

TOWNSHIP OF RADNOR
Minutes of Public Meeting of October 14, 2013

The Radnor Township Board of Commissioners met at approximately 7:20 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 - Absent
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; Steve Norcini, Director of Public Works; Roger Phillips, P.E., Township Engineer; Amy Kaminski, Township Traffic 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

Mark Eddy, Owner of 801 E. Lancaster Avenue – Discussed the Zoning on the back of the building. A few years ago he looked into redeveloping and the parcel in question was zoned commercial. He now has looked into the zoning of that parcel and it changed at some point. Mr. Rice encouraged him to put together something more formally and bring it in front of the Zoning Hearing Board.

Colleen Price, Atterbury Road – She suggested that when considering the purchase of Ardrossan and the development of the other parcels to limit the amount of homes built on the track, asking the property owner to place trails and economic impact study.

Diane Edbril, Spruce Tree Road – She discussed the light pollution that is coming from the fields at the High School and also concerned about the new lights at Memorial Field. Mr. Zienkowski responded that the High School lights would need to be addressed with the School District and Memorial Field would be the Township.

Notice of Executive Session preceding the Board of Commissioners meeting of October 14, 2013

All commissioners were in attendance with the exception of Commissioner Nagle as he was absent from the meeting, where matters of personnel, litigation and real estate were discussed.

Approval of minutes for the Board of Commissioners meeting of August 12, 2013

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

Public Comment

Sara Pilling – Sara asked that the August 12, 2013 minutes reflect the following: She has a concern about adequate liability insurance to protect the public to potential dog bites by the new dogs.

Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Nagle absent from meeting.

Appointment of Board & Commission Members

Commissioner Schaefer made a motion, seconded by Commissioner J. Higgins to appoint Linda Schanne to the Board of Health. Motion passed 6-0 with Commissioner Nagle absent from meeting.

Commissioner Schaefer made a motion, seconded by Commissioner Spingler to appoint Korah Mani to the Civil Service Commission. Motion passed 6-0 with Commissioner Nagle absent from meeting.

Commissioner Schaefer announced that there are three vacancies on the Zoning Hearing Board. If interested please submit resume to the Township Manager.

Presentation of the Green Procurement Policy

Josh Hilbert and Sloan Walker from the Environmental Advisory Council gave a brief overview of the Green Procurement Policy. Josh Hilbert also gave a brief Green Team update in regards to Green Power Purchasing RFP, Building Efficiency, Streetlights & Traffic Signals LED (almost 100%), Sustainable Purchasing Policy and Greening of Vehicle Fleet. There was a brief conversation on clarification amongst the Commissioners and the EAC representatives at the meeting.

Consent Agenda

Resolution #2013-115 – Award of Tri-Axle Hauling Rates (Contract #B-13-006)

Consideration of a Motion to approve the Certificate of Appropriateness:

- *HARB 2013-20 -- 500 St. David's Road – Master Suite addition, renovation of master bath, add walk-in closet, building above existing space (family room).*
- *HARB 2013-21 -- 301 St. David's Road – Replacement of a structurally unsound, non-conforming garage with a new 3 car garage. In addition, minor modifications to the house, such as, enclosing the side porch, improving the roof line and relocating several windows.*
- *HARB 2013-22 -- 225 Radnor Street Road – In fill addition on first floor, expand and renovate kitchen area.*
- *HARB 2013-7A -- 311 North Wayne Avenue – Removal of rear deck and replace with patio and screened porch. Also to install bilco doors on the side of the dwelling to serve as a means of egress from the basement.*

Resolution #2013-116 - Liquidate/auction 1 Detective Chevrolet 2001 Impala
Resolution #2013-117 - Liquidate/auction 1 2002 Electric equip Inc. Radar Speed Trailer
Resolution #2013-119 – Award of a Contract for Tree Planting – The Big Tree Program
Resolution #2013-120 - Green Procurement Policy

Commissioner Curley asked for item “c” to be removed from the Consent Agenda. Commissioner J. Higgins asked for item “f” to be removed from the Consent Agenda.

Commissioner Curley made a motion to approve, seconded by Commissioner J. Higgins with item c & f removed from consent agenda. Motion passed 6-0 with Commissioner Nagle absent from meeting.

Motion to authorize John Rice to attend the Zoning Hearing Board meetings regarding:

Appeal 2902 - The applicant, 530 West Lancaster Ave LLC, located at 530 West Lancaster Avenue, and zoned C2 is seeking an interpretation that the proposed use, for the purpose of parking be calculated in accordance with requirements of Section 280-103.B(20) "building or use other than specified above". If

interpretation is not favorable, applicant seeks a variance from Section 280-103.B(6) regarding parking; and any other relief deemed necessary.

