

TOWNSHIP OF RADNOR
Minutes of the Meeting of March 9, 2020

The Radnor Township Board of Commissioners met at approximately 6:30 PM in the Radnorshire Room in the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087

Commissioners Present

Jack Larkin, President	Lisa Borowski, Vice President	Jake Abel
Richard Booker	Damien Enderle	Sean Farhy
		Moira Mulrone

Also Present: Kathryn Gartland, Township Treasurer; William M. White, Acting Township Manager/Township Secretary; John Rice, Township Solicitor; Steve Norcini, PE, Township Engineer; Steve McNelis, Director of Public Works; Christopher Flanagan, Superintendent of Police, Robert Tate, Assistant Director of Finance; Roger Phillips, Gannet Fleming; Dammond Drummond, Gilmore & Associates; Andy Pancoast, Codes Official and Amy Lacey, Accounting Supervisor.

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

Notice of Executive Session on preceding the Board of Commissioners meeting of
March 9, 2020

There was an Executive Session on March 9, 2020 preceding the Board of Commissioners meeting, where matters of personnel and litigation were discussed. All Commissioners were in attendance.

1. Public Participation

Kristen Russo, Wayne - She spoke to Ordinance 2016-13.
Dan Sherry, Wayne – He spoke to the agenda format.

2. Consent Agenda

a) Disbursement Review & Approval

b) Approval of minutes of the Board of Commissioner meeting of February 24, 2020

e) ~~HARB-2020-02 – 200½ West Wayne Avenue – Construct new 1 car garage and rear porch. Add front door~~

d) HARB-2019-08 – 233 Walnut Avenue – Replace shed with 1 car garage, replace stucco with fiber cement siding consistent with the rear addition that was completed in November 2017

e) Resolution #2020-32 - Awarding the Contract for the Design, Permitting, Construction Documents, and Bidding Documents for Sidewalk and Pedestrian Improvements on Lancaster Avenue, from Garrett Avenue to Barleycone Lane, to Gilmore & Associates in the amount of \$53,000

f) Authorization for the Engineering Department to Issue a Request For Proposals for Pennsylvania Department of Transportation Certified Inspection Services for the Radnor TAP Trail

g) Resolution #2020-33 – Awarding the Contract for the Repair of the Roberts Road Culvert to Loftus Construction in the Amount of \$555,000

- h) Resolution #2020-34 - Authorizing the Payment of Change Orders 2 and 3 for the North Wayne Field Stormwater Management Basin Repair and Cleaning (Contract # B-18-010), to N. Abbonizio Contractors, in the amount of \$21,507
- i) Resolution #2020-35 – Authorizing the Payment of Change Orders 1, 2 & 3 for the Emlen Tunnell Park Comfort Station, to Barclay Design and Construction, in the Amount of \$6,650
- j) Resolution #2020-36 – Authorization to purchase replacement fountains for the Willows Pond

Commissioners removed items f, g, I and j from the consent agenda.

- g) Resolution #2020-33 - Awarding the Contract for the Repair of the Roberts Road Culvert to Loftus Construction in the Amount of \$555,000

Commissioner Larkin made a motion to approve, second by Commissioner Borowski. Motion passed 7-0.

- i) Resolution #2020-35 - Authorizing the Payment of Change Orders 1, 2 & 3 for the Emlen Tunnell Park Comfort Station, to Barclay Design and Construction, in the Amount of \$6,650

Commissioner Larkin made a motion to approve, second by Commissioner Borowski. Motion passed 7-0.

- j) Resolution #2020-36 - Authorization to purchase replacement fountains for the Willows Pond

Commissioner Larkin made a motion to approve, second by Commissioner Borowski. Motion passed 7-0.

Commissioner Larkin made a motion to approve the remaining consent agenda items, a, b, d, e, & h, second by Commissioner Borowski. Motion passed 7-0.

3. Appointments to Various Boards and Commissions

There were no appointments to Boards and Commissions. Commissioner Abel requested to not hold interviews and appointments on the same evening. Additionally, appointments should be listed on the agenda.

4. Announcement of Boards and Commission Vacancies

Commissioner Larkin announced vacancies on the various Township boards.

