

BOARD OF COMMISSIONERS

REVISED AGENDA

Monday, July 15, 2019 - 6:30 PM

Pledge of Allegiance

Notice of Executive Session preceding the Board of Commissioners meeting of July 15, 2019

1. Consent Agenda

- a) Disbursement Review & Approval
- b) Approval of minutes of the Board of Commissioner meeting of June 17, 2019 & June 24, 2019
- c) Acceptance of Department Monthly Reports
- d) Final Staff Traffic Committee Meeting Minutes - June 19, 2019
- e) Resolution 2019-72 – Authorizing the Execution of a Grant Application to DCED for the Greenways, Trails, and Recreation Program for the Radnor Trail Extension Project
- f) Resolution 2019-73 – Awarding the Capital Lease Finance Agreement to \$13,751.47 at 3.005% for five years for the lease of one (x1) Public Works Vehicle Previously Approved by the Board of Commissioners
- g) HARB-2019-08 – 233 Walnut Avenue - Replace shed with 1 car garage; extend front porch across right side of house; replace stucco with fiber cement siding consistent with the rear addition completed in November 2017
- h) Resolution #2019-56 - Poplar Avenue, Station Avenue, North Wayne Avenue Pedestrian Project, Request to Authorization to Receive Sealed Bids and Change Order #1, in the amount of \$16,950
- i) Resolution #2019-68 - Authorizing Turner Land Surveying to Provide a Boundary Survey and Stake Out of the Township's Property at Odirisio Park, in the amount of \$9,100
- j) Resolution #2019-70 - Authorize the Award of the Contract for Line Striping of Township Roads
- k) Resolution #2019-71 - Authorizing the payment of \$13,620 to PennDOT per the executed Master Casting's Agreement for the replacement of manholes on Newtown Road (3) and Lancaster Avenue (12)
- l) Resolution #2019-69 - Accepting the sanitary sewer easements at 820 & 834 Darby Paoli Road

2. Public Participation - *Individual comment shall be limited to not more than five (5) minutes per Board policy*

3. Announcement of Boards and Commission Vacancies

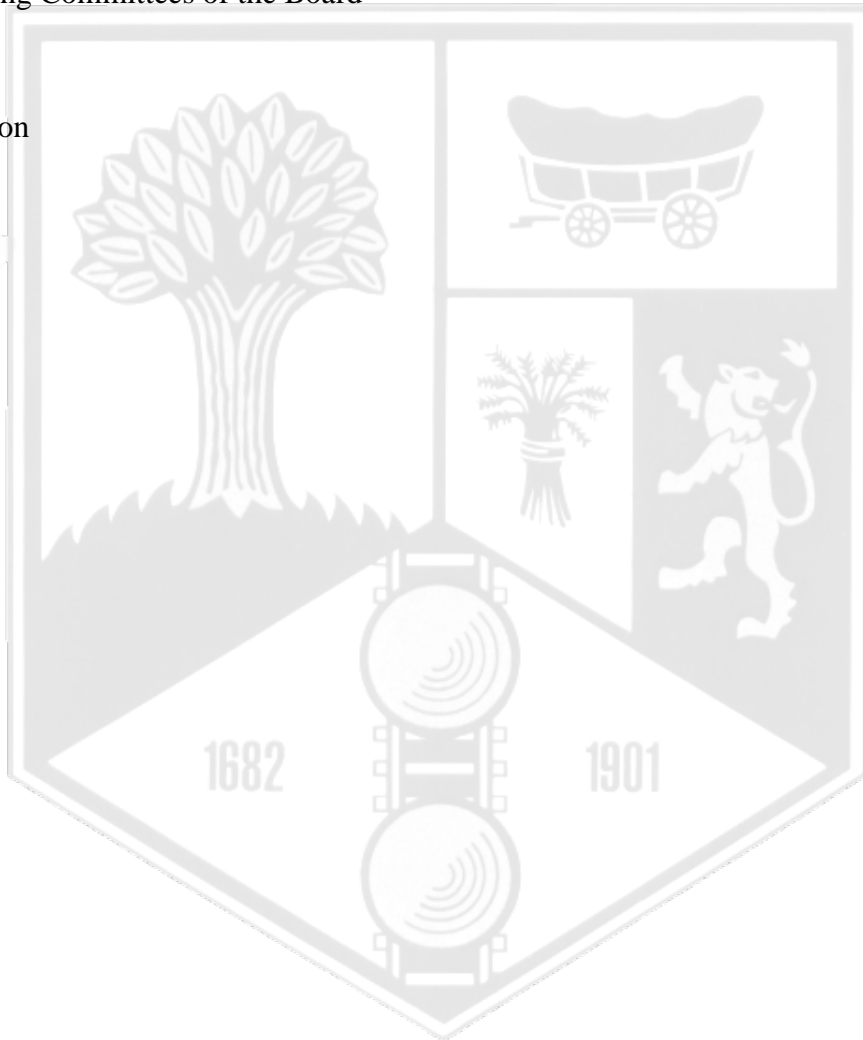
4. Possible Appointments to Various Boards and Commissions

5. Committee Reports

- A. Motion to authorize John Rice to attend the Zoning Hearing Board meeting and oppose the following:
APPEAL #3045 - The appellant, DJB Properties, 131-133 Garrett Avenue, appealing the Zoning Officer's Enforcement Notice dated June 6, 2019 regarding a structure that exceeds the maximum allowable building height.
- B. Ordinance 2019-07 – (**Adoption**) - Authorizing the incurrence by the Township of Radnor of non-electoral debt by the issuance of General Obligation Bonds, Series 2019 in the aggregate principal amount not to exceed \$13,700,000 for the following purposes:
 - a. Series A: Not to Exceed \$5,000,000 of proceeds needed to refund the 2018 Sewer Improvement Notes at \$4.5 million plus capitalized closing costs and pricing flexibility
 - b. Series B: Not to Exceed \$8,700,000 of new money needed to fund General Capital Projects totaling \$7.3 million plus capitalized closing costs and pricing flexibility
- C. Presentation: Sanitary Sewer System Evaluation by Gannett Fleming

- D. Ordinance #2019-09 – **(Introduction)** - Amending The Code Of The Township Of Radnor, Chapter 270, Vehicles And Traffic, Section 270-16, Stop Intersections Concerning The Intersection On Farm Road And Windsor Avenue
- E. Hearing regarding the Inter-Municipal Transfer of a Liquor License to Pizzarella Grille, 958 County Line Road, Bryn Mawr, PA 19010
- F. Ordinance #2019-08 – **(Adoption)** - Amending The General Code Of The Township Of Radnor, Chapter 250, Article Vi, Street Excavations, Section 250.26, Backfilling And Paving, To Require Permittee To, Backfill, Restore And Repair Excavations And Establishing Standards For Such Work
- G. Discussions on proposed lighting and noise ordinances **(Attachments added to Packet)**

- 6. Reports of Standing Committees of the Board
- 7. New Business
- 8. Old Business
- 9. Public Participation
- 10. Adjournment



RADNOR TOWNSHIP
DISBURSEMENTS SUMMARY
July 15, 2019

The table below summarizes the amount of disbursements made since the last public meeting held on June 24, 2019. As approved by the Board, the Administration is now making weekly accounts payable disbursement batches and publishing those lists on the Township's web site at the following link. Please refer to those files for a detailed listing of the amounts paid by vendor by account code. Also, please visit the [Open Finance](#) program to view the Township's [Checkbook](#), where all vendor payments are available.

Link: <http://radnor.com/728/Disbursements-List>

Fund (Fund Number)	2019-6C June 28, 2019	Total
General Fund (01)	\$576,633.00	\$576,633.00
Sewer Fund (02)	44,876.78	44,876.78
Storm Sewer Management (04)	86,018.89	86,018.89
Capital Improvement Fund (05)	6,626.73	6,626.73
OPEB Fund (08)	134,603.30	134,603.30
Escrow Fund (10)	600.00	600.00
Investigation Fund (12)	4,496.00	4,496.00
\$8 Million Settlement Fund (18)	1,147.50	1,147.50
The Willows Fund (23)	419.10	419.10
Total Accounts Payable Disbursements	\$855,421.30	\$855,421.30
<i>Electronic Disbursements</i>	n/a	\$3,392,001.35
Grand Total	\$855,421.30	\$4,447,998.30

In addition to the accounts payable checks, the Township also has various electronic payments including payroll, debt service, credit card purchases and fees as well as others from time to time. The attached table reflects all the electronic payments made since the last public Board meeting as well as those anticipated prior to the next Board meeting.

The Administration has adopted various internal control and processing procedures to ensure that amounts obligated are within the budgetary limits established by the Board of Commissioners. Those procedures are monitored daily by members of the Finance Department and responsible employees of the various departments. The amounts included in the table above have been scrutinized as part of the internal control and processing procedures and have obtained the required approvals prior to disbursement.

If you should have any questions, please contact the Finance Department.

Respectfully Submitted,

William M. White
Finance Director

ELECTRONICALLY PAID DISBURSEMENT LISTING

Estimated Through August 12, 2019

Description	Account No.	Date	Purpose	Amount
Credit Card Revenue Fees - Estimated	Various Funds	7/10/2019	6/19 Credit Card Revenue Processing Fees	\$8,000.00 *
Debt Payment	Various Funds	7/15/2019	US Bank GOB Series B 2013	\$259,675.00
Debt Payment	Various Funds	7/15/2019	US Bank GOB Series A 2013	\$1,206,304.70
Payroll [Pension] Transaction - Estimated	07-492-4980	8/1/2019	8/19 Police Pension Payments	\$229,521.65
Payroll [Pension] Transaction - Estimated	11-495-4980	8/1/2019	8/19 Civilian Pension Payments	\$165,000.00
Payroll [Bi-Weekly] Transaction - Estimated	01-various	7/11/2019	Salaries and Payroll Taxes - General Fund	\$500,500.00
Payroll [Bi-Weekly] Transaction - Estimated	02-various	7/11/2019	Salaries and Payroll Taxes - Sewer Fund	\$17,500.00
Payroll [Bi-Weekly] Transaction - Estimated	01-various	7/25/2019	Salaries and Payroll Taxes - General Fund	\$485,000.00
Payroll [Bi-Weekly] Transaction - Estimated	02-various	7/25/2019	Salaries and Payroll Taxes - Sewer Fund	\$17,500.00
Payroll [Bi-Weekly] Transaction - Estimated	01-various	8/8/2019	Salaries and Payroll Taxes - General Fund	\$485,500.00
Payroll [Bi-Weekly] Transaction - Estimated	02-various	8/8/2019	Salaries and Payroll Taxes - Sewer Fund	\$17,500.00
Period Total				\$3,392,001.35

* Credit card fees are charged to the Township's accounts on the tenth of the month

<u>Original Estimate</u>			<u>Actual Amount</u>
\$485,500.00	6/27/2019	Salaries and Payroll Taxes - General Fund	\$462,369.31
\$17,500.00	6/27/2019	Salaries and Payroll Taxes - Sewer Fund	\$17,880.93
\$503,000.00			\$480,250.24
\$45,000.00	7/1/2018	CDL Bonus Payment - General Fund	\$38,844.42
\$5,000.00	7/1/2018	CDL Bonus Payment - Sewer Fund	\$3,229.50
\$50,000.00			\$42,073.92
\$240,000.00	7/1/2019	Police Pension Payroll	\$237,036.58
\$155,000.00	7/1/2019	Civilian Pension Payroll	\$152,161.39
\$395,000.00			\$389,197.97

TOWNSHIP OF RADNOR
Minutes of the Meeting of June 17, 2019

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

Commissioners Present

*Lisa Borowski, President Jack Larkin, Vice-President Jake Abel
Richard Booker Sean Farhy John Nagle*

Commissioners Absent *Luke Clark*

Also Present: *Robert A. Zienkowski, Township Manager/Township Secretary; William White, Assistant Township Manager/Finance Director; Steve Norcini, Township Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

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

Notice of Executive Session preceding the Board of Commissioners meeting of June 17, 2019

There was an Executive Session on June 17, 2019 where matters of Litigation were discussed. All Commissioners were in attendance except for Commissioner Clark.

1. Public Participation

Dave Palantonio, Morris Road – He commented in support of the streetscape project on Morris Road.

2. Discussion of June 10 Villanova University Settlement Agreement Decision

Commissioner Borowski briefly discussed an incident that occurred after the vote on June 10, 2019 Villanova Settlement Agreement. Commissioner Farhy gave a public apology.

3. Discussion and Direction on the 2019 Series General Obligation Bonds and project listing

Mr. White discussed the proposed project list. There was a discussion amongst Commissioners and staff regarding the proposed changes to the project list. There was a consensus of the Board to move forward with the proposed project list as presented tonight.

Public Comment

Diane Finisdore, Morris Road – Spoke in support of the Morris Road Streetscape Project.

Michelle Finisdore, Morris Road – Spoke in support of the Morris Road Streetscape Project.

4. Resolution #2019-49 - Awarding the Design Contract for the Wayne Business Overlay District Tree Planting Project to Carroll Engineering, Incorporated in the amount of \$13,600

Mr. Zienkowski requested that the item be held until the June 24th meeting as the trees need to be purchased separately.

Commissioner Larkin made by motion to approve, seconded by Commissioner Abel.

There was a brief discussion amongst the Commissioners and staff.

Public Comment

Deanna Doane, WBA – She commented in support of the resolution.

Commissioner Borowski called the vote, motion passed 5-1 with Commissioner Booker opposed and Commissioner Clark absent.

5. Resolution #2019-50 - Awarding the Design Contract for the Wayne Business Overlay Municipal District Parking Resurfacing Project to Carroll Engineering, Incorporated in the amount of \$13,000

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

There was a brief discussion amongst the Commissioners and staff.

Commissioner Borowski called the vote, motion passed 6-0 with Commissioner Clark absent.

6. Discussion of Stormwater

William White, Assistant Township Manager/Finance Director; Steve Norcini, Township Engineer and Mr. Zienkowski, Township Manager/Secretary discussed proposed stormwater mitigation projects throughout the Township. There was a consensus of the Board that Staff will bring a plan forward in the near future for the Board to review.

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

*Respectfully submitted,
Jennifer DeStefano*

TOWNSHIP OF RADNOR
Minutes of the Meeting of June 24, 2019

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

Lisa Borowski, President	Jack Larkin, Vice-President	John Nagle
Sean Farhy	Jake Abel	Richard Booker

Commissioners Absent - Luke Clark

Also Present: Robert A. Zienkowski, Township Manager/Township Secretary; Kathryn Gartland, Township Treasurer; John Rice, Township Solicitor; William White, Assistant Township Manager/Finance Director; Steve Norcini, Township Engineer; Kevin Kochanski, Director of Community Development; Molly Gallagher, Public Information Officer; Amy Kaminski, Traffic Engineer; Roger Philips, Engineer; and Jennifer DeStefano, Executive Assistant to the Township Manager.

President Borowski 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
June 24, 2019

There was an Executive Session on June 24, 2019 preceding the Board of Commissioners meeting, there was an Executive Session where matters of Litigation, Real Estate and Personnel were discussed. All Commissioners were in attendance with the exception of Commissioners Clark.

1. Consent Agenda

- a) Disbursement Review & Approval
- b) Approval of minutes of the Board of Commissioner meeting of June 10, 2019
- c) Acceptance of Department Monthly Reports
- d) Final Staff Traffic Committee Meeting Minutes – May 15, 2019
- e) Resolution #2019-62 – Amending the 2019 Wage and Salary Schedule to include a part-time civilian position in the Police Department
- f) Resolution #2019-56 – Poplar Avenue, Station Avenue, North Wayne Avenue Pedestrian Project, Request to Authorization to Receive Sealed Bids and Change Order #1, in the amount of \$16,950
- g) Resolution #2019-59 - Authorizing Gilmore & Associates to Prepare Final Design, Permitting, and Bidding Documents for the North Wayne Avenue Sidewalk, from Woodsworth Court to Eagle Road, in the amount of \$98,000
- h) Resolution #2019-61 - Authorizing The Engineering Department To Apply For A Pennsylvania Department Of Transportation (PennDOT) Automated Red Light Grant For The Installation Of A Traffic Adaptive System
- i) Resolution #2019-57 – 360 Conestoga Road – **Final** – Minor Final Subdivision Plan

- j) ~~Resolution #2019-58 – 501 S. Ithan – Final – Minor Final Subdivision Plan~~
 k) ~~110 Harvard Lane – Waiver of §245-22.A(2)(c)[2] of the Stormwater Management Ordinance~~
 l) ~~104 Harvard Lane – Waiver of §245-22.A(2)(c)[2] of the Stormwater Management Ordinance~~

Commissioner Nagle made a motion to approve the consent agenda excluding items, e,f,i,j,k & l, seconded by Commissioner Farhy. Motion passed 6-0 with Commissioner Clark absent

e) Resolution #2019-62 - Amending the 2019 Wage and Salary Schedule to include a part-time civilian position in the Police Department

Superintendent Flanagan discussed the above resolution. There was a brief discussion amongst the Commissioners and staff.

Motion passed 5-1 with Commissioner Booker opposed and Commissioner Clark absent.

- i) Resolution #2019-57 - 360 Conestoga Road – Final – Minor Final Subdivision Plan

The applicant is proposing to subdivide the existing lot into two separate lots. There are no changes to roadways, sanitary or storm sewers and no stormwater management systems are proposed.

Commissioner Booker made a motion to approve with a condition to add an Ariel photo of the project, seconded by Commissioner Farhy. Motion passed 6-0 with Commissioner Clark absent.

- j) Resolution #2019-58 - 501 S. Ithan – Final – Minor Final Subdivision Plan

This item was held until later on the agenda.

- k) 110 Harvard Lane – Waiver of §245-22.A(2)(c)[2] of the Stormwater Management Ordinance

The applicant, Rockwell Homes, is constructing a fourteen-lot subdivision off of Bryn Mawr Ave. The lot is proposed to have 3,563 square feet of impervious surface. This applicant has been before the Board previously as the site soils do not meet the Township's infiltration requirements of 0.5 inches/hour. No infiltration testing could be conducted due to the high-water table. Commissioner Abel made a motion to approve, seconded by Commissioner Nagle.

Public Comment

Leslie Morgan – She spoke in opposition of the above waiver.

Toni Bailey – She spoke in opposition of the above waiver.

Commissioner Borowski called the vote, motion passed 4-2 with Commissioner Booker and Farhy opposed. Commissioner Clark absent.

104 Harvard Lane – Waiver of §245-22.A(2)(c)[2] of the Stormwater Management Ordinance

The applicant, Rockwell Homes, is constructing a fourteen-lot subdivision off of Bryn Mawr Avenue. This lot is proposed to have 4,020SF of impervious surface. This applicant has been before the Board previously as the site soils do not meet the Township's infiltration requirements of 0.5 inches/hour; their testing results is 0.07 inches/hour.

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

Public Comment

Gretchen Groebel, Radnor Conservancy – She spoke in opposition of the above waiver.

Commissioner Borowski called the vote, motion passed 4-2 with Commissioner Booker and Farhy opposed. Commissioner Clark absent.

2. Public Participation - Individual comment shall be limited to not more than five (5) minutes per Board policy

Leslie Morgan, Farm Road – She spoke regarding the proposed bond to fund capital projects.

Sara Pilling, Ready100 – The next green team meeting is tomorrow night at 6:30 in the Administration area of the Township Building.

Dan Kaplan, Calverese Lane - He spoke in support of agenda item K.

MaryEllen Mannix – She is not in support of the Willows Lease ordinance.

3. Promotion of Detective Christopher Four to the rank of Sergeant

Judge Lang administered the Oath to Christopher Four for the promotion to the rank of Sergeant.

4. Recognition of Sergeant George Smith for his 26 years of service to Radnor Township Police Department

5. Announcement of Boards and Commission Vacancies

Commissioner Larkin announced the below vacancies:

- Board of Health - 1 Vacancy (unexpired term 12/31/19)
- Citizens Audit Review & Financial Advisory Committee - 4 Vacancies
- Code Appeals Board - 1 Vacancy *Requirements: Master Electrician, Master Plumber or General Contractor*
- HARB - 1 Vacancy (unexpired term 12/31/2020)
- Rental Housing Appeals Board - 1 Vacancy (unexpired term 12/31/2022)
- Shade Tree Commission - 1 Vacancy (unexpired Term 12/31/2019)
- Stormwater Management Advisory Committee - 4 Vacancies
- Zoning Hearing Board - 1 Vacancy

6. Possible Appointments to Various Boards and Commissions

Commissioner Nagle made a motion to appoint Rob Norton to CARFAC, seconded by Commissioner Borowski. Motion passed 6-0 with Commissioner Clark absent.

Commissioner Borowski made a motion to appoint Tony Mendicino to CARFAC, seconded by Commissioner Nagle. Motion passed 5-1 with Commissioner Larkin opposed and Commissioner Clark absent.

Commissioner Borowski made a motion to appoint Seth Reeser to Shade Tree Commission, seconded by Commissioner Booker. Motion passed 6-0 with Commissioner Clark absent.

Commissioner Booker made a motion to appoint Lisa Hamaker to the Board of Health, seconded by Commissioner Borowski. Motion passed 6-0 with Commissioner Clark absent.

7. Committee Reports

A. Resolution #2019-63 - Engaging PFM to provide financial consulting services for the General Obligation Bonds, Series 2019

Mr. White gave a brief description of the above resolution. There was a brief discussion amongst the Commissioners, consultants and staff.

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

Commissioner Borowski called the vote, motion passed 5-0 with Commissioner Nagle not in the room and Commissioner Clark absent.

B. Resolution #2019-64 - Engaging Cozen O'Connor as Bond Counsel for the General Obligation Bonds, Series 2019

Commissioner Abel commented that he will recuse himself from the above as he has a conflict.

Commissioner Larkin made a motion to approve, seconded by Commissioner Farhy. Motion passed 5-0 with Commissioner Abel recusal and Commissioner Clark absent.

C. Ordinance #2019-07 – (Introduction) Authorizing the incurrence by the Township of Radnor of non-electoral debt by the issuance of General Obligation Bonds, Series 2019 in the aggregate principal amount not to exceed \$13,700,000 for the following purposes:

- a. Series A: Not to exceed \$5,000,000 of proceeds needed to refund the 2018 Sewer Improvement Notes at \$4.5M plus capitalized closing costs and pricing flexibility
- b. Series B: Not to exceed \$8,700,000 of new money needed to fund General Capital Projects totaling \$7.3M plus capitalized closing costs and pricing flexibility

Commissioner Nagle made a motion to introduce, seconded by Commissioner Larkin.

There was a discussion amongst the Commissioners, Counsel and staff.

Commissioner Borowski called the vote, motion passed 6-0 with Commissioner Clark absent.

D. Discussion of PECO Tree Pruning Operations (Requested by Commissioner Borowski)

Representatives from PECO made a presentation pertaining to pruning operations which can be found on the Township website at: <https://www.radnor.com/910/Board-of-Commissioners-Presentations>. There was a brief discussion amongst the Commissioners, Matt Golas and PECO representatives.

E. Discussion of Young Lungs At Play Program (Requested by Commissioner Abel)

A representative of Pennsylvania Department of Health spoke regarding the Young Lungs at Play program. There was a discussion amongst Commissioners and staff; options will be presented to the Board at a future meeting.

F. Resolution #2019-60 - Awarding Contract B-19-003, Radnor Township Park Improvements at Bo Connor Park and Warren Filipone Park

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

There was a brief discussion amongst Commissioners and Staff.

Commissioner Borowski called the vote, motion passed 6-0 with Commissioner Clark absent.

G. Ordinance #2019-06 - (Adoption) - Approving a Lease Agreement Between the Township of Radnor and Willows Park Preserve

Commissioner Larkin made a motion to adopt, seconded by Commissioner Farhy.

There was a brief discussion amongst the Commissioners, Representatives for the WPP, representatives of Parks Board.

Public Comment

Alex Yannopoulos, Ward 7 – He spoke in support of the Willows.

Commissioner Borowski called the vote, motion passed 4-1 with Commissioner Nagle abstaining, Commissioner Abel opposed, and Commissioner Clark absent.

H. Resolution #2019-65 – Amending the 2019 Consolidated Fee Schedule to include a new Telecommunications and Cable Service Provider Administrative Fee

Mr. Zienkowski requested a proposed fee would be set at \$0.05 per foot, per side of all State and Township owned roads and will be utilized to offset a portion of the Township's costs in responding to residents' and business owners' complaints when Telecommunications and Cable Service Providers perform work in the Township and fail to finish or fully restore the work area. With more frequency, these service providers are performing work within the Township and are failing to leave the work areas in a clean, safe, and workmanlike manner. Often times, Administration is fielding calls about unsafe, hazardous, and aesthetically unkept work areas; thereby jeopardizing the Health, Safety, and Welfare of our Residents and Businesses. As a result of the Administration needing to address these complaints, there is a disruption to the day to day Township operations when there is a need to follow-up, submit calls for service, and monitor these service providers.

Commissioner Borowski made a motion, seconded by Commissioner Larkin.

Public Comment

Sara Pilling, Garrett Avenue – She spoke in support of the resolution.

Commissioner Borowski called the vote, motion passed 5-1 with Commissioner Booker opposed and Commissioner Clark absent.

I. Ordinance #2019-05 – (Adoption) - Providing For The Amendment Of The Radnor Township Code Of Ordinances By Amending Part 2, General Legislation Creating A New Chapter 224, Adopting Regulations For The Planting, Controlling, And Removal Of Bamboo, Including Penalties And Other Remedies For Violations

Commissioner Larkin made a motion to adopt, seconded by Commissioner Nagle.

Commissioner Borowski made a motion to amend – *section C1 & A1 – that residents need to contact the Township, lower fines to \$500 and to give more time to remove bamboo*, seconded by Commissioner Larkin. Motion passed 4-1 with Commissioner Farhy opposed; Commissioner Nagle not in the room and Commissioner Clark absent.

Commissioner Borowski called the vote on the original motion, motion passed 4-2 with Commissioners Booker and Farhy opposed and Commissioner Clark absent.

J. Ordinance #2019-08 – (Introduction) - Amending The General Code Of The Township Of Radnor, Chapter 250, Article Vi, Street Excavations, Section 250.26, Backfilling And Paving, To Require Permittee To, Backfill, Restore And Repair Excavations And Establishing Standards For Such Work

Mr. Norcini explained that it is advisable to require any person who obtains a permit for a street opening or excavation to, as a part of such permit, backfill, restore and repair such excavation or opening at his or its own expense.

Commissioner Abel made a motion to introduce, seconded by Commissioner Larkin. Motion passed 5-0 with Commissioner Borowski out of the room and Commissioner Clark absent.

K. Discussion and Possible Motion of Cameras at Sugartown/Morris Road Trail Entrance (Requested by Commissioner Abel)

Commissioner Abel discussed the above agenda item. Superintendent Flanagan spoke that the Police Department will review possible options for a long-term strategy throughout the Township. There was a discussion amongst the Commissioners and staff. The Commissioners requested to have Police gather more information regarding the above and bring back to the Board for further discussion.

l) Resolution #2019-58 - 501 S. Ithan – Final – Minor Final Subdivision Plan

Mr. Norcini explained that the applicant is to adjust the lot line between the two properties and increase 501 S. Ithan Avenue from .588 acres to .837 acres and decrease 528 Brandymede Road from 1.357 acres to 1.108 acres. There are no changes to roadways, sanitary or storm sewers or stormwater management systems are proposed.

Commissioner Larkin made a motion to approve with a condition to have an aerial, seconded by Commissioner Nagle. Motion passed 5-1 with Commissioner Booker opposed and Commissioner Clark absent.

- L. Motion for the installation of an electronic Over Height Vehicle Detection System (OHVDS), including electronic photo eye, and interconnected lighted diversion signs, to be installed by the Township at appropriate locations on King of Prussia Rd., on the north and south sides of the Amtrak bridge (Requested by Commissioner Booker)

Commissioner Booker made a motion to approve the installation of an electronic Over Height Vehicle Detection System (OHVDS), including electronic photo eye, and interconnected lighted diversion signs, to be installed, at the expense of and maintained by the Township at appropriate locations on King of Prussia Rd., on the north and south sides of the Amtrak bridge, seconded by Commissioner Abel. Motion failed 2-4 with Commissioners Farhy, Borowski, Larkin and Nagle opposed. Commissioner Clark absent.

8. Reports of Standing Committees of the Board

None

9. New Business

None

10. Old Business

None

11. Public Participation

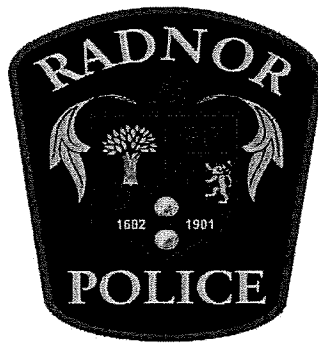
Sara Pilling, Garrett Avenue – She spoke regarding her concern of only one Board of Commissioner meeting in July and August and that there needs to be two each month.

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

*Respectfully submitted,
Jennifer DeStefano*

RADNOR TOWNSHIP POLICE DEPARTMENT

Monthly Report



July 2019

**Christopher B. Flanagan
Police Superintendent**

Calls for Service - by Keyword

RADNOR TOWNSHIP

Incidents Reported Between 06/01/2019 and 06/30/2019



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
3501	DISTURBANCE-COMPLAINT OF NOISE,MUSIC,ETC	27			
3520	DOMESTIC PROBLEM (NO ARREST)	14	1		
3650	PECO-ENEGY NOTIFICATION/POWER OUTAGES	0	1		
4000	JUVENILE PROBLEMS (NO ARREST)	10			
4200	MISSING PERSONS(EXCEPT JUVENILES)	1			
4301	MENTAL HEALTH-ALL OTHERS	8			
4500	OPEN DOORS/WINDOWS	5			
4600	ORDINANCE VIOL.-EXCEPT BURNING/SOLICIT	2			
4650	POLICE INFORMATION	73			
4655	CID/DTF INVESTIGATION	1	1		
4660	911 HANG UP CALL	25			
4700	ADDED PATROL-REQUEST FOR	128	1	1	
4701	ADDED PATROL - BUSINESS CHECKS	90	2		
4702	ADDED PATROL - SCHOOL CHECKS	19			
4801	SOLICITING-COMPLAINTS	5			
4900	SUSPICIOUS PERSON	18			
4901	SUSPICIOUS CIRCUMSTANCE	29	1		
4902	SUSPICIOUS VEHICLES	24			
5000	TELEPHONE CALLS-HARASSING/SUSPICIOUS	2			
5200	TRAFFIC HAZARD-POTHoles/OBSTRUCTIONS/ICE	1			
5300	TREES DOWN AND/OR BLOCKING ROADWAY,ETC	7	1		
5400	VEHICLES-ABANDONED	4			
5401	VEHICLES-ASSIST MOTORIST(INCL LOCKOUTS)	22			
5402	VEHICLES-DISABLED	24			
5403	VEHICLES-MV VIOLATIONS & MVV COMPLAINTS	45	1		
5404	VEHICLES-PARKING COMPLAINTS	17			
5405	VEHICLES-TOWED	6	3		
5501	WIRES DOWN - NO HAZARD	4			
5600	WARRANT-ARREST (ISSUED OUTSIDE RADNOR)	1			
6001	ACCIDENT - WITH INJURIES	3			
6003	ACCIDENT - NON REPORTABLE	46			
6005	ACCIDENT - NO REPORT DONE	5			
6007	ACCIDENT - BRIDGE STRIKE	2			
8000	BURG/HOLDUP/PANIC ALARM - CIT ISSUED	2			
8001	BURG/HOLDUP/PANIC ALARM - NO CITATION	86			
8002	FIRE/MEDICAL ALARM - CITATION ISSUED	1			
8003	FIRE/MEDICAL ALARM - NO CITATION	28			
8004	ANY ALARM- SEVERE WEATHER- NO CITATION	1	1		
9001	ANIMALS-RABID/SICK	2			
9003	ANIMALS-BITES	2			
9005	ANIMALS - ALL INVOLVING DEER	6			
9038	K-9 ASSIST	3			
9050	ASSIST SICK/INJURED	111			
9051	ASSIST AMBULANCE	3			
9052	ASSIST OTHER POLICE DEPARTMENT	2			
9966	SELECTIVE ENFORCEMENT-CITATION ISSUED	124	1		
9968	SELECTIVE ENFORCEMENT-WARNING ISSUED	53			
9970	SELECTIVE ENFORCEMENT-NO ISSUANCE	47			
9972	MOTOR OFFICER ACTIVITY	0	4		
		<u>1,139</u>			

ACCIDENT

3200	CHECK ON WELFARE	6			
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Calls for Service - by Keyword

RADNOR TOWNSHIP

Incidents Reported Between 06/01/2019 and 06/30/2019



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
ADMIN					
9000	ANIMALS - DOG COMPLAINTS	4	1		
9002	ANIMALS - ALL OTHER	3			
9055	ASSIST SICK/INJURED ALCOHOL/DRUG RELATED	2	1		
		9			
ALL ORDINA					
2830	TWP ORD-ALL OTHER	1			
ALL OTHER					
2600	ALL OTHER CRIMES CODE VIOLATIONS	0	1		
2616	ALL OTHERS - CONTEMPT OF COURT (NON M.V)	1			
2622	ALL OTHERS-EPA VIOLATIONS (POLLUTION)	1			
2640	ALL OTHER ORDINANCE VIOLATIONS	2			
2660	TRESPASSING OF REAL PROPERTY	4			
		8			
ANIMAL					
5502	ANIMAL COMPLAINTS - BARKING DOGS	3			
5504	ANIMAL COMPLAINTS - DOG BITES	2			
5506	ANIMAL COMPLAINTS - STRAY ANIMALS	2			
5510	ANIMAL COMPLAINTS - OTHER	15			
		22			
ASSAULT					
0440	ASSAULT - ATROCIOUS- HANDS,FISTS,FEET	3			
ASSIST					
7502	ASSIST OTHER AGENCIES - FIRE DEPT.	8			
7504	ASSIST OTHER AGENCIES - OTHER POLICE	4			
7590	ASSISTING OTHER AGENCIES - REPORTS	1			
		13			
CIVIL					
3300	CIVIL DISPUTES	8		1	
COMPLAINT					
8590	CITIZEN COMPLAINT REPORT	1			
CONTACT					
4016	NON-CRIMINAL - PEDESTRIAN CONTACTS	4			
CRIM MISCH					
1410	CRIMINAL MISCHIEF TO AUTOMOBILES	1			
1440	CRIMINAL MISCHIEF - ALL OTHER	1			
		2			
DISORDERLY					
2410	HARASSMENT BY COMMUNICATION	4			
2450	HARASSMENT	4			
		8			

Calls for Service - by Keyword

RADNOR TOWNSHIP

Incidents Reported Between 06/01/2019 and 06/30/2019



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
DISTURBANC					
3610	DISTURBANCES-JUVENILE	1			
3620	DISTURBANCES-OTHER (FIGHTS,DISPUTES,ETC)	5			
		6			
DOA					
3320	DOA	1			
DRUG					
1812	NARCOTICS-SALE-MARIJUANA, HASHISH, ETC.	1			
1822	NARCOTICS-MANUFACTURE-MARIJUANA,ETC.	1			
1831	NARCOTICS-POSSESSION-MORPHINE,HEROIN,ETC	1			
1832	NARCOTICS-POSSESSION-MARIJUANA,ETC.	4			
1834	NARCOTICS-POSSESSION-OTHER DANGEROUS	0	1		
1844	NARCOTICS-USE-OTHER DANGEROUS	1		1	
1890	NARCOTICS - REPORTS	1	1		
		9			
DUI					
2110	DRIVING UNDER THE INFLUENCE-LIQUOR/DRUGS	1			
2111	DRIVING UNDER THE INFLUENCE - ALCOHOL	1			
2112	DRIVE UNDER INFLUENCE-ALCOHOL-IMPAIRED	4			
		6			
EASTTOWN					
9044	ASSIST EASTTOWN PD	1			
FIRE					
3701	FIRE-COMMERCIAL	1			
3702	FIRE-VEHICLE	1			
3703	FIRE-ALL OTHERS	2			
3706	FIRE - LEAVES, BRUSH, ETC.	1			
3840	FIRES (INCLUDING ALARMS-FOUNDED/UNFOUND)	3			
		8			
FRAUD					
1100	FRAUD	2			
1130	FRAUD - ALL OTHERS (FLIM-FLAM, ETC.)	1			
1140	UNAUTHORIZED USE OF A MV	1			
1191	FRAUD - REPORTS	8			
		12			
HAVERFORD					
9041	ASSIST HAVERFORD PD	3			
HEROIN					
4652	HEROIN RELATED INCIDENT	0	1		
IOD					
4400	OFFICER INJURED ON DUTY	2			
LIQUOR					

