

**TOWNSHIP OF RADNOR**  
**Minutes of Public Meeting of June 24, 2013**

*The Radnor Township Board of Commissioners met at approximately 6:50 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 - **Absent**  
Donald Curley*

**Also Present:** *Robert A. Zienkowski, Township Manager; John Osborne, Treasurer; John Rice, Township Solicitor; William White, Finance Director; Steve Norcini, Director of Public Works; Kevin Kochanski, Director of Community Development; Tammy Cohen, Director of Community Programming and Recreation; 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*

Heather Gill, Iven Avenue – Discussed the elimination of the playground at Encke Park.

*Notice of Executive Session preceding the Board of Commissioners meeting of June 24, 2013*

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

*AMEC Presentation – Stormwater Utility Update*

AMEC made a presentation and discussed topics such as process, level of service, program plan, updated rate structure, preliminary rate estimates, rate structure development, billing approach and credits/grants. Next steps would be Finalize Program and Rate Estimates, Refine Draft Stormwater Fee Ordinance, Billing System Data and Upgrades, Credit Program Development, Public Information Sessions and Customer Service Training. The presentation is available at:  
[http://www.radnor.com/egov/docs/1372689854\\_562927.pdf](http://www.radnor.com/egov/docs/1372689854_562927.pdf).

Don Curley – His initial thought is that this is being done backwards. Before he could approve funding he would need to see expectations that the project would work. The amount is more than he hoped for or anticipated.

Elaine Schaefer – The list of capital projects is a fluid list and it will change annually. She is not in favor of the bond option but is in favor of the cash option and credits. She stated that she would like to see a percentage of excess funds to be placed towards stormwater.

John Fisher – He is opposed to the bond funding. He doesn't think the School District should be exempt but is in favor of the credit program.

John Nagle – Is in favor of the pay as you go program. Would like to see a general watershed approach and would like to see a percentage of excess funds to be placed towards stormwater.

Jim Higgins – He is in favor of the pay as you go option. There is momentum going now so he would like to see us keep going. He would like to see some action take place.

Bill Spingler – He is in favor of the ordinance. This is a community problem and we will all pull together.

Bob Zienkowski – Thanked the Board for all of their efforts throughout the process. We now need to implement the fee and begin the process.

Public Comment

Ken Taylor, Willow Avenue – He has long waited this evening and glad that it is here. This will create a lockbox for the funds.

Gale Morrison, Poplar Avenue – Is disappointed that the ordinance will not be introduced until September. She hopes that there is action as soon as possible to rectify the stormwater problem.

Susan Stern – She would like to see all of the governmental entities accountable for their individual stormwater management. She inquired for clarification purposes on a few items throughout the proposed ordinance.

Brian Wade, Plant Avenue – His garden has been wiped out twice this year. We need to think outside the box and be creative to solve the problem.

Bill Bruno, N. Wayne Ave. – Would like to see something done sooner rather than later.

Laurie Jansen, Beechtree Lane – Discussed the possibility of greening Downtown Wayne.

Commissioner Schaefer explained that she understands the frustration that the ordinance is not being introduced tonight. There needs to be a community buy-in and there are residents that need to be educated that this is a good idea throughout the community.

Commissioner Fisher and J. Higgins would like to see the ordinance introduced at the July 8, 2013 Board of Commissioners meeting.

Commissioner Fisher would like to see the ordinance introduced at the July 8, 2013 meeting as well as a subsequent special meeting and adoption at the first meeting in August.

Commissioner Schaefer stated that this process deserves more thought and input.

Commissioner J. Higgins made a motion to introduce the ordinance at the July 8, 2013 meeting, seconded by Commissioner Fisher. The vote was tied 3-3 with Commissioner Spingler, Schaefer and Nagle opposed and Commissioner K. Higgins absent from the meeting.

Commissioner Schaefer made a motion for the ordinance to be introduced on July 8, 2013 with no commitment for a vote until September, seconded by Commissioner Spingler. Motion passed 6-0 with Commissioner K. Higgins absent.

Commissioner Schaefer stated that the general consensus of the Board and direction to staff is that we are moving forward with the program as outlined in materials and would like to choose option 2 for funding which was presented (pay as you go – no debt), pursue a credit system for the non-single family properties and start that immediately but not hold up ordinance for that. Introduction of the ordinance would be in July 2013, hearing in August and Adoption in September 2013.

