

**TOWNSHIP OF RADNOR**  
**Minutes of the Board of Commissioners of November 23, 2020**      *Amended 12/11/2020*

*The Radnor Township Board of Commissioners met via Zoom at approximately 6:30 pm*

***Commissioners Present***

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

***Also Present:*** *William White, Township Manager, Colby Grim, Township Solicitor, Robert Tate, Finance Director, Kathryn Gartland, Treasurer, Christopher Flanagan, Chief of Police, Molly Gallagher, PIO, Steve Norcini, PE, Township Engineer, Damon Drummond, Traffic Engineer, Roger Philips, Engineer, Tammy Cohen, Director of Recreation, Peggy Hagan, Executive Assistant to the Township Manager.*

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

1.      *Public Participation*

Commissioner Larkin read the public participation emails.

Brian P. Pugh, President, Radnor Education Foundation – He emailed in support of the motion to repeal Article 1, Chapter 260 – Amusement Tax of the Radnor Township Code.

Gene & Angie Mitchell, owners of Garrett Hill Ale House and Flip & Bailey’s – They emailed in support of the motion to repeal Article 1, Chapter 260 – Amusement Tax of the Radnor Township Code, support of Outdoor Dining in Garrett Hill, and in support of revisions to the Garrett Hill Overlay District.

Sumanth Joseph of 117 Garrett Hill Avenue - He emailed in support of changes to the Garrett Hill Overlay District.

Sara Pilling of 29 Garrett Avenue – She emailed to ask Management and Commissioners to focus spending only on essential needs and not to rely on raising fees/taxes to partially cover commercial losses.

Christopher Kovolski, Assistant Vice President for Government Relations and External Affairs at Villanova University – He emailed in opposition to update the Amusement Tax Ordinance.

Theji Brennan - She emailed in support of the motion to repeal Article 1, Chapter 260 – Amusement Tax of the Radnor Township Code.

Bernard Deganaïs, President & CEO, The Main Line Chamber of Commerce – He emailed in opposition to proposed changes in the Radnor Township Amusement Tax.

Melanie Johnson, Help Hope Live – She emailed that she would be available to receive the Proclamation and very much appreciate it.

## 2. Consent Agenda

- a) Disbursement Review & Approval
- b) Chief's Monthly Report - November 2020
- c) Staff Traffic Committee Meeting Minutes - October 2020
- d) Resolution #2020-134 - 208 North Aberdeen Road Sewer Facility Planning Module
- e) ~~Resolution 2020-135 - Emergency Response Vehicle Storage, Maintenance and Use Agreement with the County of Delaware~~
- f) Resolution #2020-139 - Authorizing Payment to Higgins Electric for Emergency Repairs to the Traffic Signal at County Line and Matsonford Roads in the Amount of \$14,574.40
- g) Resolution #2020-144 - Authorizing Seifert Construction to Replace a Failed Storm Sewer on South Ithan Avenue in the Amount of \$24,698.71

Commissioner Larkin asked if any Commissioners would like items pulled from the Consent Agenda. Commissioner Booker asked for item 2e to be removed from the Consent Agenda.

### 2e) Resolution 2020-135 - Emergency Response Vehicle Storage, Maintenance and Use Agreement with the County of Delaware

Commissioner Larkin moved to approve the Resolution, seconded by Commissioner Farhy. Chief Flanagan spoke on the Emergency Response Vehicle Storage. There was discussion amongst Commissioners and Chief Flanagan. The motion passed 5 to 2 with Commissioners Booker and Abel opposed.

Commissioner Larkin called the vote for items a, b, c, d, f, and g of the Consent Agenda, seconded by Commissioner Mulroney. The motion passed 7-0.

## 3. Proclamation to Help Hope Live

Commissioner Larkin read the Proclamation to Help **Hope** Live into the record. Commissioner Larkin moved to approve the Proclamation seconded by Commissioner Borowski. The motion passed 7-0.

## 4. Committee Reports

### A. Resolution # 2020-136 - 208 North Aberdeen Avenue Land Development: (6) Six Townhouses – FINAL – Preliminary/Final Approval

Commissioner Larkin moved to approve the Resolution, seconded by Commissioner Mulroney. Nick Caniglia, representative for the project spoke on the project and waiver requests. There was discussion amongst Commissioners, Staff, and Applicant Representatives. Concerns raised were; driveway width, emergency vehicle access, visitor parking spaces, and buffer screen.