5. Committee Reports

A. Approval of Fee Schedule – Zoning Hearing Solicitor – Constantine Z. Economides, Esquire

Mr. White spoke the appointment of Mr. Economides as well as the fee schedule that determines the rate of pay. Mr. Economides has been serving as an alternate member of the Zoning Hearing Board.

Commissioner Larkin made a motion to approve, second by Commissioner Booker. Motion passed 7-0.

Mr. Economides spoke briefly and thanked the Board of Commissioners.

B. Resolution #2020-37 - Authorizing the Award of the Design Contract for the Radnor Trail Extension, to Campbell Thomas & Co., in the Amount of \$118,087

Steve Norcini spoke to the proposed resolution. Commissioner Booker asked about the changes affecting the grants received. Commissioner Abel inquired as to how much has been spent to date and how the project would be funded going forward. Commissioner Mulrone asked for timeline on design. Bob Thomas, of Campbell Thomas & Co. spoke to the project design and the timeline. Commissioner Enderle asked for the price clarification and what is included.

Commissioner Larkin made a motion to approve, second by Commissioner Borowski. Motion passed 6-1, with Commissioner Abel opposed.

C. Resolution #2020-38 - 147 Conestoga Road – Final – Minor Final Subdivision Plan

Nick Caniglia presented plans for the final approval of minor subdivision at 147 Conestoga. Roger Philips of Gannett Fleming explained the calculations for the groundwater recharge were not met initially. Mr. Philips confirmed this now does not need a waiver for groundwater recharge. Mr. Caniglia spoke to the waivers being requested in relation to sidewalk and grass strip placement, and the granting of additional right-of-way. Commissioner Abel asked for confirmation that no additional water runoff will be created to run across Conestoga Road going into the West Wayne Preserve as well as the line of sight. Damon Drummond of Gilmore & Associates stated the request for waiver for the 3-ft sidewalk could not be granted as ADA requires 4-ft sidewalks. Mr. Norcini asked about the possibility of a MP monument placed on the property – applicant said they would salvage it and relocate it a few feet to the west of the driveway.

Commissioner Larkin made a motion to approved, second by Commissioner Borowski. Motion passed 6-1 with Commissioner Farhy opposed.

D. Resolution #2020-39 - 812/822 Glenbrook Avenue – Preliminary - Land Development Plan

Nick Caniglia adding an apartment unit where 2 was approved there will now be three. Sewage flow goes through Haverford and not through Radnor. He also stated this should be preliminary final approval. Mr. Norcini stated the reason the Resolution is kept at a preliminary rather than preliminary/final due is to the DEP items that are outstanding.

Commissioner Larkin made a motion to approve, second by Commissioner Mulrone. Motion passed 7-0.

E. Ordinance #2020-09 - (Introduction) – Repealing and Replacing Article I, Chapter 260 of the Radnor Township Code, Relating to Amusement Tax

Commissioner Larking made a motion to introduce the ordinance, second by Commissioner Enderle. Commissioner Larkin explained the existing Amusement Tax Ordinance and the need for the ordinance to be cleaned up. Solicitor Rice provided some background. Amusement tax is a tax on tickets sold for amusement events. Commissioner Abel spoke to his concern with consequences associated with enforcement costs.

Commissioner Abel made a motion to repeal the Amusement tax, second by Commissioner Booker. Motion failed 5-2, with Commissioners Larkin, Borowski, Enderle, Mulroney and Farhy opposed.

There was much discussion among the Commissioners. Commissioner Farhy asked Solicitor Rice to investigate a revenue exemption as applied to the Business Privilege and Mercantile Taxes.

Commissioner Booker made a motion to table the motion, seconded by Commissioner Abel. Motion failed 5-2, with Commissioners Larkin, Borowski, Enderle, Mulroney and Farhy opposing.

Public Comment

Dan Sherry, Wayne - Mr. Sherry spoke to the Ordinance.

Susan Stern, Radnor – Ms. Stern spoke to the Ordinance.

Commissioner Larkin made a motion to approve the motion, second by Commissioner Enderle. Motion passed 5-2, with Commissioners Booker and Abel opposing

F. Resolution #2020-40 – Amending the Township’s Organizational Chart

Commissioner Larkin introduced the resolution, explaining the need for a new employee to aid/manage the collection of the money collected from the Act 511 program. This person would aid in the collection, auditing and management of the Act 511 taxes. Mr. White talked to budget projections versus revenue collection for the last few years. Commissioner Borowski asked what the % of budget accounts for Act 511. Commissioner Booker spoke to current administration of the Act 511 program.