Commissioner Curley asked for clarification of the agenda item. Mr. Rice explained that it is an appeal towards the Zoning Officers decision.

Commissioner Curley made the motion, seconded by Commissioner Spingler. Motion passed 6-0 with Commissioner Nagle absent from meeting.

Resolution #2013-118 – Award of Maintenance of Street Lights (Contract #B-13-004)

Steve Norcini, Director of Public Works explained that the Township solicited sealed bids for Street Light Maintenance. The bids were opened on October 2, 2013 at 2:00 PM, in accordance with Township regulations. Bidders were required to provide two prices, one for the upcoming year, and one for the following year, should the Township at its discretion, decide to renew the contract. All bidders held the price the same for the second year, except the highest bidder. The contract requires the contractor to replace luminaires as required on all Township street lights, regardless of the quantity, for a flat fee each year. Hourly rates are also provided as part of the bid, for work to be done outside the replacement of luminaires. At the request of the Environmental Advisory Council, as part of Radnor Township's Green Initiative, an add/alt for the installation of LED street lights was made part of the contract. Should the Township decide to install LED street lights, we have a set price to do so.

Commissioner J. Higgins discussed a few complaints that he had received about the brighter lights that are being installed in street lights and if the Township would look into lower illumines. He also cited an article from Professor Bogart, James Madison University in regards to lower illumines of street lighting.

Commissioner Spingler made a motion, seconded by Commissioner J. Higgins. Motion passed 6-0 with Commissioner Nagle absent from the meeting.

Public Comment

Jim Schneller, St. David's – The Boards consideration about lumens is crucial.

PUBLIC WORKS & ENGINEERING

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

Commissioner J. Higgins stated that this has been a long time coming and gave brief summary of the history of the ordinance to get to this point.

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

Public Comment

John Veluntin, Walnut St. – He thanked the Commissioners and stormwater committee for all of their hard work.

Richard Booker, Belrose Lane – He is opposed to the stormwater fee.

Ken Taylor, Willow Avenue – He has waited a longtime for this and salutes the Board for taking this final step. This will create a lockbox for stormwater projects.

Diane Edbril – She commented on a few aspects of the ordinance and is happy to see that Radnor Township is taking this step.

Felix Houvig, Forest Road – He is in favor of the ordinance because as a community this can be tackled where as individual residents cannot.

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

Commissioner Schaefer discussed that the billing will be mailed in January. She also stated that in one of the next meetings it will be discussed about a portion of the \$8M BPT settlement to be earmarked for stormwater

Announcement of Seven (7) Positions Available on the Stormwater Advisory Committee

Commissioner J. Higgins announced there are seven positions available on the Stormwater Advisory Committee. If you are interested please submit a letter of interest to the Township Manager.

Resolution #2013-121 – Award of Chamounix Road Sidewalk Project (Contract #B-13-009)

Steve Norcini, Director of Public Works explained that sealed bids were received at noon on October 2nd, 2013, and opened in accordance with Township regulations. The bid was separated into two sections: Section 1 is the portion from the St. David's Train Station to St. David's Road; Section 2 is the portion from St. David's Road to the path that originates from Eastern University. The lowest qualified bidder, for Sections 1 and 2 separately, and in the aggregate, is Puhl's Landscape Company, Incorporated. Puhl's Landscape Company's qualified bid is \$124,400 for both sections. Upon approval of the Board of Commissioners, a purchase order will be processed for the project. Concurrent with obtaining a purchase order, the contractor will be required to provide the appropriate bonding requirements, and receive the Notice To Proceed. Weather permitting, the project is slated to be completed on 2013. To date, the Township has spent \$27,834.79 on engineering for this project. The engineering, along with the price of the lowest bid, totals \$152,234.79. The Township has not received any funds from Eastern University for this project. I respectfully request the Board of Commissioners allow the Township Manager to approach Eastern University to obtain funding for the total engineering and construction costs, amounting to \$152,234.79.

Public Comment

Mr. Randolph, Chamounix Road – He stated that his home has very unique, aged trees and already has a sidewalk and he is not in support of the resolution.

Joyce Randolph, Chamounix Road – She stated that the traffic study was very thorough but it was not completed among those particular sections of Chamounix Road that are in question.

Jim Schneller, St. David's – He is opposed to the project.

Diane Edbril – She understands the opposition from the owners that live along where the sidewalk is proposed.

Sloan Walker, Chamounix Road – He would like to lend support to the project and hopes that project moves forward before something serious happens.

Rich Booker, Belrose Lane – He is opposed to the project because it was to be funded from an outside source and now it is not. He does not believe that there is any danger to pedestrians at that area.

Jack Smith, Chamounix Road – He discussed his opposition to the project and the impact on quite a few shade trees. Stormwater management in this area is a concern and with the sidewalk installed and trees removed it will be a larger problem.

