

TOWNSHIP OF RADNOR
Minutes of Public Meeting of September 9, 2013

The Radnor Township Board of Commissioners met at approximately 7:10PM 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; John Rice, Township Solicitor; William White, Finance Director; William Colarulo, Superintendent of Police; Steve Norcini, Director of Public Works; Kevin Kochanski, Director of Community Development; Tammy Cohen, Director of Recreation and Community Programming; Amy Kaminski, Township Traffic Engineer; 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

None

Notice of Executive Session preceding the Board of Commissioners meeting of September 9, 2013

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

Approval of minutes for the Board of Commissioners meeting of June 10, 2013 & June 24, 2013

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

Commissioner J. Higgins asked to amend the minutes from June 10, 2013 meeting as follows: Public Works & Engineering section – Resolution #2013-81 and Resolution #2013-82 that Steve Norcini explained the resolutions not Commissioner J. Higgins.

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

Presentation by Radnor Historical Society to the Creutzburg Center

Greg Prichard, Andrea Pilling and Beverlee Barnes from the Radnor Historical Society presented the Creutzburg Center with a historic plaque to honor the historical significance of one of Radnor's important properties. They also gave an update to the commissioners on the additional historical plaques that they have awarded throughout Radnor since their last update.

Commissioner Nagle would like to strongly urge the Radnor Historical Society and HARB to work on modifications on our historic ordinances.

Consent Agenda

Resolution #2013-102 – 2013 Award of Bid for De-Icing Salt Contract

Resolution #2013-104 – Authorization for Gannett Fleming to Provide Design Services for Water Line Replacement at the Willows

Resolution #2013-107 - Application for County Aid for the 2013 Superpave Resurfacing Program

Commissioner K. Higgins asked for Resolution #2013-104 - Authorization for Gannett Fleming to Provide Design Services for Water Line Replacement at the Willows is removed from the Consent Agenda.

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

Resolution #2013-104 - Authorization for Gannett Fleming to Provide Design Services for Water Line Replacement at the Willows

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

Commissioner K. Higgins asked what the total estimated cost for the whole project would be since this is only the design phase. Mr. Norcini responded that it would be an estimate of \$120,000 - \$140,000 not including the design.

Announcement of Vacancies: Board of Health, Civil Service Commission & Zoning Hearing Board

Commissioner Schaefer announced that there are vacancies on the Board of Health, Zoning Hearing Board & Civil Service Commission. Any interested parties please submit their resumes to Robert Zienkowski, Township Manager at Radnor Municipal Building, 301 Iven Avenue, Wayne, PA 19087.

Appointment to Library Board

Commissioner Spingler made a motion to appoint Debra Rubin as the Township Representative to the Library Board, seconded by Commissioner J. Higgins. Motion passed 7-0.

COMMUNITY DEVELOPMENT

BioMed Realty Zoning Petition (Hearing) - Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by establishing regulations for a new Mixed-Use Special Transportation Development Use within the PLO – Planned Laboratory–Office District.

Commissioner Schaefer explained that the applicant, BioMed had previously filed a petition in 2012. After numerous meetings with the Board, the Planning Commission, the Comprehensive Plan Implementation Committee, and staff, the applicant made significant revisions to their proposal. This evening is only a hearing and not introduction

Michael Devine from BioMed and Nick Caniglia attorney for applicant made a presentation to the Board. The presentation can be found on the Township website by clicking “BioMed Zoning Ordinance Information” under the featured services. Nick Caniglia distributed to the Board exhibit BioMed #1 which is a report from BioMed architectural firm to the Townships Comprehensive Plan Implementation Committee and Exhibit BioMed #2; Implementation Committee Recommendation. The mixed-use special transportation development [MUST] zoning district within the planned laboratory office district [PLO], would call the site to be designated for office uses, multiple family dwellings and a hotel or motel. BioMed proposes to build a 350-unit apartment complex, a 225-room hotel, two 8-story office buildings and commercial space at the former Centocor site at 145 King of Prussia Road. They have met with neighbors and heard their concerns about increased traffic and more school-age children and adapted the plan from its earlier form. He noted that the one and two-bedroom apartments

would be marketed to young, single professionals and empty nesters, so there would likely be no more than 18 new students from the apartments attending Radnor public schools. The plan also calls for a 2-1/2 story parking garage behind the building. Also, BioMed also suggested that the developer would make improvements to King of Prussia Road and traffic signals to improve the flow of vehicles. BioMed has not yet performed a formal traffic study. John Wishner, Architect for Applicant discussed the traffic impact that would come along with the development. David Babbitt, Financial Planner presented an executive summary of the fiscal impact. The presentation can be found on the Township website by clicking "BioMed Zoning Ordinance Information" under the featured services.