Calls for Service - by Keyword

RADNOR TOWNSHIP

Incidents Reported Between 06/01/2019 and 06/30/2019



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
LIQUOR					
2211	LIQUOR LAW-UNDERAGE-PURCH,CONSMP,POSSES	2			
LMPD					
9040	ASSIST LOWER MERION PD	4			
LOCKOUT					
3860	SERVICE CALL-LOCKOUTS (VEHICLE/BLDG)	1			
LOST/FOUND					
5002	LOST & FOUND - FOUND ANIMAL	4			
5004	LOST & FOUND - FOUND ARTICLES	11			
5006	LOST & FOUND - LOST ANIMAL	1			
5008	LOST & FOUND - LOST ARTICLES	4			
		<u>20</u>			
MISSING PE					
2900	JUVENILE RUNAWAYS	1			
5010	LOST & FOUND - MISSING JUVENILE FEMALE	1			
		<u>2</u>			
MV ACCIDEN					
6002	ACCIDENT - NO INJURIES (REPORTABLE)	15	4		
6004	ACCIDENT - HIT & RUN	6			
6006	ACCIDENT - PEDESTRIAN	1			
		<u>22</u>			
N-TRAF CIT					
CITN	NON-TRAFFIC CITATION	15			
NEWTOWN					
9043	ASSIST NEWTOWN PD	1			
OTHER					
4008	NON-CRIMINAL-ELECTRIC LIGHT OUTAGES	1			
4018	NON-CRIMINAL-ST. LIGHT OUT, ST. REPAIRS.	5			
		<u>6</u>			
PFA					
2647	ALL OTHERS - PROTECTIVE ORDERS	2			1
PROPERTY					
2910	LOST/MISSING PROPERTY	4			
PSP					
9047	ASSIST PSP	0	2		
PUBL DRUNK					
2300	PUBLIC DRUNKENESS	3	1		

Calls for Service - by Keyword

RADNOR TOWNSHIP

Incidents Reported Between 06/01/2019 and 06/30/2019



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
RECEIVING					
1390	STOLEN PROPERTY - REPORTS (RECOVERY)	1			
ROBBERY					
0310	ROBBERY-FIREARM	1			
SERVICE					
7008	NOTIFICATION - SEWER DEPT.	1			
7010	NOTIFICATION - PARKS DEPT.	2			
7014	PUBLIC SERVICE - OTHERS (OFFICER ASSIST)	8	1		
7090	PUBLIC SERVICES - REPORTS	4			
		<u>15</u>			
SEXUAL					
1790	SEX OFFENSES - REPORTS	1			
SUICIDE					
4300	MENTAL HEALTH-EMERG.302/SUICIDE ATTEMPTS	1			
SUSPICIOUS					
3500	DISTURBANCE - DISORDERLY PERSONS	4			
SVC CALL					
3810	SERVICE CALL-ALARMS-UNFOUNDED-EXCPT FIRE	5			
3850	HAZARDOUS CONDITIONS	19			
3880	OPEN DOORS/WINDOWS - DISCOVERED	4			
3900	GAS LEAKS (NATURAL GAS)	4			
		<u>32</u>			
THEFT					
0613	THEFT-\$200 & OVER-RETAIL THEFT	1			
0614	THEFT-\$200 & OVER-FROM AUTO (EXCPT 0615)	3			
0619	THEFT-\$200 & OVER-ALL OTHER	2			
0624	THEFT-\$50 TO \$200-FROM AUTO (EXCPT 0625)	1			
0625	THEFT-\$50-\$200-AUTO PARTS & ACCESSORIES	1			
0626	THEFT-\$50 TO \$200-BICYCLES	1			
0629	THEFT-\$50 TO \$200-ALL OTHER	1			
0633	THEFT-UNDER \$50-RETAIL THEFT	2			
0634	THEFT-UNDER \$50-FROM AUTO (EXCEPT 0635)	1			
0690	THEFT - REPORTS	4			
		<u>17</u>			
TRAF CIT					
CITT	TRAFFIC CITATION	46			
TRAFFIC					
6606	TRAFFIC RELATED - DIRECT TRAFFIC	14			
6612	TRAFFIC RELATED - SIGNALS-SIGNS OUT	11			
6614	TRAFFIC RELATED - OTHER TRAFFIC	2			
		<u>27</u>			

July 02, 2019

Calls for Service - by Keyword

RADNOR TOWNSHIP

Incidents Reported Between 06/01/2019 and 06/30/2019



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
TREDYFFRIN					
9045	ASSIST TREDYFFRIN PD	2			
UPPER MERI					
9046	ASSIST UPPER MERION PD	1			
VILLANOVA					
4651	REFERRED TO VILLANOVA PD	2			
VUPD					
9049	ASSIST VUPD	2			
WARRANT					
8010	WARRANTS - LOCAL - CRIMINAL	1			
YOUTH					
8523	YOUTH AID PANEL REFERRAL	0	1		
		Total Calls	1,507		



JULY

<u>Description</u>	<u>Primary Count</u>
--------------------	----------------------

Parking Tickets

Month of June 2019	495
January 1, 2019 - June 30, 2019	4,317

Residential and Commercial False Alarm Violations

Month of June 2019	55
January 1, 2019 - June 30, 2019	472

Moving Violations

Month of June 2019	473
January 1, 2019 - June 30, 2019	4,904

Radnor Police Training - June 2019

Police Motorcycle Certification – Ofc. Racht & Ofc. Patterson

Tactics for Narcotics Warrants – Ofc. Greaves & Ofc. Laffredo

Active Shooter Training – Det. Metzler

Police Mountain Bike Certification – Ofc. Grimm & Ofc. Jennings

JUNE 2019
CRIME ALERTS

On Friday, 5/31/2019, a resident on Drakes Drum Drive was the victim of a phone scam. The resident received a phone call from an unknown person (800-325-0778) claiming to be from the Social Security Office. Before realizing the call was a scam the resident gave out personal information to the caller. In any other resident believes they were a victim of this this or any other type of phone scam, they are asked to call the Radnor Police at 911.

On Monday, 6/3/2019, several vehicles were broken into while parked in lots along Lancaster Av. During the late afternoon or early evening hours several cars had their windows broken and items of value taken from inside. These thefts occurred while the cars were parked in large parking lots of various different businesses along Lancaster Av. If you were the victim of this type of crime or may have seen anything suspicious yesterday you are asked to call the Radnor Police at 911.

On Tuesday June 4th, at approximately 9:50 AM a male lost his wallet in the area of 215 W. Laster Av. The male was subsequently advised that two fraudulent attempts were made on his debit card in King of Prussia. If any one may have seen anything in regards to this incident they are asked to call the Radnor Police at 911.

Friday, 6/7/2019, a large iron umbrella stand was taken from the 700 block of Roberts Rd. The stand was last seen in the rear of the property, underneath a patio table. If anyone else may have been a victim of theft that night or may have seen anything in relation to this crime they are asked to call the Radnor Police at 911.

On Monday, 6/10/2019, a trailer hitch was stolen from a truck parked in the lot of 316 E. Lancaster Av. The vehicle was parked in the park lot of the store at approximately 5 pm. Anyone else who may have been the victim of a theft in this area, or may have seen anything in relation to this crime is asked to call the Radnor Police at 911.

On Monday, 6/17/2019, at approximately 3:10 AM the Wawa located at 151 Sugartown Rd. was robbed. Three males armed with handguns entered the store and took money from the cash registers and the cash drop box. All three actors were wearing blacking hooded sweatshirts and masks. Anyone who may have any information regarding this crime is asked to contact Detective Jim Santoliquito at 610-688-5606 X112 or the Radnor Police at 911.

On Monday, 6/17/2019, at approximately 1:43 AM a suspicious vehicle was observed driving on Portledge Dr. The vehicle, an older model sedan, that did not belong in the neighborhood, was seen driving slowly up and down the street. At one point it turned into a residential driveway, but then backed out and left the area. If anyone may have seen this car or have any information about it, they are asked to call the Radnor Police at 911.

On Tuesday, 6/18/2019, a Weber gas barbecue grill, was taken from the front porch of a residence. The grill was taken between 12:45 PM and 1:30 PM. The grill was later located on the porch of a neighbor further down the block. This person was not at home all day and was not aware of how the grill got on their porch. If anyone may have seen anything related to this crime they are asked to call the Radnor Police at 911.

On Tuesday, 6/18/2019, a package that was delivered to a residence in the 200 block of Iven Av. was taken. The resident was able to confirm with UPS that the package was delivered on 6/18/2019, however when the resident went to pick up the item it was not there. If anyone may have any information in regards to this theft they are asked to call the Radnor Police at 911.

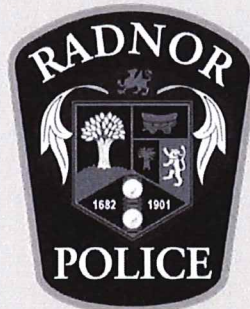
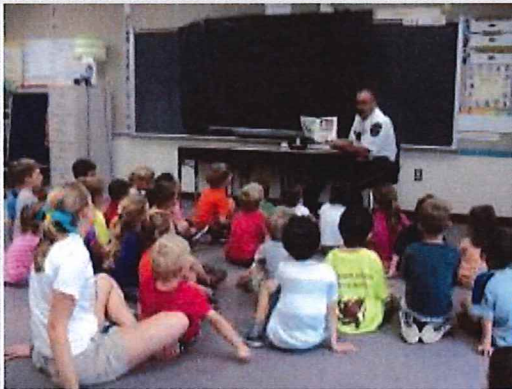
A resident reports receiving emails from an unknown email address threatening to expose personal secrets about them if they are not paid a large amount of bit coin. The email came from "minhadleyfb@outlook.com" and claimed to have embarrassing information about the person. The email sender threatened to release this information if they were not sent \$1346.00 in bit coin. If any other resident was the victim of this type of email scam, they are asked to call the Radnor Police at 911.

RADNOR TOWNSHIP POLICE DEPARTMENT
COMMUNITY EVENTS

Reading with the Radnor Police

Join us this summer to hear our Radnor Police officers read your favorite childhood stories!

This new FREE program is a great opportunity to get to know your local police officers! We will read a story, have some snacks, and then there will be an opportunity to ask questions about some of the things our police officers do each day. There might even be tours of the police vehicles or surprise visits from our K-9 officers!



Dates:

Thursday, June 13, 2019 - 6:00 pm at Browning Lane Little Free Library (134 Browning Lane, Rosemont, PA)

Tuesday, July 9, 2019 – 11:00 am at Encke Park

Tuesday, July 23, 2019 - 6:00 pm at Clem Macrone Park

Thursday, August 1, 2019 - 4:00 pm at Odorisio Park

Radnor Township
Recreation & Community Programming Department

CHRIST CHURCH
ITHAN VILLANOVA, PA

For more information please call 610-688-5600 ext. 109



CHALLENGE

CHALLENGE

CONNELLY

Representative Mary Gay Scanlon (PA-5)
Conference Call with Rep. Scanlon and and Legislative Assistant

Agenda

*Monday, June 10th
2:00pm EST*

Conference Call-In Number: 1-866-200-5786
Passcode: 1587364#

Participants:

Mr. Joe Blackburn, Executive Director, Pennsylvania Association of Chiefs of Police
Ms. Melissa Morgan, Policy and Legislative Director, PA State Association of Township Supervisors (PSATS)
Chief Christopher Flanagan, Township of Radnor Police Department
Councilmember Portia West, City of Chester
Captain Thomas Johnson, Upper Darby Police Department
Joshua Collins, Coalition Against Bigger Trucks (CABT)
Tom Clancy, Office of Representative Mary Gay Scanlon
Representative Mary Gay Scanlon, House of Representatives

- I. Congratulations and Introductions (by order of list above)
- II. Mr. Joe Blackburn – PCPA policy position opposed to bigger truck legislation; concern for motorists but also safety of law enforcement professionals on the road
- III. Ms. Melissa Morgan – PSATS partnership with CABT, overall effects on smaller township government, budgets and street repair
- IV. Chief Christopher Flanagan – Areas, streets and bridges in Radnor that have heavy truck traffic and create infrastructure issues, effects from even bigger trucks
- V. Councilmember Portia West – Commercial trucks on Interstate 95, Commodore Barry Bridge into/out of New Jersey, local deliveries and streets
- VI. Captain Thomas Johnson – Experiences with trucks in terms of safety and concern about increases in instability, stopping distances, blind spots with longer trucks
- VII. Joshua Collins (CABT) – Wrap up and final remarks about bigger truck legislation
- VIII. Q&A session

CONFERENCE CALL NOTES

Discussions primarily about the KOP Rd. bridge and all of the bridge strikes which have occurred there in the past 5-6 years (over 100).

RPD mentioned the effect of higher and heavier trucks on local roads when the KOP bridge diverts them on these local roads.

The local roads can't handle the size and weight of the trucks now, so they definitely can't handle larger trucks.

Current infrastructure can't handle large trucks.

Smaller towns do not have wide enough roads to handle larger trucks.

Low bridges are also a concern. (KOP)

The same issue permeates throughout the State.

State issue that has become a local problem.

The BeSMART group and the Radnor Residents for Gun Safety "RRGS" handed out free gun locks at the regular meeting of the Radnor Board Of Health.

Sara Wallace - Left
Michele Hunn - right



The Radnor Township Police Department has a large supply of Gun Locks available free to anyone who could use them.



Radnor Officers attended a block party in the 100blk of Poplar on June 15, 2019







Superintendent Flanagan,

Cannot thank you and your officers enough! Today was so special for our students! You guys were educational, fun, and patient. I really appreciate your time and service!

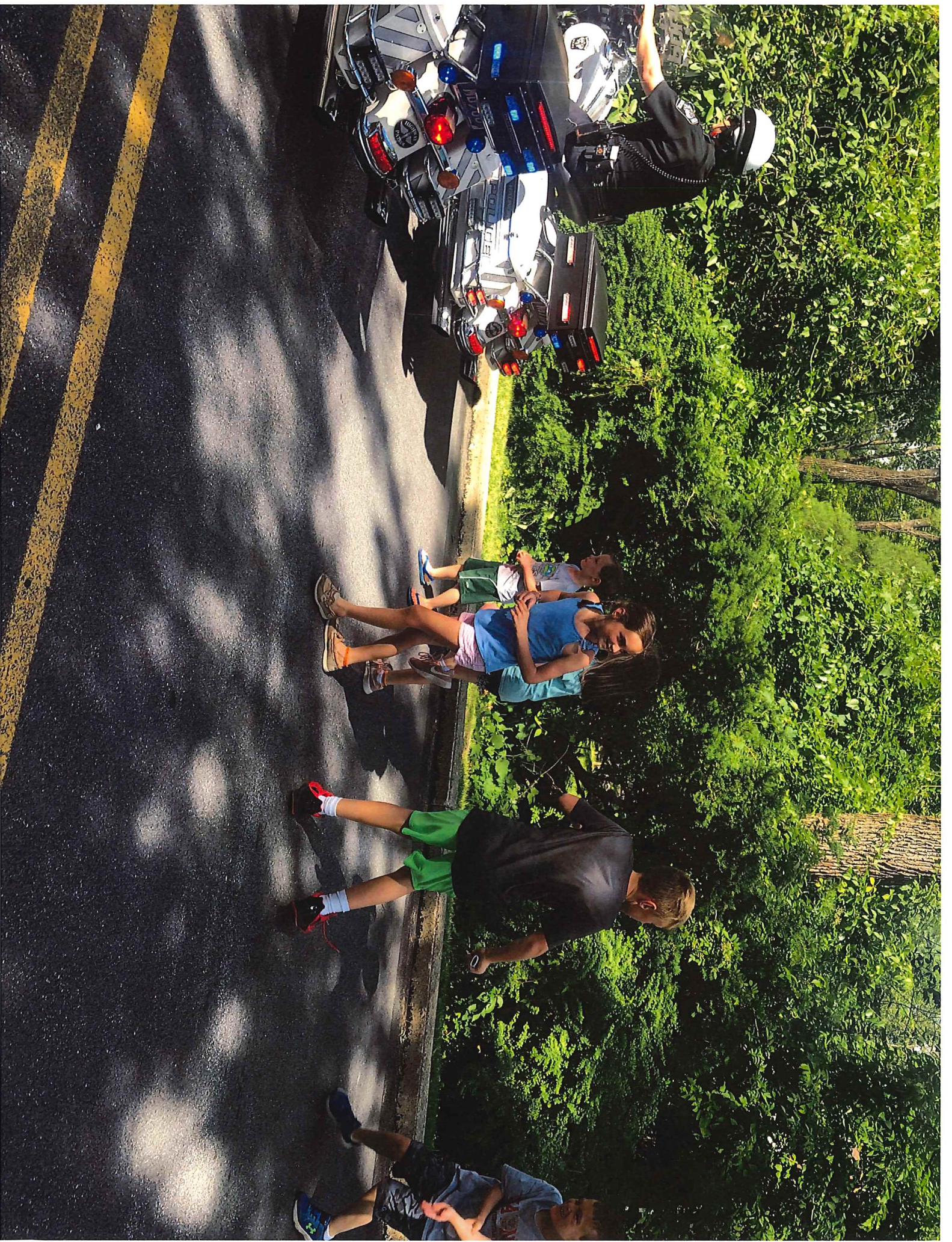
Wayne Elementary School really loves the Radnor Police Department— here are some pictures from today.

Morgan Dorfman

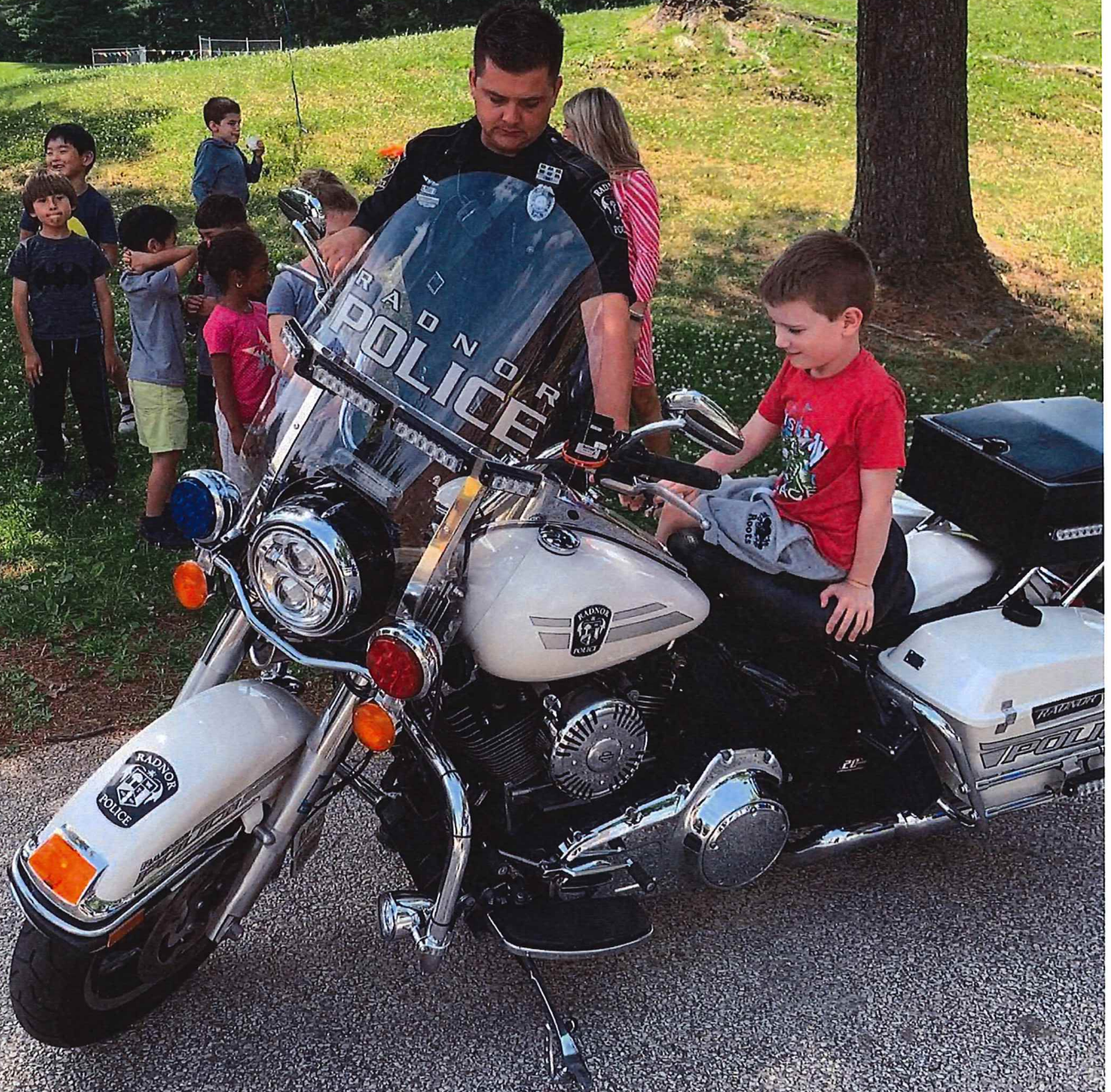
















WAYNE ELEMENTARY SCHOOL



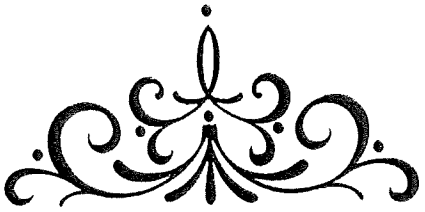
RADNOR TOWNSHIP POLICE DEPARTMENT

THANK YOU LETTERS

LPH 5000A
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HALLMARK MARKETING COMPANY, LLC
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Hallmark.com

Hallmark Cares
Visit Hallmark.com/ourplanet
THIS CARD IS MADE WITH PAPER FROM
WELL-MANAGED FORESTS.