## **PERSONNEL & ADMINISTRATION**

### *Administration Recommendation & Discussion – Willows Adaptive Re-Use*

Mr. Zienkowski thanked Jeffrey Miller Catering / Lake House Inn and Conroy Catering / Dale Corp. for their interest in being partners with Radnor Township, making the time to meet with the Administration on several occasions, accommodating the Administration during site visits to their current operations and providing additional information as requested during our analysis. We would also like to thank CARFAC and Michael Antonoplos for their time and input in reviewing the proposals. The Administrations recommendation includes and agrees with CARFAC's position on the two proposals.

After an in-depth review and after meeting with each of the final two (2) firms for the Adaptive Reuse of the Willows Mansion and Cottage, the Administration's recommendation is as follows: It is our opinion, Conroy Catering/ Dale Corp. has the best overall plan for the property. They presented a comprehensive proposal that seeks to provide significant improvements to the Willows property including restoring the Mansion to its original grandeur, complementing the mansion with a modern, permanent grand ballroom, all while we believe maintains the historical registry capabilities and providing improvements to the property's infrastructure (parking, road resurfacing, waterline replacement and signage). They have also incorporated into their plan making improvements to the Cottage by renovating the interior to include public restrooms and repainting the exterior. Further, they have provided and substantiated a line item budget and time line flow chart of the restoration process. Most importantly, they have a proven model of successfully operating an event center which included restoring a historical facility and constructing a complimentary permanent addition.

Mr. White then stated that with regard to Conroy Catering/Dale Corp.'s financing proposal, it's important to note that the leasehold interest would not add debt to the Township's balance sheet since it will be an operating lease payment. In other words, activity would flow through the Willow's Fund operating statement as an expense: Funded through guaranteed revenue generated from them in two parts (a) the required debt coverage contribution that they generate through leasing activity or from direct payments from them, and (b) revenue sharing income [in later years]. The Township is mitigating any risk by requiring two years' worth of lease payments in escrow and at the same time requiring a guarantee from Conroy Catering/Dale Corp. to cover any lease payment shortfalls. They will need the Township's "guarantee" because the Township has insisted that it will not sell the property and therefore, neither proposer is able to use the asset as collateral. They have found a rather creative way of maximizing the improvement budget in order to make sure that the Mansion and the improvements are top-notch.

Mr. White, Mr. Norcini and Ms. Cohen then gave a comparable analysis of the operators and their proposals. They discussed general proposal provisions, finance and risk provisions and infrastructure improvements made to the mansion and cottage.

Commissioner Nagle – Is in favor of the Administration’s recommendation, would also like to see an emergency generator installed at the cottage for continuous use of the sump pumps and he does favor the left rear view for the addition.

Commissioner Schaefer – Has a concern and discomfort level with the financing but has reached a comfort level and is in support of the Administration’s recommendation. She would like to see more uses for the Cottage than just restrooms. She would like to see the annual allowed events to expand to the community not just the township.

Commissioner Curley – He struggles with the financing and will reach out to staff to gain better knowledge.

Commissioner J. Higgins – Is concerned that it is still debt for the Township, the length of the financing and time set aside for Township use.

Commissioner Fisher – He believes that the Administration’s recommendation is a great plan but is concerned with the financing. He also inquired in regards to financing/payoff options and the possibilities.

Commissioner Spingler – He thanked staff for all of their hard work and this is going to be a great private-public partnership.

#### Public Comment

Jeffrey Miller – He thought that the comparison chart didn’t include a lot of the items to compare apples to apples. The biggest omission was that they hadn’t received the information ahead of time. He would like to have two weeks to come back with another proposal with similar financing proposed by the other firm.

Susan Stern – Would the bond rate stay the same if the operator changes. She also inquired about the access to the Community Garden, if there were any plans to restore the fountains and the location of the public bathrooms (if Conroy Catering would create a comfort station).

Sara Pilling, Garrett Avenue – Stated that Conroy Catering makes sense but Jeffrey Miller Catering would be best for the community at whole.

Ken Taylor, Willow Avenue – Inquired if a study was completed in regards to the residual value of the property after the renovations were completed.

After in depth conversation between Commissioners and Staff it was recommended to continue conversations with Conroy Catering in regards to financing.

