

TOWNSHIP OF RADNOR
Minutes of the Meeting of September 14, 2020

The Radnor Township Board of Commissioners met at approximately 6:33 PM in the Radnorshire Room in the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087

Commissioners Present

<i>Jack Larkin, President</i>	<i>Lisa Borowski, Vice President</i>	<i>Richard Booker</i>
<i>Damien Enderle</i>	<i>Sean Farhy</i>	<i>Moira Mulroney</i>

Also Present: *John Rice, Township Solicitor; William White, Township Manager, Robert Tate, Finance Director, Kathryn Gartland, Township Treasurer Mike Simmons, Acting Director of Public Works, Steve Norcini, PE, Township Engineer; Christopher Flanagan, Superintendent of Police; Kevin Kochanski, Director of Community Development, Peggy Hagan, Executive Assistant to the Township Manager.*

Not Present

Jake Abel

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

Notice of Executive Session held on August 11, 2020

Commissioner Larkin gave notice of the Executive Session held on August 11, 2020 to discuss real estate and legal matters.

1. *Recognition of Steve McNelis, Public Works Director, for his 30+ years of service to Radnor Township*

Bill White, Township Manager, and the Board of Commissioners recognized Steve McNelis for his 30+ years of service to Radnor Township.

2. *Appreciation Award – Jeffrey Stacey – Radnor Citizens Police Organization*

Christopher Flanagan, Chief of Police, the RCPO President, and Representative Jennifer O’Mara presented Jeffrey Stacey with an Appreciation Award for his work with the Radnor Citizens Police Organization and an Award of Excellence from the Commonwealth.

Commissioner Larkin announced that item 5 G - Ordinance #2020-18 (**Introduction**) – Amending and restating Article I, Chapter 260 of the Radnor Township Code, Relating to Amusement Tax was pulled from the Agenda and will be voted on at a future meeting.

3. *Public Participation*

Deanna Doan, President of Wayne Business Association – She thanked Radnor Township for their support and the tent on North Wayne Avenue

Michael Smyth - Land Rover Dealership Owner - He requested to be allowed to work on 3 Sundays between October and December to complete a construction project at his business.

Tom Schraudenbach – Skunk Hollow Community Garden – He came to thank Steve McNelis and wanted to share how important Steve McNelis and the Public Works Department are to the Community Garden.

William Perone, Esquire - He represents James R. Kenny Company and spoke on a letter of objection to his client’s bid being disqualified for the Harford Trail Project.

4. Consent Agenda

a. *Disbursement Review & Approval*

b. *Approval of minutes of the Board of Commissioner meeting of August 10, 2020 and the Special Board of Commissioners meeting of August 17, 2020*

c. *Chief’s Monthly Report*

d. *Staff Traffic Committee Meeting Minutes – August 19, 2020*

~~e. *Approval of Ballot Drop Box License Agreement with County of Delaware, Bureau of Elections*~~

f. *HARB -2020-09 - 328 Midland Avenue – Rear additions*

g. *Resolution # 2020-98 – Authorizing and Directing the Submittal of the Application for Traffic Signal Approval (TE-160) to the Pennsylvania Department of Transportation for the Intersection of Conestoga Road (SR 1019) and West Wayne Avenue*

~~h. *Resolution #2020-96 Authorizing and Directing the Submittal of the Application for Traffic Signal Approval (TE-160) to the Pennsylvania Department of Transportation for the Intersection of Conestoga Road (SR 1019) and West Wayne Avenue*~~

i. *Resolution #2020-100 – Authorizing the payment of \$10,254.60 to Charles A. Higgins & Sons, Incorporated for Emergency Signal Repair Work at North Wayne and Station Avenues*

j. *Resolution #2020-102 - Authorizing the Payment for the Emergency Tree Removal and Storm Debris Clean Up in the amount of \$25,000*

~~k. *Resolution #2020-95 Authorizing the Participation in Houston-Galveston Area Council’s (H-GAC) Cooperative Purchasing Program*~~

Commissioner Larkin asked if any Commissioner would like to remove items from the Consent Agenda, Commissioner Booker asked for items 4e, 4h, and 4k to be removed from the Consent Agenda.

~~4. e *Approval of Ballot Drop Box License Agreement with County of Delaware, Bureau of Elections*~~

John Rice, Township Solicitor, spoke on ballot initiatives being challenged in court, Federal Court has abstained and sent the issue back to the Pennsylvania Court. PA Supreme Court has the case and has not decided as of this date. There was discussion amongst Commissioners and Staff. Commissioner Booker moved to table the item, there being no second the motion failed.

Commissioner Larkin moved to amend the Agreement to become a springing lease and the

Ballot Box only be put out once the PA Supreme Court has opined on them, seconded by Commissioner Borowski. The motion to amend the Agreement was approved 5-1 with Commissioner Booker opposed and Commissioner Abel absent.

Commissioner Booker spoke on his concerns about Ballot Boxes.

Commissioner Larkin moved to approve the amended Agreement, seconded by Commissioner Farhy. The motion passed 5-1 with Commissioner Booker opposed and Commissioner Abel absent.

Commissioner Larkin moved to adjourn the meeting for 5 minutes, seconded and passed 5-1 with Commissioner Booker opposed and Commissioner Abel absent.

Commissioner Larkin asked for comment on 4 h, hearing no comment he moved on to item 4 k.