Expressions
FROM
Hallmark



THANK YOU

CHRIS,

THANKS SO MUCH FOR
SENDING THE "MOTOR PEEPS"
TO MY MUM'S SERVICES -
IT MEANT A LOT TO ME AND
MY FAMILY - Sue

To Whom It May Concern,

I am writing this email to commend three Radnor Police Officers who went above and beyond the call of duty. My babysitter and my niece were driving my children home from swimming lessons on Wednesday, June 12, 2019 around 5:30 pm. Her car suddenly broke while driving on Lancaster Avenue. She was very nervous and didn't know what to do. Everyone around her was beeping and that made her quite upset. That is when a Radnor Police Officer came to her rescue. The officer walked over to her car to see what was happening. He was very helpful and even tried to get her car started but was unsuccessful. He then called the other officers ,that were close by, to help him. These amazing police officers pushed her car out of traffic and to the side of the road. This was not an easy task. I commend your police officers for their assistance and I hope they are recognized for going above and beyond. They kept my small children, babysitter and niece safe. I am so appreciative to these police officers and I hope they know how much it meant to my family. Thank you, Kristin Meehan

~~~~~

Officers Involved:

Sergeant Chris Gluck

Sergeant Dan Lunger

Officer Brett Greaves

Chief,

Squad 3 Police Chaplain Jeff Daily should be thanked for his assistance in helping us at a death scene (190009821). He was very helpful in assisting the family through an extremely difficult time, therefore allowing us to focus on other tasks. I just wanted to take a moment to express our appreciation for the chaplains. They have helped us at several incidents recently and we believe the program has been a success.

Thanks

Dan

I just wanted to thank the police for responding to my call at 3am this morning There was a confrontation in front of my apartment house the Aberwyck which was disturbing so I called it in Although all persons left right after I called ,the police were there directly !!

Great response

Thank u folks!!

Bobbi Fiske

Dear Superintendent Flanagan,

I am writing as a follow-up to my going to your Police Department last evening when I related to the dispatcher my gratitude and request to convey my thanks to the Chief and two of your officers with whom I had contact the night before. Later last evening I received a call from one of your sergeants who suggested that I communicate directly to you.

On Tuesday evening June 18, I believe during the 6 o'clock hour, my car developed a flat tire when I was driving on the parking lot of the Roast + Chop Restaurant 550 Lancaster Avenue in Radnor. I called the Police Department with a "motorist needs assistance" request given that I was having difficulty trying to get my jack to work to change the tire. Within 3 minutes two Radnor Police Officers rolled up in separate vehicles. They briefly assessed the situation and separately and together took care of me. They were professional, friendly, helpful, effective and efficient. The officers helped me and I greatly appreciate them, their help and my experience with them. I am sorry that I do not know their names or badge numbers. They were both Caucasian, approximately 30 years old. The male officer was quite slender and had a buzz cut and the female officer I believe is member of a K-9 unit based upon her shirt collar pins.

Please convey to these officers once again my Thanks. As well, I wanted you to know of their work – not just perfunctory job performance, but human interaction. Thank You!!

Sincerely,

*Stephen*

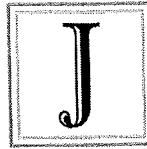
Stephen G. Glass, ED.M.

- This letter is referring to Officer Kyle Hand and Officer Jen Cocco

Good evening all,

Tonight at the Youth Aid Panel we had a young man who has Asperger's and heightened anxiety. He was recently brought into the police station and had to wait a long time for his Father to arrive. The panel asked him about the experience of having to wait in the police station and he said, "the Officer was very nice, he brought me water and helped me calm down" and then actually gave us two thumbs up. I believe that was Brady McHale and I wanted to pass on that nice complement especially because this young man really struggles with this challenges. It was also so nice for the panel to hear that someone with Asperger's was treated so well while in police custody. Well done team!

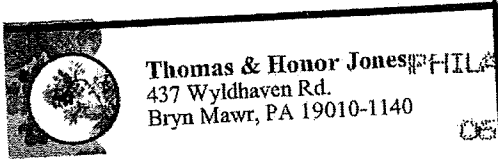
All the best - Sarah



June 6, 2019

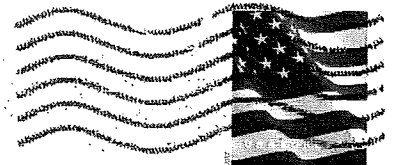
Thomas Edgar Jones

Officer Matus,  
Thank you for accomidating  
our out of town guest (Hannah Bonc'ard).  
What you did was both nice  
and fair.  
Much appreciated,  
Tom



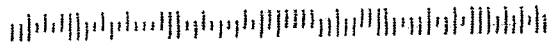
Thomas & Honor Jones PHILADELPHIA, PA 190  
437 Wyldhaven Rd.  
Bryn Mawr, PA 19010-1140

06 JUN 2019 PM 9 L



Officer Matus  
Radnor Township Police  
301 Even Ave  
Radnor, PA  
19087

19087-529799



Gentlemen:

Hello. Just wanted to thank you for all your efforts. It was a pleasure working with you again. Look forward to doing it again in the future hopefully. Thank you!  
Sincerely,

Vin Mazza

Fireworks by Starfire

**RADNOR TOWNSHIP POLICE DEPARTMENT**

301 Iven Avenue  
Wayne, Pennsylvania 19087-5297  
(610) 688-0503 □ Fax (610) 688-1238

**Christopher B. Flanagan**  
**Police Superintendent**

**TO:** Radnor Township Commissioners; Robert A. Zienkowski, Township Manager; William M. White, Director of Finance; Stephen F. Norcini, Township Engineer; Steve McNelis, Public Works Director; Tammy Cohen, Director of Recreation and Community Programming; Kevin W. Kochanski, Director of Community Development; Bill Cassidy, Field Leader; Sgt. Mark Stiansen, Officer Alex Janoski; Officer Pat Lacey, Officer Ken Piree, Officer Ray Matus, Traffic Safety Unit; William Gallagher, Supervisor of Parking; Amy Kaminski, Traffic Engineer for Gilmore and Associates; Vera DiMaio, Administrative Assistant

**FR:** Christopher B. Flanagan

**RE: STAFF TRAFFIC COMMITTEE MEETING HELD IN THE POLICE ROLL CALL ROOM, WEDNESDAY, JUNE 19, 2019, 10:00 AM.**

**NEW BUSINESS**

1. Tara Steinhauer requests a stop sign or speed humps be installed on Laurier Place

Ms. Steinhauer was not present at this meeting. Highway Patrol Officer Ken Piree stated the following stats:

ADT = 161 vehicles/day  
Average speed = 19 mph  
85% = 23 mph

This street does not meet the state requirements for stop sign or speed hump placement. Officer Piree does recommend posting a 25 mph speed limit signage as per Township Ordinance. Officer Piree also recommends posting a "Deaf Child Ahead" sign at the entrance to the community.

2. Carole Lohmeier requests to hold the annual Dan's Down Dog and Dash 5K on October 19, 2019. Registration opens at 0730 and race begins at 0900.

Ms. Lohmeier was present at this meeting. Staff Traffic Committee approves the



Annual Dan's Down Dog and Dash 5K on October 19, 2019. All paperwork was submitted and is in order.

3. Eric Quisenberry requests a possible solution to parking on both sides of the street on Rodney Road

Mr. Quisenberry was not present at this meeting. Highway Patrol Officer Alex Janoski stated they have only received one (1) complaint about this item. Officer Janoski stated he spoke to Mr. Quisenberry about stricter enforcement on Rodney Road. Mr. Quisenberry was not interested in stricter enforcement. Officer Janoski then advised Mr. Quisenberry about the process of a Petition to the Neighbors for his request of parking on both sides of the street. The neighbors did not want to pursue with the process of a Petition. Staff Traffic Committee recommends no further action on this matter.

4. Stephanie Turnball discussion of complaints of speed and stop sign violations on Strathmore Avenue

Ms. Turnball was not present at this meeting. Sergeant Mark Stiansen stated the following stats:

ADT = 687 vehicles/day  
85% = 29 mph

Staff Traffic Committee states Strathmore Avenue does not meet the requirements for speed humps. Highway Patrol will continue to monitor speed at this location. No further action on this matter.

5. Multi-Way Stop sign study at Saw Mill Road and Earles Lane. Requested by Catharine Coppola.

Ms. Catharine Coppola was not present at this meeting. Highway Patrol Officer Ray Matus stated a study was performed back in 2016 by the Township Traffic Engineer, Amy Kaminski. Her recommendation at that time was to install additional stop signs on Saw Mill Road and Earles Lane. The crosswalk would be moved to the controlled intersection and additional signs and paint markings would also be added. Radnor Township Engineer, Steve Norcini, stated the a parking lot was to be constructed at Saw Mill Park , but it was not on the Township funding list. Steve Norcini recommends moving forward with putting in stop signs, signage and crosswalk improvements. If approved by the Board of Commissioners, an Ordinance will then be introduced for the stop signs.

6. Pedestrian Improvements for Safety for the Proposed Wawa at Intersection of Lancaster and Aberdeen Avenues

Highway Patrol Officer Pat Lacey stated that there was a traffic study completed in 2010 regarding the installation of a pedestrian advancement prior to the traffic signal cycling to green. The study was conducted along the entire length of Lancaster Ave.

Township Engineer, Steve Norcini will look into a cost proposal for signal change improvements for the intersection and other designated intersections in the Township.

**See attached spreadsheet for pending issues**



# RADNOR TOWNSHIP POLICE DEPARTMENT

301 Iven Ave., Wayne, PA 19087

## June 2019 Staff Traffic Status Report

|                                                                                             |                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Radnor Fire Company requests evaluation of traffic and parking on South Wayne Avenue</p> | <p>12/20/2017 Radnor Fire Company is interested in:</p> <ul style="list-style-type: none"> <li>Emergency pre-emption at the Fire Station on S. Wayne Avenue.</li> </ul> <p>This request has been noted in the 2019 Capital Plan. At this time, capital projects are not yet funded. The Board of Commissioners will determine which projects are funded.</p>                | <p>Also, the pedestrian walkway will be upgraded to a continental crosswalk, and signage adjusted accordingly.</p>                                                                                                                                                                      |
| <p>County Line Corridor Study (from Lancaster Avenue to Conestoga Road)</p>                 | <p>Staff Traffic Committee &amp; Lower Merion Township discussions to expand study area to County Line Road corridor study</p> <p>A request in the Capital budget was made regarding the pedestrian island at County Line and Lancaster Avenue. At this time, capital projects are not yet funded. The Board of Commissioners will determine which projects are funded.</p> | <p>Report was posted online (both LM and Radnor sites)</p> <p>Possible 2020 capital budget request</p> <p>Since many of these projects also impact Lower Merion Township, Radnor Township will meet with Lower Merion Township to discuss project priority funding and cost sharing</p> |
| <p>King of Prussia Bridge</p>                                                               | <p>Strike issues</p>                                                                                                                                                                                                                                                                                                                                                        | <p>The Pennsylvania Department of Transportation has installed additional (large and numerous) signs warning of the bridge height.</p>                                                                                                                                                  |
| <p>N. Wayne Ave/Poplar Ave/West Avenue Pedestrian Improvement Signal project</p>            | <ul style="list-style-type: none"> <li>DCED MTF grant awarded; construct signal and pedestrian improvements at intersection</li> </ul>                                                                                                                                                                                                                                      | <p>Funding requested in 2019 capital budget. Grant received. This project will be on the July 15<sup>th</sup> BOC agenda for funding approval.</p>                                                                                                                                      |



# **RADNOR TOWNSHIP POLICE DEPARTMENT**

301 Iven Ave., Wayne, PA 19087

## **June 2019 Staff Traffic Status Report**

|                                                                    |                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Walnut Avenue Triangle Intersection discussion</p>              | <p>Powerpoint was completed. Steve Norcini advised not to place a tree in the triangle due to possible site obstruction. A site visit was planned prior to any installation. No site visit was performed. Mr. Velunti planted a tree regardless of the recommendation of Staff Traffic Committee and Steve Norcini</p> | <p>The Superintendent and Engineer visited the site. The outcome was that the resident should have the petition passed through the neighborhood(street determined by PD), to gauge overall resident opinion on the plan. It was also noted that delivery trucks, hereby southbound North Wayne, turn onto Walnut, will cause the proposed island to be smaller.</p> |
| <p>King of Prussia Rd &amp; Eagle Rd intersection improvements</p> | <p>Submit joint application for DCED MTF grant with Cabrini &amp; Eastern for left turn lanes on King of Prussia Road at Eagle Road/Pine Tree Rd</p>                                                                                                                                                                   | <p>Funding requested in 2019 Capital Budget. Grant received, awaiting for capital budget approval. The Township is issuing general obligation bonds to fund this and other projects.</p>                                                                                                                                                                            |

## **RESOLUTION NO. 2019-72**

### **A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AUTHORIZING THE EXECUTION OF A GRANT APPLICATION TO THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT FOR RADNOR TRAIL EXTENSION PROJECT**

**Be it RESOLVED**, that Radnor Township of Delaware County, Pennsylvania, hereby request a Greenways, Trails and Recreation Program (GTRP) grant of \$182,000.00 from the Commonwealth Financing Authority to be used to construct the eastward extension of the Radnor Trail ~1,700 LF from Radnor-Chester Rd. to the I-476 limited access right of way at Martha Browns Woods. Work will include:

- A 6' wide pedestrian sidewalk connection on the western edge of Radnor Chester Rd.
- A new at-grade thermoplastic continental crosswalk of Radnor-Chester Road.
- A new 8' wide ADA compliant trail access ramp on the eastern edge of Radnor Chester Rd.
- A new 10' wide asphalt multi-use trail with stone shoulders from the bottom of the trail access ramp to PennDOT I-476 and Martha Browns Woods.
- Design for the Radnor-Chester Rd. crossing, ADA ramp, and retaining wall will be included. Design of the trail east of the ramp to the trails end is complete.
- The trail will be ADA compliant, include landscaping and stormwater management components, and support best management practices for sustainable design.

**Be it FURTHER RESOLVED**, that the Applicant does hereby designate Lisa Borowski, President, Radnor Township Board of Commissioners, and Jack Larkin, Vice President, Radnor Township Board of Commissioners, as the official(s) to execute all documents and agreements between Radnor Township and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Robert A. Zienkowski, duly qualified Secretary of Radnor Township, Delaware County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Radnor Township Board of Commissioners at a regular meeting held Monday, July 15, 2019 and said Resolution has been recorded in the Minutes of Radnor Township and remains in effect as of this date.

**RESOLUTION NO. 2019-72**

Page 2

IN WITNESS THEREOF, I affix my hand and attach the seal of Radnor Township, this 15<sup>th</sup> day of July 15, 2019.

RADNOR TOWNSHIP

By: \_\_\_\_\_  
Name: Lisa Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski  
Township Manager / Secretary

# Radnor Township



## PROPOSED LEGISLATION

**DATE:** July 9, 2019

**TO:** Board of Commissioners

**FROM:** Steve Norcini, P.E., Township Engineer  
William White, MBA, Assistant Township Manager & Finance Director

**LEGISLATION:** Resolution #2019-72 Authorizing the Execution of a Grant Application to the Pennsylvania Department of Community and Economic Development Greenways, Trails and Recreation Program (DCED GTRP) for the Radnor Trail Extension Project. Township Staff will administer and prepare the necessary grant documentation in cooperation with Campbell Thomas & Co. (the Architectural Firm that is designing, administrating and overseeing of the planning and development of the expanded trail system) and will coordinate the project if approved by the Board of Commissioners and subsequent granting authorities.

**LEGISLATIVE HISTORY:** This is the second legislative action on this topic (Resolution No. 2019-24). DCED is requiring a new resolution which includes the amount of grant funding requested and a brief description of the scope of the application's project phase.

**PURPOSE AND EXPLANATION:** Radnor Township has the opportunity to execute a grant application through the DCED GTRP Program due to the scope and nature of the anticipated Radnor Trail Extension. The project is fitting for DCED's greenways, trails, open space, parks and beautification project funding. The anticipated Radnor Trail Extension includes the construction of the eastward extension of the Radnor Trail ~1,700 LF from Radnor-Chester Rd. to the I-476 limited access right of way at Martha Browns Woods. Work will include:

- A 6' wide pedestrian sidewalk connection on the western edge of Radnor Chester Rd.
- A new at-grade thermoplastic continental crosswalk of Radnor-Chester Road.
- A new 8' wide ADA compliant trail access ramp on the eastern edge of Radnor Chester Rd.
- A new 10' wide asphalt multi-use trail with stone shoulders from the bottom of the trail access ramp to PennDOT I-476 and Martha Browns Woods.
- Design for the Radnor-Chester Rd. crossing, ADA ramp, and retaining wall will be included. Design of the trail east of the ramp to the trails end is complete.
- The trail will be ADA compliant, include landscaping and stormwater management components, and support best management practices for sustainable design.

The Project will focus on each of these critical areas along with providing a highly utilized and accessible asset for many generations of the community in a key location within Radnor Township.

**FISCAL IMPACT:** Total Project Costs are now estimated at \$464,000 (See Grant Funding Breakdown Below). In 2018 DCED-GTRP provided a partial grant for the trail extension in the amount of \$50,000 that will be utilized on Phase 1 for the trail extension work. Radnor has committed the 15% match (\$7,500) for the 2018 Grant, but additional funds are still required to complete the project. For phase 2, Radnor Township has requested \$232,000 through the 2019 DCNR-C2P2 program and is now requesting a second grant of \$182,000 through the 2019 DCED-GTRP grant to close the funding gap for the project.

## Radnor Trail Extension - Grant Funding Breakdown 2019

| Grant          | Phase   | Amount                    | Scope                                                                               | Notes                                                          |
|----------------|---------|---------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 2018 DCED-GTRP | Phase 1 | \$50,000.00<br>(secured)  | Initial Portion of Trail -<br>East of R.C. Rd.                                      | 15% Match Required: \$7,500.00<br>from DCNR-C2P2 or Township   |
| 2019 DCED-GTRP | Phase 2 | \$182,000.00<br>(seeking) | Remainder of Trail- East of<br>R.C. Rd., Trail Ramp, and<br>Trail Crossing of road. | 15% Match Required: \$27,300.00<br>from DCNR-C2P2 or Township  |
| 2019 DCNR-C2P2 | Phase 2 | \$232,000.00<br>(seeking) |                                                                                     | 50% Match Required: \$232,000.00<br>from DCED-GTRP or Township |

|                       |              |
|-----------------------|--------------|
| Total Project<br>Cost | \$464,000.00 |
|-----------------------|--------------|

**RECOMMENDED ACTION:** The Administration respectfully requests the Board to approve Resolution #2019-72 authorizing the execution of a grant application to DCED GTRP grant for the Radnor Trail Extension.



**RESOLUTION NO. 2019-73**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, APPROVING THE FIVE-YEAR CAPITAL LEASE AGREEMENT WITH CLAYTON HOLDINGS, LLC FOR THE FINANCING OF THE PURCHASED TRAILER MOUNTED LEAF-VACUUM**

*WHEREAS*, the Five-Year Capital Plan, incorporated into the 2019 Budget, included appropriations for the replacement of one (1) Public Works Highway Maintenance “Trailer Mounted Leaf Vacuum” (Leaf Vacuum) with the purchased Monster Power Equipment 25 Yard Self-Contained Trailer Mounted Leaf Vacuum “Trailer Mounted Leaf Vacuum” (Leaf Vacuum); and

*WHEREAS*, the Capital Plan projected financing the replacement equipment through a five-year capital lease at the conclusion of which, the ownership of the equipment will become the Township’s; and

*WHEREAS*, the Board of Commissioners authorized the purchase of the equipment referenced herein via Resolution 2019-09 dated February 25, 2019; and

*NOW, THEREFORE*, be it hereby *RESOLVED* that the Radnor Township Board of Commissioners does hereby authorize the Township to enter into a five-year capital lease agreement with Clayton Holdings, LLC at an interest rate of 3.005% APY which results in an annual payment of approximately \$13,751.47, with the first lease payment due on or about December 1, 2019 and annually thereafter until the conclusion of the lease period, at which time the Township will own the equipment outright.

*SO RESOLVED* this 15<sup>h</sup> day of July, 2019.

RADNOR TOWNSHIP

By: \_\_\_\_\_  
Name: Lisa Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski  
Township Manager / Secretary

# Radnor Township



## PROPOSED LEGISLATION

**DATE:** July 15, 2019

**TO:** Board of Commissioners

**FROM:** William M. White, Director of Finance

A handwritten signature in black ink, appearing to read "W. White".

**LEGISLATION:** Resolution No. 2019-73, authorizing the financing of one Public Works equipment:

- One (1) Public Works Highway Maintenance "25 Yard Self-Contained Trailer Mounted Leaf Vacuum" (Leaf Vacuum)

**LEGISLATIVE HISTORY:**

- (1) The Board of Commissioners authorized the purchase of this equipment on February 25, 2019, Resolution No. 2019-09.
- (2) The Five Year Capital Program, incorporated into the 2019 Budget, included capital leases for this one public works equipment ("Leaf Vacuum"). The lease terms projected a five year payment period with a purchase option of \$1 at the end of the financing.

**PURPOSE AND EXPLANATION:** The purpose of this request is to allow the Administration to finance the one replacement Public Works equipment approved earlier this year: (1) Public Works Highway Maintenance "Trailer Mounted Leaf Vacuum" (Leaf Vacuum) purchased under PA CoStars contracts with financing of a five year capital lease provided by Clayton Holdings, LLC.

The one Public Works equipment will be purchased from the following vendor in accordance with a PA Costars contract and Resolution No. 2019-73:

| Refuse Trailer with Plow    |                         |                  |                           |
|-----------------------------|-------------------------|------------------|---------------------------|
| Description                 | Vendor                  | Costars Contract | Price                     |
| Trailer Mounted Leaf Vacuum | Monster Power Equipment | 25-046           | \$64,116.69               |
| <b>Grand Total</b>          |                         |                  | <b><u>\$64,116.69</u></b> |

On July 9, 2019, the Administration received the following proposals from one (1) firm for a five year lease term with a purchase option of \$1 at the end of the financing. Please note that figures below are for *ONE* equipment:

| Firm                  | 5 Year | Annual Payment | Total 5 Year |
|-----------------------|--------|----------------|--------------|
|                       |        | (5 Years)      |              |
| Clayton Holdings, LLC | 3.005% | \$13,751.47    | \$ 68,757.35 |

**IMPLEMENTATION SCHEDULE:** With the Boards authorization, Township Administration will accept Clayton Holdings, LLC's five year lease proposal. The estimated delivery date of the one equipment is September 2019. The first lease payment will be due on December 1, 2019 and annually thereafter for five years.

**FISCAL IMPACT:** The fiscal impact will be an annual obligation of \$13,751.47 to be paid from the Township's Capital Fund (#05) for years 2019 - 2023. The interest expense during the financing period (five years) is \$4,640.66. At the conclusion of the lease term, five years, ownership of the equipment will be the Township's. If at any point during the lease term, the Board of Commissioners does not appropriate for that particular year's lease payment obligation, the lease contract will be voided with the equipment being forfeited to the financial institution (Non-appropriation Clause).

The Five Year Capital program estimated the aggregate payment for the one equipment to be \$13,000 per year over the five-year term. The actual payments will be \$13,751.47.

Other financing options were considered during the analysis including:

| Alternatives    | Notes vs. Capital Lease                                                                       |
|-----------------|-----------------------------------------------------------------------------------------------|
| Operating Lease | More expensive and no ownership at the end of the term                                        |
| Cash Purchase   | Less expensive, but would require more cash than the capital fund has allotted to it for 2019 |

**RECOMMENDED ACTION:** The Administration respectfully recommends that the Board authorize the Township to accept Clayton Holdings, LLC's proposal to provide five-year capital lease financing for the purchase of the one Public Works equipment.

# CERTIFICATE OF APPROPRIATENESS

Radnor Township Historical and Architectural Review Board  
Radnor Township, Pennsylvania



**NAME OF OWNER:** KARA NASREEN  
**OWNER ADDRESS:** 224 LANSDOWNE AVE, WAYNE, PA 19087  
**ADDRESS OF PROPERTY:** 224 LANSDOWNE AV , WAYNE PA 19087  
**APPLICATION NUMBER:** HARB-2019-09

Subject to the conditions below the above owner, having complied with the Radnor Township Historical and Architectural Review Board (HARB) process, is hereby granted this permit for the

**Install new front steps and covered porch floor. Existing damaged stucco to be replaced with composition clap board siding. Addition off side and back of existing house to match.**

at the address specified and may proceed with the building permit process. If not completed within one year of the date hereof, this permit is void and new application must be made. This Approval is subject to the Applicant applying for and receiving all necessary permits and approvals; and complying with all applicable Municipal regulations. Owner specifically gives the building inspector or designated official the right to inspect the work during progress and at completion.

## NOTES AND/OR CONDITIONS OF APPROVAL:

Application approved as submitted with the condition that the roof line of the addition be in line with the roof line of the existing house.

**ISSUED:** Monday, July 15, 2019

**TOWNSHIP OFFICIAL**

**ACCEPTED BY APPLICANT**

\_\_\_\_\_

\_\_\_\_\_

**RESOLUTION NO. 2019-56**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, POPLAR AVENUE, STATION AVENUE, NORTH WAYNE  
AVENUE PEDESTRIAN PROJECT, REQUEST TO AUTHORIZATION TO RECEIVE  
SEALED BIDS AND CHANGE ORDER #1, IN THE AMOUNT OF \$16,950**

*WHEREAS*, Radnor Township was awarded a grant for the above referenced project

*WHEREAS*, staff is respectfully requesting the approval of Change Order #1 in the amount of \$16,950

*WHEREAS*, staff is respectfully requesting that the authorization to receive bids be provided for the above project

*NOW, THEREFORE*, be it *RESOLVED* by the Board of Commissioners of Radnor Township does hereby authorize the Request to Receive Sealed Bids and Payment of Change Order #1, in the amount of \$16,950, for the Poplar Avenue, Station Avenue, North Wayne Avenue Pedestrian Project

*SO RESOLVED* this 15<sup>th</sup> day of July, A.D., 2019

**RADNOR TOWNSHIP**


By: \_\_\_\_\_  
Name: Lisa Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski  
Manager/Secretary

**Radnor Township**  
**PROPOSED LEGISLATION**

DATE: July 8th, 2019

TO: Radnor Township Board of Commissioners

FROM: Stephen F. Norcini, P.E., Township Engineer 

CC: Robert A. Zienkowski, Township Manager  
William M. White, Assistant Township Manager/Finance Director  
Dennis Capella, Engineering Project Manager

**LEGISLATION: Resolution #2019-56 - Poplar Avenue, Station Avenue, North Wayne Avenue Pedestrian Project, Request to Authorization to Receive Sealed Bids and Change Order #1, in the amount of \$16,950**

**LEGISLATIVE HISTORY:** In 2017, the Township was awarded a Multimodal Transportation Fund Grant for a pedestrian project in North Wayne. The project entails pedestrian upgrades to the east side of Poplar and North Wayne, North Wayne and Station Avenues, and the south side of North Wayne Avenue. Gilmore & Associates was awarded the contract for the design and permitting on this project.

**PURPOSE AND EXPLANATION:** Staff is requesting to be able to post the bid as soon as design is complete, as well as request the Board authorize payment of \$16,950 for out of scope work Gilmore & Associates encountered.

- 1) *Request to receive sealed bids:* if it so pleases the Commissioners, I respectfully request authorization to receive sealed bids during the completion of the design process, so when the design is complete we can immediately post on Penn Bid
- 2) *Change order #1:* during the review process with Penn DOT, additional submissions, meetings, design, and equipment changes caused out of scope work for Gilmore & Associates. This additional work is outside of the \$62,000 original contract. The total revised design contract total is \$78,950.

**IMPLEMENTATION SCHEDULE:** Pending Board of Commissioners approval, work will begin immediately to complete the design process. It is anticipated that there may be three submissions to Penn DOT, as well as two submissions to SEPTA. Assuming each agency takes its full allotted review time (up to 105 days for Penn DOT and up to 120 days for SEPTA), we anticipate having all approvals by the end of November. The bid documents will then be completed based on the approved reviews. If the reviews take the maximum time allotment, we would post on Penn BID in December of this year, and request award of the contract from the Board of Commissioners in January. Although the work is not complicated or extensive, the lead time for traffic signal items can be up to four months, putting the project duration at six months, with a completion in September of 2020.

**FISCAL IMPACT:** This project is partially funded by the aforementioned DCED MTF Grant:

Total Project Cost: \$311,451

Grant Proceeds: \$147,639

**Township Funding: \$163,812**

Change Order #1 is funded from the Township's math portion of the project.

**RECOMMENDED ACTION:** *Staff respectfully requests the Board of Commissioners of Radnor Township authorize the Request to Receive Sealed Bids and Change Order #1, in the amount of \$16,950 for Poplar Avenue, Station Avenue, North Wayne Avenue Pedestrian Project*



July 8, 2019

File No. 15-07004

Stephen F. Norcini, P.E.  
Radnor Township Engineer  
301 Iven Avenue  
Wayne, PA 19087

Reference: DCED MTF N. Wayne and West/Poplar Ave. Pedestrian Improvements  
Change Order No. 1 Service Agreement Update  
Radnor Township, Delaware County, PA

Dear Mr. Norcini:

During a coordination meeting Radnor Township on June 6, 2019, you requested we provide an updated change order (CO1), construction estimate, and timeline to complete the permitting and construction of pedestrian improvements at the intersection of N. Wayne Avenue and West Avenue/Station Road and Poplar Avenue/Pennsylvania Avenue in Wayne, PA. As a reminder, this traffic signal and intersection improvement project is being partially funded by the Pennsylvania Department of Community and Economic Development (DCED) Multimodal Transportation Funding (MTF) award and includes a minimum 30% match by Radnor Township. During the June 24, 2019 Board of Commissioners' business meeting you shared with me the DCED MTF Grant was not fully funded at \$178,400 but the DCED grant award was reduced to \$147,639 making it necessary for G&A to revise the construction cost estimates accordingly. We offer the following discussion for your consideration and approval by the Board of Commissioners' at their next available business meeting currently scheduled for July 15, 2019.

**PROJECT COSTS**

In addition to the provided Change Order No. 1, we offer the following construction cost estimates based on the most recent engineering opinion of probable cost for the additional equipment requested by Radnor Township to include Emergency Vehicular Pre-Emption; however, we note that the Bid documents will be based on only the inclusion of the requested Emergency Vehicle Pre-Emption equipment and include a Bid Alternate to include the requested but currently not funded improvement for the Vehicular Video Detection and an updated Controller Cabinet. The most current cost estimates are as shown in Table 1 below:

Table 1: *Multimodal Transportation Funding Construction Costs*

| PROJECT COSTS  | Design Costs | Construction Costs | Contingency Costs | Inspection Costs | Project Total Costs |
|----------------|--------------|--------------------|-------------------|------------------|---------------------|
| TOTAL          | \$ 78,950    | \$ 170,166         | \$ 50,815         | \$ 11,520        | \$ 311,451          |
| MTF TOTAL      | \$ 0         | \$ 147,639         | \$ 0              | \$ 0             | \$ 147,639          |
| TOWNSHIP TOTAL | \$ 78,950    | \$ 22,527          | \$ 50,815         | \$ 11,520        | \$ 163,812          |

BUILDING ON A FOUNDATION OF EXCELLENCE

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

[www.gilmore-assoc.com](http://www.gilmore-assoc.com)



## PROJECT TIMELINE

The timeline associated with this project includes two separate paths related to HOP/Signal/ADA approvals (noted as PennDOT below) and Right of Entry Approval (noted as SEPTA below): Following both approval from PennDOT and SEPTA, bidding may proceed and construction may begin. We anticipate the following timeline based upon *Notice to Proceed* received following resolution passage by BOC on 7/15/2019 (understanding this is G&A's best guess regarding review period turnaround time by PennDOT, SEPTA, and Radnor Township:

### Task 1. Obtain Approvals

- Notice to Proceed received following resolution passage by BOC on 7/15/2019
  - 1<sup>st</sup> G&A submission to PennDOT (HOP/Signals/ADA Updates) on 7/16/2019
    - 45 Day review by PennDOT (8/30/2019)
  - 2<sup>nd</sup> G&A submission to PennDOT (30 day turnaround by 9/29/2019)
    - 30 Day review by PennDOT (10/29/2019)
  - 3<sup>rd</sup> G&A submission to PennDOT on 11/12/2019
    - 30 Day review by PennDOT with full approval (12/12/2019)
- G&A Right of Entry Approval from SEPTA
  - 1<sup>st</sup> Submission to SEPTA on 7/16/2019
    - 60 Day review by SEPTA on 9/13/2019
  - 2<sup>nd</sup> Submission to SEPTA (30 day turnaround on 10/13/2019)
    - 60 Day review by SEPTA with full approval (12/12/2019)

### Task 2. Preparation of Bids Documents following PennDOT and SEPTA approvals

- Provided to Radnor Township within 14 days (12/26/2019) and assumes a two (2) week turnaround period for Bid Document Review by Radnor Township

Task 3. Advertise on PennBID for 2 weeks (2/2/2020)

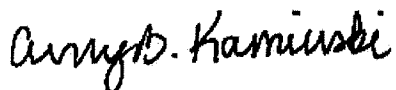
Task 4. Township issue Notice to Proceed to Contractor within 28 days (3/10/2020)

Task 5. Construction anticipated to take 180 days (6 months; 9/15/2020)

Please note: Change Order 1 follows this letter and awaits your signature as notice to proceed.

If you have additional questions or require follow up on this discussion, please contact our office.

Sincerely,



Amy B. Kaminski, P.E., PTOE  
Transportation Services Manager

CC: Dennis Capella, Project Manager, Radnor Township

---

**Original Contract Agreement Date: December 16, 2016**

**Contract Change Order Agreement for Professional Services**

*(The terms and conditions attached as Exhibit "C" to the original Contract Agreement shall be considered a part of this Contract Agreement Change Order.)*

---

**NATURE OF CHANGE:**

1. Prepare revised Traffic Signal and ADA plans and supporting technical documentation to address PennDOT District 6-0 review comments per 04/06/18, 06/13/18 and 08/01/18 review letters and resubmit to PennDOT. Includes three (3) additional revisions to plans, supporting technical documentation and submission of final documents to PennDOT.
  2. Out-of-scope professional services associated with the extensive coordination with PennDOT staff and design of guiderail improvements, design of additional curb ramps as required by PennDOT including the need for Technically Infeasible Forms (TIF) for 7 ramps and the additional requested equipment: Video Detection, Emergency Pre-Emption, New Controller Cabinet.
  3. Attendance at three (3) meetings; a kick-off meeting with PennDOT and RTPD representatives was included in the proposal but an additional two meetings were required; an ADA coordination meeting with PennDOT representatives; and an additional field meeting to discuss signal equipment with the signal contractor.
- 

The changes resulted in the following adjustment of the Contract Agreement price:

|                                                               |           |                         |
|---------------------------------------------------------------|-----------|-------------------------|
| Contract Agreement price prior to this Change Order:          | \$        | 62,000.00               |
| <b>Increase resulting from this Change Order:</b>             | <b>\$</b> | <b><u>16,950.00</u></b> |
| Current Contract Agreement price including this Change Order: | \$        | 78,950.00               |

---

**Client's Authorized Representative:**

\_\_\_\_\_  
Print & Date

\_\_\_\_\_  
Authorized Signature

**Accounts Payable Billing Address:**

*(G&A's preferred method of billing is to transmit an electronic invoice in PDF format. However, if an email is not available please provide a billing address below.)*

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Address  same as mailing address

**Gilmore & Associates, Inc.'s Authorized Representative:**

\_\_\_\_\_  
Print & Date

\_\_\_\_\_  
Authorized Signature

**RESOLUTION NO. 2019-68**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AUTHORIZING TURNER LAND SURVEYING TO PROVIDE A  
BOUNDARY SURVEY AND STAKE OUT OF THE TOWNSHIP'S PROPERTY AT  
ODORISIO PARK, IN THE AMOUNT OF \$9,100**

*WHEREAS*, Odorisio Park is comprised of two parcels, one owned by the Township and the other owned by the Radnor Township School District

*WHEREAS*, the Township wishes to have its parcel boundary surveyed and staked out

*NOW, THEREFORE*, be it *RESOLVED* by the Board of Commissioners of Radnor Township does hereby authorize Turner Land Surveying to Provide a Boundary Survey and Stake Out of the Township's Property at Odorisio Park, in the amount of \$9,100.


*SO RESOLVED* this 15<sup>th</sup> day of July, A.D., 2019

**RADNOR TOWNSHIP**

By: \_\_\_\_\_  
Name: Lisa Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski  
Manager/Secretary

**Radnor Township**  
**PROPOSED LEGISLATION**

DATE: July 8, 2019  
TO: Radnor Township Board of Commissioners  
FROM: Stephen F. Norcini, P.E., Township Engineer   
CC: Robert A. Zienkowski, Township Manager  
William M. White, Assistant Township Manager/Finance Director

**LEGISLATION: Resolution #2019-68: Authorizing Turner Land Surveying to Provide a Boundary Survey and Stake Out of the Township's Property at Odorisio Park, in the amount of \$9,100**

**LEGISLATIVE HISTORY:** This item has not been before the Board of Commissioners previously.

**PURPOSE AND EXPLANATION:** In 2012, Cresa Philadelphia, Incorporated, was hired to evaluate Township owned parcels. As part of that evaluation, it was determined that Radnor Township and the Radnor Township School District (RTSD) each owned one parcel, the two of them combined creating what we know as Odorisio Park. As it turns out, the parcel owned by Radnor Township is not the active recreation portion of the park, but the "woods", north parking areas, and a portion of the playground (please attached aerial view of the park, outlining the Township's parcel).

The purpose of the survey and stakeout is to delineate the Township owned parcel at Odorisio Park.

**IMPLEMENTATION SCHEDULE:** Pending Board of Commissioners approval, the service contract will be executed immediately, a purchase order processed, with the work completed in approximately four weeks.

**FISCAL IMPACT:** The cost of the survey and stake, as proposed by Turner Land Surveying, is \$9,100, to be paid from the Engineering account.

**RECOMMENDED ACTION:** *Staff respectfully requests the Board of Commissioners of Radnor Township authorize Turner Land Surveying to Provide a Boundary Survey and Stake Out of the Township's Property at Odorisio Park, in the amount of \$9,100.*

Enclosure: Township Parcel at Odorisio Park



**RESOLUTION NO. 2019-70**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AWARDING THE CONTRACT FOR LINE STRIPING OF  
TOWNSHIP ROADS**

*WHEREAS*, the Public Works Department received a valid quotation for the striping of Township roadways

*WHEREAS*, the firm, Guidemark, Incorporated, submitted a proposal in the amount of \$22,312.88

*NOW, THEREFORE*, be it *RESOLVED* the Board of Commissioners of Radnor Township does hereby approve the award of the proposal, for street line striping, to Guidemark, Incorporated in the amount of \$22,312.88

*SO RESOLVED* this 15th day of July, A.D., 2019

**RADNOR TOWNSHIP**

By: \_\_\_\_\_  
Name: Lisa Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski  
Manager/Secretary

**Radnor Township**  
**PROPOSED LEGISLATION**

DATE: July 15, 2019

TO: Radnor Township Board of Commissioners

CC: Robert A. Zienkowski, Township Manager  
William R. White, Finance Director

FROM: Stephen McNelis, Director of Public Works

LEGISLATION: Resolution 2019-70: Award of the Contract for Line Striping of Township Roads

---

LEGISLATIVE HISTORY: The Public Works Department annually obtains quotations for line striping (long lines) on Township streets.

PURPOSE AND EXPLANATION: The Public Works Department received a valid price proposal from Guidemark, Inc. in the amount of \$22,312.88, to paint approximately 163,424 linear feet of yellow pavement markings on Township streets, as well as 250 LF of yellow gore markings, and 700 LF white lane lines, and 4,800 LF of yellow intersection lines. This work will be done in accordance with the Pennsylvania Department of Transportation requirements. Guidemark, Inc. will also supply performance, payment and maintenance bonds for the work.

