # 2013-59 - Approving the Radnor Memorial Day Parade*

Commissioner Fisher made a motion to approve, seconded by Commissioner Spingler. Motion passed 7-0.

*Approval of the 2013-2018 FOP Collective Bargaining Agreement*

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

Commissioner Fisher thanked the staff including CARFAC for all of the help in coming to favorable terms with the contract that is very fair.

Mr. Zienkowski thanked the FOP for their assistance with working through the agreement over the past nine months. He also wanted to thank the Civil Service Commission for all of their hard work.

Commissioner Schaefer thanked CARFAC. She also wanted to thank our current Officers and how they have stepped up to the plate being short staffed.

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

*Swearing in of Radnor Township Police Officers*

Superintendent of Police, William Colarulo named into record the following names to be sworn in as Radnor Police Officers: Leo Vogel, Nicholas Lai, Michael Cook, Raymond Rodden, Katherine Reardon, Francis Hayden, Steven Ciesklinski and Thomas Matijasich.

Commissioner Spingler made the motion to swear the officers in, seconded by Commissioner Fisher. Motion passed 7-0.

Superintendent Colarulo called for the presentation of the colors. The Honorable Ann Osborne swore in the new officers to the Radnor Police Department by them reciting the oath of office. Superintendent Colarulo and Lieutenant presented each Officer with their Police Badge to have pinned by a family member or close friend.

Superintendent Colarulo called for the retiring of the colors.

**COMMUNITY DEVELOPMENT**

Introduction of Ordinance #2013-XX - Amending Chapter 115, Animals, of the Code of the Township of Radnor, By Providing for New Regulations and Revisions to the Code Upon Recommendation of the Radnor Township Department Of Health

Commissioner Curley moved to introduce the above ordinance, seconded by Commissioner Spingler.

Commissioner John Fisher said that he could not support the changed ordinance in its current form. He would like to recommend some amendments to the ordinance. The ordinance reads to him as anyone who feeds a feral cat as a de facto owner, subject to the rules and regulations of the ordinance and in many ways it's impractical for them to deliver on the ordinance. Feral cats, unlike domestic cats are not able to be handled by humans. As a consequence you are unable to take it to a clinic and have it spayed neutered and vaccinated. A feral cat community is doing a very good job taking care of these animals. So their activities can continue and we can help being part of that solution. He would like to see the Township place funding aside to help fund the activity.

Commissioner Curley inquired if jail time is needed in the ordinance; he stated that his opinion is that it seems a little extreme.

Commissioner Curley made a motion to strike the line in the penalty phase that states "In default of payment of such fine and costs, such person shall be imprisoned in the County jail for a term not exceeding 30 days." Motion seconded by Commissioner Fisher. Motion passed 5-1 with Commissioner Nagle opposed.

Commissioner Schaefer stated that this ordinance is vastly different from the one that came out of the Board of Health a year ago. There is no feeding ban, no leash requirement, and no licensing requirements for cats. The difference in the ordinance puts the responsibility on persons who feed feral cats, it puts the responsibility of ownership and she thinks that's perfectly fair.

Commissioner Fisher made a motion to change the definition of owner to exclude just feeding and change the reading of §115.9 to read - Regular feeding of a Feral Cats on personal property and by the owner or legal resident of such property should constitute ownership, with its resultant responsibilities as outlined in this Chapter. Commissioner Curley seconded the motion.

**Public Comment**

Joanne Fredericks, Windsor Avenue – Trap, neuter and return is a viable option and this ordinance does not include that. This has been implemented in surrounding states and should be here as well. The criminals are not the ones that are feeding the feral cats it is the people that abandoned them in the first place.

Joseph J Siciliano, Eachus Avenue – Within two months the ordinance would turn him into a criminal. He feeds feral cats in his yard. Those cats that he traps are neutered and released. Radnor doesn't have a feral cat problem due to people who perform this service. Individuals give their time, energy and resources to do this.

Melanie Shain, Francisvale - Neutering and releasing the cats is the best practice. There's a large group of individuals who have been taking responsibility and care of these cats. Once trapped the cats are vaccinated and also assessed for health problems. Those with feline AIDS or leukemia are euthanized. It's been successfully practiced without the township's help in Radnor for many years. It's amounted for tens of thousands of dollars for many years. We're getting this job done humanely at no cost to the taxpayers. Should these caregivers be criminalized? They are the unsung heroes of the township. What we are asking is that legislation not be passed that will create a problem.

Baron Gemmer, S. Wayne Ave. – A clearer line needs to be addressed between a feral and domestic cat.

Commissioner Schaefer called a vote on Commissioner Fisher's motion which was seconded by Commissioner Curley. Commissioner Fisher's amendment is to strike the second sentence in §115.9. Motion failed 2-5 with Commissioners Schaefer, Spingler, Curley, J. Higgins and Nagle opposed.

Commissioner J. Higgins amended to propose inserting a new section in the Ordinance that would include a requirement to impose on any owner of a feline in the Township to accompany the animal when it leaves the property and have it either tied to a leash or held in a carriage of some sort, the motion failed for lack of a second.

Commissioner Nagle made a motion that §115.2a read *“Two months after the effective date of this Article, it shall be unlawful for any person, firm or corporation to own, possess, maintain, regularly feed, house or keep any dog or cat over three months of age within the Township of Radnor, unless such dog or cat is identified as having a current rabies vaccination by one of the following means: a collar with the NASPHV recommended tag attached thereto which is worn at all times; implantation of a microchip; or some other permanent marking or tag approved by the Board of Health.”*, seconded by Commissioner Curley. Motion passed 7-0

Commissioner Schaefer called the vote on the motion to introduce the ordinance, motion passes 6-1 with Commissioner Fisher opposed.

### ***FINANCE & AUDIT***

#### ***Disbursement Acceptance & Approval: 2013-04A, 2013-04B***

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

#### ***Authorization to advertise for the 2004 General Obligation Advance Refunding and Swap Termination Financing Bonds, Series 2013***

Commissioner K. Higgins made a motion to authorize to advertise, seconded by Commissioner Spingler. Motion passed 7-0.

#### ***Resolution #2013-61 - Appointing Flamm Walton, PC as Act 511 Solicitor***

Commissioner K. Higgins made a motion to authorize to advertise, seconded by Commissioner Spingler. Motion passed 7-0.

***PARKS & RECREATION***

Commissioner Nagle announced that everyone is invited to attend the Arbor Day Celebration at Friends of Radnor Trail tomorrow. Also announced that the Wheels of Wayne event held on Sunday was a great success.

***PUBLIC SAFETY***

None

***LIBRARY***

None

***PUBLIC HEALTH***

None

*Old Business*

Commissioner Fisher inquired about the Conestoga spillway and asked if Mr. Zienkowski would reach out to PECO to see what they would do to improve the landscape at the area. Mr. Zienkowski stated that he and Steve Norcini have discussed about partnering with PECO and SEPTA to put that area back together.

*New Business*

None

*Public Participation*

None

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

*Respectfully submitted,*

*Jennifer DeStefano*