EXECUTIVE SUMMARY

Radnor Park Fiscal Impact Analysis

September 4, 2013

Proposed Use/ Dwelling Type	Number of GSF/Units	Annual Net Township Impact	Annual Net School District Impact	Annual Net Combined Impact
Total All Uses	660,000/350	\$854,841	\$1,796,249	\$2,651,090

Fiscal Impact Analysis Difference

Existing Site (land only) versus Proposed Development

September 4, 2013

Scenario	Number of GSF/Units	Annual Net Township Impact	Annual Net School District Impact	Annual Net Combined Impact
Existing Site (land only)	0	-\$3,393	\$170,394	\$167,001
Proposed Development	660,000/350	\$854,841	\$1,796,249	\$2,651,090
<i>Difference</i>	<i>660,000/350</i>	<i>\$858,234</i>	<i>\$1,625,854</i>	<i>\$2,484,089</i>
<i>% Difference</i>		<i>-25293.4%</i>	<i>954.2%</i>	<i>1487.5%</i>

Mark Kaplin, attorney for Brandywine Realty Trust, presented traffic studies that showed much higher volumes of traffic would be generated. He also stated that Brandywine does not oppose redevelopment but they are extremely concerned about the traffic. The density proposed is clearly exceeding what the infrastructure can take. As for encouraging people to use mass transit, Brandywine stated that his company has 5,000 people working in Radnor but only 67 take a shuttle the company provides.

Commissioner Schaefer discussed her concerns with the transportation demand management, the ratio between office space/hotel mixed-use. She would like the applicant to focus on verifiable studies on the school children numbers, specific measures of a traffic and impact studies.

Commissioner Curley discussed that generally he is in agreement with changing the use but will need to see the trade off and it will be in the numbers. He is uncomfortable with the idea of the zoning to keep out families and generally whatever traffic improvements that needs to be done to accommodate he doesn't want it to be institutional.

Commissioner K. Higgins stated that he agrees that the site needs redeveloped but the traffic is extremely difficult as it is now in that area.

Commissioner Nagle stated that he is concerned about the height of the buildings and the traffic. He thanked Brandywine for bringing out a lot of the unintended circumstances. He looks forward to the Planning Commission, Comprehensive plan Implementation Committee, and County and Staff comments.

Commissioner Spingler supports the project as he sees that it is a good project for the community.

Commissioner J. Higgins hopes that a way is found for the redevelopment but at the same time not to burden the other property owners adjacent to the project.

Commissioner Fisher concern is traffic. He will be looking for more thought into this zoning to protect the future of the Township. I think there is more work here to be completed because as of now he will not support the petition.

Public Comment

Diane Edbril, Spruce Tree Road – She is concerned about the traffic impact to the immediate area, the number of students that would come out of the proposed apartment and she would like to recommend that there are more public hearings with the community.

Fred Fromhold, attorney for owner of Radnor Racquet – His client is generally supportive of the project, they are concerned about traffic impacts but hope that through the process this is discussed and an agreement is agreed upon.

Patricia Booker, School Board Member, Chair of the Board's Facilities Committee and Township resident – Stated that the school board is working on improvements to the traffic patterns at the high school but is concerned with what will happen on the King of Prussia Road side. She is also concern about additional school-age children, but she also commented that \$1.7 million in revenue to the district can go a long way. She would like to see a traffic study, a pedestrian crossing to Radnor Elementary School built, continued control of residential use and also the School District be given a chance to give input on the project.