IMPLEMENTATION SCHEDULE: the work is to be completed by the end of the year, weather permitting.

FISCAL IMPACT: Funding for this project is provided in the Liquid Fuels account: #03-439-4880.

RECOMMENDED ACTION: We respectfully request the Board of Commissioners approve Resolution 2019-: Awarding the Contract for Line Striping of Township Roads in the amount of \$22,312.88.

MOVEMENT OF LEGISLATION: It is being requested that the Board of Commissioners approve the legislation for this project.



**E-Mail/Fax Quote****To:** Radnor Township**Attn:** Steve McNelis**From:** Bill Jefferson**Phone:** (610) 688-5600**E-Mail:** bjefferson@guidemarkinc.com**Fax #:** (610) 687-0201**Pages:** 1 Total Pages**Date:** June 19, 2019**Project:** Radnor Township Roads – 2019

(Various Roads)

Radnor Township, Delaware County, PA

Pavement Marking as per PennDOT spec., Waterborne Traffic Zone Paint / Thermoplastic

**Quote:****Pavement Marking:** All Long Lines - Waterborne Traffic Zone Paint, One Application.

All Short Lines – Hot Thermoplastic

**Long Lines:**

163,424 LF x 4" YEL. TZIP (81,712 DYCL's) +/- @ \$ 0.12 / LF = \$ 19,610.88

700 LF x 6" WHT. TZIP (Lane Lines / Skips) +/- @ \$ 0.18 / LF = \$ 126.00

250 LF x 24" YEL. Thermoplastic (Gore Markings) +/- @ \$ 8.00 / LF = \$ 2,000.00

**Intersection Lines:**

4,800 LF x 4" YEL. TZIP (2400 DYCL's) +/- @ \$ 0.12 / LF = \$ 576.00

**Unit Pricing Total = \$ 22,312.88**

Any Layout, if required, an additional \$ 0.02 / LF x 4" Line will apply.

Thank You,

Signature

  
Bill Jefferson

**RESOLUTION NO. 2019-71**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AUTHORIZING THE PAYMENT TO PENNDOT PER THE  
EXECUTED MASTER CASTINGS AGREEMENT**

*WHEREAS*, the Township previously executed a Master Casting Agreement for 3 years with PennDOT per resolution 2018-117

*WHEREAS*, the Master Casting Agreement provides for manhole or inlet adjustments to be performed in conjunction with PennDOT paving projects

*WHEREAS*, PennDOT has contracted to have Newtown Road and Lancaster Avenue paved in 2019

*WHEREAS*, the Township has requested PennDOT to incorporate the adjustment of the Township's sanitary sewer manholes as part of the projects, 3 manholes on Newtown Road and 12 manholes on Lancaster Avenue

*WHEREAS*, the executed Master Casting Agreement provides for the amount of \$908 to be allotted per manhole adjustment and a total of 15 manholes are to be adjusted as a part of these projects

*NOW, THEREFORE*, be it *RESOLVED* the Board of Commissioners of Radnor Township does hereby authorize the payment to PennDOT per the Master Casting Agreement, in the amount of \$13,620.00

*SO RESOLVED* this 15th day of July, A.D., 2019

**RADNOR TOWNSHIP**

By: \_\_\_\_\_  
Name: Lisa Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski  
Manager/Secretary

**Radnor Township**  
**PROPOSED LEGISLATION**

DATE: July 15, 2019

TO: Radnor Township Board of Commissioners

CC: Robert A. Zienkowski, Township Manager  
William R. White, Finance Director/Assistant Township Manager

FROM: Stephen McNelis, Director of Public Works

LEGISLATION: Resolution 2019-71: Authorizing the payment per the executed Master Casting's Agreement with PennDOT for the Adjustments of manholes on Newtown Road and Lancaster Avenue

---

LEGISLATIVE HISTORY: Radnor Township previously executed a Master Casting Agreement with PennDOT for a three-year term which expires on September 30, 2020. This Agreement provides for payment to PennDOT for casting adjustments on state roadway paving projects.

PURPOSE AND EXPLANATION: A Master Casting Agreement is an agreement used for manhole or inlet adjustments in conjunction with PennDOT paving projects. It allows the local municipality to have the adjustments done by the PennDOT awarded contractor, as part of the contractor's schedule, at flat fee rates, on what are usually very heavily traveled State Roads. The purpose of the Resolution is to authorize payment for the upcoming manhole replacements on Newtown Road and Lancaster Avenue per the Master Casting Agreement. Three manholes will be adjusted on Newtown Road at a cost of \$2,724, and twelve manholes will be adjusted on Lancaster Avenue with a cost of \$10,896.00. \$908 per manhole.

IMPLEMENTATION SCHEDULE: If approved by the Board of Commissioners, payment will be submitted to PennDOT per the fee schedule Master Casting Agreement.

FISCAL IMPACT: The payment of \$13,620 will be charged against account 02430601-48204.

RECOMMENDED ACTION: I respectfully request the Board of Commissioners to authorize the payment per the executed Master Casting's Agreement for the adjustment of manholes in the amount of \$13,620.

MOVEMENT OF LEGISLATION: It is being requested that the Board of Commissioners approve the attached resolution.

Agreement No. 0601209-B  
Vendor No. 138597001  
Customer No. 78001410  
FID No. 23-6000200  
MPMS No. 109057

**PROJECT INITIATION FORM (PIF)**  
**MASTER AGREEMENT FOR CASTING ADJUSTMENTS**  
**2017-2020**

1. Utility Name: Radnor Township
2. Project Initiation Form Number: 0601209-B      Date: 3/30/19
3. Project Name: Group 6-18-0630-2019      Group 6-18-ST20
4. Location: Delaware County
5. Description of Work to be Performed: Casting Adjustments
6. Project Funding:     FHWA     STATE     LOCAL
7. Estimated Utility Cost: \$ 2,724.00 (Cost detail below)

PIF Number: 0601209-B

Date: 3/20/19

Estimated number of castings which are being incorporated into the Project by this Project Initiation Form (PIF).

| Number of Castings | Bid Item  | Unit Price | Total Cost |
|--------------------|-----------|------------|------------|
|                    | 9999-9950 | \$388.00   |            |
|                    | 9999-9951 | \$365.00   |            |
|                    | 9999-9952 | \$473.00   |            |
|                    | 9999-9953 | \$477.00   |            |
|                    | 9999-9954 | \$591.00   |            |
|                    | 9999-9955 | \$567.00   |            |
|                    | 9999-9956 | \$690.00   |            |
|                    | 9999-9957 | \$713.00   |            |
| 3                  | 9999-9958 | \$908.00   | \$2,724.00 |
|                    | 9999-9959 | \$735.00   |            |
|                    | 9999-9960 | \$951.00   |            |
|                    | 9999-9961 | \$1,183.00 |            |
|                    | 9999-9962 | \$558.00   |            |
|                    | 9999-9963 | \$250.00   |            |
|                    | 9999-9964 | \$404.00   |            |
|                    | 9999-9965 | \$279.00   |            |
|                    | 9999-9966 | \$465.00   |            |
|                    | 9999-9967 | \$495.00   |            |

# PROJECT INITIATION FORM (PIF)

## Designated Project Representatives

For PennDOT:

For Radnor Township:

Mary Ann Lang 3/20/19  
Signature Date

Lisa A. Borowski 3/15/19  
Signature Date

Mary Ann Lang  
Name

Lisa A. Borowski  
Name

District Utility Manager  
Title

President Radnor Township  
Board of Commissioners  
Title

MALANG@pa.gov  
Email

lborowski@verizon.net  
Email

610-205-6530  
Telephone

610 547 7537  
Telephone

7000 Geerdes Ave King of Prussia, PA 19406  
Address

301 Iven Avenue  
Wayne, PA 19087  
Address

### Close Out Data ~ For Internal Use Only

Completed on: \_\_\_\_\_

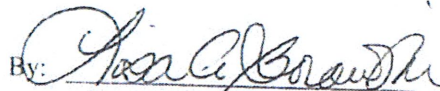
Final Cost: \_\_\_\_\_

RESOLUTION NO. 2018-117

A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AUTHORIZING THE PRESIDENT OF THE BOARD OF  
COMMISSIONERS AS THE SIGNING AUTHORITY FOR THE EXECUTION  
OF A MASTER CASTING AGREEMENT WITH THE PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION


*BE IT RESOLVED* by authority of the Board of Commissioners of Radnor Township, Delaware County, and it is hereby resolved by authority of the same, that the President of the Board of Commissioners of Radnor Township be authorized and directed to sign the attached Master Agreement, Project Initiation Form, and Change Order for the duration of the Master Casting Agreement on its behalf and the Township Manager be authorized and directed to attest the same.

RADNOR TOWNSHIP

By: 

Name: Lisa Borowski  
Title: President

ATTEST:

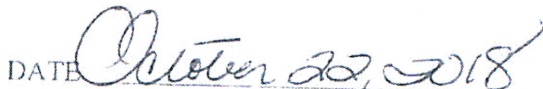


Robert A. Zienkowski  
Manager/Secretary

SEAL

I, Lisa Borowski of the Radnor Township Board of Commissioners do hereby certify that the foregoing is a true and correct copy of the Resolution adopted October 22<sup>nd</sup>, 2018, at the regular meeting of the Board of Commissioners held the 22<sup>nd</sup> day of October, 2018.

DATE



Agreement No. **0601209-A**  
Vendor No. **138597001**  
Customer No. **78001410**  
FID No. **23-6000200**  
MPMS No. **109043**

**PROJECT INITIATION FORM (PIF)**  
**MASTER AGREEMENT FOR CASTING ADJUSTMENTS**  
**2017-2020**

1. Utility Name: Radnor Township
  
2. Project Initiation Form Number: 0601209-A      Date: 3/2/19
  
3. Project Name: Group 6-18-0630-2019      Group 6-18-D10
  
4. Location: Delaware County
  
5. Description of Work to be Performed: Casting Adjustments
  
6. Project Funding:     FHWA     STATE     LOCAL
  
7. Estimated Utility Cost: \$ 10,896.00 (Cost detail below)



PIF Number: 0601209-A

Date: 3/2/19

Estimated number of castings which are being incorporated into the Project by this Project Initiation Form (PIF).

| Number of Castings | Bid Item  | Unit Price | Total Cost  |
|--------------------|-----------|------------|-------------|
|                    | 9999-9950 | \$388.00   |             |
|                    | 9999-9951 | \$365.00   |             |
|                    | 9999-9952 | \$473.00   |             |
|                    | 9999-9953 | \$477.00   |             |
|                    | 9999-9954 | \$591.00   |             |
|                    | 9999-9955 | \$567.00   |             |
|                    | 9999-9956 | \$690.00   |             |
|                    | 9999-9957 | \$713.00   |             |
| 12                 | 9999-9958 | \$908.00   | \$10,896.00 |
|                    | 9999-9959 | \$735.00   |             |
|                    | 9999-9960 | \$951.00   |             |
|                    | 9999-9961 | \$1,183.00 |             |
|                    | 9999-9962 | \$558.00   |             |
|                    | 9999-9963 | \$250.00   |             |
|                    | 9999-9964 | \$404.00   |             |
|                    | 9999-9965 | \$279.00   |             |
|                    | 9999-9966 | \$465.00   |             |
|                    | 9999-9967 | \$495.00   |             |

# PROJECT INITIATION FORM (PIF)

## Designated Project Representatives

For PennDOT:

For Radnor Township:

Mary Ann Lang 3/7/19  
Signature Date

Lisa A. Borowski 2.7.19  
Signature Date

Mary Ann Lang  
Name

Lisa A. Borowski  
Name

District Utility Manager  
Title

President  
Title

MALANG@pa.gov  
Email

~~lborowski~~ lborowski@RADNOR.org  
Email

610-205-6530  
Telephone

610-547-7537  
Telephone

7000 Geerdes Ave King of Prussia, PA 19406  
Address

301 Fryen Avenue  
Address Wayne, PA 19087

### Close Out Data ~ For Internal Use Only

Completed on: \_\_\_\_\_

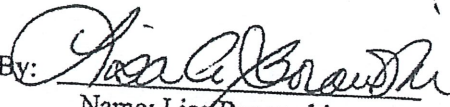
Final Cost: \_\_\_\_\_

RESOLUTION NO. 2018-117


A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AUTHORIZING THE PRESIDENT OF THE BOARD OF COMMISSIONERS AS THE SIGNING AUTHORITY FOR THE EXECUTION OF A MASTER CASTING AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

*BE IT RESOLVED by authority of the Board of Commissioners of Radnor Township, Delaware County, and it is hereby resolved by authority of the same, that the President of the Board of Commissioners of Radnor Township be authorized and directed to sign the attached Master Agreement, Project Initiation Form, and Change Order for the duration of the Master Casting Agreement on its behalf and the Township Manager be authorized and directed to attest the same.*

RADNOR TOWNSHIP

By:   
Name: Lisa Borowski  
Title: President

ATTEST:

  
Robert A. Zienkowski  
Manager/Secretary

SEAL

I, Lisa Borowski of the Radnor Township Board of Commissioners do hereby certify that the foregoing is a true and correct copy of the Resolution adopted October 22<sup>nd</sup>, 2018, at the regular meeting of the Board of Commissioners held the 22<sup>nd</sup> day of October, 2018.

DATE October 22, 2018

**RESOLUTION NO. 2019 -69**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, ACCEPTING A DEED OF DEDICATION-SANITARY SEWER EASEMENT FOR THE PROPERTIES LOCATED AT 820 & 834 DARBY PAOLI ROAD**

*WHEREAS*, Josie Scarpelli, landowner of 820 Darby Paoli Road, has installed a sanitary sewer line on in order to provide public sanitary sewer to their property; and

*WHEREAS*, Richardo Maise Suehiro and Frederico Fonseca Costa, landowners of 834 Darby Paoli Road, have installed a sanitary sewer line on in order to provide public sanitary sewer to their property; and

*WHEREAS*, the project has been completed in accordance with Township regulations and landowners now desire to dedicate the sanitary sewer lines to Radnor Township.

*NOW, THEREFORE*, be it **RESOLVED** that the Board of Commissioners of Radnor Township does hereby accept and execute the Deed of Dedication for the sanitary sewer lines as described on **Exhibits "A & B"**, attached hereto.

**SO RESOLVED**, this 15<sup>th</sup> day of July, A.D. 2019.

RADNOR TOWNSHIP


By \_\_\_\_\_  
Name: Lisa A. Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski, Secretary

**Radnor Township**  
**PROPOSED LEGISLATION**

DATE: July 9th, 2019

TO: Radnor Township Board of Commissioners

FROM: Stephen F. Norcini, P.E., Township Engineer 

CC: Robert A. Zienkowski, Township Manager  
William M. White, Assistant Township Manager/Finance Director

**LEGISLATION: Resolution #2019-69: Deed of Dedication for the sanitary sewer easements for the properties located at 820 & 834 Darby Paoli Road.**

---

**LEGISLATIVE HISTORY:** This item has not been before the Board of Commissioners previously.

**PURPOSE AND EXPLANATION:** To provide public sewer to the property located at 820 Darby Paoli Road, the Scarpelli residence, a sanitary sewer main extension was constructed. To construct this main extension, an easement is also needed at 834 Darby Paoli Road, the Suehiro & Costa residence. The purpose of this legislation is to dedicate the sanitary main extension and easements to access the main to the Township.

**IMPLEMENTATION SCHEDULE:** Pending Board of Commissioners approval, the easements will be recorded.

**FISCAL IMPACT:** There is no fiscal impact to the Township.

**RECOMMENDED ACTION:** *Staff respectfully requests the Commissioners accept the Deeds of Dedication for the sanitary sewer easements for the properties located at 820 & 834 Darby Paoli Road.*

Enclosures: Easement agreements, legal descriptions

Prepared by  
and Return to:

John B. Rice, Esquire  
Grim, Biehn & Thatcher  
104 S. Sixth Street  
P. O. Box 215  
Perkasie, PA 18944

CPN # 36-04-02202-00

DEED OF DEDICATION – SANITARY SEWER EASEMENT  
(Josie Scarpelli)

THIS INDENTURE MADE THIS 15<sup>th</sup> day of *may*, 2019 by and between Josie Scarpelli, having an address of 820 Darby Paoli Road, Newtown Square, Pennsylvania 19073 (hereinafter referred to as “Grantor”) and the Township of Radnor, a Home Rule Municipality, so designated under the laws of the Commonwealth of Pennsylvania, with offices located at 301 Iven Avenue, Wayne, Pennsylvania 19087 (hereinafter referred to as “Grantee”).

WITNESS, THAT THE SAID Grantor, for and in consideration of the advantages to her accruing as well as for diverse other considerations affecting the public welfare which she seeks to advance, has granted, bargained, sold, aliened, released and conveyed unto the said Grantee, its successors and assigns, a perpetual nonexclusive right, privilege, right-of-way and easement in all that certain strip of land situate within the Township of Radnor, County of Delaware and Commonwealth of Pennsylvania as described on the legal description attached hereto and incorporated herein as Exhibit A together with all sanitary sewer lines, equipment, appurtenances and other items associated therewith for the purpose of constructing, using, repairing, inspecting and maintaining a sanitary sewer line and related facilities associated therewith.

TO HAVE AND TO HOLD, the said tract or piece of ground above described unto the said Grantee, to and for the only proper use and behoof of said Grantee, its successors and assigns, forever as and for the purpose of constructing a sanitary sewer line and its related facilities to serve the proposed public sewer project as well as to permit the continued maintenance of the said improvement thereafter.

AND THE SAID GRANTOR, for herself, her successors and assigns, does by these presents further covenants, promises and agrees to and with the Grantee, its successors and assigns, that the said right, privilege, right-of-way and easement in the tract of ground herein described hereby granted, or mentioned, or intended so to be unto said Grantee, its successors and assigns, against it, the said Grantor, her successors and assigns, and against all and any

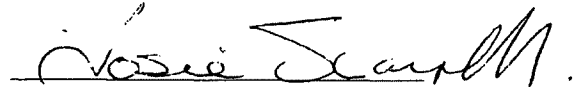
person or persons whomever lawfully claiming or to claim the same of any part hereof, by, from and under it or them, or any of them, shall and will warrant and forever defend.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal the day and year first above written.

Witness:

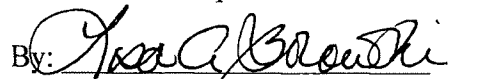
  
\_\_\_\_\_

Grantor:

  
\_\_\_\_\_  
Josie Scarpelli

Grantee:

Radnor Township

By:   
Name: Lisa A. Borowski  
Title: BOC President

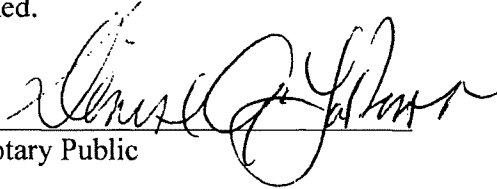
ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :

: SS.

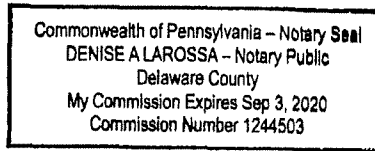
COUNTY OF DELAWARE :

On this 15<sup>th</sup> day of MAY, 2019, before me, a Notary Public, the undersigned officer, personally appeared Josie Scarpelli, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purpose therein contained.

  
Notary Public

My commission expires:

9/3/20





ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :

: SS.

COUNTY OF Bucks :

On this 30<sup>th</sup> day of may, 2019, before me, a Notary Public, the undersigned officer, personally appeared Lisa A Borowski, who acknowledged herself to be the President of the Radnor Township Board of Commissioners, known to me (or satisfactorily proven) and that she as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

Heather L. Petronio  
Notary Public

My commission expires:

Jan. 28, 2022

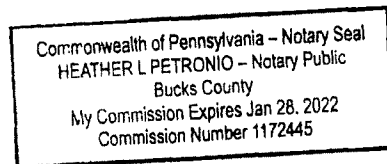


EXHIBIT A

Legal Description

**Description of a 30' wide sanitary sewer easement through 820 Darby Paoli Road situate in the Township Radnor, County of Delaware and Commonwealth of Pennsylvania described in accordance with a plan prepared by Momenee, Inc. civil engineers and land surveyors titled "Sanitary Easement Plan-820 & 834 Darby Paoli Road", dated January 31, 2019:**

**BEGINNING** at a point on a concrete fence post at a rear common corner point of 820 and 834 Darby Paoli Road; said point being located the following course and distance from a point on the Title line in the bed of Darby Paoli Road (33' wide R/W) being the common corner point between the northern boundary lines of 820 and 834 Darby Paoli Road; 1) South  $41^{\circ} 46' 00''$  West the distance of 374.58 feet to a concrete fence post at the rear common corner point between 820 and 834 Darby Paoli Road, the point of commencing.

**Thence** from said point of beginning along the line of lands now or formerly of Cyclopes Land Company North  $30^{\circ} 51' 30''$  West 25.00 feet to a point; thence crossing into the lands of 820 Darby Paoli Road the two (2) courses and distances; 1) North  $59^{\circ} 08' 30''$  East 30.00 feet to a point, 2) South  $30^{\circ} 51' 30''$  East 15.61 feet to a point along the line of lands separating 820 and 834 Darby Paoli Road; thence along said common boundary line South  $41^{\circ} 46' 00''$  West 31.43 feet to a concrete fence post, and the first mentioned point and place of beginning.

**CONTAINING:** 609 square feet (0.014 acres) more or less



Prepared by  
and Return to:

John B. Rice, Esquire  
Grim, Biehn & Thatcher  
104 S. Sixth Street  
P. O. Box 215  
Perkasie, PA 18944

CPN # 36-05-02897-05

DEED OF DEDICATION – SANITARY SEWER EASEMENT  
(Ricardo Maise Suehiro and Frederico Fonseca Costa)

THIS INDENTURE MADE THIS 15<sup>th</sup> day of *may*, 2019 by and between Ricardo Maise Suehiro and Frederico Fonseca Costa, having an address of 834 Darby Paoli Road, Newtown Square, Pennsylvania 19073 (hereinafter referred to as “Grantor”) and the Township of Radnor, a Home Rule Municipality, so designated under the laws of the Commonwealth of Pennsylvania, with offices located at 301 Iven Avenue, Wayne, Pennsylvania 19087 (hereinafter referred to as “Grantee”).

WITNESS, THAT THE SAID Grantor, for and in consideration of the advantages to their accruing as well as for diverse other considerations affecting the public welfare which they seek to advance, have granted, bargained, sold, aliened, released and conveyed unto the said Grantee, its successors and assigns, a perpetual nonexclusive right, privilege, right-of-way and easement in all that certain strip of land situate within the Township of Radnor, County of Delaware and Commonwealth of Pennsylvania as described on the legal description attached hereto and incorporated herein as Exhibit A together with all sanitary sewer lines, equipment, appurtenances and other items associated therewith for the purpose of constructing, using, repairing, inspecting and maintaining a sanitary sewer line and related facilities associated therewith.

TO HAVE AND TO HOLD, the said tract or piece of ground above described unto the said Grantee, to and for the only proper use and behoof of said Grantee, its successors and assigns, forever as and for the purpose of constructing a sanitary sewer line and its related facilities ~~to serve~~ the proposed public sewer project as well as to permit the continued maintenance of the said improvement thereafter.

AND THE SAID GRANTOR, for themselves, their successors and assigns, do by these presents further covenant, promise and agree to and with the Grantee, its successors and assigns, that the said right, privilege, right-of-way and easement in the tract of ground herein described hereby granted, or mentioned, or intended so to be unto said Grantee, its successors and assigns,

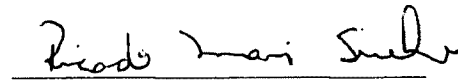
against it, the said Grantor, their successors and assigns, and against all and any person or persons whomever lawfully claiming or to claim the same of any part hereof, by, from and under it or them, or any of them, shall and will warrant and forever defend.


IN WITNESS WHEREOF, the said Grantor have hereunto set their hands and seals the day and year first above written.

Witness:

  
\_\_\_\_\_

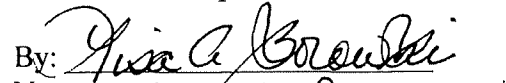
Grantor:

  
Ricardo Maise Suehiro

  
Frederico Fonseca Costa

Grantee:

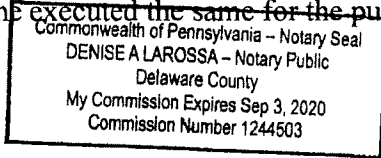
Radnor Township

By:   
Name: LISA A. BOROWSKI  
Title: BOC President

ACKNOWLEDGEMENTS

COMMONWEALTH OF PENNSYLVANIA :  
: ss.  
COUNTY OF DELAWARE :

On this 15<sup>th</sup> day of MAY, 2019, before me, a Notary Public, the undersigned officer, personally appeared Ricardo Maisse Suehiro, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purpose therein contained.



Denise A Larossa  
Notary Public

Frederico Fonseca Costa

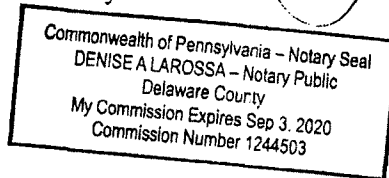
My commission expires:  
9/3/20

COMMONWEALTH OF PENNSYLVANIA :  
: ss.  
COUNTY OF DELAWARE :

On this 15<sup>th</sup> day of MAY, 2019, before me, a Notary Public, the undersigned officer, personally appeared Frederico Fonseca Costa, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purpose therein contained.

Denise A Larossa  
Notary Public

My commission expires:  
9/3/20



ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :  
 :  
 : SS.  
COUNTY OF Bucks :

On this 30<sup>th</sup> day of May, 2019, before me, a Notary Public, the undersigned officer, personally appeared LISA A. BOTONSKI, who acknowledged herself to be the President of the Radnor Township Board of Commissioners, known to me (or satisfactorily proven) and that she as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained .

  
Notary Public

My commission expires:

Jan. 28, 2022

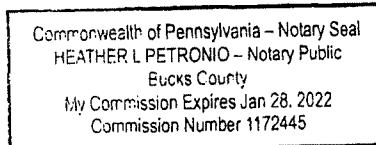




EXHIBIT A

Legal Description

**Description of a 30' wide sanitary sewer easement through 834 Darby Paoli Road situate in the Township Radnor, County of Delaware and Commonwealth of Pennsylvania described in accordance with a plan prepared by Momenee, Inc. civil engineers and land surveyors titled "Sanitary Easement Plan-820 & 834 Darby Paoli Road", dated January 31, 2019:**

**BEGINNING** at a point on a concrete fence post at a rear common corner point of 820 and 834 Darby Paoli Road; said point being located the following course and distance from a point on the Title line in the bed of Darby Paoli Road (33' wide R/W) being the common corner point between the northern boundary lines of 820 and 834 Darby Paoli Road; 1) South  $41^{\circ} 46' 00''$  West the distance of 374.58 feet to a concrete fence post at the rear common corner point between 820 and 834 Darby Paoli Road, the point of commencing.

**Thence** from said point of beginning along the line of lands separating 820 and 834 Darby Paoli Road North  $41^{\circ} 46' 00''$  East 31.43 feet to a point; thence crossing into the lands of 834 Darby Paoli Road the following two (2) courses and distances; 1) South  $30^{\circ} 51' 30''$  East 220.00 feet to a point, 2) South  $59^{\circ} 08' 30''$  West 30.00 feet to a point; thence along the line of lands now or formerly of Cyclopes Land Company North  $30^{\circ} 51' 30''$  West 210.61 feet to a concrete fence post, and the first mentioned point and place of beginning.

**CONTAINING:** 6,459 square feet (0.1483 acres) more or less



# Public Participation

## **Boards & Commissions**

**There are vacancies on the following Boards & Commissions:  
As of June 20, 2019**

### **Citizens Audit Review & Financial Advisory Committee**

2 Vacancies

### **Code Appeals Board**

1 Vacancy

*Requirements: Master Electrician, Master Plumber or General Contractor*

### **HARB**

1 Vacancy (unexpired term 12/31/2020)

### **Rental Housing Appeals Board**

1 Vacancy (unexpired term 12/31/2022)

### **Zoning Hearing Board**

1 Vacancy (Alternate)

Interested residents should submit their resumes to Mr. Robert  
Zienkowski, Township Manager

Radnor Township, 301 Iven Avenue, Wayne, PA 19087 or by

email [rzienkowski@radnor.org](mailto:rzienkowski@radnor.org)

Possible Appointments to  
Various Boards and  
Commissions

# ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

|                          |
|--------------------------|
| <b>TOWNSHIP USE ONLY</b> |
| APPEAL # _____           |
| FEE: _____               |
| DATE RECEIVED: _____     |

**GENERAL INFORMATION:** Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. *Incomplete applications will not be accepted for processing.*

**REQUIRED FEE DUE AT FILING:** Please refer to the Consolidated Fee Schedule, as amended on our website at [www.radnor.com](http://www.radnor.com) for a copy of our current fees.

\*\*\*\*\*

TYPE OR PRINT

Property Address: 131-133 Garrett Avenue

Name and address of Applicant: DJB Properties  
PO BOX 988, Conshohocken, PA 19428

Telephone Number: 484-344-5429 Email: msd@daneklawfirm.com

Property Owner (if different than above): n/a

Owner address: n/a

Telephone number: n/a Email: n/a



Attorney's name: Mark S. Danek, Esq.

Address: 1255 Drummers Lane, Suite 105, Wayne, PA 19087

Telephone number: 484-344-5429 Email: msd@daneklawfirm.com

**Relief requested and/or basis for appearing before the Zoning Hearing Board including specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)**

Appeal from Enforcement Notice dated June 6, 2019.

Appellant requests a variance from Code Ch. 280, Sec. 49.5 and Ch. 280, 49.6.A(2)(a)[1] relating to the manner of measure as well as the maximum height limitation of 30'. Appellant proposes to construct a twin-dwelling which has a maximum height of 36'-9" when measured pursuant to the aforementioned Code Sections.

The proposed structure is substantially completed. Construction began on the project pursuant to the Township's issuance of building (and other related) permits authorizing the construction of the structure based upon a review of a construction set of drawings filed by the Appellant on or about September 11, 2018.

The drawings as-submitted provide several elevations of the proposed structure. Each drawing consistently shows a height of at least 36'-9".

In the alternative, Appellant requests that the Zoning Hearing Board make a determination that Appellant (i) has acquired a vested right in the permits that were issued by the Township; (ii) has acquired the requested zoning relief through variance by estoppel; (iii) has acquired the requested zoning relief through equitable estoppel; and (iv) has acquired the requested zoning relief through any other legal or equitable principles that are developed during the hearing on this matter.

**Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: (attach additional pages if necessary)**  
not known



**Brief narrative of improvements:** *(attach additional pages if necessary)*  
Appellant proposes to construct a twin dwelling on the site.

**ATTACHMENTS:** Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:
  - a) lot lines and lot dimensions described in metes and bounds (in feet);
  - b) total lot area;
  - c) location of easements and rights of way, including ultimate rights of way;
  - d) location of all setback lines for existing and proposed structures;
  - e) location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;
  - f) location of existing and proposed improvements;
  - g) table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and
  - h) all other features or matters pertinent to the application.

**PLANS SHALL NOT EXCEED 24" X 36", AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING**

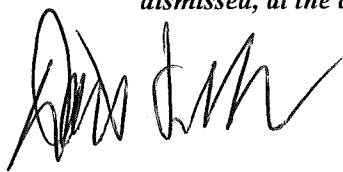
2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

#### ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)



  
SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

131-133 Garrett Avenue – Preliminary Witness List

1. David Brosso, Member of DJB Properties
2. Representative from Luce Architects
3. Stephen Norcini, Township Engineer
4. Kevin Kochanski, Township Zoning Officer
5. Any other engineers or representatives that reviewed the construction set of drawings on or about September 11, 2018 and determined that the plans were compliant with all relevant Township code requirements and that building permits should be issued “as-noted” on the plan set of drawings.



LISA BOROWSKI  
President

JACK LARKIN, ESQ.  
Vice President

JAKE ABEL

RICHARD F. BOOKER, ESQ.

LUCAS A. CLARK, ESQ.

SEAN FARHY

JOHN NAGLE



RADNOR TOWNSHIP  
301 IVEN AVENUE  
WAYNE, PENNSYLVANIA 19087-5297

Phone (610) 688-5600  
Fax (610) 971-0450  
www.radnor.com

ROBERT A. ZIENKOWSKI  
Township Manager  
Township Secretary

JOHN B. RICE, ESQ.  
Solicitor

KATHRYN GARTLAND  
Treasurer

# ENFORCEMENT NOTICE

## ZONING

To: DJB Properties, LLC (Property Owner)

Mailing Address: P.O. Box 988, Conshohocken, PA 19428 (Property Owner)

Date of Issuance: June 6, 2019

Location of Property in Violation: 131 Garrett Avenue, Rosemont, PA 19010  
(Delaware County Folio # 36070461000)

Zoning District of Property in Violation: GH-N District

Delivered:  In person  
 By Regular and Certified Mail

In accordance with Section 616.1 of the Pennsylvania Municipalities Planning Code, Radnor Township is issuing this Enforcement Notice and demanding that the following activities being conducted in violation of the Radnor Township Zoning Ordinance immediately cease:

### Specific Violations:

1. Chapter 280, Section 49.5 establishes definitions for building height as follows:

- **BUILDING HEIGHT**

*The greatest vertical distance between the mean level at existing grade in front of a building or structure along a street right-of-way measured to the top ridge of a sloped roof or the top of a roof parapet. Chimneys and uninhabited spires shall not be included when measuring height; however, elevator penthouses and stair towers shall be included. Roof-mounted HVAC equipment shall be placed in the center interior area of the roof and shall be screened from visibility from the public cartway.*

2. Chapter 280, Section 49.6.A(2)(a)[1] limits a building height to a maximum of 30 feet.

**As you are aware from previous communications and meetings with Township Officials, the dwelling unit currently under construction exceeds the height limitations**

as defined in the above noted code sections. You are advised to cease all construction activities until this matter is resolved.

You are to commence corrections of these violations immediately and correct all violations within thirty (30) days of the date of issuance. **Please contact the Township to schedule an inspection of this area to confirm compliance with the above noted code sections.**

You have the right to appeal this Enforcement Notice to the Radnor Township Zoning Hearing Board. **YOU MUST FILE THIS APPEAL WITHIN THIRTY (30) DAYS OF THE DATE OF ISSUANCE OF THIS NOTICE.**

Failure to comply with this Notice within the time limits specified above constitutes a violation and is subject to a fine of up to \$500.00 per day, plus all court costs and reasonable attorneys' fees, pursuant to the procedures set forth in Section 617.2 of the Pennsylvania Municipalities Planning Code, unless an appeal is filed with the Radnor Township Zoning Hearing Board within 30 days of the date of issuance of this Notice. Each day that a violation continues shall be considered a separate offense punishable by the above-described fines and penalties.

You should take the following action immediately:

Respond to me in writing within five (5) days acknowledging receipt of this Enforcement Notice and stating what actions you have taken or will take within thirty (30) days to bring your property into compliance with the Zoning Ordinance. Any response should be directed to me at the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087-5297; or [kkochanski@radnor.org](mailto:kkochanski@radnor.org). If, within the permitted timelines noted above, you do not take appropriate corrective action or appeal this Notice, I shall recommend that a civil action be filed against you in Court.

Sincerely,



---

Kevin W. Kochanski, RLA, CZO  
Director of Community Development / BCO  
Radnor Township Zoning Officer

cc: Commissioner Sean Farhy  
Robert Zienkowski, Township Manager  
John Rice, Township Solicitor  
Property File



RD BK06110-1228  
2018000154 01/02/2018 01:12:46 PM:1  
RCD FEE: \$116.25 POL SUB TAX: \$3,000.00 ST TAX: \$2,000.00

DT-DEED



36-RADNOR \$3,000.00

THOMAS J. JUDGE SR. ROD

DELAWARE  
COUNTY

Prepared by and Return to:

Land Services USA, Inc.  
1 South Church Street  
Suite 300  
West Chester, PA 19382

File No. PAFA16-1907MM  
FOLIO # 36-07-04610-00

**This Indenture**, made the 20 day of December, 2017,

**Between**

**NASIRA YASMIN MAJID**

(hereinafter called the Grantor), of the one part, and

**DJB PROPERTIES, LLC, A PENNSYLVANIA LIMITED LIABILITY  
COMPANY**

(hereinafter called the Grantee), of the other part,

**Witnesseth**, that the said Grantor for and in consideration of the sum of **Two Hundred Thousand And 00/100 Dollars (\$200,000.00)** lawful money of the United States of America, unto him well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee

ALL THAT CERTAIN tract of land with no improvements on it situated in the Township of Radnor, County of Delaware, State of Pennsylvania, bounded and described according to a survey and plan; thereof made by Milton R. Yerkes, C.E. Bryn Mawr, Pennsylvania as of May 23, 1921, as follows, to wit:

BEGINNING at a point in the middle of Garrett Avenue (thirty three feet wide) said point is at a distance of three hundred sixty and eighteen feet measured Northeastwardly along the middle of Garrett Avenue from its intersection with the middle line of Old Lancaster Road thence along the middle line of Garrett Avenue North forty three degrees thirty minutes East sixty three and seventy two one hundredths feet to a point thence leaving Garrett Avenue by land now or late of Silvia Mansueto South forty six degrees thirty minutes East one hundred seventy three and forty two one hundredths feet to a point in line of land of Radnor Township School District; thence by said land South forty three degrees thirty minutes West sixty three and seventy two one hundredths feet to a point on line of land now or late of J. Powers; thence by said land North forty six degrees thirty minutes West one hundred seventy three and forty two one hundredths feet to the place of beginning.

BEING known as 131-133 Garrett Avenue.



BEING Folio No.: 36-07-04610-00.

BEING the same premises which Nasira Yasmin Majid Corporation, by Deed dated 9/17/1990 and recorded 9/21/1990 in Delaware County in Volume 792 page 588, conveyed unto Nasira Yasmin Majid, in fee.

**Together with** all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of him, the said grantor, as well at law as in equity, of, in and to the same.

**To have and to hold** the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, forever.

**And** the said Grantor, for herself and her heirs, executors and administrators, does, by these presents, covenant, grant and agree, to and with the said Grantee, its successors and assigns, that he, the said Grantor, and her heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against him, the said Grantor, and her heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

In Witness Whereof, the party of the first part has hereunto set her hand and seal. Dated the day and year first above written.

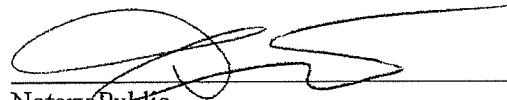
Sealed and Delibered  
IN THE PRESENCE OF US:

\_\_\_\_\_ Nasira Yasmin Majid {SEAL}

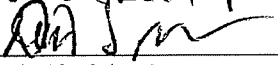
Commonwealth of Pennsylvania }  
County of Delaware } ss

On this, the 20 day of December, 2017, before me, the undersigned Notary Public, personally appeared **Nasira Yasmin Majid**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

The precise residence and the complete post office address of the above-named Grantee is:

PO Box 988  
Conshohocken PA 19428  
  
\_\_\_\_\_  
On behalf of the Grantee

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
RICHARD F. LITTLE, Notary Public  
West Chester Borough, Chester County  
My Commission Expires May 10, 2020

# Deed

FOLIO # 36-07-04610-00

Nasira Yasmin Majid

TO

DJB Properties, LLC  
a Pennsylvania limited liability company

Land Services USA, Inc.  
1 South Church Street  
Suite 300  
West Chester, PA 19382





67 Byberry Road, Hatboro, PA 19040 · info@lucearchitects.com · 215.674.5950 · [lucearchitects.com](http://lucearchitects.com)

**DATE:** June 28, 2019

**TO:** David Brosso  
DJB Properties, Inc.  
Cell: 610-310-5055  
Email: david.j.brosso@gmail.com

**FROM:** Christopher J. Luce, A.I.A.  
Luce Architects  
Office: 215-674-5950  
Email: cjl@lucearchitects.com

**RE:** Garrett Twins, Radnor, PA

Pursuant to your discussion with Michael Girard regarding the Garret Twin project, I've prepared the following letter in response to your current situation with the township.

There are four phases in a project before we release a set of drawings for permit. The following is a brief summary of how we approach every project:

**Pre-Design Phase:**

Before starting the Schematic Design Phase, a representative from the firm reviews the local zoning and building codes specific to the area a project is located. Anything that requires further clarification is followed up with a call to the local authorities tasked with making decisions regarding the code. We call this phase Pre-Design. This phase is perhaps the most important since it influences each of the subsequent phases.

**Schematic Design Phase:**

Schematic Design focuses on the Owner's program to ensure his criteria is met within a given budget or expectation. Information collected during the Pre-Design phase is also incorporated to ensure full compliance with local requirements.

**Design Development Phase:**

Design Development expands on the Schematic Design phase and transitions from design to construction detailing. An additional check of the building and zoning codes is made and questioned if anything seems unusual or out of place. The design is more refined and reviewed for structural design and buildability. This phase provides a basis for the final phase of the process.

**Construction Documentation Phase:**

In this phase, we finalize the construction details, indicate code related items, add the structural design and calculate the thermal values of the building. Once this is complete, we prepare the drawings to be submitted to the local municipality for permit approval.

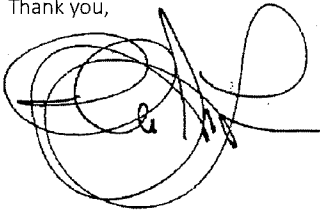
Once the plan examiner reviews the drawings for compliance, he will either deny or approve the application for construction. If an application were ever denied, a letter from the examiner to the applicant would be issued for corrections or clarification. We respond to their concerns in written form as well and include any drawing revisions if necessary. Once issues are resolved, a permit is granted.

This is a process I've used for the last 30 years. It provides a balanced approach to ensure accuracy and completeness. It also warrants that the original design intent is maintained. I've worked for multiple architectural firms before opening Luce Architects and every firm utilized a similar format. Luce Architects however takes this process to a higher level. Mike Girard of Luce Architects is a ICC certified residential building inspector and is an expert in navigating complex building and zoning codes. Mike is the Project Manager for the Garrett Twins and has ran the project from its inception.

In regards to the current status of the project, our understanding of Radnor's zoning code was clear and verified at different stages throughout the documentation process. Our interpretation of the zoning code was confirmed by the building official responsible for approving the plans and issuing the building permit last year.

Since the townships approval, the owner has made substantial progress with the buildings construction. Only until recently did the township issue a cease and desist order to halt all construction due to the buildings height. In response to this, our firm reevaluated the criteria obtained during the Documentation Phases of the project. We discovered that when you visit the townships website and click the hyperlink at the top of the page for the zoning district we're in,, it scrolls down to the chapter below specific to that zoning district. From that point, we read the information from the beginning to the end of the chapter. It's only when we scrolled up to the previous section did we realize a different building height as compared to the height indicated adjacent to the initial hyperlink. This convoluted method of finding the building height is misleading and confusing. For all good intentions the authors of the zoning code may have had, unfortunately, they did not communicate them very well for professionals or for the township officials tasked to review and enforce them.

Thank you,

A handwritten signature in black ink, appearing to read 'C. Luce', with several overlapping loops and a long horizontal stroke extending to the right.

Christopher J. Luce, AIA  
Luce Architects, Inc.



# Memo

To: Robert Zienkowski & Steve Norcini  
From: John B. Rice, Esquire   
Date: 4/11/19  
Re: 131 – 133 Garrett Avenue Review by Yerkes Associates

---