George Beatty, Chamounix Road – He discussed his support for the project. He read an email from new neighbors on Chamounix Road that could not be here tonight, but wanted their support to be noted as well.

After in depth conversation amongst Commissioners and Staff, Commissioner Curley made a motion that the Township takes a 5 year responsibility of the trees health and safety, seconded by Commissioner Spingler. The amendment passed 5-1 with Commissioner J. Higgins opposed and Commissioner Nagle absent from the meeting.

Commissioner J. Higgins made a motion to approve the resolution, seconded by Commissioner Spingler. Commissioner Schaefer called the vote, motion passed 4-2 with Commissioner Curley and K. Higgins opposed and Commissioner Nagle absent from the meeting.

Resolution #2013-122 – Award of Eagle Road & Radnor Street Road Traffic Signal Modernization
(Contract #B-13-008)

The traffic signal at Eagle Road and Radnor Street Road has been damaged many times by trucks turning from Radnor Street Road onto Eagle Road. The signal is decades old, and although repaired from the truck damage, it is in need of replacement.

Commissioner J. Higgins made a motion to approve, seconded by Commissioner Spingler. Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Nagle absent from meeting.

Resolution #2013-123 – Award of Radnor Township Municipal Building Modifications (Contract #B-13-010)

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

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

Resolution #2013-124 – Award of a Contract for the establishment of a Master Plan for Clem Macrone
Park

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

Mr. Zienkowski discussed the Clem Macrone Park Master Plan. The existing restroom, installed in 1968, is in need of not only replacement, but relocation. Existing playground equipment is obsolete, and the tennis courts and basketball court need resurfacing. The utilization and current age of the facilities in this park point to the need for planning to move the park into the future.

Commissioner Fisher stated that it is time to do some work at the park. In the past himself and other residents took upon themselves to paint the restrooms that were much needed.

Public Comment

Philip Ahr, Meredith Avenue – He thanked the Board and Staff for moving ahead with the project. There are many stakeholders that are eager to help.

Patty Barker, Lewis Lane – She thanked the Township staff. These projects are priorities by Garrett Hill stakeholders. She requests that Kimmel-Bogrette read the Garrett Hill Master Plan and involve the residents in Garrett Hill. She also would like to request to extend the term of the Garrett Hill Implementation Committee by one year.

Gene Hough – He requested that the monument in the park be better light and possibly moved to another location within the park.

Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Nagle absent from the meeting.

Resolution #2013-125 – Award of a Contract for a Plan for the Conestoga Road Spillway and Township Gateway

Commissioner Fisher discussed that the Township received a grant for \$10,000 from the Department of Community and Economic Development (DCED) to enhance a stormwater outfall in the area of the business campus on Conestoga Road, just west of the R 100 underpass. Subsequent to that award, discussions have taken place regarding the property that runs from the spillway to the R 100 underpass. When you travel west bound on Conestoga Road through the underpass, this area is the first thing motorists see, i.e. a gateway to the Township. The area of interest is bordered by the R100 line and Conestoga Road., and is in terrible condition to say the least.

Commissioner J. Higgins made a motion to approve, seconded by Commissioner Spingler. Commissioner Schaefer called the vote, motion passed 5-0 with Commissioner J. Higgins not in the room and Commissioner Nagle absent from the meeting.

Commissioner Fisher made a motion for the Township Manager to send a letter to Septa and PECO in regards to the damage and restoration issues at this site, seconded by Commissioner Spingler. Motion passed 6-0 with Commissioner Nagle absent from the meeting.

Discussion of Shade Tree Commission Recommendation for Fee in Lieu of - Regarding Compensatory Plantings

Commissioner Schaefer explained that we currently use the same fee required of applicants for Subdivision and Land Development, or larger clearing permits. This could be onerous for residents that are making small modifications to their lots, or removing trees for other valid reasons.

The goal of this request was for the Shade Tree Commission to provide an alternate fee in lieu of (or some other method of compensation), with a recommendation to the Board of Commissioners. After review and discussion, the Shade Tree Commission voted to recommend a \$250 fee in lieu of replanting to the Board of Commissioners.

There was a discussion in regards to the Shade Tree Commissions recommendation of the fee in lieu of versus replanting of trees.

PERSONNEL & ADMINISTRATION

Resolution #2013-126 – Formally requesting all Colleges and Universities located in Radnor Township which receive public services from Radnor Township to Voluntarily Contribute on an annual basis toward the cost of public services

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

Mr. Zienkowski, Township Manager gave a brief overview in regards to the public services from Radnor Township that the local Colleges and Universities receive. The costs are significant and they are being subsidized by the taxpayers of the Township. The services include police, fire, streets, etc. The Township is asking for the schools to pay the same as the residents, which would be the Township millage rate applied to the assessed value of their property. The revenues coming in would go back to the Fire Companies, Police Department and Public Works Department.