Sara Piling, Garrett Avenue – She stated that the traffic needs to be looked at very carefully as there are going to be a lot of employees that will travel the Blue Route and not taking public transportation.

Rich Booker, Belrose Lane – He stated that where the development is planned he wants to preserve the bucolic nature of our neighborhood. What he doesn't want to see is it completely developed with high rises it's too much. He liked that a hotel would bring less traffic. He thinks that the Township should try to avoid special legislation for development, rather than handling it through waivers to the existing zoning code. He also discussed his concerns with building height, parking, and road improvements and to provide maximum hotel use instead of residential use. He stated that there could be unintended consequences to the MUST zoning change.

Bob Zienkowski thanked both Brandywine and BioMed. He also discussed items such as traffic, that there is not a huge problem with it and would like to suggest that both BioMed and Brandywine share the cost for a traffic study for improvements to the SEPTA bridge and for a slip ramp from I-476 at an estimate of \$100,000. He would also like to see the corporations pay for traffic improvements for the school district property.

Kevin Kochanski discussed the process of the petition. He showed flow charts that are available to be viewed on the Township website.

Commissioner Nagle made a motion to move the petition onto County Planning Commission and the Comprehensive Implementation Committee, seconded by Commissioner Spingler.

Commissioner Curley believes it is premature to send it to the Planning Commission, which had previously voted 5-1 against recommending it. How much density do we want, we have to make a conceptual decision. The draft we send them becomes the anchor; we shouldn't send it until we're comfortable with the concept.

Commissioner K. Higgins agreed that it was premature and would like to see what Brandywines' amendment look like and also for staff to look if it is better to change what is permitted in PLO and leave the zoning as it is.

Commissioner Schaefer stated that sending it through the township's committees will give the Commissioners a better understanding.

Commissioner Fisher stated that he is not willing to support this zoning code; it is too much and too dense. He said that few area residents use public transportation. He also stated that if this is sent back to the Planning Commission without any changes we are wasting their time.

Commissioner J. Higgins is in support of the motion.

Commissioner Schaefer called the vote, motion passed 4-3 with Commissioner K. Higgins, Curley and Fisher opposed.

Motion to set a hearing date for 115 Strafford Avenue Conditional Use Hearing

Commissioner Spingler made a motion set the hearing date for September 16, 2013 at 6:30 PM, seconded by Commissioner Nagle. Motion passed 7-0.

PUBLIC SAFETY

Resolution #2013-109 - Approving a Contract with the U.S. Department of Agriculture for Professional Deer Culling

Commissioner Spingler made a motion to approve, seconded by Commissioner J. Higgins.

Sergeant Pinto explained that the Radnor Township Police Department requests to re-enter into a deer culling program for the 2013-2014 season. The 2012-2013 season was very successful. The cost for the professional culling through the US Department of Agriculture is \$76,263.68 which will include an additional 5 nights of culling from last year's contract and 2 nights of evaluating the program. He also stated that the bow hunting had removed about 64 deer last year.

Commissioner Schaefer stated that last year with the program they removed 314 deer, 250 by the USDA and 251 shots were fired. The deer accident collisions have decreased 50%.

Public Comment

Rich Booker, Belrose Lane – Asked for clarification on what is being used to cull. Sergeant Pinto stated that they are sharpshooters and that they are not assault weapons.

Mr. Zienkowski thanked Sergeant Joe Pinto and Bill Gallagher for all of their help throughout the process in coordinating the program.

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

PERSONNEL & ADMINISTRATION

Resolution #2013-105 - Declaring the Month of September as Undoing Racism Month

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

Ordinance #2013-13 - (Introduction) Approving a Lease Agreement between the Township of Radnor and the Main Line School Night Association for the Creutzburg Center

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

There was a brief discussion in regards to visitors to the dog park sharing parking, an inquiry from the Radnor Historical Society in regards to preservation of the building and the terms of the lease and the tenant's maintenance obligation being increased annually based on the CPI with a not to exceed amount.

Commissioner Fisher made a motion to amend the ordinance as stated below, seconded by Commissioner J. Higgins.