I have reviewed the Memo dated March 26, 2019 from Jose Grande to Steve regarding the measurements for Building Height and the ordinance sections which apply. The subject building is located in the Garrett Hill Zoning District (“GHZD”), however, within the GHZD there are sub-areas including GH-N, GH-CR, GH-GA and GH-OS all of which have individually tailored setback, building size and lot development standards.

This property is in the Garrett Avenue neighborhood (GH-N) sub-area and the applicable Building Height section is 280-49.6.A.(2).(a).[1]. This section limits Building Height, “not to exceed 30 feet”. Section 280-49.5 is the definition section and Building Height within all of the GHZD sub-areas is defined as follows:

Building Height – The greatest vertical distance between the mean level at existing grade in front of a building or structure along the street right-of-way measured to the top ridge of a sloped roof or the top of a roof parapet. Chimneys and uninhabited spires shall not be included with measuring height; however, elevator, penthouses and stair towers shall be included. Roof mounted HVAC equipment shall be placed in the center interior area of the roof and shall be screened from visibility from the public cartway.

The foregoing definition of Building Height takes precedence over the general definition of Building Height at Section 280-4.B. Section 280-49.4 provides that when there are inconsistent regulations or definitions between those found in the GHZD and other provisions of the zoning ordinance, the definitions and regulations of the GHZD control any such inconsistencies.

This Memo will confirm for Yerkes that they have utilized the applicable sections of the zoning ordinance for its Building Height analysis.





April 22, 2019

To: Stephen F. Norcini, PE, Township Engineer  
Radnor Township  
301 Iven Avenue  
Wayne, PA 19087-5297

From: Jose Grande, PE  
Senior Project Manager

RE: OPINION REPORT: Zoning Review, Building Code Review,  
131-133 Garrett Ave per Garrett Hill Zoning Requirements

Plans Reviewed:

- 1.) Architectural Plans prepared by: LUCE Architects  
Dated: 3/2/18, last revised 8/21/18

Plan set includes:

- Title Sheet - (TS)
- Foundation Plan - (A1)
- First & Second Floor Plan – (A2)
- Habitable Attic Plan – (A3)
- Sections – (A4)
- Elevations – (A5)
- First & Second Floor Framing Plans – (A6)
- Attic Floor and Roof Framing Plans – (A7)
- Electrical Plan – (A8)
- Construction Details – (CD1)

- 2.) Site Plan prepare by Joseph M. Estock, P.L.S., Sheet 1 of 6  
Dated: 3/23/18

## Report Objectives:

It is the intent of this Memo Report to review the above referenced residential Building Plans and Site Plan, for compliance with the Radnor Township Zoning Code, and all applicable Radnor Township Building Codes.

No site visits were conducted with the exception of our field survey crew providing an accurate measurement of building Height and Setback in accordance with the Zoning Code definitions.

## A. Zoning Code Findings and Opinion

1. §280-49.6.A.(1).(a).(1) – It appears that the minimum front yard setback of 26 feet has been complied with. Per Zoning, Article XIA – Garrett Hill Zoning District – Definitions, §280-49.5- Building line –Based on the above definition, the front yard setback is 28.6 ft. as measured from the Center Line of the street. A field survey was performed to determine the actual field measured setback from the Street Center Line. The field survey results are provided under separate cover.
2. §280-49.6.A(3)(c) – The impervious coverage for lot # 1 exceeds the maximum of 60%. The installed impervious coverage needs to be verified by an “As-Built” as means of compliance, prior to time of U&O issuance.
3. Per notes # 3, # 4, and # 5 on the site plan sheet 1 of 6, there is no information on the site plan indicating the proposal of a Stormwater Control Facility at the site. Sheet 1 of 6 does not indicate an “Index of Plans” to determine if sheets 2 to 6 of 6 contain the above SWM information required.
4. A review for Subdivision and Land Development Ordinance compliance has not been conducted, as it is not a part of the scope of work of this report.
5. The Building Construction Plans document a proposed building height of 29’ – 5 ½”, which has been calculated per the zoning ordinance, Article I – General Provisions; Sec. 280-4.B. – Building Height., and is in compliance with the district maximum allowable height of 30 ft. However, per. Memo dated 4/11/19 from John B. Rice, Esquire of Grim, Biehn & Thatcher, the proper measurement procedure is based on Article XIA – Garrett Hill Zoning District Sec. 280 – 49.5 – Building Height, which determines the actual building height to be **36.51 ft.** which exceeds the code limits. A field survey was performed to determine the actual field measured Building Height. The field survey results are provided under separate cover.

## B. Building Codes Review Opinion of Corrections Required

Code Reviewers Kevin Walsh (PA L&I #005328) & Stephan Nicolai (PA L&I # 004749) conducted building code plan reviews in accordance with the 2009 International Residential Code, and all appropriate supplemental codes related thereto as described below:

### **BUILDING PLAN REVIEW COMMENTS:**

1. All engineered designs not complying with the prescriptive methods of the Code shall be accompanied by signed and sealed plans by a Professional Engineer licensed in the Commonwealth of Pennsylvania in accordance with *R301.1.3* of the *2009 International Residential Code (IRC)*. Complimentary signed and sealed calculations shall be submitted where necessary to support the aforementioned design(s).
2. Any accessible spaces located under stairs shall be provided with a minimum ½" gypsum board protection on the enclosed side in accordance with *R302.7* of the *2009 IRC*.
3. Exterior landings, decks, and stairways shall be designed to be self-supporting and shall be positively anchored to the primary structure in accordance with *R311.5.1* of the *2009 IRC*. Please verify this requirement throughout the design.
4. The engineered lumber (L.V.L. & or Para Lams) noted in the plans do not provide adequate information to determine if the beam's load carrying capacities are sufficient to safely carry all loads which will be exerted upon them. The plans shall include manufacturer's specifications and calculations used to determine the adequacy of the beams specified (Per International Residential Code 2009, Section(s): *R106.1.1* & *R301.1.3*)
5. Manufacturer's specifications & or submittal documents were not included for the engineered floor joists. (Per International Residential Code 2009, Section(s): *R106.1.1* & *R301.1.1*)
6. Specific details were not provided for the ventilation, and natural light requirements mandated by the code. The plans do not provide the aggregate glazing areas of each room, and the minimum openable area to the outdoors, (Per International Residential Code 2009, Section: *R303.1*)

7. Habitable areas shall be provided with ventilation at a rate of 8% of the aggregate floor area in accordance with *R303.1* of the *2009 IRC*. Please provide results of this calculation.
8. Roof ventilation shall be provided in accordance with *R806.1* and *R806.2* of the *2015 IRC*.
9. Factory-built fireplaces shall be listed and labeled in accordance with *R1004.1* of the *2009 IRC*. Please submit manufacturer's specifications for the proposed fireplaces to be installed.
10. Please identify all window and door U-values (0.35 maximum) in accordance with *Table N1102.1* of the *2009 IRC*.

#### **MECHANICAL PLAN REVIEW COMMENTS:**

1. There is insufficient information to complete the mechanical review for the proposed project. At a minimum, please provide the following:
  - a. Exhaust and return rates for each room to ensure the entire system is balanced.
  - b. Materials utilized in construction of the ducts (hard duct, flex duct, size and thickness of metal, etc.)
  - c. Size of duct main trunks
  - d. Signed and sealed drawings
  - e. Location of discharge (directly to exterior, as required) to ensure duct termination proximity to building openings
2. Provide manufacturer's specifications for the proposed mechanical appliances to ensure the system is capable of providing the required conditioning for the space. Each appliance shall be listed and labeled in accordance with *M1302.1* of the *2009 IRC*. *Advisory: A balancing report shall be requested by the inspector during the Final Inspection to ensure the system is operating at required efficiencies.*

#### **PLUMBING PLAN REVIEW COMMENTS:**

1. The venting system proposed for the structure(s) plumbing system is not designed in accordance with the code. The venting system appears to be a

- single stack D.W.V. system, this type of venting system is not recognized by the International Residential Code. (Per International Residential Code 2009, Section: P3101)
2. The plans did not specify the D.F.U.'s for the plumbing fixtures being proposed for the structure(s) plumbing system. (Per International Residential Code 2009, Section: P3004)
  3. The plumbing plans did not specify the water distribution system's pipe sizing based on the code's design criteria. (Per International Residential Code 2009, Section: P2903.1)

#### **FUEL GAS SYSTEM(S) REVIEW COMMENTS:**

1. The plans did not specify the type of gas piping materials being proposed for the structure(s). (Per International Residential Code 2009, Section G2412 (401))
2. The plans did not specify the gas piping sizes being proposed for the structure(s) based on the demand of the appliances, and or equipment served. (Per International Residential Code 2009, Section(s): G2413.1 (402.1) & G2413.2 (402.2))

#### **ELECTRICAL SYSTEM REVIEW COMMENTS:**

1. The plans did not specify the branch-circuit and feeder ampacity for the structure(s) electrical system. (Per International Residential Code 2009, Section: E3701.2)
2. The plans did not specify the branch circuits(s) conductor sizing for the structures(s) electrical system. (Per International Residential Code 2009, Section: E3705)

This completes the requirements of our Scope of Services as authorized.

Attachments: Exhibit 1 – Radnor Township Supporting Documents Reviewed  
Exhibit 2 - Sketch Plan of Building Survey Height, under separate cover

# Exhibit 1

## Radnor Township Supporting Documents Reviewed

1. Radnor Township Zoning Code
2. Radnor Township Zoning Map
3. Radnor Township Building Code Requirements:
  - 2009 International Residential Code
  - 2009 International Mechanical Code
  - 2009 International Fuel Gas Code
  - 2009 International Plumbing Code
  - All appropriate supplemental codes related thereto

**Yerkes** Associates, Inc.

*a cirilli company*

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Consulting Engineers / Structural Engineering  
Site Planners / Land Surveyors / Municipal Services

## Exhibit 2

Radnor Township

Sketch Plan of Building Survey Height & Setback  
(under separate cover)

Professional services since 1874

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\* ALSO ADMITTED IN NEW JERSEY  
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PLEASE REPLY TO:  
PERKASIE

John B. Rice  
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JOHN FREDERIC GRIM, OF COUNSEL

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(215) 536-1200  
FAX (215) 538-9588

P.O. Box 1369  
DOYLESTOWN, PA, 18901  
(215) 348-2199  
FAX (215) 348-2520

April 13, 2016

*Sent via electronic correspondence*

David Brosso  
DJB Properties, LP  
P.O. Box 988  
Conshohocken, PA 19428

Re: 131-133 Garrett Avenue

Dear Mr. Brosso:

Enclosed please find an executed copy of Resolution No. 2016-47 which was approved by the Radnor Township Board of Commissioners on April 11, 2016. Please call with any questions.

Sincerely,

GRIM, BIEHN & THATCHER

By: 

John B. Rice

JBR/HLP  
Enclosure

cc: Robert Zienkowski (via email)  
Jennifer DeStefano (via email)

**RESOLUTION NO. 2016-47  
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, APPROVING THE PRELIMINARY/FINAL LAND  
DEVELOPMENT PLAN OF DJB PROPERTIES, LP FOR THE PROPERTY  
LOCATED AT 131-133 GARRETT AVENUE**

*WHEREAS*, DJB Properties, LP (“Applicant”) submitted a Preliminary/Final Land Development Plans prepared by Joseph M. Estock dated April 27, 2015, last revised February 5, 2016; and

*WHEREAS*, the plan has been reviewed by both the Radnor Township Planning Commission and the Delaware County Planning Commission; and

*WHEREAS*, the Board of Commissioners now intends to approve the Preliminary/Final Land Development Plan for DJB Properties, LP, subject to certain terms and conditions.

*NOW, THEREFORE*, it is hereby **RESOLVED** that the Radnor Township Board of Commissioners does hereby approve the Preliminary/Final Land Development Plans for DJB Properties, LP, prepared by Joseph M. Estock, consisting of six (6) sheets, dated April 27, 2015, last revised February 5, 2016, subject to the following conditions:

1. The Applicant shall comply with the March 16, 2016 Gannett Fleming review letter, a copy of which is attached hereto as *Exhibit “A”*.
2. The Applicant shall comply with the February 19, 2016 Gilmore & Associates review letter, a copy of which is attached hereto as *Exhibit “B”*.
3. The Applicant shall comply with all other applicable ordinances with respect to sewage, stormwater management, zoning and building, and all county, state, and federal rules, regulations and statutes.
4. The Applicant shall execute Development and Financial Security Agreements in a form and manner to be approved by the Township Solicitor.
5. The Applicant shall execute a shared access easement and stormwater management agreement in a form and manner to be approved by the Township Solicitor.
6. The Applicant shall obtain a construction easement from the adjacent property owner to the north for the proposed sidewalk improvements along the adjacent property owner’s site frontage (Robuca Associates, LP).


7. In addition to the Preliminary/Final plan approval conditions, the following SALDO waivers are approved:

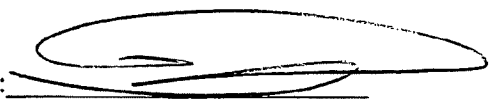
- a. Section 255-21.B.1(e) as to the location map.
- b. Section 255-21.B.1(k) as to existing features.
- c. Section 255-27.C.1 as to required cartway and right-of-way width.
- d. Section 255-38.B as to street trees subject to the requirement that 3 street trees are provided.
- e. Section 255-94.A.2 as to street lights provided that 2 anodized aluminum street posts are installed at locations approved by the Township. Additionally, the lights shall be tied into the township electrical feed and the applicant shall execute an easement to the Township for maintenance and repair purposes in a form approved by the Township solicitor.

**SO RESOLVED**, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this 11<sup>th</sup> day of April, 2016.

RADNOR TOWNSHIP BOARD OF  
COMMISSIONERS

By:

  
Name: Lucas A. Clark IV, Esq.  
Title: Vice President

ATTEST: 



# Gannett Fleming

*Excellence Delivered As Promised*

**Date:** March 16, 2016

**To:** Radnor Township Board of Commissioners

**From:** Roger Phillips, PE

**cc:** Robert Zienkowski – Township Manager  
Stephen Norcini, P.E. – Director of Public Works  
Kevin W. Kochanski, RLA, CZO – Director of Community Development  
John Rice, Esq – Grim, Biehn, and Thatcher  
Amy Kaminski, PE – Gilmore and Assoc.  
Steve Gabriel - Rettew

**RE:** 131/133 Garrett Avenue – Preliminary/Final Plan  
DJB Properties – Applicant

Date Accepted: May 4, 2015  
90 Day Review: Extended to May 15, 2016

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Gannett Fleming, Inc. has completed a review of the 131/133 Garrett Avenue Preliminary/Final Plan for compliance with the Radnor Township Code. This Plan was reviewed for conformance with Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

The applicant is proposing to construct a semidetached twin dwelling at the above location. This project is located in the GH-N district of the Township.

Plans Prepared By: Joseph M. Estock  
Dated: 04/27/2015, last revised 2/05/2016

The applicant has indicated on the plans that the following waiver be requested for this project:

- §255-21.B.1(e) – Relief from providing a location map showing the relation of the site to adjoining properties and streets within 500 feet.
- §255-21.B.1(k) – Relief from showing the required existing features within 500 feet of the site.
- §255-27.C.1 – Relief from providing the required 28' cartway and 60' right-of-way widths and allow for the existing 24' cartway and 33' right-of-way to remain.
- §255-38.B – Relief from the requirements to provide 2.1 street trees. 2 street trees are proposed.
- §255-94.A.2 – Relief from providing streetlights spaces a maximum of 40 feet apart.

The applicant appeared before the Planning Commission on March 7, 2016. The Planning Commission recommended approval of the preliminary /final plans conditioned on the street lights conforming to staff recommendations and granting the requested waivers 1-4, and not 5 (§255-94.A.2 – Relief from providing streetlights spaces a maximum of 40 feet apart).

I. Zoning

1. §280-49.6.A.3 – The total allowable impervious coverage for Lots 1 and 2 combined is 5,999 sq. ft. The plan indicates 3,838 sq. ft. of impervious coverage for Lot 1 and 2,145 sq. ft. of impervious coverage for Lot 2, for a total of 5,983 sq. ft. of impervious coverage. The Lots must be deed restricted to have a maximum allowable impervious coverage as follows:

|       | <u>sq. ft.</u> |
|-------|----------------|
| Lot 1 | 3,838          |
| Lot 2 | 2,161          |

The stormwater management systems must be designed for the maximum impervious condition.

II. Subdivision and Land Development

1. §255-22.A.(1)(e) – A location map showing the relation of site to adjoining properties and streets within 500 feet must be provided. The location map provided on sheet one does not show adjoining properties. The applicant has requested a waiver to this requirement.
2. §255-22.B.(1)(k) – Existing principal buildings (and their respective uses) and driveways on the adjacent peripheral strip; sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site (this includes properties across the streets), must be provided on the plans. The applicant has requested a waiver to this requirement.
3. §255-22.A.(2) – A formal contract for the maintenance of common open space, common driveways and stormwater facilities must be provided. A note has been added to Sheet 1 to indicate conformance with this requirement.
4. §255-22.A.(3) – Planning modules for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act must be provided. The applicant has indicated that he is in the process of preparing the planning module submission.
5. §255-27.C.(1) – Garrett Avenue is classified as local streets. The right-of-way width required for Garrett Avenue is 60 feet with a 28 foot wide cartway. The existing cartway is 24 feet and the existing right-of-way is 33 feet. The applicant has requested a waiver to allow the existing right-of-way and cartway to remain.



6. §255-38.B – Street trees 2 ½ inches dbh at intervals of not more than 30 feet along both sides of new streets and along one or both sides of an existing street within the proposed subdivision. The applicant has indicated on sheet 5 that 2.1 trees are required for this project. The applicant is only providing 2 trees. The applicant has requested a waiver to this requirement.
7. §255-94.A.2 – Streetlights shall be spaced a maximum of 40 feet apart on each side of the street in an offset alternating arrangement along both sides of the street. The applicant has requested a waiver of this requirement.

III. Stormwater

1. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

We suggest that consideration of final approval be conditioned upon adequately addressing the comments referenced above.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.  
Senior Project Manager





**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

**MEMORANDUM**

---

**Date:** February 19, 2016

**To:** Steve Norcini, P.E.  
Radnor Township Director of Public Works

**From:** Amy Kaminski, P.E., PTOE  
Gilmore & Associates, Inc., Transportation Services Manager

**cc:** Roger Phillips, P.E.  
Gannett Fleming, Inc., Senior Project Manager

Damon Drummond, P.E., PTOE  
G&A Senior Transportation Engineer

**Reference:** 131-133 Garrett Avenue  
Radnor Township, Delaware County  
Minor Land Development 3<sup>rd</sup> Review

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G&A # 15-05055

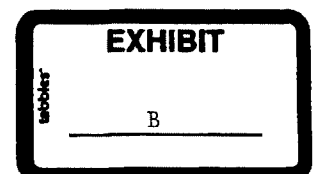
Pursuant to your request, Gilmore & Associates, Inc. has completed a transportation review of the referenced project. The submitted plan identifies the applicant intends to construct two single-family semi-detached dwelling units on a vacant parcel in the Garrett Hill Garrett Avenue Neighborhood. The plan includes a single/shared driveway access to Garrett Avenue with six (6) parking spaces to the rear of the lot. As such, Gilmore offers the following comments for Township consideration:

**I. REVIEWED MATERIALS**

1. 131-133 Garrett Avenue, dated April 27, 2015, revised February 5, 2016, prepared for DJB Properties, LP, prepared by Joseph M. Estock; consisting of 6 total sheets.
2. Response letter prepared for Radnor Township, prepared by Joseph M. Estock Consulting Engineers, dated February 8, 2016.

**II. WAIVERS REQUESTED**

1. §255-22.B(1)(e) – Waiver from providing a location map showing the relation of the site to adjoining properties and streets within 500 feet.
2. §255-22.B(1)(k) – Waiver from showing required existing features within 500 feet of the site.



3. §255-27.C(1) – Waiver from providing the requested 28 foot cartway and 60 foot right-of-way widths to allow for the existing 24 foot cartway and 33 foot right-of-way to remain.
4. §255-38.B – Waiver from the requirement to provide the calculated 2.1 street trees. Two (2) street trees are provided.
5. §255-94.A(2) – Waiver from providing streetlights spaced a maximum of 40 feet apart.

### III. TRANSPORTATION COMMENTS

1. The applicant should obtain a 5' construction easement from the adjacent property owner (Robuca Associates, L.P.) to the north for the proposed sidewalk improvements along the adjacent property owner's site frontage.
2. Per a discussion with Township staff eliminate curb ramps and detectible warning surfaces (DWS) on the driveway.
3. A shared access agreement is required for the proposed shared driveway between the applicant and the Robuca Associates L.P.

**ORDINANCE 2019-07**  
**TOWNSHIP OF RADNOR**  
**Delaware County, Pennsylvania**

AN ORDINANCE AUTHORIZING THE INCURRENCE BY THE TOWNSHIP OF RADNOR OF NONELECTORAL DEBT BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES OF 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$13,700,000 FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE CAPITAL PROJECTS, CURRENTLY REFUND THE TOWNSHIP'S OUTSTANDING GENERAL OBLIGATION NOTE, SERIES OF 2018 AND TO PAY THE COSTS OF ISSUANCE OF THE BONDS; AUTHORIZING THE PREPARATION AND FILING OF A DEBT STATEMENT AND OTHER DOCUMENTATION; PROVIDING FOR THE CURRENT REFUNDING OF THE DEBT BEING REFUNDED; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE PROMPT AND FULL PAYMENT OF THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS; SETTING FORTH THE STATED PRINCIPAL MATURITY OR SINKING FUND REDEMPTION DATES AND MAXIMUM PRINCIPAL AMOUNTS, MAXIMUM INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS AND OTHER DETAILS OF THE BONDS; APPROVING THE CONTENT AND FORM OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE DISTRIBUTION THEREOF AND AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT OR SUPPLEMENT; FINDING THAT A PRIVATE NEGOTIATED SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS WITHIN CERTAIN PARAMETERS; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, pursuant to the Local Government Unit Debt Act, 53 Pa. Cons. Stat. §8001 *et seq.* (the "Act"), the Township of Radnor, Delaware County, Pennsylvania (the "Township") may incur indebtedness for the purposes of financing capital projects and refunding outstanding indebtedness; and

WHEREAS, pursuant to the Act, the Township has determined to undertake capital projects (the "Project"), including construction of and improvements to various Township buildings, roads, streetscape, sidewalks, parks and trails, as further set forth on **Exhibit A** attached hereto; and

WHEREAS, on December 14, 2018, the Township issued non-electoral debt evidenced by its General Obligation Note, Series of 2018 (DCED Approval No. GON-181206-03, December 6, 2018) (the "2018 Note") which was issued to finance (i) capital projects consisting of the construction, reconstruction, renovation, improvement and equipping of portions of its sewer system; and (ii) to pay the costs of issuing the 2018 Note; and

WHEREAS, the Township has determined to undertake a refinancing program to achieve debt service savings (the “Refunding Program”) consisting of the current refunding of the outstanding 2018 Note stated to mature on June 1, 2028 in the outstanding principal amount of \$4,350,000 (the “Refunded Note”); and

WHEREAS, the Township proposes to issue its General Obligation Bonds, Series of 2019 (the “Bonds”) in the maximum aggregate principal amount of \$13,700,000 to finance: (i) the costs of the Project; (ii) the Refunding Program; and (iii) the payment of the costs and expenses of issuing the Bonds; and

WHEREAS, the Board of Commissioners of the Township (the “Board”) has determined that the net savings to be generated by the Refunding Program (the “Required Savings”) must be equal to at least two percent (2.0%) of the principal amount of the Refunded Note ; and

WHEREAS, the Board has considered the possible manners of sale provided for in the Act with respect to the sale of the Bonds, such manners of sale being at public sale or private sale by negotiation or upon invitation; and

WHEREAS, the Township has determined that it is in the best financial interest of the Township to sell the Bonds at private negotiated sale, and the Township has received a proposal for the purchase of the Bonds (the “Proposal”) from Boening & Scattergood, Inc., of West Conshohocken, Pennsylvania (the “Underwriter”), containing the financial parameters for, and conditions to, the underwriting and issuance of the Bonds (the “Parameters”), which will be supplemented by an addendum to the Proposal (the “Addendum”) containing the final terms of the Bonds, consistent with the Parameters and the Required Savings; and

WHEREAS, the Board desires to approve the issuance of the Bonds, approve the Project and the Refunding Program, and accept the Proposal of the Underwriter.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Radnor and IT IS HEREBY RESOLVED, as follows:

**1. Authorization of the Project and the Refunding Program and Incurrence of Indebtedness; Statement of Useful Life of the Project; and Purpose of the Refunding Program.** The Township hereby approves the Project and the Refunding Program as described in the preambles to this Ordinance and shall incur indebtedness pursuant to the Act in an aggregate principal amount not to exceed \$13,700,000 to finance the costs of the Project, the Refunding Program and the costs and expenses of issuing the Bonds.

It is hereby determined and declared that: (i) the estimated date of completion of the Project is July 31, 2022; (ii) the projects comprising the Project have varying useful lives as described in **Exhibit A** hereto and (iii) the Township has obtained realistic estimates of the costs of the projects comprising the Project as listed in **Exhibit A** through bid prices or estimates from persons qualified by experience to provide such estimates.

The Township hereby reserves the right to undertake the individual components of the Project in such order and at such time or times as it shall determine and to allocate a portion of the proceeds of the Bonds and other available moneys to the final costs of the projects in such

amounts and order of priority as it shall determine; but the proceeds of the Bonds shall be used solely to pay “costs” as defined in the Act, of the Project or, upon appropriate amendments to this Ordinance, to pay the costs of other capital projects for which the Township is authorized to incur indebtedness.

It is hereby determined and stated that the Bonds are scheduled to mature in accordance with the limitations set forth in Section 8142(a)(2) of the Act taking into account the useful lives of the projects comprising the Project.

It is hereby determined and set forth that the purpose of the Refunding Program is to reduce the total debt service that would otherwise be payable on the Refunded Note over the life of the issue. Attached hereto as **Exhibit C** and made a part hereof is the schedule of the estimated debt service savings in connection with the refinancing of the Refunded Note computed in accordance with Section 8242(b) of the Act.

The estimated useful lives of the projects financed with the 2018 Note were determined by the Township under its ordinance enacted on November 12, 2018 to be not less than fifty (50) years.

The realistic estimated useful lives of such projects are hereby ratified and confirmed, and the principal amount of the Bonds related to the Refunding Program equal to the separate cost of the portions of such projects having an unexpired shorter useful life than the period during which the Bonds related to the Refunding Program will be outstanding has been scheduled to mature prior to the end of such useful life and the balance prior to the end of the longest unexpired useful life. The maturities of the Bonds related to the Refunding Program will not extend beyond the calendar year in which occurs the final maturity of the 2018 Note.

**2. Authorization of Issuance of the Bonds.** The Township shall issue, pursuant to the Act and this Ordinance, its General Obligation Bonds, Series of 2019, in a maximum aggregate principal amount not to exceed \$13,700,000, in order to provide funds for and toward the costs of the Project, the Refunding Program and paying the costs of issuing the Bonds as authorized and provided in Section 1 hereof. The Township reserves the right to issue the Bonds in an amount less than the maximum principal amount authorized hereunder and to cancel any unused authorization hereunder in accordance with the terms of the Act. The Bonds may be issued in one or more separate series, at any one time or from time to time, and if issued in more than one series, each series shall be appropriately designated by year and specific series name. In the event the Bonds are issued from time to time, all authorizations and approvals set forth herein shall extend to such additional documents and actions of the type expressly authorized and approved herein with respect to such additional series of Bonds, including, but not limited to, additional Preliminary Official Statements, Official Statements, Addendums, Continuing Disclosure Agreements, Paying Agent agreements, and sinking funds as necessary in connection with the issuance of such series of Bonds.

**3. Type of Indebtedness.** The indebtedness evidenced by the Bonds is nonelectoral debt.

**4. Execution of Debt Statement, Bonds and Other Documents.** The President or Vice President of the Board and the Secretary of the Township and their successors are hereby authorized and directed to file the Debt Statement required by Section 8110 of the Act, to execute and deliver the Bonds in the name and on behalf of the Township and to take all other action required by the Act or this Ordinance in order to effect the issuance of the Bonds. Said officers or any of them are further authorized to apply to the Department of Community and Economic Development for approval of the debt herein authorized and to file with such application a transcript of the proceedings including a certified copy of this Ordinance, the Debt Statement, a Borrowing Base Certificate signed by the appropriate officials of the Township or by the accountants of the Township responsible for auditing its financial affairs, and to take any and all such further action and to execute and deliver such other documents as may be necessary or proper to comply with all requirements of the Act or to carry out the intent and purpose of this Ordinance. Said officers and their successors are further hereby authorized if, in their opinion, it is advisable to do so, to prepare and file such statements and documents as may be required by Sections 8024 or 8026 of the Act in order to qualify all or any portion of the existing indebtedness of the Township or of the Bonds as subsidized debt or self-liquidating debt.

**5. Type of Bonds.** The Bonds when issued will be general obligation bonds.

**6. Covenant to Pay Debt Service - Pledge of Taxing Power.** The Township hereby covenants with the registered owners of the Bonds: (a) that the Township will include in its budget for each fiscal year for the life of the Bonds, the amount of the debt service on the Bonds issued hereunder which will be payable in each such fiscal year so long as the Bonds shall remain outstanding; (b) that the Township shall appropriate from its general revenues such amounts to the payment of such debt service; (c) that the Township shall duly and punctually pay or cause to be paid from the Sinking Fund (as hereinafter defined) or any of its other revenues or funds the principal of every Bond and the interest thereon at the dates and places and in the manner stated in the Bonds according to the true intent and meaning thereof; and (d) for such budgeting, appropriation and payment the Township hereby pledges its full faith, credit and taxing power. This covenant shall be specifically enforceable. The maximum amounts to be budgeted, appropriated and paid pursuant to the foregoing covenants shall not exceed those set forth in **Exhibit D** attached hereto and made a part hereof which are hereby incorporated in the foregoing covenant with the same effect as if the same were specified in the text of such covenant.

**7. Form of Bonds.** The Bonds shall be substantially in the form set forth in **Exhibit B** hereto, with appropriate omissions, insertions and variations.

**8. Terms of Bonds.** The Bonds shall be issued in fully registered form, in the denomination of \$5,000 or any integral multiple thereof and shall be dated the date of issuance thereof or such other date as the Township and the Underwriter shall agree. The Bonds shall be issued in an aggregate principal amount not to exceed \$13,700,000. The interest rates on the Bonds shall not exceed five and one-half percent (5.50%) per annum. No yield on the Bonds for any stated maturity date in the last two-thirds of the period of the Bonds may be less than that stated for the immediately preceding year. The Bonds shall mature or be subject to sinking fund redemption in annual principal amounts not to exceed the maximum principal amount for each fiscal year as set forth in **Exhibit D** hereto.

The principal of the Bonds shall be payable in lawful money of the United States of America at the corporate trust office of U.S. Bank National Association in Philadelphia, Pennsylvania (the "Paying Agent"), which is hereby appointed paying agent and registrar for the Bonds and the sinking fund depository. Interest on the Bonds shall be payable in the manner provided in the form of Bonds set forth in **Exhibit B** hereto.

**9. Redemption of Bonds.** The Bonds shall be subject to redemption prior to maturity, at the option of the Township, as a whole or in part from time to time, in any order of maturity or portion of a maturity as selected by the Township, on a date not earlier than the fifth (5<sup>th</sup>) anniversary of the issuance of such Bonds, or any date thereafter upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If any of the Bonds are to be issued and delivered as term bonds, (i) such term bonds shall be subject to mandatory sinking fund redemption on such date or dates and in such principal amount or amounts as shall be necessary to conform to the principal retirement schedule set forth in **Exhibit D** hereto and (ii) in lieu of such mandatory sinking fund redemption, the Paying Agent, with the approval of the Township, may purchase from money in the Sinking Fund, at a price not to exceed the principal amount thereof plus accrued interest, or the Township may tender to the Paying Agent, all or part of the Bonds subject to being drawn for redemption in any such year.

If less than an entire year's maturity of Bonds is to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

In the event that a portion, but not all of the term bonds are redeemed pursuant to optional redemption, then the principal amount of any remaining mandatory sinking fund redemptions and the final maturity applicable to such term bonds shall be proportionately reduced (subject to the Paying Agent making such adjustments as it deems necessary to be able to affect future redemptions of such Bonds in authorized denominations) unless the Township directs an alternate reduction of such mandatory sinking fund redemptions and final maturity.

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than \$5,000 shall be treated as representing such number of separate Bonds, each of the denomination of \$5,000, as is obtained by dividing the actual principal amount of such Bond by \$5,000. Any Bond which is to be redeemed only in part shall be surrendered at the corporate trust office of the Paying Agent in Philadelphia, Pennsylvania, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent, and the registered owner of such Bond shall receive, without service charge, a new Bond or Bonds, of any authorized denomination as requested by such registered owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

On the date designated for redemption, and upon deposit with the Paying Agent of funds sufficient for payment of the principal of and accrued interest on the Bonds called for redemption, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and the Bonds or portions thereof so called for redemption shall cease to be entitled to any benefit of security hereunder, and registered owners of the Bonds so called for redemption shall have no rights with respect to the Bonds or portions thereof so called for redemption, except to receive payment of the principal of and accrued interest on the Bonds so called for redemption to the date fixed for redemption.

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than 20 or more than 60 days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the bond register maintained by the Paying Agent. Such notice shall also be filed by the Paying Agent with the Municipal Securities Rulemaking Board. Such notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the corporate trust office of the Paying Agent in Philadelphia, Pennsylvania and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

With respect to any optional redemption of the Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent monies sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption monies with the Paying Agent not later than the redemption date, and such notice shall be of no effect unless such monies are so deposited.

**10. Appointment of Securities Depository.** The Depository Trust Company, New York, New York ("DTC"), shall act as securities depository for the Bonds on behalf of the firms which participate in the DTC book-entry system ("DTC Participants"). The ownership of one fully registered Bond for each maturity of the Bonds will be registered in the name of Cede & Co., as nominee for DTC. Each Bond certificate will be in the aggregate principal amount of such maturity. The Township shall cause the Bonds to be delivered to DTC or the Paying Agent, as custodian for DTC, on or before the date of issuance of the Bonds.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the "Beneficial Owner") will not receive bond certificates and will not be the registered owner thereof. Ownership interest in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Township nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The Township is authorized to execute such documents as may be necessary or desirable in connection with DTC's services as securities depository including a blanket letter of



representation obligating the Township to give certain notices to DTC and to meet certain requirements relating to Bond payments.

If DTC determines to discontinue providing its services as securities depository with respect to the Bonds at any time, the Township officials then holding the offices set forth in Section 4 of this Ordinance are hereby authorized to designate a successor securities depository or to deliver certificates to or upon the order of the registered owners of the Bonds.

The Township shall give notice or cause the Paying Agent to give notice, to DTC in accordance with the Blanket Letter of Representations for the redemption or other retirement of all of the Bonds. The Township will provide for the form of notice. Upon receipt of such notice, DTC will forward the notice to the DTC Participants for subsequent forwarding of such notice to the Beneficial Owners of the Bonds. The Township will pay the customary charges for such mailing.

**11. Sale of Bonds.** The Bonds shall be sold at private sale by negotiation as hereinafter set forth in Section 14. After due consideration, the Board hereby finds and determines, on the basis of all available information, that a private negotiated sale of the Bonds is in the best financial interest of the Township.

**12. Creation of and Deposits in Sinking Fund.** The Township covenants that there shall be and there is hereby established and that it shall hereafter maintain a sinking fund (the "Sinking Fund") designated "Sinking Fund – General Obligation Bonds, Series of 2019" for the Bonds to be held by the Paying Agent (or such substitute or successor Paying Agent which shall hereafter be appointed in accordance with the provisions of the Act) in the name of the Township, but subject to withdrawal only by the Paying Agent.

The Township covenants and agrees to deposit in such Sinking Fund no later than each Interest Payment Date (as defined in the form of the Bonds attached hereto), the debt service payable on the Bonds on such dates, which shall not exceed the maximum amounts set forth in **Exhibit D** attached hereto, or such greater or lesser amount as at the time shall be sufficient to pay principal of and interest on the Bonds becoming due on each such date.

Pending application to the purpose for which such Sinking Fund is established, the President or Vice President of the Board is hereby authorized and directed to cause the monies therein to be invested or deposited and insured or secured as permitted and required by Section 8224 of the Act. All income received on such deposits or investments of monies in such Sinking Fund during each applicable period shall be added to such Sinking Fund and shall be credited against the deposit next required to be made in such Sinking Fund.

The Paying Agent is hereby authorized and directed, without further action by the Township, to pay from such Sinking Fund the principal of and interest on the Bonds as the same become due and payable in accordance with the terms thereof and the Township hereby covenants that such monies, to the extent required, will be applied to such purpose.

All monies deposited in the Sinking Fund for the payment of the Bonds which have not been claimed by the registered owners thereof after two years from the date when payment is due, except where such monies are held for the payment of outstanding checks, drafts or other

instruments of the Paying Agent, shall be returned to the Township. Nothing contained herein shall relieve the Township of its liability to the registered owners of the unrepresented Bonds.