After a brief discussion, Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Nagle absent from meeting.

Public Comment

Diane Edbril – She discussed what makes a new neighbor.

Rich Booker, Belrose lane – He stated that if you ask for a payment it is not voluntary.

Resolution #2013-129 - Amendment to the Township Manager’s Employment Contract

This item has been tabled until a later meeting.

FINANCE & AUDIT

Disbursement Acceptance and Approval: 2013-9C, 2013-9D, 2013-10A

Commissioner K. Higgins made a motion to approve, seconded by Commissioner Curley. Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Nagle absent from meeting.

Resolution #2013-127 - Authorization to engage MuniServices LLC for Act 511 discovery work

Bill White, Finance Director and Bob Tate, Assistant Finance Director discussed that business tax revenues generated under the Act 511 laws and Chapter §260 of the Administrative Code generate approximately one-third of the General Fund revenues each year. Since this revenue is absolutely critical to the Township's ability to offer the level of services and programs that Stakeholders currently enjoy, it is critical that the Township engage outside professionals that protect the Township's interests in terms of compliance and legal enforcement with the Ordinances.

Commissioner K. Higgins made a motion to approve, seconded by Commissioner Spingler. Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Nagle absent from meeting.

Resolution #2013-128 - Establishing the K-9 Unit Special Revenue Fund

Mr. White explained that the purpose of creating a special fund for the K9 program is to establish the necessary accounting structure to allow the Administration to maintain a separate set of self-balancing accounts specific to the K9 program. The new fund will allow the Administration to account for the proceeds and uses of the K9 program in an up-to-date and transparent method.

Commissioner K. Higgins made a motion to approve, seconded by Commissioner Spingler. Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Nagle absent from meeting.

Presentation of the Township Manager’s 2014 Recommended Budget / Preliminary Budget

Bill White, Finance Director gave an overview of the Township Manager’s 2014 recommended budget with a 0% real estate tax increase. The budget is on the Township website and can be located at this link: <http://www.radnor.com/departments/division.php?fDD=10-102>.

COMMUNITY DEVELOPMENT

Consideration of Brandywine Realty Trust’s Request to Amend the Zoning Ordinance Regarding Off-Street Parking

Tony Ziccardi, Brandywine Realty Trust discussed that at the July 8, 2013 Board of Commissioners Meeting, Resolution #2013-87 was approved. This resolution amended the Final Approval Resolution #2011-140 to remove condition #4 regarding off-street parking calculations for outdoor dining at 200 Radnor Chester Road. This enabled Brandywine Realty Trust to take advantage of the recently adopted outdoor dining regulations; which allowed approximate 42 additional seats beyond what was contemplated during the initial land development process. Brandywine would like to request to provide additional seats beyond these 42 utilizing a shared parking concept with adjacent lands that they own. The current language permits shared parking facilities for uses located on the same lot. Zoning Section 280-103.B states in part: *...Such parking space shall be provided on any lot on which a dwelling is hereafter erected or converted or, in the case of any other use, on the lot on which any main building is hereafter erected or converted. Nothing in this subsection shall be construed to prevent the collective provision of offstreet parking facilities for two or more buildings or uses on the same lot...* An amendment to the zoning ordinance would be required to allow shared parking on adjacent lots. Brandywine would like to discuss the possibilities of amending the Zoning Ordinance to permit this shared parking concept on adjacent lots that they own.

Commissioner Curley made a motion to authorize staff to work with Brandywine Realty in regards to shared parking provided they cover all costs, seconded by Commissioner Fisher. Motion passed 6-0 with Commissioner Nagle absent from the meeting.

PUBLIC SAFETY

None

PARKS & RECREATION

None

LIBRARY

None

Old Business

Commissioner Spingler would like on the agenda next month to amend the soliciting ordinance.

New Business

Commissioner Schaefer discussed a letter that will be mailed to Representative Bill Adolph asking him to advocate on Township behalf in regards to the potential grant funding from DCNR for the acquisition of Ardrossan should that happen.

Commissioner Spingler made a motion to send the letter, seconded by Commissioner J. Higgins. Motion passed 6-0 with Commissioner Nagle absent from meeting.

Commissioner Schaefer discussed that the League of Women Voters has submitted a waiver of room fees for their candidate forum sessions.

Commissioner Spingler made a motion to waive the room fees as long as all candidates are invited to attend, seconded by Commissioner J. Higgins. Motion passed 5-1 with Commissioner K. Higgins opposed and Commissioner Nagle absent from meeting.

Public Participation

Rich Booker, Belrose Lane – After reviewing all of the information of the Master Plan for Garrett Hill, the 2nd Ward would be a good candidate for one as well.

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

Respectfully submitted,

Jennifer DeStefano