7. TENANT RESPONSIBILITIES. (a) MAINTENANCE/REPAIR. Tenant shall have the obligation of maintaining and keeping the Leased Premises in good order and repair, provided that its obligation in any year (calculated from July 1 to June 30) shall not exceed \$20,000.00 ("Maintenance Obligation"). Tenant's Maintenance Obligation shall increase annually in accordance with the Consumer Price Index change for the Philadelphia Region, however, any such increase shall not exceed 2.5% in any given year. If any portion of the Maintenance Obligation is not spent in a year, the balance shall be set aside for future major repair projects, and spent on them. Tenant shall, on an annual basis on or before July 1st of each year, provide a schedule of maintenance and repairs to the Landlord which Tenant believes needs to be performed in the ensuing year. If Landlord determines that additional maintenance and/or repairs are necessary to keep the Leased Premises in good order and repair, it shall be Landlord's obligation to perform such additional maintenance and repairs. All work performed by Tenant or Landlord shall be done in a good and workmanlike manner in accordance with all applicable laws and ordinances.

Commissioner Schaefer called the vote, motion passed 5-2 with Commissioner K. Higgins and Spingler opposed.

Commissioner J. Higgins moved to approve the underlying lease as approved, seconded by Commissioner Spingler. Motion passed 6-1 with Commissioner K. Higgins opposed.

FINANCE & AUDIT

Disbursement Acceptance & Approval: 2013-8A, 2013-8B, 2013-8C, 2013-8D

Commissioner K. Higgins made a motion to approve, seconded by Commissioner Spingler. Motion passed 6-0 with Commissioner Nagle out of the room.

Introduction of the 2014 Minimum Municipal Obligation (MMO) to fund the Township's 2014 pension requirements

Mr. White explained that the purpose of this item is to present to the Board the estimated 2014 MMO numbers which will be required to be budgeted as part of the 2014 budget. State law mandates that the Board formally

adopt the subsequent year's MMO prior to September 30th each year. Therefore, our intention is to review the numbers before putting the MMO into the official legislative. The numbers are based on the estimated 2014 payroll figures that have been developed as part of the 2014 budget process as well as the actuarial assumptions incorporated into the pension plan's 1/1/2013 Actuarial Update Reports prepared by Mockenhaupt Benefits Group. Specifically, the Normal Cost percentage (line 2), the Amortization Requirement (line 4) and the Administrative Expense percentage (line 5) came directly from the 1/1/2011 Actuary Report. In line 12 of the attached, an option to enact Act 44 relief. The relief calculations are simply reducing the amount of the Amortization Requirement by 25%. The Amortization Requirement is funding the unfunded actuarial accrued liability over a 15 year amortization period. As discussed in the past, the problem with this type of treatment of the Amortization Requirement is that while it reduces the Township's 2014 MMO, it doesn't reduce our obligation to fund the liability. In other words, the relief simply pushes the liability into the future and compounds the underfunding problem. Consequently, the Administration strongly recommends that we not consider the Amortization reduction "relief." Finally, as requested in the past, Mockenhaupt Benefits Group included a sensitivity analysis to show the impact of several funding / obligation factors if the Township were to change the interest rate assumption from the current 7.5%. The table below reflects the combined information that can be found on page 9 in each of the Actuary reports:

	1% Decrease	Current	1% Increase
Interest Rate Assumption	6.50%	7.50%	8.50%
Normal Cost Percentage	16.67%	13.40%	10.83%
Actuarial Accrued Liability	69,917,836	62,596,972	56,424,294
Actuarial Value of Assets	(37,674,596)	(37,674,596)	(37,674,596)
Unfunded Actuarial Accrued Liability	32,243,240	24,922,376	18,749,698
Amortization Requirement	3,590,454	3,118,306	2,433,829
Resulting 2014 Estimated MMO	\$4,997,086	\$4,190,939	\$3,243,688
Change from Current MMO Estimate	+806,147		(947,251)

Authorization to solicit Requests for Proposals from interested firms for the development of the Valley Forge to Heinz Refuge Corridor Feasibility Study

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

Resolution #2013-111 – Suspending Trash Fee for 2013 & 2014

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

PUBLIC WORKS & ENGINEERING

Ordinance #2013-15 – (Discussion) Re-Introduction Establishing a User Fee for Stormwater Collection and Management

Commissioner J. Higgins explained that he circulated a revised copy of the ordinance to his fellow Commissioners with other Commissioners comments incorporated. Commissioner Schaefer noted that a lot of the comments from Maya Von Rossum have been incorporated also, added a time limit for the credit policy to be implemented, the language to state that “we shall have a citizens advisory committee” and the ordinance to reflect storm management system rather than a storm water system.