### Public Comment

Gene Mitchell – Emailed to ask Commissioner Booker why a friend or family member would not move their car for me to exit my driveway.

Susan Stern of 202 Midland Avenue – She emailed that the review letters look at 255-29, and the applicant responded, never saying 255-29 doesn't apply. That argument is not applicable, because 255-40 multifamily doesn't address parking at all, so obviously 255-29 applies.

Baron Gemmer – He emailed with concerns about the SALDO and Zoning interpretations regarding the 208 N. Aberdeen project.

Steve Norcini requests that questions be given to Staff for review. The reviewers disagree with the interpretation of Susan Stern and Baron Gemmer.

Commissioner Larkin moved to amend the Resolution to approve the second waiver request and deny the preliminary final waiver, the application would become a preliminary approval and applicant would come back a second time for final, seconded by Commissioner Borowski. The motion to amend the Resolution passed 4 to 3 with Commissioners Booker, Abel, and Farhy opposed.

Commissioner Booker moved to table the Resolution; the motion failed from lack of majority.

Commissioner Larkin called the vote on the amended Resolution, the motion passed 4-3 with Commissioners Booker, Abel, and Farhy opposed.

*B. Resolution #2020-137 - Ardrossan – NALT Lot Consolidation Plan – Revised Final Subdivision Plan*

Commissioner Larkin moved to approve the Resolution, seconded by Commissioner Borowski. Steve Norcini, Township Engineer, and John Snyder, representative for the applicant, spoke on the NALT Lot Consolidation Plan.

There was discussion amongst Commissioner Booker and applicant. Kathryn Gartland, Treasurer, wants to make sure the lot lines are clear with Delaware County.

Commissioner Larkin called the vote, the motion passed 6 to 1 with Commissioner Booker opposed.

*C. Ordinance #2020-22 - (Introduction) Adoption of the Final 2021 Comprehensive Budget by setting the Township Real Estate Tax Millage Rate and adopting appropriations for 2021*

Commissioner Larkin moved to introduce the Ordinance, seconded by Commissioner Enderle. Bill White, Township Manger, spoke on the Millage Rate and the Countywide Reassessment. The final numbers from the County should be in by November 30,2020. There was discussion amongst the Commissioners and Staff. A special meeting will be scheduled for December 7, 2020 to introduce, adopt, and then ratify the adoption on December 14, 2020. The motion to introduce the Ordinance passed 6 to 1 with Commissioner Booker opposed.

*D. Ordinance #2020-23 - (Introduction) Adoption of the 2021 Sanitary Sewer and Stormwater Fees*

Commissioner Larkin moved to introduce the Ordinance, seconded by Commissioner Mulrone. Bill White, Township Manager, spoke on the 2021 Sanitary Sewer and Stormwater Fees.

The motion to introduce the Ordinance passed 7-0.

E. Ordinance #2020-24 - (Introduction) Adoption of the Consolidated Fee Schedule for the Township, Effective January 1, 2021

Commissioner Larkin moved to introduce the Ordinance, seconded by Commissioner Borowski. Bill White, Township Manager, spoke on the Consolidated Fee Schedule. The motion to introduce the Ordinance passed 7-0.

F. Ordinance #2020-21 - (Adoption) - Approving a Cable Franchise Agreement for a Ten-Year Term Between Radnor Township and Comcast of Southeastern Pennsylvania, LLC

Commissioner Larkin moved to approve the adoption of the Ordinance, seconded by Commissioner Farhy. Bill White, Township Manager, and Colby Grim, Township Solicitor, spoke on the Agreement. There was discussion amongst Commissioners and Staff.

Commissioner Booker moved to table the adoption of the Ordinance; the motion failed for lack of a second.

Commissioner Larkin called the vote to Adopt the Ordinance, the motion passed 6 to 1 with Commissioner Booker opposed.

G. Motion to Repeal Article 1 Chapter 260 | Amusement Tax from the Radnor Township Code

Commissioner Larkin moved to repeal Article 1 Chapter 260/Amusement Tax from the Radnor Township Code which would result in directing Staff to prepare an Ordinance to repeal Article 1 Chapter 260/Amusement Tax from the Radnor Township Code, seconded by Commissioner Borowski. Jenny Brown, Tax Solicitor, spoke on the Amusement Tax. There was discussion amongst Commissioners and Staff.