Public Comment

Dan Sherry, Wayne – Mr. Sherry spoke to the resolution.

Commissioner Larkin made a motion to approve, seconded by Commissioner Borowski. Motion passed 5-2, with Commissioners Booker and Abel opposing.

G. Resolution #2020-41 - Award of the Annual HVAC Maintenance Contract for the Township Building, Public Works Facility, and Radnor Activity Center

Commissioner Larkin made a motion to approve, seconded by Commissioner Borowski. Motion passed 7-0.

H. Resolution #2020-42 - Authorizing and Directing the Submittal of the Applications for Traffic Signal Approval (TE-160) to the Pennsylvania Department of Transportation for the Intersection of Lancaster Avenue and King of Prussia Road, Associated with the Radnor TAP Trail Project

Commissioner Larkin made a motion to approve, second by Commissioner Borowski. Motion passed 7-0.

I. Resolution #2020-43 – Authorizing the transfer of \$542,000 from the General Fund to the Capital Fund to fund various capital project funding shortfalls

Commissioner Larkin asked if the money to be transferred for this resolution is to fund Resolution 2020-44. Mr. Norcini said part of this resolution is to fund Resolution 2020-44. if this is approved and Resolution 2020-44 (item J) is not approved, does the full amount of \$542,000 have to moved to General Fund. Mr. White suggested even if item J is not approved this evening, that the full amount be moved so when the Harford Trail is approved the money is earmarked for it.

Commissioner Larkin made a motion to approve, second by Commissioner Borowski. Motion passed 7-0.

J. Resolution #2020-44 - Awarding the contract for the Construction of the Harford Trail Project to James R. Kenney, Excavating & Paving, Incorporated, in the Amount of \$378,369

Commissioner Larkin made a motion to approve, second by Commissioner Booker.

Commissioner Larkin then moved to amend the motion to reject all bids due to the amount the trees being cut down and that the project has not been reviewed by the Shade Tree Commission. Commissioner Borowski second.

Commissioner Booker and Commissioner Borowski commented on the amended motion.

Public Comment

Dan Sherry, Wayne - Mr. Sherry spoke to the amended motion.

Motion passed 5-2 with Commissioner Booker and Commissioner Abel opposing.

6. Reports of Standing Committees of the Board

Commissioner Borowski announced next meeting of Shade Tree Commission and that the committee will be discussing the 476 Interchange.

7. New Business

None

8. Old Business

a. Discussion and Update of Security Cameras (Requested by Commissioner Abel)

Commissioner Abel spoke to the security cameras and the need for them.

Commissioner Enderle asked Superintendent Flanagan questions as to existing cameras and the process for using them in investigations.

Commissioner Mulroney asked about the ability to monitoring for the security cameras as we could do with the body cameras.

Commissioner Farhy opposed the cameras being placed where they can potentially film private property.

Commissioner Abel asked if the current camera on Conestoga faces private property.

Commissioner Borowski asked the Superintendent for his position on the cameras.

b. Motion to send the Solicitor to oppose the proposed Penn Medicine signage (Requested by Commissioner Booker)

Commissioner Booker proposed his motion to send the Township Solicitor John Rice to Zoning Hearing Board meeting to oppose the request for signage variance requested by Penn Medicine.

Public Comment

Susan Stern, Midland Ave, Wayne – She spoke to the motion on the table.

Commissioner Larkin made a motion to approve, second by Commissioner Borowski. Motion passed 7-0.

c. Discussion of the scope of pregnancy termination services Penn plans to offer (if any) at their facility at 145 King of Prussia Rd Penn Medicine (Requested by Commissioner Booker)

Commissioner Larkin made a motion to table the discussion, second by Commissioner Borowski. Motion passed 5-1, with Commissioner Booker opposing and Commissioner Abel off the dais.

9. Public Participation

Dan Sherry, Wayne - Mr. Sherry spoke to the motion being tabled.

There was no longer a quorum and therefore the meeting was adjourned.

*Respectfully submitted,
Amy Lacey*