**13. No Taxes Assumed.** The Township shall not assume the payment of any tax or taxes in consideration of the purchase of the Bonds.

**14. Award and Sale of Bonds.** The Township hereby awards and sells the Bonds to the Underwriter at a price of no less than ninety percent (90%) and no more than one hundred twenty percent (120%) of the principal amount of the Bonds (including original issue discount or premium and the underwriter's discount) plus accrued interest from the dated date of the Bonds to the date of delivery and in accordance with the other terms and conditions contained or incorporated in the Proposal of the Underwriter dated July 15, 2019 which is hereby approved and accepted. The underwriter's discount for the Bonds shall not exceed 0.70% of the principal amount of the Bonds. A copy of said Proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting and is hereby incorporated herein by reference. The proper officers of the Township are hereby authorized and directed to endorse the acceptance of the Township on said Proposal and to deliver executed copies thereof to the Underwriter. The Township Manager or the Director of Finance is authorized to accept the Addendum to the Proposal setting forth the final terms of the Bonds within the Parameters set forth in this Ordinance, and at such time as the Required Savings are achieved in the case of Bonds issued for the Refunding Program. The Required Savings must be equal to at least two percent (2.0%) of the principal amount of the Refunded Note.

**15. Contract with Paying Agent.** The proper officers of the Township are authorized to contract with U.S. Bank National Association, Philadelphia, Pennsylvania, in connection with the performance of its duties as the Paying Agent and Sinking Fund Depository on usual and customary terms, including an agreement to observe and comply with the provisions of this Ordinance and of the Act

**16. Redemption of Refunded Note.** The Township hereby calls the Refunded Note for redemption on or after August 1, 2019. The Township Manager or Director of Finance is authorized to set the exact redemption date, but such date shall be not later than ninety (90) days after the issuance date of the Bonds. The Township shall deposit with the paying agent for the Refunded Note (the "Refunded Note Paying Agent"), the amounts required to pay the principal of and interest on the Refunded Note to the date of redemption. The officers of the Township are hereby authorized and directed to execute all documents and to take such other action as may be necessary or advisable to effect the redemption and payment of the Refunded Note. Upon redemption of the Refunded Note, any excess moneys shall be transferred by the Refunded Note Paying Agent to the Paying Agent, and the Paying Agent shall deposit the same in the Sinking Fund.

**17. Federal Tax Covenants.** The Township hereby covenants not to take or omit to take any action so as to cause interest on the Bonds to be no longer excluded from gross income for purposes of federal income taxation and to otherwise comply with the requirements of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"), and all applicable regulations promulgated with respect thereto, throughout the term of the Bonds. The Township further covenants that it will make no investments or other use of the

proceeds of the Bonds which would cause the Bonds to be “arbitrage bonds” as defined in Section 148 of the Code. The Township further covenants to comply with the rebate requirements (including the prohibited payment provisions) contained in Section 148(f) of the Code and any regulations promulgated thereunder, to the extent applicable, and to pay any interest or penalty imposed by the United States for failure to comply with said rebate requirements, to the extent applicable.

The Township may determine, on the advice of Bond Counsel to the Township, to designate any series of the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3)(B) of the Code. The Township hereby delegates the power to make such designation on behalf of the Township, on the advice of Bond Counsel to the Township, to the proper officers of the Township and authorizes each of such officers to execute a certificate at the time of closing of any series of the Bonds, setting forth the amount of such series of the Bonds, if any, designated and/or deemed designated under the Code and making such representations and warranties as are required in connection therewith.

**18. Execution and Authentication of Bonds.** As provided in Section 4, the Bonds shall be executed by the President or the Vice President of the Board and the Secretary of the Township and each such execution shall be by manual or facsimile signature. If any officer whose signature appears on the Bonds shall cease to hold such office before the actual delivery date of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such person had remained in such office until the actual delivery date of the Bonds. The Bonds shall be authenticated by the manual signature of an authorized representative of the Paying Agent.

**19. Application of Bond Proceeds.** The purchase price for the Bonds, and any accrued interest payable by the Underwriter, shall be paid by the Underwriter to the Paying Agent on behalf of the Township. Upon receipt of the purchase price for the Bonds, including interest thereon accrued to the date of delivery, if any, the Paying Agent shall deposit the same in a settlement account. From the settlement account, the Paying Agent shall pay, or establish reserves for payment of, the costs and expenses of the financing and the proper officers of the Township are authorized to direct the Paying Agent to pay the issuance costs on behalf of the Township as set forth in written directions to the Paying Agent. The portion of the proceeds of the Bonds to be used to finance the refinancing of the Refunded Note shall be deposited with the Refunded Note Paying Agent as provided in Section 16 hereof. The Township hereby approves the establishment of a segregated account for the remaining proceeds of the Bonds and the balance of the proceeds shall be deposited in such account pending disbursement to pay the costs of the Project as set forth in instructions from the Township to the Paying Agent. The moneys in such account will be invested in accordance with Section 8224 of the Act.

**20. Approval of Official Statement.** The Township hereby approves and “deems final” the Preliminary Official Statement for the Bonds for purposes of United States Securities and Exchange Commission Rule 15c2-12. A final Official Statement containing the final terms of the Bonds, shall be prepared and delivered to the Underwriter within seven (7) business days from the date of establishment of the final terms of the Bonds, and the Township hereby approves the use thereof in connection with the public offering and sale of the Bonds.

**21. Continuing Disclosure.** The Township hereby authorizes and directs the appropriate officers to execute and deliver a Continuing Disclosure Agreement or a supplement to an existing Continuing Disclosure Agreement of the Township (the “Continuing Disclosure Agreement”) if and to the extent required by law. The Township further covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. Notwithstanding any other provision of this Ordinance, failure of the Township to comply with the Continuing Disclosure Agreement shall not be considered an event of default hereunder or under the Bonds; however, the Paying Agent, any Participating Underwriter (as defined in the Continuing Disclosure Agreement), or any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section.

**22. Covenant to Pledge Sufficient Funds.** The Township hereby covenants and agrees that, concurrently with the issuance of and payment for the Bonds, the Township will have irrevocably pledged with the Refunded Note Paying Agent, amounts sufficient to pay all principal of and interest on the Refunded Note to the date of redemption thereof so that the Refunded Note will no longer be outstanding under the Act.

**23. Reimbursement.** In accordance with Treasury Regulations §1.150-2, T.D. 8476, the Township hereby states its intention that a portion of the proceeds of the Bonds will be used to reimburse itself for expenditures paid for costs of the Project prior to the date of issuance of the Bonds. The maximum principal amount of Bonds expected to be issued for the Project is \$8,700,000.

**24. Officers Authorized to Act.** For the purpose of expediting the closing and the issuance and delivery of the Bonds, or in the event that the President of the Board or the Secretary of the Township shall be absent or otherwise unavailable for the purpose of executing documents, or for the purpose of taking any other action which they or either of them may be authorized to take pursuant to this Ordinance, the Vice President of the Board or the Assistant Secretary of the Township, respectively, are hereby authorized and directed to execute documents, or otherwise to act on behalf of the Township in their stead.

**25. Contract with Bond Owners.** This Ordinance constitutes a contract with the registered owners of the Bonds outstanding hereunder and shall be enforceable in accordance with the provisions of the laws of the Commonwealth of Pennsylvania.

**26. Binding Effect of Covenants and Agreements.** All covenants, obligations and agreements of the Township set forth in this Ordinance and in the documents authorized hereby shall be deemed to be the covenants, obligations and agreements of the Township to the full extent authorized or permitted by law, and all such covenants, obligations and agreements shall be binding upon the Township and its successors from time to time and upon any board or body to which any powers or duties affecting the same shall be transferred by or in accordance with law. Except as otherwise provided in this Ordinance, all rights, powers and privileges conferred and duties and liabilities imposed upon the Township or the members thereof by the provisions of this Ordinance or the documents authorized hereby shall be exercised or performed, by such members, officers or other representatives of the Township as may be required or permitted by law to exercise or perform the same. No covenant, obligation or agreement herein contained or

contained in any documents authorized hereby shall be deemed to be a covenant, obligation or agreement of any commissioner, officer, agent or employee of the Township in his or her individual capacity and neither the Commissioners of the Township nor any officer executing the other documents authorized by this Ordinance shall be liable personally thereunder or be subject to any personal liability or accountability by reason of the execution and delivery thereof.

**27. Bond Counsel.** The Township hereby appoints Cozen O'Connor to act as Bond Counsel to the Township with respect to the transactions contemplated by this Ordinance.

**28. Further Action.** The proper officers of the Township are hereby authorized and directed to take all such action, execute, deliver, file and/or record all such documents, publish all notices and otherwise comply with the provisions of this Ordinance and the Act in the name and on behalf of the Township.

**29. Act Applicable to Bonds.** This Ordinance is enacted pursuant to, and the Bonds issued hereunder shall be subject to, the provisions of the Act and all of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

**30. Severability.** In case any one or more of the provisions contained in this Ordinance or in any Bond shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Ordinance or of said Bonds, and this Ordinance or said Bonds shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

**31. Repealer.** All ordinances and parts of ordinances heretofore enacted to the extent that the same are inconsistent herewith are hereby repealed.

32. **Effective Date.** This Ordinance shall take effect on the earliest date permitted by the Act.

ENACTED this 15<sup>th</sup> day of July, 2019.

(TOWNSHIP SEAL)

TOWNSHIP OF RADNOR

ATTEST

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Secretary

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President  
Board of Commissioners

[Signature Page to Bond Ordinance]

TOWNSHIP OF RADNOR

General Obligation Bonds, Series of 2019

**EXHIBIT A**

**SCHEDULE OF PROJECTS, ESTIMATED COSTS AND USEFUL LIVES**

**Radnor Township, PA**  
Capital Project List - GO Bonds, Series 2019

|                                                          | 15 Years<br>2019    | 20 Years<br>2019    | Total     | Grand Total      |
|----------------------------------------------------------|---------------------|---------------------|-----------|------------------|
| <b>New</b>                                               |                     |                     |           |                  |
| <b>Facilities</b>                                        |                     |                     |           |                  |
| Radnor Fire Company                                      |                     |                     |           |                  |
| RFC Preemption Device                                    | \$ 52,458           |                     | \$        | 52,458           |
| Township Building                                        |                     |                     |           |                  |
| Basement Storage, Finance and Codes Improvements         |                     | \$ 200,000          | \$        | 200,000          |
| <b>Infrastructure</b>                                    |                     |                     |           |                  |
| Conestoga Gateway                                        |                     |                     |           |                  |
| Rosemont Gateway Enhancement                             |                     | \$ 150,000          | \$        | 150,000          |
| Morris Road                                              |                     |                     |           |                  |
| Morris Road Streetscape Project                          |                     | \$ 825,000          | \$        | 825,000          |
| <b>Sidewalk</b>                                          |                     |                     |           |                  |
| KOP / Glenmary                                           |                     |                     |           |                  |
| King of Prussia / Glenmary Crosswalk                     |                     | \$ 241,200          | \$        | 241,200          |
| North Wayne                                              |                     |                     |           |                  |
| North Wayne [Woodsworth to Eagle]                        |                     | \$ 332,000          | \$        | 332,000          |
| <b>Trails</b>                                            |                     |                     |           |                  |
| Harford Trail                                            |                     |                     |           |                  |
| Harford Trail (partially funded with '15 bonds)          |                     | \$ 220,320          | \$        | 220,320          |
| Radnor Trail Extension                                   |                     |                     |           |                  |
| Radnor Trail Extension (partially funded with '15 bonds) |                     | \$ 622,665          | \$        | 622,665          |
| TAP Trail                                                |                     |                     |           |                  |
| Radnor TAP Trail                                         |                     | \$ 379,652          | \$        | 379,652          |
| <b>Replace</b>                                           |                     |                     |           |                  |
| <b>Facilities</b>                                        |                     |                     |           |                  |
| Public Works Garage                                      |                     |                     |           |                  |
| Rebuild Lifts                                            | \$ 200,000          |                     | \$        | 200,000          |
| <b>Infrastructure</b>                                    |                     |                     |           |                  |
| Conestoga Road Tunnel                                    |                     |                     |           |                  |
| Conestoga Road Tunnel Lighting                           |                     | \$ 223,900          | \$        | 223,900          |
| Matsonford Bridge                                        |                     |                     |           |                  |
| Matsonford Pedestrian Bridge                             |                     | \$ 329,300          | \$        | 329,300          |
| Road Resurfacing                                         |                     |                     |           |                  |
| Annual Road Resurfacing Program                          |                     | \$ 400,000          | \$        | 400,000          |
| <b>Parks</b>                                             |                     |                     |           |                  |
| Cowan Park                                               |                     |                     |           |                  |
| Basketball court resurfacing/equipment                   |                     | \$ 75,000           | \$        | 75,000           |
| Odorisio Park                                            |                     |                     |           |                  |
| Basketball court resurfacing/equipment                   |                     | \$ 75,000           | \$        | 75,000           |
| <b>Sidewalk</b>                                          |                     |                     |           |                  |
| Lancaster Ave                                            |                     |                     |           |                  |
| Lancaster [Barleycone to Garrett] Sidewalk               |                     | \$ 473,500          | \$        | 473,500          |
| North Wayne                                              |                     |                     |           |                  |
| North Wayne [Poplar to North Wayne]                      |                     | \$ 163,812          | \$        | 163,812          |
| <b>Signals</b>                                           |                     |                     |           |                  |
| Traffic Signals                                          |                     |                     |           |                  |
| King of Prussia / Pine Tree / Eagle Road                 |                     | \$ 355,300          | \$        | 355,300          |
| Lancaster / Wayne                                        |                     | \$ 504,200          | \$        | 504,200          |
| Traffic Adaptive System                                  | \$ 904,000          |                     | \$        | 904,000          |
| <b>WBA</b>                                               |                     |                     |           |                  |
| <b>WBOD</b>                                              |                     |                     |           |                  |
| WBOD Street Adjacent Parking                             |                     | \$ 288,060          | \$        | 288,060          |
| WBOD Street Tree Planting Program                        |                     | \$ 287,950          | \$        | 287,950          |
| <b>Grand Total</b>                                       | <b>\$ 1,156,458</b> | <b>\$ 6,146,859</b> | <b>\$</b> | <b>7,303,317</b> |



**EXHIBIT B**

**[FORM OF BOND]**

UNITED STATES OF AMERICA

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF RADNOR

GENERAL OBLIGATION BOND, SERIES OF 2019

No. R- \_\_\_\_\_ \$ \_\_\_\_\_

|               |               |             |       |
|---------------|---------------|-------------|-------|
| INTEREST RATE | MATURITY DATE | DATED DATE  | CUSIP |
|               | _____, ____   | _____, 2019 |       |

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: \_\_\_\_\_ DOLLARS

Township of Radnor, Delaware County, Pennsylvania (the "Township"), a political subdivision of the Commonwealth of Pennsylvania, for value received, hereby promises to pay to the registered owner hereof on the Maturity Date set forth above the Principal Sum set forth above, unless this Bond shall have been called for redemption and payment of the redemption price shall have been made or duly provided for, and to pay interest thereon from the Original Issuance Date set forth above or the most recent Interest Payment Date to which interest has been paid or duly, provided for, semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, 20\_\_ (each, an "Interest Payment Date"), at the interest rate specified above, calculated on the basis of a 360-day year of twelve 30-day months until the principal sum is paid or has been provided for.

Interest is payable to the registered owner of this Bond from the Interest Payment Date next preceding the authentication date of the Bond, unless: (a) this Bond is authenticated as of an Interest Payment Date, in which event it shall bear interest from such Interest Payment Date; (b) this Bond is registered and authenticated after a Regular Record Date (hereinafter defined) and before the next succeeding Interest Payment Date, in which event it shall bear interest from such succeeding Interest Payment Date; (c) such Bond is registered and authenticated on or prior to the Regular Record Date preceding \_\_\_\_\_, 20\_\_, in which event it shall bear interest from \_\_\_\_\_, 20\_\_; or (d) as shown by the records of the Paying Agent interest on this Bond shall be in default, in which event it shall bear interest from the date on which interest was last paid on this Bond.

The principal of this Bond is payable upon presentation and surrender hereof at the corporate trust office of U.S. Bank National Association, in Philadelphia, Pennsylvania (the "Paying Agent"). Interest on this Bond will be paid on each Interest Payment Date by check mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as bond registrar, at the address appearing, thereon at the close of business on the fifteenth (15<sup>th</sup>) day (whether or not a day on which the Paying Agent is open for business) next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof as of the Regular Record Date, and shall be payable to the person who is the registered owner hereof at the close of business on a Special Record Date for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever monies become available for payment of the defaulted interest, and notice of the Special Record Date and payment date for such interest shall be given by first class mail to the registered owners of the Bonds not less than ten (10) days prior to the Special Record Date. Such notice shall be mailed to the persons in whose names the Bonds are registered at the close of business on the fifth (5<sup>th</sup>) day preceding the date of mailing. The principal of and interest on this Bond are payable in lawful money of the United States of America.

Notwithstanding the foregoing, so long as this Bond is registered in the name of The Depository Trust Company ("DTC") or its nominee, Cede & Co., payment of principal and interest on this Bond shall be payable in the manner and at the respective times of payment provided for in DTC's Operational Arrangements, as they may be amended from time to time.

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 2019, of the Township in the aggregate principal amount of \$\_\_\_\_\_ (the "Bonds") issued in fully registered form in denominations of \$5,000 and integral multiples of \$5,000 in excess thereof, all issued in accordance with the Local Government Unit Debt Act, 53 Pa. Cons. Stat. §8001 et seq., as amended (the "Act"), and pursuant to an Ordinance of the Board of Commissioners of the Township duly enacted on July 15, 2019 (the "Ordinance") and a Paying Agent Agreement between the Township and the Paying Agent dated as of \_\_\_\_\_, 2019 (the "Paying Agent Agreement"). The Bonds are issued for the purpose of financing various capital projects, a refunding program, and paying the costs of issuing the Bonds, as described in the Ordinance.

Under the laws of the Commonwealth of Pennsylvania, this Bond and the interest thereon shall at all times be free from taxation within the Commonwealth of Pennsylvania, but this exemption shall not extend to gift, estate, succession or inheritance taxes or to any other taxes not levied or assessed directly on this Bond or the interest thereon. Profits, gains or income derived from the sale, exchange, or other disposition of this Bond are subject to state and local taxation.

The Bonds maturing on or after \_\_\_\_\_, 20\_\_ are subject to redemption prior to maturity at the option of the Township as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township on \_\_\_\_\_, 20\_\_ or any date thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire year's maturity of Bonds are to be

redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds stated to mature on \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ (the "Term Bonds") are subject to mandatory redemption prior to their stated maturity by lot by the Township from monies to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of the principal amount thereof plus accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on \_\_\_\_\_ of the years, from the maturities and in the annual principal amounts set forth in the following schedule (or such lesser principal amount as shall at the time represent all Term Bonds which shall then be outstanding):

Mandatory Redemption Schedule

| Redemption Date<br>(_____) | Maturity From<br><u>Which Selected</u> | Principal Amount to be<br><u>Redeemed or Purchased</u> |
|----------------------------|----------------------------------------|--------------------------------------------------------|
|----------------------------|----------------------------------------|--------------------------------------------------------|

In the event that a portion, but not all of the Term Bonds are redeemed pursuant to optional redemption, then the principal amount of any remaining mandatory sinking fund redemptions and the final maturity applicable to the Term Bonds shall be proportionately reduced (subject to the Paying Agent making such adjustments as it deems necessary to be able to affect future redemptions of such Bonds in authorized denominations) unless the Township directs an alternate reduction of such mandatory sinking fund redemptions and final maturity.

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than \$5,000 shall be treated as representing such number of separate Bonds, each of the denomination of \$5,000, as is obtained by dividing the actual principal amount of such Bond by \$5,000. Any Bond which is to be redeemed only in part shall be surrendered at the corporate trust office of the Paying Agent in Philadelphia, Pennsylvania, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent, and the registered owner of such Bond shall receive, without service charge, a new Bond or Bonds, of any authorized denomination as requested by such registered owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

On the date designated for redemption, and upon deposit with the Paying Agent of funds sufficient for payment of the principal of and accrued interest on the Bonds called for redemption, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and the Bonds or portions thereof so called for redemption shall cease to be entitled to any benefit of security hereunder, and registered owners of the Bonds so called for redemption shall have no rights with respect to the Bonds or portions thereof so called for redemption, except to receive payment of the principal of and accrued interest on the Bonds so called for redemption to the date fixed for redemption.

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than 20 or more than 60 days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the corporate trust office of the Paying Agent in Philadelphia, Pennsylvania and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and the reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

With respect to any optional redemption of the Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent monies sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption monies with the Paying Agent not later than the redemption date, and such notice shall be of no effect unless such monies are so deposited.

The Township and the Paying Agent may treat the person in whose name this Bond is registered on the Bond register maintained by the Paying Agent as the absolute owner of this Bond for all purposes and neither the Township nor the Paying Agent shall be affected by any notice to the contrary. The Bonds are being issued by means of a book-entry system, with actual bond certificates evidencing ownership of the Bonds immobilized at either DTC, New York, New York (the "Securities Depository"), or its successor as Securities Depository or with the Paying Agent, as custodian for DTC. Transfers of beneficial ownership of the Bonds shall be effected on the records of the Securities Depository and its participants pursuant to the rules and procedures established by the Securities Depository.

So long as the Bonds are issued in book-entry form, actual bond certificates are not available for distribution to the beneficial owners and the principal and interest on the Bonds are payable to Cede & Co., as nominee of the Securities Depository. Transfer of principal and interest payments to participants of the Securities Depository is the responsibility of the Securities Depository; transfers of principal and interest to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of beneficial owners. The Township and the Paying Agent are not responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants. If the Bonds are no longer registered to a Securities Depository or its nominee, the Bonds are transferable by the registered owners thereof, subject to payment of any required tax, fee or other governmental charge, upon presentation and surrender at the corporate trust office of the Paying Agent in, Philadelphia, Pennsylvania, together with a duly executed instrument of transfer in form

satisfactory to the Paying Agent. The Paying Agent shall not be required: (i) to issue, transfer or exchange any of the Bonds during a period beginning at the close of business on the fifth (5<sup>th</sup>) day next preceding the day of selection of Bonds to be redeemed and ending at the close of business on the day on which such notice is given, or (ii) to transfer or exchange any Bond selected for redemption in whole or in part.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon, against any commissioner, officer or employee, past, present or future, of the Township or of any successor body, as such, either directly or through the Township or through any such successor body under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such commissioners, officers or employees is released as a condition of and as consideration for the execution and issuance of this Bond.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the Commonwealth of Pennsylvania or in the jurisdiction in which the corporate trust or payment office of the paying agent is located are authorized or required by law or executive order to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth of Pennsylvania for the Township to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by the Constitution and the statutes of the Commonwealth of Pennsylvania; that the Township has established a sinking fund for the Bonds and shall deposit therein amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Bond, the full faith, credit and taxing power of the Township are hereby irrevocably pledged.

This Bond shall not be entitled to any benefit under the Ordinance or be valid or become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent by execution of the certificate endorsed hereon.

IN WITNESS WHEREOF, the Township of Radnor, Delaware County, Pennsylvania has caused this Bond to be signed in its name and on its behalf by the signature of the President of its Board of Commissioners and an impression of its corporate seal to be hereunto affixed, duly attested by the signature of the Secretary of the Township.

TOWNSHIP OF RADNOR

By: \_\_\_\_\_  
President, Board of Commissioners

Attest: \_\_\_\_\_  
Secretary

(SEAL)

AUTHENTICATION CERTIFICATE

This Bond is one of the Township of Radnor General Obligation Bonds, Series of 2019, described in the within mentioned Ordinance.

DATE OF AUTHENTICATION:

U.S. BANK NATIONAL ASSOCIATION,  
Paying Agent

By: \_\_\_\_\_  
Authorized Representative

ASSIGNMENT AND TRANSFER

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR  
EMPLOYER IDENTIFICATION NUMBER OF  
ASSIGNEE

\_\_\_\_\_  
/\_\_\_\_\_/

\_\_\_\_\_  
the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

\_\_\_\_\_  
attorney to transfer said Bond on the  
books of the within named Paying Agent, with full power of substitution in the premises.

Dated:

Signature Guaranteed by:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed  
by an eligible guarantor institution, an  
institution which is a participant in a  
Securities Transfer Association recognized  
signature guaranteed program.

\_\_\_\_\_  
NOTICE: The signature to this Assignment  
must correspond with the name as it appears  
upon the face of the within Bond in every  
particular, without alteration or enlargement or  
any change whatever.

\_\_\_\_\_  
(Authorized Signature)

[END OF BOND FORM]



TOWNSHIP OF RADNOR

General Obligation Bonds, Series of 2019

**EXHIBIT C**

**SCHEDULE OF ESTIMATED DEBT SERVICE SAVINGS RELATED TO THE  
REFUNDING OF THE REFUNDED NOTE  
IN ACCORDANCE WITH SECTION 8242(b) OF THE ACT**

| <u>Date</u> | <u>New Debt Service</u> | <u>Existing Debt Service</u> | <u>Savings</u>   |
|-------------|-------------------------|------------------------------|------------------|
| 12/31/2019  |                         | \$70,687.50                  | \$70,687.50      |
| 12/31/2020  | \$543,929.17            | 559,468.75                   | 15,539.58        |
| 12/31/2021  | 543,950.00              | 560,412.50                   | 16,462.50        |
| 12/31/2022  | 541,850.00              | 555,950.00                   | 14,100.00        |
| 12/31/2023  | 539,150.00              | 556,081.25                   | 16,931.25        |
| 12/31/2024  | 540,750.00              | 555,725.00                   | 14,975.00        |
| 12/31/2025  | 539,075.00              | 554,881.25                   | 15,806.25        |
| 12/31/2026  | 544,225.00              | 558,468.75                   | 14,243.75        |
| 12/31/2027  | 543,850.00              | 556,487.50                   | 12,637.50        |
| 12/31/2028  | <u>543,025.00</u>       | <u>558,937.50</u>            | <u>15,912.50</u> |
| Total       | \$4,879,804.17          | \$5,087,100.00               | \$207,295.83     |

TOWNSHIP OF RADNOR

General Obligation Bonds, Series of 2019

**EXHIBIT D**

**MAXIMUM BOND AMORTIZATION SCHEDULE**

| <b>Dates</b>   | <b>Max Par</b>      | <b>Max Coupon</b> | <b>Interest</b>       | <b>Semi-Annual Debt Service</b> | <b>Annual Debt Service</b> |
|----------------|---------------------|-------------------|-----------------------|---------------------------------|----------------------------|
| 4/1/2020       | \$955,000           | 5.50%             | \$463,726.39          | \$1,418,726.39                  | \$0.00                     |
| 10/1/2020      | 0                   |                   | 350,487.50            | 350,487.50                      | 1,769,213.89               |
| 4/1/2021       | 960,000             | 5.50%             | 350,487.50            | 1,310,487.50                    | 0.00                       |
| 10/1/2021      | 0                   |                   | 324,087.50            | 324,087.50                      | 1,634,575.00               |
| 4/1/2022       | 955,000             | 5.50%             | 324,087.50            | 1,279,087.50                    | 0.00                       |
| 10/1/2022      | 0                   |                   | 297,825.00            | 297,825.00                      | 1,576,912.50               |
| 4/1/2023       | 955,000             | 5.50%             | 297,825.00            | 1,252,825.00                    | 0.00                       |
| 10/1/2023      | 0                   |                   | 271,562.50            | 271,562.50                      | 1,524,387.50               |
| 4/1/2024       | 960,000             | 5.50%             | 271,562.50            | 1,231,562.50                    | 0.00                       |
| 10/1/2024      | 0                   |                   | 245,162.50            | 245,162.50                      | 1,476,725.00               |
| 4/1/2025       | 965,000             | 5.50%             | 245,162.50            | 1,210,162.50                    | 0.00                       |
| 10/1/2025      | 0                   |                   | 218,625.00            | 218,625.00                      | 1,428,787.50               |
| 4/1/2026       | 970,000             | 5.50%             | 218,625.00            | 1,188,625.00                    | 0.00                       |
| 10/1/2026      | 0                   |                   | 191,950.00            | 191,950.00                      | 1,380,575.00               |
| 4/1/2027       | 970,000             | 5.50%             | 191,950.00            | 1,161,950.00                    | 0.00                       |
| 10/1/2027      | 0                   |                   | 165,275.00            | 165,275.00                      | 1,327,225.00               |
| 4/1/2028       | 980,000             | 5.50%             | 165,275.00            | 1,145,275.00                    | 0.00                       |
| 10/1/2028      | 0                   |                   | 138,325.00            | 138,325.00                      | 1,283,600.00               |
| 4/1/2029       | 420,000             | 5.50%             | 138,325.00            | 558,325.00                      | 0.00                       |
| 10/1/2029      | 0                   |                   | 126,775.00            | 126,775.00                      | 685,100.00                 |
| 4/1/2030       | 425,000             | 5.50%             | 126,775.00            | 551,775.00                      | 0.00                       |
| 10/1/2030      | 0                   |                   | 115,087.50            | 115,087.50                      | 666,862.50                 |
| 4/1/2031       | 430,000             | 5.50%             | 115,087.50            | 545,087.50                      | 0.00                       |
| 10/1/2031      | 0                   |                   | 103,262.50            | 103,262.50                      | 648,350.00                 |
| 4/1/2032       | 435,000             | 5.50%             | 103,262.50            | 538,262.50                      | 0.00                       |
| 10/1/2032      | 0                   |                   | 91,300.00             | 91,300.00                       | 629,562.50                 |
| 4/1/2033       | 440,000             | 5.50%             | 91,300.00             | 531,300.00                      | 0.00                       |
| 10/1/2033      | 0                   |                   | 79,200.00             | 79,200.00                       | 610,500.00                 |
| 4/1/2034       | 445,000             | 5.50%             | 79,200.00             | 524,200.00                      | 0.00                       |
| 10/1/2034      | 0                   |                   | 66,962.50             | 66,962.50                       | 591,162.50                 |
| 4/1/2035       | 455,000             | 5.50%             | 66,962.50             | 521,962.50                      | 0.00                       |
| 10/1/2035      | 0                   |                   | 54,450.00             | 54,450.00                       | 576,412.50                 |
| 4/1/2036       | 460,000             | 5.50%             | 54,450.00             | 514,450.00                      | 0.00                       |
| 10/1/2036      | 0                   |                   | 41,800.00             | 41,800.00                       | 556,250.00                 |
| 4/1/2037       | 480,000             | 5.50%             | 41,800.00             | 521,800.00                      | 0.00                       |
| 10/1/2037      | 0                   |                   | 28,600.00             | 28,600.00                       | 550,400.00                 |
| 4/1/2038       | 505,000             | 5.50%             | 28,600.00             | 533,600.00                      | 0.00                       |
| 10/1/2038      | 0                   |                   | 14,712.50             | 14,712.50                       | 548,312.50                 |
| 4/1/2039       | 535,000             | 5.50%             | 14,712.50             | 549,712.50                      | 0.00                       |
| 10/1/2039      | 0                   |                   | 0.00                  | 0.00                            | 549,712.50                 |
| <b>Totals:</b> | <b>\$13,700,000</b> |                   | <b>\$6,314,626.39</b> | <b>\$20,014,626.39</b>          | <b>\$20,014,626.39</b>     |

**CERTIFICATE OF SECRETARY**

The undersigned, Secretary of the Township of Radnor HEREBY CERTIFIES that:

The foregoing Ordinance authorizing the issuance of General Obligation Bonds, Series of 2019 of the Township was duly moved and seconded and enacted by a majority vote of all the Board of Commissioners of said Township at a duly called and convened meeting of said Board held on July 15, 2019; that public notice of said meeting was given as required by law; and that the roll of the Board of Commissioners was called and such members voted or were absent as follows:

| <b><u>Name</u></b>          | <b><u>Vote</u></b> |
|-----------------------------|--------------------|
| Lisa Borowski, President    | _____              |
| Jack Larkin, Vice President | _____              |
| Jake Abel                   | _____              |
| Richard F. Booker, Esq.     | _____              |
| Lucas A. Clark IV, Esq.     | _____              |
| Sean Farhy                  | _____              |
| John C. Nagle, P.E.         | _____              |

and that such Ordinance and the votes thereon have been duly recorded in the minutes.

WITNESS my hand and seal of the Township this 15<sup>th</sup> day of July, 2019.

\_\_\_\_\_  
Robert A. Zienkowski, Secretary

(TOWNSHIP SEAL)

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# RADNOR TOWNSHIP


## ENGINEERING DEPARTMENT



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### Memorandum

To: Radnor Township Board of Commissioners

From: Stephen F. Norcini, PE, Township Engineer 

CC: Robert A. Zienkowski, Township Manager  
William M. White, Assistant Manager/Director of Finance  
Dennis Capella, Engineering Project Manager

Date: July 8th, 2019

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**Re:** Sanitary Sewer System Evaluation by Gannett Fleming

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Roger Phillips, PE, of Gannett Fleming, Incorporated will be presenting the Evaluation of the Township's Sanitary Sewer System.

**RADNOR TOWNSHIP  
ORDINANCE 2019-09**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF  
RADNOR, CHAPTER 270, VEHICLES AND TRAFFIC, SECTION 270-16,  
STOP INTERSECTIONS CONCERNING THE INTERSECTION ON  
FARM ROAD AND WINDSOR AVENUE**

The Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN the following amendments to Chapters 270, Vehicles and Traffic, as follows:

**ARTICLE I.** Section 270-16, Stop Intersections, is hereby amended to add the following stop intersection:

| <b>Stop Sign On:</b> | <b>Direction of Travel:</b> | <b>Intersection With:</b> |
|----------------------|-----------------------------|---------------------------|
| Farm Road            | North                       | Windsor Avenue            |

**ARTICLE II.** Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**ARTICLE III.** Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

**ARTICLE IV.** Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

*ENACTED* and *ORDAINED* this 15<sup>th</sup> day of July, 2019.

**RADNOR TOWNSHIP**

By: \_\_\_\_\_  
Name: Lisa Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski, Secretary

**George W. Broseman**  
Direct Dial: (610) 941-2459  
Direct Fax: (610) 684-2005  
Email: gbroseman@kaplaw.com  
www.kaplaw.com

June 18, 2019

**HAND DELIVERY**

Robert Zienkowski  
Township Secretary  
Radnor Township  
301 Iven Avenue  
Wayne, PA 19087

**RE: Pizzarella Grille – Bysal IV, LLC**  
**Application for Intermunicipal Transfer of a Liquor License**  
**958 County Line Road**

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Dear Mr. Zienkowski:

I represent Bysal IV, LLC (“**Applicant**”), the lessor of the property located at 958 County Line Road in Bryn Mawr (“**Property**”) and the operator of the Pizzarella Grille restaurant. Along with this letter we are filing an application for an intermunicipal transfer of a restaurant liquor license under Township Code §109-8.

**I. SUBMISSION**

Along with this letter, I am filing the following:

1. Ten (10) copies of the Application for an Intermunicipal Transfer of a Liquor License and related documents;
2. One (1) electronic copy of the application;
3. A \$1,500.00 check payable to Radnor Township, the required Intermunicipal Transfer of a Liquor License application fee;

**II. REVIEW**

Please schedule a hearing before the Radnor Township Board of Commissioners. Please provide us with copies of all reviews, communications, notices and other documentation relating to this project as soon as they are generated and/or received. Please provide such notice per Township

Robert Zienkowski  
June 18, 2019  
Page 2

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Code §109-9. Please contact us immediately if you have any questions or require any further information to process these applications. Thank you for your attention to this matter.

Sincerely,

  
George W. Broseman

GWB:

Enclosures

cc: Bysal IV, LLC  
Salvatore Gambone  
Yentis Real Estate  
Kevin Kochanski

**APPLICATION FOR INTERMUNICIPAL TRANSFER OF LIQUOR  
LICENSE**


- Application of: Pizzarella Grille  
Bysal IV, Inc.  
958 County Line Road  
Bryn Mawr, PA 19010
- A. Applicant: Bysal IV, Inc.  
c/o George W. Broseman, Esq.  
910 Harvest Drive  
Blue Bell, PA 19422  
610.941.2458  
gbroseman@kaplaw.com
- B. Principals: Salvatore Carannante  
105 Gift Circle  
North Wales, PA 19454
- C. Other Licenses: None
- D. Business Name: Pizzarella Grille  
958 County Line Road  
Bryn Mawr, PA 19010  
610.525.2200
- E. Owner of Property: 958 Haverford Road, LP  
c/o Yentis Real Estate  
Attn: Jeffrey Goldstone  
7300 City Avenue  
Philadelphia, PA 19151
- F. Nature of Business: Italian full service restaurant
- G. PLCB Application: Attached hereto as Exhibit A
- H. Plot Plan: Attached hereto as Exhibit B
- I. Location of licenses within 200 feet: None
- J. Location of church, hospital, school, charitable institution, or public playground within 300 feet: Warner Avenue Park & Playground
- K. Business Plan Details:



Hours of Operation: Monday-Thursday 10:00am to 10:00pm  
Friday-Saturday 10:00am to 10:30pm  
Sunday 11:00am to 9:30pm  
Interior floor plan: Attached hereto as Exhibit C  
Entertainment: None  
Number of employees: 9 employees  
Number of employees on max shift: 3 employees  
Type of menu: Attached hereto as Exhibit D  
Method of refuse disposal: GME

Project Narrative: The Applicant, Bysal IV, LLC is the lessee of the property located at 958 County Line Road in Bryn Mawr (“**Property**”) and the operator of the Pizzarella Grille restaurant. The Property is located in the C-1 Commercial District. The Applicant is seeking an intermunicipal transfer of a restaurant liquor license. The requested liquor license transfer would not adversely affect the welfare, health, peace, and morals of Radnor Township.

Respectfully submitted,

  
\_\_\_\_\_  
GEORGE W. BROSEMAN, ESQUIRE  
DANIEL P. ROWLEY, ESQUIRE  
Attorneys for Applicant, Bysal IV, LLC

Dated: June 18, 2019

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124TH ANNIVERSARY 1895-2019

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June 26, 2019

VIA ELECTRONIC CORRESPONDENCE

Delaware County Daily Times  
Attn: Legal Department  
500 Mildred Avenue  
Primos, PA 19018

Re: Radnor Township – Street Restoration Ordinance

Dear Legal Department:

Enclosed please find for advertisement one (1) time in the July 1<sup>st</sup> edition of your newspaper, a Legal Notice for the possible enactment of the above ordinance by the Board of Commissioners of Radnor Township at their meeting on July 15, 2019. Kindly provide proof of publication and your invoice for the advertisement directly to Radnor Township, c/o Robert Zienkowski, 301 Iven Avenue, Wayne, PA 19087. A full copy of the text of the ordinance is enclosed for public inspection. If you have any questions regarding the enclosed, please do not hesitate to contact my office.

Sincerely,

**GRIM, BIEHN & THATCHER**

By: 

John B. Rice

JBR/hlp  
Enclosure

cc: Jennifer DeStefano (w/encl.) – via email  
Robert A. Zienkowski (w/encl.) – via email

## **LEGAL NOTICE**

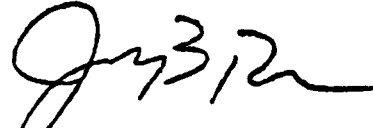
Notice is hereby given that the Board of Commissioners of the Township of Radnor, Delaware County, Pennsylvania, will consider for possible adoption an ordinance, of which this Notice is a summary, amending the General Code of the Township of Radnor, Chapter 250, Article VI, Street Excavations, Section 250.26, Backfilling and Paving, to require permittee to, backfill, restore and repair excavations and establishing standards for such work.

The Board of Commissioners will hold a public hearing on July 15, 2019, at 6:30 p.m., at the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087 to consider the ordinance. Copies of the full text of the proposed ordinance are available at the Township offices, the Delaware County Law Library, and the offices of this newspaper during normal business hours.

**RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS  
301 Iven Avenue  
Wayne, PA 19087-5297**

ATTEST:

I do hereby certify that this is a true and correct copy of the proposed Ordinance of Radnor Township, being advertised for possible adoption by the Radnor Township Board of Commissioners on July 15, 2019.

A handwritten signature in black ink, appearing to read "JBR", written over a horizontal line.

John B. Rice, Esquire  
Grim, Biehn & Thatcher  
Township Solicitor

**RADNOR TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2019-08**

**AN ORDINANCE OF THE TOWNSHIP OF RADNOR, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE GENERAL CODE OF THE TOWNSHIP OF RADNOR, CHAPTER 250, ARTICLE VI, STREET EXCAVATIONS, SECTION 250.26, BACKFILLING AND PAVING, TO REQUIRE PERMITTEE TO, BACKFILL, RESTORE AND REPAIR EXCAVATIONS AND ESTABLISHING STANDARDS FOR SUCH WORK**

*WHEREAS*, The Board of Commissioners of the Township of Radnor, County of Delaware, Commonwealth of Pennsylvania (Board of Commissioners), have determined that it is advisable to require any person who obtains a permit for a street opening or excavation to, as a part of such permit, backfill, restore and repair such excavation or opening at his or its own expense; and

*WHEREAS*, The Board of Commissioners desires that such permittee complete the backfilling, restoration and repair in accordance with appropriate standards

**BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF RADNOR, DELAWARE COUNTY, COMMONWEALTH OF PENNSYLVANIA AS FOLLOWS:**

**Section 1:**

Chapter 250, Article VI, Section 250-26 Subsections B. and D. of the General Code of the Township of Radnor is hereby amended, and Section 250-26 is further amended by the addition of subsection E., to read as follows:

**250-26. Backfilling and paving**

A. The permittee shall be responsible for backfilling, paving and sealing the opening and restoring the street surface to its original condition prior to the street being cut. This work is to be completed within two months of the initial opening. This does not relieve the permittee of the responsibility to backfill properly and place a temporary paving of three inches of compacted asphaltic concrete flush with the surface of the adjoining paving. The permittee shall keep and maintain such paving in proper condition until such time as the permanent paving is installed.

B. The Department of Public Works or Engineering Department shall have the authority to establish and revise standards for paving and backfilling procedures as well as standards of materials. Details specifying paving and backfilling procedures shall be obtained from the Department prior to the commencement of any street excavation work.

C. In cases where the work has not been completed before the permit expiration date (60 days), the Department of Public Works may take steps to backfill the trench and replace the street surface over the opening for which the permit has been issued. This is to be done only after proper notification has been sent to the applicant. The applicant will be billed for the work completed.

D. When two or more openings have been made within five hundred lineal feet, the permittee shall mill out one and one half inches of roadway and install one and one half inches of compacted 9.5 mm asphalt in the traffic lanes in which the opening was made, for the entire length of the opening in a manner authorized by the Department of Public Works. All single patches shall be made the width of one lane of the existing road. All pavement markings affected by road opening must also be reinstalled.

E. All trenches shall be cut back one foot on either side of the original trench (T trench), after the initial trench is cut and prior to base repair. The back fill shall consist of 2A modified stone, 6" of 19mm Superpave installed in two lifts, and 1.5" of 9mm Superpave.

**Section 2.** Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 3.** Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

**Section 4.** Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

**ENACTED** and **ORDAINED** this 15<sup>th</sup> day of July, 2019.

**RADNOR TOWNSHIP  
BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Name: Lisa Borowski  
Title: President

ATTEST: \_\_\_\_\_  
Robert A. Zienkowski, Secretary

Takeaways from a review of the present and proposed Radnor lighting ordinances as well as a brief examination of outdoor lighting language in comparable municipalities.

**The existing Radnor outdoor lighting rules are referenced throughout the code. The primary sections that regulate approved lighting uses cover:**

General Regulations

Design Review

Energy Conservation

Area and height regulations

Required improvements

The Wayne Business Overlay District

The Garrett Hill Zoning District

The Garrett Avenue in the Garrett Avenue Mixed-Use District

The Garrett Avenue in the Garrett Avenue Neighborhood District

The Public Land Use District (PLU)

The Agricultural-Conservation District

The PA Planned Apartment District

Planned Institutional District

Signs

Streetlights

Parking facilities

Off-street parking

Crosswalks

Off-street loading facilities

Wireless Communications Systems

The role of the Zoning Hearing Board

Applications and Plan Requirements

Guaranties and Contract



**The pros and cons of the present setup:** Con: The outdoor lighting code is not in one place. The pro: The lighting code specifically fits many of Radnor's profile and use needs, this is particularly evident in the language related to the neighborhood, mixed-use, overlay and special use districts.

The proposed ordinance is boilerplate. The "IES Lighting Handbook" refers to several ordinance examples and the proposed ordinance before us is a generic, best-practice model endorsed by the Illuminating Engineering Society. It is not specific to Radnor Township. It does not cover any special uses or districts or overlays.

The proposed ordinance is overwritten, laden with technical references in the glossary. It is, in parts, pure gobbledygook.

To wit:

*Light - Radiant energy that is capable of exciting the retina and producing a visual sensation. The visible portion of the electromagnetic spectrum extends from about 380 to 770 nanometers.*

*Light Loss Factor (LLF) - The ratio of illuminance for a given area to the value that would occur if lamps operated at their initial rated lumen output and if no system variation or depreciation had occurred.*

*Luminaire, Cutoff - A luminaire whose candlepower per 1000 lumens does not numerically exceed 25 (2.5%) at an angle of 90 above nadir (horizontal), and 100 (10%) at a vertical angle of 80 above nadir.*

*Luminous Intensity - The luminous flux per unit solid angle in the direction in question. May be expressed in candelas or lumens per steradian (lm/sr).*

*Steradian (sr. unit of solid angle) – The solid angle subtended at the center of a sphere by an area on the surface of the sphere equal to the square of the sphere radius.*

Specifically, the present and proposed ordinances stack up this way:

#### GENERAL REGULATIONS

**Present code:** All outside lighting, including sign lighting, shall be directed in such a way as not to create a nuisance in any agricultural, institutional or residential district, and in every district all such lighting shall be arranged so as to protect the street or highway and adjoining property from direct glare or hazardous interference of any kind. Any luminary shall be equipped with some type of glare shielding device approved by the Township Engineer. The height of any luminary shall not exceed 25 feet.

**Proposed code:** Adequate and effective lighting of streets, buildings, parking lots and other facilities is important for comfort, safety and commerce. The Township wishes to manage outdoor lighting so that its safety, security and economic benefits are maintained while minimizing dangerous glare, energy waste, light pollution and light trespass. Outdoor lighting should be used only where needed; used only when needed; and only that type of lighting which is necessary and proper should be used. This Ordinance is intended to implement these principles of good lighting design by regulating the shielding, height, illumination levels, and other aspects of outdoor lighting so that Township residents may continue to enjoy the highest quality of life. Fixtures shall be of a type and design appropriate to the lighting application and aesthetically acceptable to the Township. The use of searchlights, flashing strobe lights, and laser lights is prohibited. Electrical feeds for lighting standards shall be run underground. Fixtures and ancillary equipment shall be maintained so as always to meet the requirements of this Section.

#### GLARE

**Present code:** Light fixtures shall be shielded to reduce light spillage beyond the extent of the property line.

**Proposed code:** All lighting fixtures shall meet IES full cutoff criteria. No lighting shall be permitted that results in glare beyond an angle of thirty (30) degrees from the vertical plane, measured from the light source or results in glare beyond the property boundaries upon which the luminaire is located. Floodlights and spotlights, when permitted, shall be installed and/or aimed so that they do not project their output at neighboring residences, adjacent uses, directly skyward, or onto a roadway. Except as otherwise permitted in this Section, fixtures meeting IES full cutoff criteria shall not be mounted in excess of twenty (20) feet above finished grade. Fixtures not meeting IES "full cutoff" criteria shall not be mounted in excess of sixteen (16) feet above grade. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.

#### LIGHT STANDARD HEIGHT

**Present code:** Maximum height of the sports field light standard shall not exceed 85 feet.

**Proposed code:** Lighting directed upon the field, court, rink, etc. to illuminate the sports/recreational activity taking place upon/within that facility. The maximum permitted post height for the Performance Area Lighting is sixty (60) feet. Post height shall be limited to minimum height necessary to meet the Performance Area Lighting needs of that specific sports/recreational use as determined by the Township.

#### ILLUMINATION

**Present code:** Lights shall not exceed a maximum footcandle reading at the property line in excess of 0.2 fc (footcandles) unless otherwise approved by the Board of Commissioners.

**Proposed code:** The intensity of illumination projected onto any non-residential property from another property shall not exceed 0.2 vertical foot candles, measured at grade at the common property line, and the intensity of illumination projected onto a residential property from another property shall not exceed 0.1 vertical foot candles, measured at grade at the common property line.

#### LIGHT DIRECTION

**Present code:** Light fixtures shall be positioned so that the emanating light does not shine into streets in such a manner as to interfere with or distract a driver's vision and/or directly onto adjacent properties.

**Proposed code:** All outdoor lighting shall be aimed, located, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse, (i.e., blinding or disabling glare), and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.

#### RECREATIONAL LIGHTING

**Present code:** Recreational lighting shall be turned on no earlier than dusk and turned off no later than 10:30 p.m., unless otherwise approved by the Township.

**Proposed code:** All outdoor sports and recreation lighting shall be extinguished between 9:00 p.m. and 7 a.m. on Sunday through Thursday nights and between 10:00 p.m. and 9 a.m. on Friday and Saturday nights and nights preceding Federal Holidays. In addition, the Performance Area Lighting shall be turned off no more than thirty (30) minutes after the end of the event or use of the sports/recreational facility.

#### NOTICE

**Present code:** Notice of any proposed field lighting project shall be provided to adjacent property owners within 500 feet of the subject site.

**Proposed code:** No reference

## PARKING FACILITIES

**Present code:** Parking facilities: All common parking areas shall be adequately lighted during after-dark operating hours. All lighted standards shall be located on raised parking islands and not on the parking surface. All artificial lighting used to illuminate any parking space or spaces shall be so arranged that no direct rays from such lighting shall fall upon any neighboring property or streets, nor shall any high-brightness surface of the luminaries be visible from neighboring residential properties or from a public street.

**Proposed code:** All fixtures used to illuminate parking areas shall not be mounted in excess of sixteen (16) feet above grade. Lighting standards to the rear of the parking spaces shall be placed a minimum of five (5) feet outside paved areas; on concrete pedestals at least thirty (30) inches above the pavement; or suitably protected by other means approved by the Township.

## OFF-STREET PARKING

**Present code:** Off-street parking: All lighting on subject premises must be kept in proper working order and lighted during the lighted period when the subject premises or any portion thereof is being used by the holder, or when the subject premises or any portion thereof is open for business. The authorized official may require the holder of any subject premises to reduce outdoor lighting after business hours.

**Proposed code:** No reference.

## DESIGN REVIEW

**Present code:** Design Review Board hearing: Covering building design, including: Exterior lighting to be used for walkways, drives and parking lot, including signs and light cast from the buildings interior which is or will be visible from surrounding properties.

**Proposed code:** No reference.

## IMPROVEMENTS

**Present code:** Required improvements to streetlights: Where appropriate, the developer shall install or cause to be installed, at the developer's expense, metal or fiberglass pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the developer's engineer and approved by the Board of Commissioners and by the Philadelphia Electric Company. The equipment of metal or fiberglass poles may be waived in such instances as approved by the Board of Commissioners due to the existence of wooden poles already in place. Provisions shall be made for energizing said lighting after 50% or more of the dwellings in a given subdivision or land development or section of a subdivision or land development have been occupied. The developer shall be responsible for all costs involved in lighting the streets until such time that the streets are accepted or condemned as public streets by the Township.

**Proposed code:** No reference.

## SIGNS

**Present code:** It shall be unlawful for any person, firm or corporation to erect any of the following signs within the Township of Radnor: Illuminated tubing or strings of lights which outline rooflines, doors, windows or wall edges when used for advertising purposes, but excluding temporary signs for traditional seasonal decorations. Beacon lights.

The following signs shall be allowed without a sign permit and shall not be included in the determination of type, number, colors or area of permanent signs allowed within a zoning district: Changeable copy, repainting, cleaning and other normal maintenance and repair of a sign unless the sign structure, design, color or lighting is altered.

The following types of signs shall be permitted within Commercial Office (CO) and Commercial (C-1, C-2, C-3) Zoning Districts:

Marquee signs. Theater or movie marquee signs containing changeable copy shall be permitted in addition to the otherwise permitted sign area for the use, provided that the total sign area shall not exceed 200 square feet. Such signs shall be required at all times to maintain a minimum vertical clearance of 10 feet.

The following restrictions and regulations shall be applicable to all permanent signs as permitted by this article, unless otherwise specified:

Illumination. Where permitted, signs shall be illuminated only as authorized in an appropriate sign permit by a steady, stationary light of reasonably minimal intensity. Light sources shall be shielded from all adjacent properties and streets and shall not be of such intensity as to cause glare hazardous to pedestrians or motorists. Signs using internal illumination shall be designed so that when illuminated at night, only the letters and logos of the sign are visible. No light shall emanate through the background, the borders, sides or any other surface of the sign or its supporting structure. Individual, solid letters with internal lighting tubes which backlight a wall in a halo effect shall be permitted.

Electrical connections. The electrical supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed electrical cables. Electrical supply to freestanding signs shall be provided by means of underground cables. Applications for electrical permits shall be filed at the time of the sign permit application.

**Proposed code:** The requirements of this subsection apply to all outdoor lighting installations employed for nighttime illumination of signs, billboards, the facades of buildings and structures, fountains, trees, shrubs, vegetation, and the like.

Use of Glare Shields Required For Non-Cutoff Luminaire Types. Where non- cutoff luminaires such as floodlights are used to meet the lighting design objectives for outdoor sign, billboard,

façade, and/or landscape lighting, the luminaires shall be equipped with glare shields, visors, barn doors, and other similar shielding accessories as required to ensure that the candlepower distribution from all lighting installations shall be cut off at all angles beyond those required to restrict direct illumination to within the perimeter of the sign or billboard being illuminated.

Externally illuminated signs, billboards, and facades shall be lighted by fixtures mounted at the top of the sign and aimed downward.

Fixtures used for architectural lighting, e.g., façade, fountain, feature and landscape lighting, shall be designed, fitted and aimed so as not to project their output beyond the objects intended to be illuminated.

All outdoor lighting falling under the requirements of this Subsection shall be extinguished between 11:00 p.m. and 7 a.m. This restriction does not apply to non-residential uses that are open between the hours of 11:00 p.m. and 7 a.m., in which case the lighting must be extinguished when the non-residential use is closed. Unless the Board of Commissioners specifically approves all-night lighting, (e.g., for safety or security), all outdoor lighting shall be controlled by automatic switching devices such as time clocks or combination motion detectors and photocells, to permit extinguishing lighting between 11 p.m. and 7 a.m.

Where all-night safety or security lighting is to be provided, the lighting intensity levels shall not exceed 25% of the levels normally permitted by this Ordinance for the use. All-night safety or security lighting includes the following:

- Lighting essential for the deterrence of break-ins. This type of lighting is limited to exterior door locations
- Lighting controlled by motion sensors/detectors. This type of lighting is to be used to deter vandalism and theft and shall be placed in locations where the sensors will not be tripped on a reoccurring basis and shall be installed and/or aimed so that they do not project their output at neighboring residences, adjacent uses, directly skyward or onto a roadway.
- Lighting used in conjunction with surveillance cameras. This type of lighting is limited to illuminating automatic teller machines, deposit boxes, building entrances, and parking lot/driveway entrances. Fixtures used for this type of lighting shall be designed, fitted, and aimed so as not to project their output beyond the objects intended to be illuminated.

## ENERGY CONSERVATION

**Present code:** Certain documents on file in the office of the Secretary of the Township of Radnor, being marked and designated as the 2009 International Energy Conservation Code, are hereby adopted as the Energy Conservation Code of Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, for the purpose of establishing minimum regulations governing the design, installation and construction of energy efficient building envelopes and the

installation of energy efficient mechanical, lighting, and power systems as herein provided; and each and all of the provisions, penalties, conditions and terms of the 2009 International Energy Conservation Code are hereby referred to, adopted and made a part hereof as if fully set forth in this chapter with the additions, insertions, deletions and changes prescribed in this chapter.

**Proposed code:** Wasteful, inefficient lighting is a significant environmental problem. Excessive lighting wastes energy; intrudes upon neighboring properties; is a nuisance to pedestrians, cyclists, and motorists on adjacent roadways; disturbs wildlife habitats; impairs human experience of the night sky; and negatively affects the quality of life of our communities.

#### WIRELESS COMMUNICATION FACILITIES

**Present ordinance:** Wireless communication facilities shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen shall cause the least disturbance to the surrounding views.

**Proposed ordinance:** No reference.

#### VIOLATIONS AND PENALTIES

**Proposed code:** Violations and penalties: Any person, corporation, or organization who violates or permits a violations of this chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by Radnor Township before a Magisterial District Judge, pay a fine of not more than \$1,000, plus court costs and reasonable attorney fees incurred by Radnor Township in the enforcement of this chapter. Each day of violation shall constitute a separate offense. Upon notice of a violation, a property owner shall have twenty (20) days to bring its property into compliance before the commencement of a civil enforcement proceeding before a Magisterial District Justice. In addition to the foregoing enforcement actions, Radnor Township may seek any and all legal or equitable relief, including an injunction to enforce compliance with this chapter.

**Present code:** No reference

#### CONCLUSION

Radnor's present lighting ordinances, despite the fact that they are spread throughout the code, are quite comprehensive. They are very specific in their treatment of our niche areas, such as the Wayne Business overlay and the Garrett Hill Districts, which is quite vital to keeping an effective code. None of that attention to detail exists in the proposed ordinance.

The existing lighting ordinances also are written in plain English, are digestible and understandable to the layman. The proposed ordinance is not.

There is also an issue with the technical specificity in the proposed ordinance. Experts seem to agree that the technology around outdoor lighting is changing and updating at a very high rate of speed. A lighting code should be written in a way that technological adjustments can be introduced without rewriting the entire code. The present ordinance leaves some flexibility for our township engineer to adjust to newer and better lighting standards as they come to the fore.

Enforcement is also an issue that cannot be cavalierly dealt with. Is the township adequately staffed to carry out the policing and legal actions called out in the proposed ordinance? The \$1,000 fine also seems onerous.

A review of lighting ordinances for Lower Merion Township, Swathmore Borough, Upper Merion Township, Newtown Township and Haverford Township revealed a range of depth and detail.

Lower Merion is about as comprehensive as Radnor; Swarthmore is very succinct and generic; Haverford basically does not have an outdoor lighting ordinance; Upper Merion is fairly detailed.

I have included attachments for each muni.





## Radnor light ordinance references in the present code

### General Regulations

#### [§ 280-105 Access and highway frontage.](#)

In order to minimize traffic congestion and hazard, control street access in the interest of public safety and encourage the appropriate development of street or highway frontage, the following shall apply:

#### [E.](#)

All outside lighting, including sign lighting, shall be directed in such a way as not to create a nuisance in any agricultural, institutional or residential district, and in every district all such lighting shall be arranged so as to protect the street or highway and adjoining property from direct glare or hazardous interference of any kind. Any luminary shall be equipped with some type of glare shielding device approved by the Township Engineer. The height of any luminary shall not exceed 25 feet.

#### [§ 280-86 Area and height regulations.](#)

[E.](#) No building or structure shall exceed three stories or 38 feet, except for sports field lighting on Township property which has been approved by the Board of Commissioners, at its discretion, and is subject to the following:

[\(1\)](#) Maximum height of the light standard shall not exceed 85 feet.

[\(2\)](#) Lights shall not exceed a maximum footcandle reading at the property line in excess of 0.2 fc (footcandles) unless otherwise approved by the Board of Commissioners.

[\(3\)](#) Light fixtures shall be shielded to reduce light spillage beyond the extent of the property line.

[\(4\)](#) Light fixtures shall be positioned so that the emanating light does not shine into streets in such a manner as to interfere with or distract a driver's vision and/or directly onto adjacent properties.

[\(5\)](#) Lights shall be turned on no earlier than dusk and turned off no later than 10:30 p.m., unless otherwise approved by the Township.

[\(6\)](#) Notice of any proposed field lighting project shall be provided to adjacent property owners within 500 feet of the subject site.

F. Accessory building exception. The regulations applicable to building placement shall apply to accessory buildings, except when authorized as a special exception by the Zoning Hearing Board in the case of a small accessory building which is incidental to the permitted use.

#### § 255-29 **Parking facilities**

(18)

All common parking areas shall be adequately lighted during after-dark operating hours. All lighted standards shall be located on raised parking islands and not on the parking surface.

(19)

All artificial lighting used to illuminate any parking space or spaces shall be so arranged that no direct rays from such lighting shall fall upon any neighboring property or streets, nor shall any high-brightness surface of the luminaries be visible from neighboring residential properties or from a public street.

#### **Parking Off-Street**

##### § 206-4 Regulations for maintenance.

Any owner of a subject premises shall comply with the following regulations:

E.

All lighting on subject premises must be kept in proper working order and lighted during the lighted period when the subject premises or any portion thereof is being used by the holder, or when the subject premises or any portion thereof is open for business. The authorized official may require the holder of any subject premises to reduce outdoor lighting after business hours.

#### § 255-39 **Crosswalks**

B.

Such crosswalks shall have an easement width of not less than 20 feet and a paved walk of not less than four feet. They shall be clearly marked by bollards, paving material, signing, lights or similar provisions to ensure their visibility to motorists.

#### § 255-30 **Off-street loading facilities**

F.

The lighting requirements of § 255-29A(19) shall be met, if applicable.

#### **Design Review**

##### § 150-6 Application.

A.

All applications before the Design Review Board shall be in writing and filed with the Department of Community Development upon a form provided by the Department. Upon receipt of the application, the Director shall be responsible for reviewing it to certify that all required information has been submitted. Incomplete applications shall be rejected and returned to the

applicant. The application shall contain the name and address of the applicant, the owner of the land, a property description, street address, basis for filing of the application, description of the work and any other information, where relevant, which the Director may require in order to process the application.

[\(2\)](#)

Building design, including:

[\(e\)](#)

Exterior lighting to be used for walkways, drives and parking lot, including signs and light cast from the buildings interior which is or will be visible from surrounding properties.

## [§ 150-2 Design Review Definitions](#)

### [MATERIAL CHANGE](#)

Any modification to the architectural style or general design of the exterior of an existing building or structure, including but not limited to the type and texture of building materials, building facades, style of all windows, doors, exterior light fixtures and other appurtenant features, such as walks, fences, landscaping, awnings, parking areas, driveways and areas for pedestrian movement. All activities which affect the exterior of property and require Township approval or a permit shall be included within this definition.

## **Required improvements**

### [§ 255-49 Streetlights.](#)

Where appropriate, the developer shall install or cause to be installed, at the developer's expense, metal or fiberglass pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the developer's engineer and approved by the Board of Commissioners and by the Philadelphia Electric Company. The equipment of metal or fiberglass poles may be waived in such instances as approved by the Board of Commissioners due to the existence of wooden poles already in place. Provisions shall be made for energizing said lighting after 50% or more of the dwellings in a given subdivision or land development or section of a subdivision or land development have been occupied. The developer shall be responsible for all costs involved in lighting the streets until such time that the streets are accepted or condemned as public streets by the Township.

## **Wayne Business Overlay District**

### [§ 255-76 Streetlight and parking lot light standards.](#)

[A.](#)

Streetlights shall be installed as follows

[\(1\)](#)

Madison-style streetlight black fluted poles, shall be 15 feet in height, and shall be installed and maintained, along with the "Acorn ACN-1" post-top luminaire and "modern finial."

[\(2\)](#)

Streetlights shall be spaced 60 feet to 90 feet apart in an alternating arrangement along both sides of streets.

[B.](#)

Parking lot lights shall be installed as follows:

[\(1\)](#)

Shoobox light fixtures shall be used to direct light downwards. Fixture height shall not reach higher than 15 feet.

[\(2\)](#)

For lighting that abuts a residential property, a shield shall be used to deflect light away from the property.

[C.](#)

Exterior lights attached to buildings. External lighting is restricted to that which is necessary for minimum safety and security levels. Light standards shall be low profile and shall have a sharp cutoff shield and directed downward to reduce dispersal of ambient light to the night sky.

Sodium vapor lights shall not be allowed.

### **Garrett Hill Zoning District**

[B.](#)

Parking lot lights shall be installed as follows:

[\(1\)](#)

Full cutoff light fixtures shall be used to direct light downwards. For the GH-N, GH-GA, GH-CR, GH-OS Districts, fixture height shall not be higher than 12 feet. Fixture height shall be limited to 20 feet in the GH-BC District.

[\(2\)](#)

Shields shall be used to deflect light away from adjacent properties so that no direct light from the filament, bulb or lens is visible from outside the property.

[C.](#)

Exterior lights attached to buildings:

[\(1\)](#)

External lighting shall be restricted to that which is necessary for minimum safety and security levels. Light standards shall be low profile and shall have a sharp cut-off shield and directed downward to reduce dispersal of ambient light to the night sky. Sodium vapor lights shall not be allowed.

#### [§ 280-49.14 Projecting signs.](#)

In addition to the sign requirements of Article [XXI](#) of Chapter [280](#), § [280-121](#), Signs in residential and similar districts, and § [280-122](#), Signs in commercial districts, projecting signs attached perpendicular to the facade shall be permitted subject to the following requirements:

[J.](#) Prohibited materials shall include:.

[\(3\)](#) Neon lighting.

### **Garrett Avenue in the Garrett Avenue Mixed-Use District.**

[\(1\)](#)

Lights in bulbouts according to the Garrett Hill Master Plan design shall be required.

[\(2\)](#)

The installation of light fixtures in the front yard is hereby encouraged. Fixtures shall be six feet high and meet Illuminating Engineering Society of North America "cutoff" or "full-cutoff" criteria.

### **Garrett Avenue in the Garrett Avenue Neighborhood District:**

[\(1\)](#)

Lights in bulbouts according to the Garrett Hill Master Plan design are hereby encouraged.

[\(2\)](#)

The installation of light fixtures in the front yard shall be encouraged. Fixtures shall be six feet high and meet Illuminating Engineering Society of North America "cutoff" or "full-cutoff" criteria.

### [§ 255-103 Site amenity standards.](#)

The following standards shall apply to all new or redeveloped properties in the GHZD:

[A.](#)

Conestoga Road (without front yard parking)

[\(5\)](#)

Lights within 24 inches of the curblin.

[B.](#)

Conestoga Road (perpendicular parking in the front yard). (See Figure 6.)<sup>[2]</sup>

[\(3\)](#)

Lights within 24 inches of the curblin.

### **Public Land Use District (PLU)**

[E.](#)

Building height. No building or structure shall exceed three stories or 38 feet, except for sports field lighting on Township property which has been approved by the Board of Commissioners, at its discretion, and is subject to the following:

[Amended 2-25-2013 by Ord. No. 2012-11]

[\(1\)](#)

Maximum height of the light standard shall not exceed 85 feet.

[\(2\)](#)

Lights shall not exceed a maximum footcandle reading at the property line in excess of 0.2 fc (footcandles) unless otherwise approved by the Board of Commissioners.

[\(3\)](#)

Light fixtures shall be shielded to reduce light spillage beyond the extent of the property line.

[\(4\)](#)

Light fixtures shall be positioned so that the emanating light does not shine into streets in such a manner as to interfere with or distract a driver's vision and/or directly onto adjacent properties.

[\(5\)](#)

Lights shall be turned on no earlier than dusk and turned off no later than 10:30 p.m., unless otherwise approved by the Township.

[\(6\)](#)

Notice of any proposed field lighting project shall be provided to adjacent property owners within 500 feet of the subject site.

#### [§ 255-37 Sidewalks and pedestrian paths.](#)

[E.](#)

Sidewalks and pedestrian paths shall be adequately lighted, if required by the Board of Commissioners.

### **Wayne Business Overlay District**

#### [§ 255-76 Streetlight and parking lot light standards.](#)

[A.](#)

Streetlights shall be installed as follows:

[\(1\)](#)

Madison-style streetlight black fluted poles, shall be 15 feet in height, and shall be installed and maintained, along with the "Acorn ACN-1" post-top luminaire and "modern finial."

[\(2\)](#)

Streetlights shall be spaced 60 feet to 90 feet apart in an alternating arrangement along both sides of streets.

[B.](#)

Parking lot lights shall be installed as follows:

[\(1\)](#)

Shoobox light fixtures shall be used to direct light downwards. Fixture height shall not reach higher than 15 feet.

[\(2\)](#)

For lighting that abuts a residential property, a shield shall be used to deflect light away from the property.

[C.](#)

Exterior lights attached to buildings. External lighting is restricted to that which is necessary for minimum safety and security levels. Light standards shall be low profile and shall have a sharp cutoff shield and directed downward to reduce dispersal of ambient light to the night sky.

Sodium vapor lights shall not be allowed.

#### [§ 255-87 Site amenity standards.](#)

The following standards shall apply to all new or redeveloped properties in the WBOD:

A.

Setback zero to 35 feet

(1)

Lights and street trees at curblines (trees shall be in grates in accordance with § [255-75](#)).

B.

Setback 25 to 45 feet, parallel parking in front

(1)

Lights and street trees at curblines (trees shall be in grates in accordance with § [255-75](#)).

C.

Setback 45 to 60 feet, angled parking in front

(3)

Lights and street trees at curblines (trees shall be in grates in accordance with § [255-75](#)).

D.

Setback 36 feet and greater, parking in side and rear

(1)

Lights at curblines.

### **PA Planned Apartment District**

[§ 280-38 Use regulations.](#)

A building or unified group of buildings may be created or used and a lot may be used or occupied for any of the following purposes:

C.

Accessory structures and uses on the same lot and customarily incidental to the foregoing permitted uses, which shall include:

[Amended 10-26-1998 by Ord. No. 98-09]

(4)

Swimming pools and tennis courts, subject to the following requirements:

(a)

No swimming pool or tennis court shall be located within the front yard setback or closer than 75 feet to any side or rear property line.

(b)

Light standards for illumination shall not exceed a height of 20 feet and shall be equipped with a shielding device to protect streets and adjoining property from glare or hazardous interference.

A lighting plan shall be submitted and approved by the Township Engineer prior to installation.