### **FINANCE & AUDIT**

#### OPEB Funding Plan Discussion

Mr. White presented potential funding plans for the Township's Other Post Employment Benefit (OPEB) Obligations. The funding alternatives include paying down the current actuarial accrued liability as well as implementing funding policies for ongoing normal costs (for current

employees). The Administration worked with members of CARFAC and the Township's actuarial benefits consultant (Mockenhaupt Benefits Group) in developing these alternatives. It is important to note that these represent options, not approved plans. The presentation can be found on the Township website at [http://www.radnor.com/egov/docs/1372364404\\_495147.pdf](http://www.radnor.com/egov/docs/1372364404_495147.pdf).

There was a brief conversation amongst the Commissioners and Mr. White for clarification purposes.

## **PUBLIC WORKS & ENGINEERING**

### *Presentation - South Wayne Traffic Calming Update*

Mr. Norcini explained that Michael Taggert, P.E., of Gilmore & Associates, has designed a traffic calming measure and crosswalk for South Wayne Avenue. The items consist of a "bump out" to be installed at the intersection of South Wayne Avenue and Conestoga Road. The bump out is proposed to be in the same location as the plastic delineators at this location. The bump out requires vehicles to slow down to make the turn onto North Wayne Avenue from Conestoga Road. The bump out will have mountable curb on its perimeter, so as not to impede emergency vehicles.

The second item proposed is a crosswalk to be installed just north of the intersection of South Wayne Avenue and Audubon Avenue. This will provide a safer path for pedestrians to cross South Wayne Avenue at this location. By virtue of the crosswalk being striped as noted, it too becomes a traffic calming measure of sort. The ramps at both ends of the crosswalk are designed to be ADA compliant, as is required by the Pennsylvania Department of Transportation (Penn DOT).

South Wayne Avenue-and Conestoga Road are owned and maintained by Penn DOT, we are required to submit plans for their approval. A full set of plans (the attached plans are the abridged version) have been submitted to Penn DOT. After their review, if any comments are provided, we will address the comments, re-submit, and await approval. As soon as approval is in hand, we will solicit sealed bids.

Commissioner J. Higgins asked why the plastic delineators could not continue to be used. Commissioner Curley responded that the solution that is wanted is to be permanent and more aesthetically appealing.

### *Presentation - North Wayne Crosswalk Update*

Several years ago, plans for a crosswalk at North Wayne Avenue were designed, but not constructed. In August of 2012, the Radnor Township Board of Commissioners requested, via Resolution #2012-93, that the Radnor Enhancement Community Trust fund the project. After reviewing the plans, it was determined that additional design elements were required, the largest being that the plans need to reflect the current standard for ADA compliance.

In a related item, on the agenda for tonight is a resolution requesting the Radnor Enhancement Community Trust fund the project. The revised cost estimate is \$117,250; this includes engineering design, permitting, construction costs, and a contingency amount.

The crosswalk will be begin by Weichert Realty, and terminate by "Kids and Kribs". The project consists of ADA compliant ramps, pavement markings, and bollard lights. This project has been submitted to the Pennsylvania Department of Transportation for their review. Upon receipt of

comments, they will be addressed by our consultant and the plans re-submitted. Upon approval by Penn DOT, sealed bids will be solicited.

Commissioner Schaefer stated that she received comments from the Wayne Business Association as they were not able to attend tonight. They are not in favor of the use of the funds for this project. She also stated that when the decision was made to stop depositing the parking fees in the RECT and into the General Fund, there was specific language in the ordinance that those funds were earmarked for improvements in the Wayne Business District.

*Resolution #2013-83 – Requesting Funding From the Radnor Enhancement Community Trust for the Engineering and Construction of the North Wayne Avenue Crosswalk*

Commissioner J. Higgins moved to approve, seconded by Commissioner Spingler. Motion passed 6-0 with Commissioner K. Higgins absent.

*Authorization for Chagrin Valley Engineers to provide design, permitting, and bidding documents for the realignment of the storm sewer pipe at Poplar Avenue, on Gulph Creek*

Commissioner J. Higgins moved to authorize, seconded by Commissioner Spingler.

Michael Henry, Chagrin Valley Engineers discussed that the North Wayne area of the Township floods in severe rain events. Gulph Creek, which overflows its banks in these events, has an outfall from the North Wayne Field basin. During severe rain events as well as higher frequency storms, the flow from the outfall pipe is impeded due to the angle at which it discharges to Gulph Creek. The current geometry of the outfall pipe is near perpendicular to that of Gulph Creek.