Public Comment

Nick Caniglia, representing Notre Dame Academy – He emailed in support of the motion to repeal Article 1, Chapter 260 – Amusement Tax of the Radnor Township Code.

Joseph T. Doyle Jr., Radnor Resident - He emailed in opposition of the Amusement Tax.

The motion to repeal Article 1 Chapter 260-/Amusement Tax from the Radnor Township Code which would result in directing Staff to prepare an Ordinance to repeal Article 1 Chapter 260/Amusement Tax from the Radnor Township Code, passed 5 to 2 with Commissioner Larkin and Commissioner Farhy opposed.

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

Vote on proceeding agenda item made this agenda item unnecessary.

I. Resolution #2020-141 - Awarding the Construction Contract for the Radnor TAP Trail to Road-Con, Incorporated in the Amount of \$1,862,370.85, and Authorizing the Payment to the Pennsylvania Department of Transportation for Incurred Administrative Costs of \$10,000 to be paid from bond proceeds

Commissioner Larkin moved to approve the Resolution, seconded by Commissioner Enderle. Steve Norcini, Township Engineer, spoke on the project. Commissioner Borowski thanked Steve Norcini for his part in the project. The motion passed 7-0.

J. Resolution #2020-142 - Authorizing the Contract to Simone Collins for the Radnor TAP Trail Construction Administration Costs in the Amount of \$15,000 and the Payment of Change Order #11 for the Radnor TAP Trail Design to Simone Collins in the Amount of \$5,000 to be paid from bond proceeds

Commissioner Larkin moved to approve the Resolution, seconded by Commissioner Borowski. Peter Simone spoke on the change order. The motion passed 5 to 2 with Commissioners Booker and Abel opposed.

K. Ordinance #2020-20 - (Adoption) - Enacting a new Chapter 176, Motor Vehicle Bridge Crash Reimbursement, Authorizing the Collection of, and the Reimbursement of Township and Fire Department Costs of Response and Clean Up After Transportation and Authorizing Fines and Penalties

Commissioner Larkin moved to Adopt the Ordinance, seconded by Commissioner Booker. Chief Flanagan spoke on the Ordinance. There was discussion amongst Commissioners and Staff. The motion to adopt the Ordinance passed 7-0.

4. Reports of Standing Committees of the Board

None

5. New Business

Bill White, Township Manager, spoke on the Employee Wellness Grant, which must be used by the end of 2020. Tammy Cohen, Director of Recreation & Community Programming, suggested purchasing Fitbits for the Township Employees with the Grant Money. Bill White noted that the purchase needs Board Approval and he asked for a sense of the Board for the purchase. This purchase is being made with Grant Money and with no Radnor Township Tax Dollars. The Sense of the Board was in favor of the purchase.

Commissioner Booker – Agrees with Commissioner Farhy that professional sports teams within the Township should pay their fair share.

6. Old Business

Commissioner Farhy – Thanked Staff for their work to make the Garrett Hill Town Meeting successful and thanked Sumanth Joseph and Patti Barker in their part of the process. He also asked what the next steps are to make changes to the Garrett Hill Overlay District.

Commissioner Larkin spoke on the next steps; bring a motion to the agenda; direct staff to craft an ordinance with the changes; work with residents directly and draft an ordinance to be placed on agenda which would need to be voted on and sent to Planning Commission.

a. Wayne Picnic Grove Tent Extension – December 2020, as requested by the Wayne Business Association

There was discussion amongst the Commissioners and Staff. The tent will continue to follow the Governor's restrictions and will close if necessary. The WBA has set up a Go Fund Me page to offset the cost of the tent. There were no Commissioner objections to continuing the tent through December 2020.

7. Public Participation

Andrew Tillman, Garrett Hill Auto Service Inc. – He emailed against the Garrett Hill Overlay District.

Douglas McCone - He emailed to point out the excellent service of Radnor Township Staff.

Kelly L. Green, Executive Director, Help Hope Live – She emailed to explain what they do and to say she is grateful for the proclamation.

Barbara Kraus-Blackney, 211 Walnut Avenue – She emailed to request the public be able to participate in the zoom meeting for public participation.

John Ricciutti, Radnor Studio 21 – He emailed to discuss nonresidents doing shows at the expense of Radnor Studio 21.

8. Adjournment

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

*Peggy Hagan*