Commissioner J. Higgins made a motion to reintroduce the ordinance as amended with the revisions circulated, seconded by Commissioner Spingler.

There was a brief discussion in regards to the billing time period and the process of billing.

Commissioner Curley made a motion for §7.C.1 to read: Funding collected via the fee and used for capital projects for stormwater management should be distributed on a watershed basis. §7.C.2 to read: Capital funds not spent in any given year shall accumulate until used per capital projects in the watershed in which they were collected and §7.C.3 to read: The Township shall develop a method for tracking and reporting the distribution of these funds within 6 months. Seconded by commissioner Nagle.

Commissioner Schaefer stated that she has been thinking about the watershed approach for some time and it does not sit well with her because the logic is based on an assumption which she does not agree with. She sees this as more of a community issue. There was an in depth discussion in regards to taking the watershed approach amongst the Commissioners.

Brian Merritt, AMEC discussed that this was designed to be a Township level of service. This was not created at a watershed scale.

Public Comment

Rich Booker, Belrose Lane – He is opposed to the ordinance and to the stormwater fee. It should be part of our tax base. There are many people in the Township that are opposed to the fee. He urges the Commissioners to not vote in favor of this ordinance.

Diane Edbril, Spruce Tree Road – She asked if the chart in the ordinance could also be listed as acreage in addition to the square foot amount.

John Velentini, Walnut St – Is not in agreement with the watershed basis.

Kevin Maroney, Poplar Avenue – His understanding of the ordinance is for the purpose of collection of funds and there is a massive list of projects that have been identified.

Commissioner Schaefer called the vote for Commissioner Curley's motion above to divide between the watersheds, motion fails 3-4 with Commissioners Spingler, Schaefer, J. Higgins and Fisher opposed.

Commissioner Schaefer discussed that they are in favor of lowering the fee once the numbers are looked into. Mr. Zienkowski stated that the fee staff is looking at is \$29 per billing unit and it would extend the plan for projects out.

Commissioner Fisher made a motion for §7.B to read: The Board of Commissioners will review and update the user fees fixed and established by this Ordinance by Resolution every five years or sooner as deemed necessary, seconded by Commissioner Spingler. Motion passed 7-0.

Public Comment

Gale Morrison, Poplar Avenue – Raised her concerns in regards to lowering the fee and the timeline of projects being completed. She thinks that lowering the fee is a huge mistake.

Bill Bruno, N. Wayne Ave. – This is a moral issue and we have a severe stormwater problem in the Township. The situation is not going to change unless we start to make the change.

Commissioner Schaefer commented that in her ward there are many homeowner associations which those residents already pay a stormwater fee to the HOA. They feel as though they will be double paying. This will need to be something that is discussed and a policy created.

Commissioner Schaefer called the vote for the re-introduction of the Ordinance as amended. Motion passed 5-2 with Commissioner K. Higgins and Curley opposed.

PARKS & RECREATION

Tammy Cohen thanked everyone for participating in the summer events. This Sunday is the Fall Festival from 1-4 PM in downtown Wayne. There is also a concert celebration on September 21 with fireworks at the Willows. She also announced that on Thursday, September 26th from 10-1PM is the Active Aging Celebration at the Wayne Senior Center. The Fall Recreation brochure is posted on the Township website.

LIBRARY

None

PUBLIC HEALTH

None

Old Business

None

New Business

Bill White announced the Health and Safety Fair that will be held on September 18th from 10 – 2PM with no admission and open to the public.

Commissioner Schaefer announced a Town Hall meeting in the 4th Ward on September 19th 7 – 8 PM at Rosemont Presbyterian Village. This is open to the Public.

Public Participation

None

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

Respectfully submitted,

Jennifer DeStefano