If the angle at which the outfall pipe currently discharges was changed to a more parallel geometry with Gulph Creek, the pipe would be able to convey more stormwater. This would facilitate the storm water discharge from North Wayne Field Basin. In order to proceed, Chagrin Valley Engineers will be required to provide the following: existing condition survey, preliminary plans and permitting, construction drawings; specifications, and bidding documents. Mr. Henry presented several options. There were discussions for clarification with Mr. Henry and several Commissioners.

Commissioner Schaefer called the vote, motion passed 4-2 with Commissioner Curley and Commissioner Nagle opposed and Commissioner K. Higgins absent.

Public Comment

Ken Taylor, Willow Avenue – He stated that this project should not be done prior to the fix at North Wayne Field.

Gale Morrison, Poplar Avenue – The water backs up and the water jumps out of the creek and onto her backyard.

*Motion to authorize to receive sealed bids for the realignment of the storm sewer pipe at Poplar Avenue, on Gulph Creek*

Commissioner J. Higgins moved to approve, seconded by Commissioner Spingler. Motion passed 5-1 with Commissioner K. Higgins absent.

Commissioner J. Higgins made a motion to instruct the Township Manager to request Chagrin Valley Engineers to prepare a plan to submit to AT&T and SEPTA for elevation of the discharge from their properties, seconded by Commissioner Fisher.

Mr. Norcini stated that Chagrin Valley did complete a preliminary plan for both AT&T and SEPTA. He would like to discuss this with them to see what the Delta was pre-construction and after. Commissioner J. Higgins withdrew his motion.

### COMMUNITY DEVELOPMENT

*Ordinance #2013-12 - Introduction - Amending Chapter 280 of the Radnor Code, Zoning Ordinance, by establishing regulations for Municipal Uses on lands owned, operated, leased and/or maintained by Radnor Township*

Commissioner Curley made a motion to introduce the above ordinance, seconded by Commissioner Spingler.

This ordinance will allow limited development of municipally controlled property. The Ordinance will provide the Commissioners with flexibility to approve municipal projects that may otherwise not be permitted by other zoning ordinance regulations but are in the best interest of the public's health, safety, and welfare. At your July 9, 2012 meeting, the Board of Commissioners authorized this ordinance to be sent to the Township Planning Commission for comments. At their meeting on September 4, 2012, the Planning Commission requested the ordinance be revised to be less broad and have a more open approval process. The ordinance has been revised to specifically note that the area and dimensional requirements shall meet the underlying district regulations (unless otherwise approved). The ordinance also requires the notification of residents within 500 feet of the property that the Commissioners intend to take action to approve a project at a public meeting. While the regulations are intended to be broad in nature, the language was developed to streamline the process and prevent costly and timely delays in project approvals. These delays would be associated with applications to the Zoning Hearing Board or for the creation of an ordinance amendment every time a project or component of a project does not meet the zoning regulations.

Commissioner Schaefer – She will not support the ordinance and the change to the regulatory process. She believes the current regulatory process is set-up for a reason.

Commissioner Nagle – He stated that this is a step forward; to go from no process to a process is a bonus.

#### Public Comment

Susan Stern – She is concerned that as a private property owner, under this ordinance regardless of the zoning of her home, she would no longer have any expectation that any of the properties around her could not end up having a municipal use.

After a discussion, Commissioner Schaefer called the vote, motion passed 5-1 with Commissioner Schaefer opposed and Commissioner K. Higgins absent.

Old Business

None

New Business

Commissioner Curley wanted to mention before the meeting adjourned in regards to the Shade Tree Commission minutes from April states that they waived about \$30,000 worth of fees and probably equivalent to 40 trees and he does not see the authority in regards to that. He would like to see the language placed in the ordinance giving that authority. Mr. Rice commented that it needs to be clarified that the ordinance delegates discretionary authority to the Shade Tree Commission. He is hoping that a few changes will be before the board in July.

Public Participation

Commissioner Fisher – Announced the Garrett Hill 4<sup>th</sup> of July parade beginning at 11 a.m. At noon there is a celebration at the park.

Dan Sherry, Wayne – Discussed several documents that had been ordered by the Pennsylvania Office of Open Records to be turned over by the Township, specifically a termination agreement between Radnor Township and Lehman Brothers.

Parker Sherry, Wayne – He also discussed the same as above and briefly outlined the process that went behind all of it.

Mr. White wanted to clarify that the Township did disclose the full amount of the Swap Termination.

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

*Respectfully submitted,*

*Jennifer DeStefano*