Commissioner Larkin asked for comment on 4k, hearing no comment he moved to approve the consent Agenda, seconded by Commissioner Borowski. The motion passed 5 to 1 with Commissioner Abel absent and Commissioner Booker opposed.

Public Comment - None

Commissioner Booker wanted his comment, that items 4 h and 4 k were not appropriately approved, entered into the minutes.

5. Committee Reports

A. *Ordinance #2019-15 (Introduction) – Amending the Township Zoning Ordinance to Allow Townhouse Developments in Certain Areas of the C-3 Service Commercial District and to Provide Regulations Therefore*

There was discussion amongst Nick Caniglia Attorney for Applicant, Commissioners and Staff.

Commissioner Larkin moved to approve the Ordinance Introduction. The motion to Introduce the Ordinance passed 4-2 with Commissioners Booker and Farhy opposed and Commissioner Abel absent.

B. *Resolution #2020-94 Approving the Purchase of Outfitting Equipment for the Township's Water Rescue Vehicle in a Total Amount of \$37,777.16*

Bill White and Chris Flanagan introduced two videos on Township Storm Recovery Efforts and the Water Rescue Vehicle. There was discussion amongst Commissioners and Staff. Commissioner Larkin moved to approve the Resolution, seconded by Commissioner Farhy. The motion passed 6-1 with Commissioner Abel absent.

Public Comment

Sara Piling – She spoke on the number and intensity of storms and the need to be proactive.

C. *Resolution 2020-103 Authorizing the transfer of \$446,000 in excess General Fund Balance (at 12/31/2019) to the Capital Fund to provide financing for the Harford Trail, Montrose Intersection and Creutzburg Facility projects*

There was discussion amongst Commissioners and Staff. Commissioner Larkin moved to approve the Resolution, seconded by Commissioner Mulroney. The motion passed 6-1 with Commissioner Abel absent.

D. Resolution No. 2020-99 – Harford Trail – Authorizing the Award of the Construction Contract to G & B Construction Group, Inc. in the Amount of \$348,008.77

Commissioner Larkin allowed public comment first on this issue.

Public Comment

William Perone – He spoke on his clients bid submission which was rejected by staff.

There was discussion amongst Commissioners and Staff. Commissioner Larkin moved to approve the Resolution, seconded by Commissioner Farhy. The motion passed 6-1 with Commissioner Abel absent.

E. Ordinance #2020-11 (Introduction) – Amending the Township Zoning Ordinance to provide setbacks for emergency generators and to provide regulations therefore

There was discussion amongst Commissioners and Staff. Commissioner Larkin moved to send the Ordinance to the Planning Commission. The motion passed 6-1 with Commissioner Abel absent.

Public Comment

Barron Gemmer - He feels the Ordinance does not address the noise issue or portable generators. Also spoke on front of house restriction and a time limit on maintenance,

F. Ordinance #2020-17 (Introduction) – Revising Chapter 262 Towing, Adding New Definitions, Fees and Regulations for Private and Duty Towers in the Township

There was discussion amongst Commissioners and Staff. Commissioner Larkin called the vote, the motion passed 6-1 with Commissioner Abel absent.

~~*G. Ordinance #2020-18 (Introduction) – Amending and restating Article I, Chapter 260 of the Radnor Township Code, Relating to Amusement Tax*~~

Pulled from the Agenda and will be voted on at a future meeting.

H. Ordinance #2020-16 (Adoption) Prohibiting the Making of Unnecessary and Excessive Construction Noise During Certain Hours

Commissioner Larkin moved to approve the adoption of the Ordinance, seconded by Commissioner Borowski.

Commissioner Borowski moved to amend the Ordinance to amend the last sentence of paragraph A of section 1, seconded by Commissioner Enderle. Commissioner Borowski would like to amend the last sentence of Section 1 Paragraph A to read “On Sundays and holidays, construction noise shall not be permitted.”, seconded by Commissioner Larkin. The

motion to amend passed 5-1 with Commissioner Booker opposed and Commissioner Abel against.

There was discussion amongst Commissioners and Staff.

Commissioner Larkin moved to amend Section 1, Paragraph A, to read “It shall be unlawful for any person, firm or corporation of their agents or employees owning or occupying any building, premises or other place in the Township of Radnor to operate or permit to be operated, for the purposes of construction work, any type of machinery, appliance, equipment or hand tool is being operated for the purposes of construction work between the hours of 7:00 PM and 7:00 AM except for Sundays and township, State, or Federal holidays.” Along with the previous amendment., seconded by Commissioner Borowski. The motion passed 5-1 with Commissioner Booker opposed, and Commissioner Abel absent.

Commissioner Larkin called the vote to approve the Ordinance as amended. The motion was passed 5-1 with Commissioner Booker opposed and Commissioner Abel absent.

Public Comment -

Mr. Smyth – He feels construction projects in commercial districts should be viewed differently from residential areas. He is asking for a special exception to work on Sundays to complete construction project.

There was Board consensus to give Mr. Smyth a waiver for 3 weekends to work Sundays 10:00 a.m. to 5:00 p.m., and neighbors must be notified.

6. Reports of Standing Committees of the Board

None

7. New Business

Commissioner Larkin planned to have a discussion on the Delaware County Reassessment. The Delaware County Reassessment Discussion will be placed on the September 21, 2020 Agenda.

Commissioner Enderle spoke on the house fire at 1 St. Davids Road which displaced the Residents and two cats were rescued. He recognized the Firefighters, EMS, and Police who responded.

8. Old Business

None

9. Public Participation.

None

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

Peggy Hagan