## Signs

### [§ 280-119 Prohibited signs.](#)

Except as may be hereinafter specifically permitted, it shall be unlawful, after the effective date of this article or any amendment thereto, for any person, firm or corporation to erect any of the following signs within the Township of Radnor:

#### [L.](#)

Illuminated tubing or strings of lights which outline rooflines, doors, windows or wall edges when used for advertising purposes, but excluding temporary signs for traditional seasonal decorations.

#### [W.](#)

Beacon lights.

### [§ 280-120 Exempt signs.](#)

The following signs shall be allowed without a sign permit and shall not be included in the determination of type, number, colors or area of permanent signs allowed within a zoning district.

#### [H.](#)

Changeable copy, repainting, cleaning and other normal maintenance and repair of a sign unless the sign structure, design, color or lighting is altered.

### [§ 280-122 Signs in commercial districts.](#)

The following types of signs shall be permitted within Commercial Office (CO) and Commercial (C-1, C-2, C-3) Zoning Districts:

#### [\(4\)](#)

Marquee signs. Theater or movie marquee signs containing changeable copy shall be permitted in addition to the otherwise permitted sign area for the use, provided that the total sign area shall not exceed 200 square feet. Such signs shall be required at all times to maintain a minimum vertical clearance of 10 feet. Marquee signs shall be exempt from the lighting requirements as set forth in [§ 280-125D](#).

### [§ 280-125 General regulations.](#)

The following restrictions and regulations shall be applicable to all permanent signs as permitted by this article, unless otherwise specified:

#### [D.](#)

Illumination. Where permitted, signs shall be illuminated only as authorized in an appropriate sign permit by a steady, stationary light of reasonably minimal intensity. Light sources shall be shielded from all adjacent properties and streets and shall not be of such intensity as to cause glare hazardous to pedestrians or motorists. Signs using internal illumination shall be designed

so that when illuminated at night, only the letters and logos of the sign are visible. No light shall emanate through the background, the borders, sides or any other surface of the sign or its supporting structure. Individual, solid letters with internal lighting tubes which backlight a wall in a halo effect shall be permitted.

E.

Electrical connections. The electrical supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed electrical cables. Electrical supply to freestanding signs shall be provided by means of underground cables. Applications for electrical permits shall be filed at the time of the sign permit application.

§ 280-127 Off-premises signs.

[Added 5-26-2009 by Ord. No. 2009-12<sup>[1]</sup>]

I.

Lighting. Off-premises signs shall conform to the lighting standards as set forth in § 280-125D.

§ 280-128 Permits.

(4)

Two copies of a plan drawn to scale depicting:

(b)

Design of each sign face and sign structure with dimensions, total area, sign height, depth, color scheme, structural details, materials, lighting scheme and proposed location.

**Agricultural-Conservation District**

§ 280-9 Use regulations.

A building may be erected or used and a lot may be used or occupied for any of the following purposes:

(7)

Private swimming pools, tennis courts and similar uses, when illuminated by lighting fixtures attached to or mounted on freestanding poles or standards, subject to the following standards:

[Amended 12-13-1991 by Ord. No. 91-52]

(a)

The pool or tennis court is not located within the front yard setback or closer than 25 feet to any side or rear property line.

(b)

Lighting fixtures are not located within the front yard setback and are a minimum distance of 25 feet from any side or rear property line.

[\(c\)](#)

The lighting fixture, including standards for mounting, do not exceed a height of 16 feet above grade.

[\(d\)](#)

Prior to installation, a lighting plan is prepared and submitted to the Township Engineer for approval. Such plan shall be prepared in accordance with generally accepted engineering standards and shall not provide for lighting intensity at any property line in excess of 0.10 footcandles.

[\(e\)](#)

The lighting fixtures are approved by the Township Engineer and are designed, mounted and shielded in such a manner as to prevent the light source from being visible off the property. Such lighting shall also be located and positioned in such a manner as to not illuminate adjacent properties.

[\(f\)](#)

Lights shall be turned off by 11:00 p.m.

## **Energy Conservation**

### [§ 158-1 Adoption of code by reference.](#)

Certain documents on file in the office of the Secretary of the Township of Radnor, being marked and designated as the 2009 International Energy Conservation Code, are hereby adopted as the Energy Conservation Code of Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, for the purpose of establishing minimum regulations governing the design, installation and construction of energy efficient building envelopes and the installation of energy efficient mechanical, lighting, and power systems as herein provided; and each and all of the provisions, penalties, conditions and terms of the 2009 International Energy Conservation Code are hereby referred to, adopted and made a part hereof as if fully set forth in this chapter with the additions, insertions, deletions and changes prescribed in this chapter.

## **General Regulations**

### [§ 280-105 Access and highway frontage.](#)

In order to minimize traffic congestion and hazard, control street access in the interest of public safety and encourage the appropriate development of street or highway frontage, the following shall apply:

[E.](#)

All outside lighting, including sign lighting, shall be directed in such a way as not to create a nuisance in any agricultural, institutional or residential district, and in every district all such lighting shall be arranged so as to protect the street or highway and adjoining property from direct glare or hazardous interference of any kind. Any luminary shall be equipped with some

type of glare shielding device approved by the Township Engineer. The height of any luminary shall not exceed 25 feet.

## **Wireless Communications Systems**

### [§ 280-165 Facilities within the right-of-way.](#)

Wireless communication facilities located within the right-of-way shall be subject to the following requirements:

#### [A.](#)

Wireless communication facilities shall be limited to base stations attached to utility poles, light poles, mast arms or other structures. Such facilities shall be permitted within all zoning districts upon approval by Radnor Township, subject to the applicable standards of this article and following requirements:

### [§ 280-166 Information required of applicants.](#)

Applicants shall meet the requirements of this section and provide the following information, where applicable, for the installation of a wireless communication facility:

#### [K.](#)

Wireless communication facilities shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen shall cause the least disturbance to the surrounding views.

## **Zoning Hearing Board**

### [§ 280-145 Standards for review of special exceptions and variances.](#)

[Amended 4-10-1989 by Ord. No. 89-18]

#### [H.](#)

Conditions are being imposed on the grant of the request necessary to ensure that the general purpose and intent of this chapter is complied with and that the use of the property adjacent to the area included in the proposed change or modification is adequately safeguarded with respect to harmonious design of buildings, aesthetics, planting and its maintenance as a sight or sound screen, landscaping, hours of operation, lighting, numbers of persons involved, allied activities, ventilation, noise, sanitation, safety, smoke and fume control and the minimizing of noxious, offensive or hazardous elements.

## **Planned Institutional District**

#### [D.](#)

Regulations.

#### [\(1\)](#)

Subordinate use regulations. A building, a structure, or a combination of buildings and structures may be erected, used, or occupied for any one or more of the following purposes as part of a CICD when approved as a conditional use by the Board of Commissioners in

accordance with Article [XXIII](#) of this chapter. All of the proposed subordinate uses within a CICD shall meet all of the specific standards and regulations set forth in this section.

[\(g\)](#)

Site lighting. Light fixtures shall be shielded to reduce light spillage beyond the property line of the campus; provided, however, that at no point shall any light trespass onto adjacent residential properties or exceed 0.5 footcandles at the residential property line. All proposed exterior site and building-mounted lighting shall meet the International Dark-Sky Association (IDA) full cutoff requirements.

## **Applications and Plan Requirements**

[§ 255-21 Final plan for major subdivision.](#)

[\[7\]](#)

Location and size of all drainage structures, sidewalks, public utilities, lighting standards, street trees and street name signs.

## **Guaranties and Contracts**

[§ 255-66 Written agreements; dedication of improvements.](#)

[\(1\)](#)

To construct or cause to be constructed, at his own expense, all streets; roadways; cartways; driveways; monuments; street signs and street names; off-street parking/parking lots; curbs; sidewalks; street tree and buffer plantings; lighting; fire hydrants; water mains; sanitary sewer, including capped sewers; storm sewers; drainage and erosion control improvements, including but not limited to stormwater detention and/or retention basins and other related facilities; recreation facilities; open space improvements; tree protection and preservation; and other improvements shown on the approved subdivision or land development plan, all in strict accordance with the standards and specifications of the Township and within the time specified in said agreement.

[Amended 9-19-1994 by Ord. No. 94-21]

## LOWER MERION

### [Exterior lighting.](#)

Exterior lighting shall be designed to limit both light trespass onto adjacent residential properties and light pollution into the sky. The illumination level shall be no more than 0.3 footcandle measured either vertically or horizontally at a height of five feet above grade from adjacent residential properties. Lighting shall be designed to shield the source of illumination and to prevent glare on adjacent residential properties through the use of either "cutoff" or "full cutoff" type luminaires and low brightness light sources.

### [Outdoor lighting directing light onto residential properties.](#)

In residence districts, or commercial districts where exterior lighting equipment casts significant light onto residential properties, any permitted illumination of buildings, structures, tennis courts, pools, signs, or other open areas shall be subject to the following regulations:

[A.](#) Outdoor lighting shall be selected, located and focused so that only the building, structure, sign, or other open area on the lot is illuminated. Signs, if lighted, shall be externally illuminated only from directly above the face of the sign. The internal lighting limitation shall not apply to approved commercial signs in a commercial zoning district where signs are permitted to be internally illuminated.

[B.](#) Outdoor lighting shall be aimed and/or shielded so that the light shall not be directed onto any adjacent lot, public street or public right-of-way. If any exterior luminaire (light fixture) exceeds the following lamp wattage limits, then the source of illumination shall be fully shielded in order to prevent glare and off-site migration of light onto adjacent properties. The following limits shall apply to the total lamp wattage per luminaire.

[\(1\)](#) Incandescent: 100 watts.

[\(2\)](#) Halogen (quartz or tungsten halogen): 75 watts.

[\(3\)](#) Halogen infrared reflecting (infrared-conserving): 60 watts.

[\(4\)](#) High-pressure sodium (HPS): 50 watts.

[\(5\)](#) Pulse start metal halide (PSMH) or ceramic metal halide (CMH): 40 watts.

[\(6\)](#) Compact fluorescent (CFL): 26 watts.

[\(7\)](#) Straight (linear) fluorescent: 32 watts.

[\(8\)](#) Low voltage (12 to 24 volts) landscape lighting utilizing either an incandescent or halogen lamp: 25 watts.

[\(9\)](#) LED: reserved.

[C.](#) Outdoor lighting shall not result in a measurable light level greater than one-half of one (0.5) footcandle at the property line or lot line, measured either vertically, horizontally, or line of sight at an elevation of five feet above grade.

[D.](#) No decorative, sign or floodlighting, except low-intensity (low-brightness) safety or security lighting, which exceeds the lamp wattages as listed above shall be permitted to operate after 11:00 p.m. and until dawn. Lighting controlled by an automatic motion sensor, with daylight detection plus automatic turnoff and adjusted for a maximum "on" duration of not more than 10 minutes, shall be exempt from the 11:00 p.m. time limit.

### [Injury to light fixtures or street signs unlawful.](#)

It shall be unlawful for any person to, within the Township of Lower Merion, willfully, maliciously or negligently injure, pull down or break any lamppost, bracket or fixture, any gas or electric lamp or any street sign; or carry away, diminish or reduce the oil, gasoline, naphtha, gas or electricity supplied to any public lamp or light; or extinguish any such light or turn off, wholly or partly, the supply of oil, gasoline, naphtha, gas or electricity to such lamp or light; or injure, break, deface or daub any mantle, globe or shade; or screen or otherwise obscure any public light, lamp, globe or any street sign.

#### [Illumination of parking and walking areas.](#)

A. All multiple dwelling buildings shall be provided with illumination to values of 1.0 footcandle, average, with proper uniformity measured on the parking and walking surface surrounding the building. The lighting fixture shall be provided with a vapor cover or a cover of equal break-resistant material.

B. All parking areas under or within multiple-dwelling buildings shall be provided with illumination to values of not less than 2.0 footcandles, average, with proper uniformity measured at the parking or walking surface. The lighting fixture shall be provided with a vapor cover or a cover of equal break-resistant material.

#### [Guarding excavations and obstructions.](#)

It shall be the duty of the permittee to furnish to the traveling public suitable protection surrounding the location of all openings, excavations, stored materials and buildings or other structures within the permit area by means of suitable flags and barricades, supplemented, where necessary, by flashing amber lights, which shall be kept lighted from sunset to sunrise, or to provide such other means of protection, including one or more flagmen to direct traffic, as may be required by the Director.

#### [Exemptions from standards and chapter.](#)

The provisions of the National Electrical Code and this chapter shall not apply to:

A. The replacement of light bulbs or fuses or other minor repair work.

B. The connection of any portable electrical appliance to any permanently installed electrical receptacle.

#### [Illumination of exterior doors.](#)

All exterior doors, excluding ground mounted basement doors, shall be provided with illumination which is maintained to a value of not less than 2.0 footcandles, measured at the walking surface on the outside of the building. The lighting fixture shall be equipped with a vapor cover or a cover of equal break-resistant material.

#### [Illumination of parking lots.](#)

All buildings having parking lots and access thereto providing more than 10 parking spaces shall be provided with illumination to values of not less than 2.0 footcandles, average, with proper

uniformity measured at the parking areas and adjacent walking surface. The lighting fixtures shall be provided with a vapor cover or a cover of equal break-resistant material.

#### Exterior illumination.

All buildings shall be provided with exterior illumination to values of not less than 1.0 footcandle, average, with proper uniformity measured at the walking surface. The lighting fixture shall be provided with a vapor cover or a cover of equal break-resistant material. There shall be a minimum of 1.0 footcandle throughout a ten-foot-radius of any exterior door.

#### General regulations.

The following restrictions and regulations shall be applicable to all permanent signs permitted by this article, unless otherwise specified:

C. Illumination. Where permitted, signs shall be illuminated only by indirect lighting or by a steady, stationary light of reasonable intensity. Light sources shall be shielded from all adjacent buildings and streets and shall not be of such intensity as to cause glare hazardous to pedestrians or motor vehicle drivers or create a nuisance to adjacent properties.

#### Sign permits.

It shall be unlawful for any person, firm or corporation to erect, alter, repair, relocate or maintain any sign within the Township of Lower Merion without first obtaining a sign permit, unless such sign is specifically exempt from the permit requirements.

A. Application for permit. Application for sign permits shall be made upon forms provided by the Director of Building and Planning and shall contain and/or have attached the following, information and materials:

[Amended 1-19-2002 by Ord. No. 3631]

(b) The design of each sign face and sign structure with the dimensions, total area, sign height, depth, structural details, materials, lighting scheme and proposed location.

#### Public toilets.

Every person who shall provide a toilet for the use of employees, patrons or members, or available to the public, shall maintain such toilet at all times in a clean, well lighted, ventilated and sanitary condition. An adequate supply of clean toilet paper shall be provided at all times. The floor of any such toilet room shall be impervious to moisture and properly drained. No drinking cup, towel, hairbrush or comb shall be provided for common use in any such toilet or in a washroom, rest room or locker room adjacent thereto. The owner of a building or his agent in charge thereof, wherein two or more tenants shall have common use of a toilet or shower, shall be responsible for the maintenance and repair of such toilet or shower and keep it in a clean and sanitary condition.

#### Signs in residence districts.

The following types of signs, and no others, shall be permitted within residence districts, except as provided for otherwise within this chapter:

B. Signage for estates, farms, churches, educational facilities, hospitals, recreation areas and other permitted nonresidential uses, provided that:

(2) The signs may be lighted by indirect lighting only. Illuminated signs are prohibited.



D. Real estate signs, provided that:

(2) Signs may be lighted by indirect lighting only. Illuminated signs are prohibited.

(4) Illumination. Illumination of billboards shall be allowed only upon grant of a special exception by the Zoning Hearing Board, subject to the following requirements:

(a) The illumination of billboards within 500 feet of a residential zoning district or residential use shall not be permitted.

(b) All illumination shall be external, shielded, and shall be mounted directly above each illuminated face of the billboard.

(c) The location, luminaire type, wattage, and illumination patterns, and the means of control shall be specified. The lighting shall be designed to prevent the direct off-site transmission of light directly from the light source, to shield the source of illumination and to prevent glare as viewed from off-site.

(d) The source of illumination shall be screened from view from vehicles on adjacent roadways and from adjacent properties.

(e) No light source emanating from behind, within or on the face of the billboard shall be permitted.

(f) Rotating, flashing, pulsing, moving or oscillating light sources, lasers, light emitting diodes (LEDs), organic LEDs, beacons or strobe lighting shall not be permitted.

(d) Externally lit walls signs are permitted. External lighting must directly light the wall sign from above.

(11) All sign lighting must comply with the Energy Code adopted under the Pennsylvania Uniform Construction Code.

(4) Methods of illumination shall be limited to the following:

(a) Natural lighting.

(b) External lighting, lit from above.

(c) Halo-lit or backlit letters.

G. Illumination of signs.

(1) Halo-lit or backlit letters are permitted.

(2) Any others signs authorized in these districts may be illuminated only by natural light or external lighting mounted above the sign. External lighting shall be shielded from adjacent properties and public roadways or public rights-of-way by the use of either cutoff or full cutoff luminaires, or the use of external shields if necessary.

H. Awnings and canopies. Awnings and canopies are roof-like structures, above storefront windows or entries, sometimes containing a mark or signature of a tenant. The following standards shall apply:

(4) Illumination. Natural lighting only; backlit awnings are not permitted.

J. Street address plaque. The following standards shall apply:

(4) Illumination: Natural lighting only is permitted, except for halo-lit or backlit letters.

### Signs in commercial, manufacturing and industrial districts.

The following types of signs shall be permitted within commercial, manufacturing and industrial districts:

(6) Temporary advertising signs. Advertising signs, including flags, balloons, banners or displays constructed of cloth, light fabric or similar materials. Such signs shall not exceed the sign area permitted for permanent signs or be in a position or of a color that presents a hazard to pedestrians or motorists. A sign permit must be obtained prior to the installation of a temporary advertising sign.

### Prohibited signs.

Except as may be hereinafter specifically permitted, it shall be unlawful for any person, firm or corporation to erect any of the following signs within the Township of Lower Merion:

L. Any illuminated tubing or strings of lights which outline roof lines, doors, windows, wall edges or rows of vehicles when used for advertising purposes, with the exception of temporary lights erected to celebrate a holiday. Temporary lights must cease to be operated within 60 days of installation.

F. A medical marijuana grower/processor and any medical marijuana grower/processor accessory uses when authorized as a conditional use in accordance with Article XXV, § 155-141.2, subject to the following:

(10) A plan shall be provided demonstrating that all external and internal lighting, including light for nighttime growing, is shielded in such a manner to not allow light to be emitted skyward or onto adjoining properties.

### Fire protection equipment: fire alarm systems. [1]

The following requirements for an approved fire alarm system are hereby established and are in addition to the requirements of the International Fire Code, Life Safety Code of the National Fire Protection Association and the requirements of the Department of Labor and Industry of the Commonwealth of Pennsylvania, the provisions of which are incorporated herein by reference. Additional requirements may be imposed by either the Fire Marshal or the Director of the Department of Building and Planning when more stringent regulations are deemed necessary.

(7) In certain situations, strobe lights may be required, in addition to bells, for the hearing impaired.

### Development design standards.

- A. Purpose. The purpose of this section is to require pedestrian-oriented buildings and to require building entrances to be oriented toward the streets and pedestrian ways. Windows must facilitate views into and out of buildings. Requirements for orientation and primary entrances are intended to:

(f) No reflective glass shall be permitted. Tinted windows shall allow a minimum of 85% light penetration into the building.

### Conversion of buildings.

A. The Zoning Hearing Board may authorize as a special exception the conversion of a building used as a single-family dwelling into a two-family dwelling or an apartment house in R AA, R A, R 1, R 2, R 3, R 4, R 5 and R 6 Residence Districts, subject to the following requirements:

(10) Outdoor lighting shall be restricted to prohibit glare onto surrounding properties.

### City Avenue District - Bala Village (BV).

The Bala Village zoning is designed to preserve the existing retail character of the area.

(4) Architectural design standards. (NOTE: Appendix to be included in future amendments.) The architectural design standards have been incorporated into this district to ensure that the character of new buildings relates to the scale and character of the existing commercial buildings and creates a pedestrian-friendly environment.

(a) Buildings with active uses, including wrapped garages.

[1] The visual mass of all buildings shall be deemphasized through the use of architectural and landscape elements, including form, architectural features and materials, to reduce their apparent bulk and volume, to enhance visual quality and contribute to human-scale development.

[2] The ground floor of the primary front facade shall contain a minimum of 60% clear windows and doors. Smoked, reflective, tinted or black glass in windows is prohibited. Glass shall have a minimum light transmittance of 0.75.

[4] Second story and above of primary front facades, shall contain a minimum of 20% of the facade as clear windows. Glazing shall have a minimum light transmittance of 0.75.

### Site disturbance regulations.

In addition to the requirements of Chapter 135, Subdivision and Land Development, § 135-39, Grading, and Chapter 121, Stormwater Management and Erosion Control, § 121-5, Erosion control requirements, the conservation measures listed below shall be taken during site preparation activities. At the discretion of the Township and in addition to the measures listed below, the Township may require a prior-to-construction meeting with the applicant or site contractor to further determine methods to minimize environmental damage.

A. Protection of vegetation from mechanical injury and grading change.

(4) Trees shall not be used for roping, cables, signs, fencing or lighting. Nails and spikes shall not be driven into trees.

### Wireless communication facilities.

In recognition of the quasi-public nature of wireless communication systems, the following special regulations shall apply:

(4) Support structures shall meet all Federal Aviation Administration (FAA) regulations. No support structure may be artificially lighted except when required by the FAA.



## NEWTOWN OUTDOOR LIGHTING CODE

[Amended 11-13-1978 by Ord. No. 1978-10; 7-12-1993 by Ord. No. 1993-3]

### [Chapter 172 Zoning Article XXIII Outdoor Lighting](#)

#### [§ 172-128 Compliance required.](#)

#### [§ 172-129 Exterior lighting standards.](#)

#### [§ 172-130 Construal of provisions.](#)

#### [§ 172-128 Compliance required.](#)

Outdoor lighting hereafter erected or maintained in the Township shall conform with the provisions of this article and the provisions of the Township Building Code<sup>[1]</sup> and all applicable ordinances and regulations of the Township.

#### [\[1\]](#)

Editor's Note: See Ch. [69](#), Art. [I](#), Building Code, and Ch. [79](#), Construction Code, Uniform.

#### [§ 172-129 Exterior lighting standards.](#)

[Amended 9-11-2000 by Ord. No. 2000-05]

#### [A.](#)

Definitions. As used in this section, the following terms shall have the meanings indicated:

#### [CUTS](#)

The manufacturer's catalog sheets, including photographs or pictures showing the design of the fixture and the performance data for the luminaires. The cuts also show lighting fixture supports, poles and the light standards which are proposed with applicable notes.

#### [FOOTCANDLE \(FC\)](#)

A quantitative unit for measuring illumination equivalent to the illumination produced by a plumber's candle (standard source), measured at a distance of one foot; one lumen per square foot.

#### [ILLUMINATION](#)

The density of luminous flux on a surface.

#### [ISOLUX DIAGRAM](#)

A line plotted on any appropriate set of coordinates which shows all the points of a surface where the illumination is the same as an isolux (isofootcandle) line. When a series of such lines for various illumination levels is plotted on the same set of coordinates, an isolux diagram is formed.

#### [LUMINAIRES](#)

A complete lighting unit, lighting unit assembly (including reflectors, glassware, socket, etc.) and accessories for mounting.

#### [REFLECTOR](#)

A surface or element of a luminaire designed to direct light in a desired direction.

#### [B.](#)

Plan requirements.

#### [\(1\)](#)

Final lighting plan. The location and type of all proposed exterior lighting fixtures for parking areas shall be indicated on the final lighting plan, along with the expected hours of operation. On all pedestrian and vehicular use areas indicated on the lighting plan, an isolux diagram shall be drawn to sufficiently indicate the illumination levels furnished by each luminaire and the

pattern of coverage on these areas. Reproduction of the cuts shall be transferred to the lighting plan for each type and configuration of proposed exterior lighting.

[\(2\)](#)

Final landscape plan. The location and type of all proposed exterior lighting fixtures shall be indicated on the final landscape plan to ensure that there is no conflict between the location of light standards and the location of trees and that trees will not adversely affect lighting patterns. Lighting fixture locations shall be indicated on the plan by symbol.

[C.](#)

Design standards. Lighting for safety purposes to illuminate parking and/or pedestrian areas shall conform to the following:

[\(1\)](#)

Lighting shall be designed so that the illumination does not appear beyond the property line on which the lighting originates at levels above 0.2 footcandle.

[\(2\)](#)

Parking areas shall be lighted using support poles or lighting standards. The fixtures shall be located within or adjacent to parking areas, in raised traffic islands, parking bay separators or adjacent landscape areas. Parking areas shall not be lighted by means of floodlighting attached to buildings. Poles or standards shall be located so as not to be damaged by automobiles being parked (front overhang: minimum 39 inches; rear overhang: minimum 60 inches).

[\(3\)](#)

The maximum height of outdoor lighting standards and fixtures shall not exceed 20 feet in height, measured from the ground level to the top of the fixture.

[\(4\)](#)

All light fixtures shall be of the shielded type and provided with deflector light cutoff shields.

[\(5\)](#)

Site lighting shall not be lighted by means of floodlights attached to buildings, except for single-family dwelling units.

[D.](#)

Other lighting.

[\(1\)](#)

Design standards for athletic fields and other similar lighting not included in Subsection [C](#) above shall be permitted by special exception. The height and design of the lighting array shall be determined on a case-by-case basis considering the following issues:

[\(a\)](#)

Spill light.

[\(b\)](#)

Glare.

[\(c\)](#)

Sky glow.

[\(d\)](#)

Definitions. As used in this section, the following terms shall have the meanings indicated:

[GLARE](#)

A subjective effect from the highest amount of light from the brightest source of light which must be masked by reflects or other devices to be reduced.

[SKY GLOW](#)

The bright aura in the night sky which requires reflections be controlled.

[SPILL LIGHT](#)

The footcandles measured beyond the area you are trying to illuminate. In no event shall footcandles exceed 0.2 at the property line.

[\(2\)](#)

The applicant shall formulate their design based on requirements of the Illumination Engineering Society, the NCAA and the requirements of the various sports groups or similar criteria for lighting in excess of 20 inches in height.

[\(3\)](#)

All lighting must be directed onto the field in question to the maximum extent possible. The height shall be determined by this factor in conjunction with Subsection [D\(1\)](#) and [\(2\)](#) above.

[E.](#)

Applicability. The submission requirements under this section shall be part of the submission of any subdivision and land development applications, where applicable. Any application for subdivision or land development, which includes the installation of outdoor lighting, shall not be considered complete unless accompanied by the appropriate submittals as outlined in this section.

[§ 172-130](#)[Construal of provisions.](#)

Nothing in this article shall be construed to be applied retroactively to existing lighting. When more than 50% of the lighting fixtures on a property are replaced, the new lighting fixtures shall conform to this section.

# SWARTHMORE BOROUGH

## 1293.08 OUTDOOR LIGHTING REQUIREMENTS.

### (a) Applicability.

(1) Outdoor lighting shall be required for safety and personal security for uses that operate during hours of darkness where there is public assembly and/or traverse, including, but not limited to the following uses: commercial, industrial, public-recreational, institutional and multifamily residential developments.

(2) Borough Council may require lighting to be incorporated for other uses and locations than those identified above or may restrict lighting in any of the uses or locations identified above, as deemed necessary.

(3) Street lights are regulated elsewhere in the Borough of Swarthmore Subdivision and Land Development Regulations (see Section 1288.16) and are specifically excluded from these regulations.

(4) Temporary lighting is exempt from the requirements of this section. Such lighting shall be discontinued immediately upon completion of the construction work.

(5) Nothing in this section shall apply to lighting required by the Federal Aviation Administration (FAA) or any other Federal regulatory authority.

### (b) Illumination Levels and Lighting Fixture Design.

(1) Lighting shall have intensities and uniformity ratios in accordance with the recommended practices of the Illuminating Engineering Society of North American (IESNA) as contained in the most current edition of the IESNA Handbook, or as contained in current publications of the IESNA Recommended Practices or Design Guides.

(2) The intensity of illumination projected onto a residential property from another property shall not exceed 0.1 vertical foot candle measured line-of-site from any point on the adjacent residential property.

(3) Fixtures shall be of a type and design appropriate to the lighting application and aesthetically acceptable to the Borough.

(4) Fixtures must be installed so as to minimize light trespass, backlight, uplight, and glare, as defined by current standards from the IESNA. This includes, but is not limited to, lighting used for parking areas, buildings, building overhangs, canopies, signs, displays, and landscaping.

(5) Lighting shall conform to current American Society for Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) criteria for energy efficiency.

### (c) Installation.

(1) Electrical feeds for fixtures mounted on poles shall be run underground, not overhead.

(2) Lighting standards at the rear of parking spaces shall be placed a minimum of five feet outside the paved area, curbing or tire stops, or on concrete pedestals at least thirty inches high above the pavements, or suitably protected by other approved means.



(d) Recreational Lighting. When facilities for outdoor recreational activities are permitted by the Borough to operate during hours of darkness, excluding recreational accessory uses which are permitted on properties in residential zoning districts, the following lighting requirements shall apply:

(1) Lighting shall be approved by the Borough based on suitable control of backlight, upright, and glare.

(2) Lighting shall be timed to be extinguished by 11:00 p.m. (lighting may be left on to finish a game or event in progress that was scheduled to be over by that time but has been extended due to overtime, weather delay, or other unforeseen events.)

(3) Outdoor recreational activities shall not be illuminated if located within any residential zoning district or sited on a nonresidential property within 1,200 feet of a residential use.

(4) The maximum mounting heights for recreational lighting shall be seventy feet.

(5) The permissible illumination for lights at recreational venues shall not exceed IESNA standards and shall be suited to the intended purpose of the recreational facility, both in terms of activity and class of play.

(Ord. 1044. Passed 8-8-11.)

# UPPER MERION

## Outdoor lighting.

### A.

Intent.

#### (1)

The intent of this section is to require and set standards for temporary and permanent outdoor lighting in places where public health, safety and welfare are potential concerns. The outdoor lighting ordinance shall protect drivers and pedestrians from the glare of nonvehicular light sources that shine into their eyes and thereby impair safe traverse and protect neighbors and the night sky from nuisance glare and stray light from poorly aimed, placed, applied, maintained or shielded light sources.

#### (2)

The enforcement of this section is intended to be primarily, but not solely, on a complaint basis.

### B.

Applicability.

#### (1)

The requirements herein apply to outdoor lighting for uses including the following: business, personal service, multifamily residential, commercial, industrial, public recreational and institutional; except Subsections E and G, which apply to all uses.

#### (2)

The Township may require lighting to be incorporated for other uses or locations, as deemed necessary.

#### (3)

The requirements contained herein apply to lighting in all above-mentioned uses as well as, but not limited to, sign, architectural, and landscape lighting.

#### (4)

The requirements herein do not apply to streetlights and traffic lights located in the public right-of-way and owned by Upper Merion Township.

#### (5)

Emergency lighting, as may be required by any public agency or utility company while engaged in the performance of their duties, is exempt from the requirements of this section.

#### (6)

Seasonal holiday lighting or illumination of the American and state flags shall be exempt from the requirements of this section, provided that such lighting does not produce glare on roadways and neighboring residential properties.

### C.

Definitions. As used in this section, the following terms shall have the meanings indicated:

#### ARCHITECTURAL LIGHTING

A lighting arrangement primarily used to highlight a building, landscape feature, facade, or other feature, and is not used for pedestrian or vehicular traverse.

### FOOTCANDLE

A unit of light intensity stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter.

### GLARE

The sensation produced by lighting that causes annoyance, discomfort or loss in visual performance and visibility to the eye.

### IESNA FULL CUTOFF

A lighting fixture standard whereby the fixture is shielded in such a manner that no light is emitted above a horizontal plane passing through the lowest point of the light-emitting element, so that direct light emitted above the horizontal plane is eliminated.

### IESNA

Illuminating Engineering Society of North America.

### ILLUMINANCE

The quantity of light measured in footcandles or lux.

### ILLUMINATION TRESPASS

Light emitted by a luminaire or installation, which is cast beyond the boundaries of the property on which the lighting installation is sited.

### LUMENS

As used in the context of this section, the light-output rating of a lamp (light bulb) or light source.

### LUMINAIRE

A complete lighting unit.

### MOUNTING HEIGHT

The distance from the finished face of the surface being illuminated to the optical center of the luminaire.

### OUTDOOR ATHLETIC FACILITY LIGHTING FIXTURE

A lighting fixture used to illuminate the air space and playing surface of a planned and engineered facility approved by the Township in which organized athletic events are performed in an open-air and outdoor field, court, rink, track, pool or other similar setting.

### D.

Plan submission.

#### (1)

Lighting plans shall be submitted for review and approval of any installation of lighting in connection with a land development application for any use identified in Subsection B of this section. Lighting plans shall include the following:

#### (a)

A site plan, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and adjacent uses that might be adversely impacted by the lighting, containing a layout of all proposed fixtures by location and type.

#### (b)

Description of the proposed equipment shall be included, including fixture catalog cuts, photometrics, glare-reduction devices, lamps, and mounting heights.

#### (c)

When requested by appropriate officers or agents of the Township, the applicant shall also submit a visual-impact plan that demonstrates appropriate steps have been taken to mitigate on-site and off-site glare, including but not limited to a plot plan with a matrix of the calculated footcandles with measurements 10 feet into the neighboring properties, including those on the opposite side of a public right-of-way or public roadway, at five feet above ground.

[\(2\)](#)

Notification must be sent to the Township Planner before any post-approval alterations to lighting plans or intended substitutions for approved lighting equipment are made. Post-approval alterations or intended substitutions to the approved lighting plan must meet the requirements of the originally approved plan.

[E.](#)

Design standards.

[\(1\)](#)

All lighting fixtures for off-street parking areas, off-street loading areas, driveways, and for safety of persons and property must meet IESNA full cutoff.

[\(2\)](#)

All fixtures for pedestrian areas and walkways must meet IESNA full cutoff.

[\(3\)](#)

The maximum height of light fixtures, including the mounting base, is as follows:

[\(a\)](#)

Full-cutoff fixtures with 44,000 lumen lamps maximum, in parking lots: 20 feet AFG.

[\(b\)](#)

Full-cutoff fixtures with 115,000 lumen lamps maximum shall be permitted only in large (100 spaces or more) commercial, institutional and industrial parking lots, except when the facility is adjacent to a residential district or use or an environmentally sensitive area: not less than 25 feet nor more than 30 feet AFG.

[\(c\)](#)

Mounting heights of 25 feet to 30 feet shall not be permitted when located less than 100 feet from a residential district or use.

[\(d\)](#)

Decorative, cutoff or fully shielded fixtures with 17,500 lumen lamps maximum: 16 feet AFG.

[\(e\)](#)

Fully shielded bollard fixtures with 6,200 lumen lamps maximum: 42 inches AFG.

[\(4\)](#)

Recreational light fixtures shall comply with the standards and regulations set forth by Subsection [H](#) of this section.

[F.](#)

Performance standards.

[\(1\)](#)

All lighting shall be effectively shielded and shall be installed and/or aimed so as to shield nearby public or private properties from direct glare that may create a safety hazard.

[\(2\)](#)

Illumination trespass standards from one property to another shall be as follows:

[\(a\)](#)

In no case shall illumination exceed 0.5 footcandle, when measured, line of sight, at the property line of an aggrieved property of nonresidential use.

[\(b\)](#)

In no case shall illumination exceed 0.3 footcandle, when measured, line of sight, at the property line of an aggrieved property of residential use, except between properties that share a lot line with no required setback, in which case it shall not exceed two footcandles.

[\(3\)](#)

The use of floodlights and wall-mounted luminaries shall not be permitted to illuminate parking areas unless it can be proven to the satisfaction of the Township that the employment of no other means is possible.

[\(4\)](#)

Architectural lighting, as defined by this section, shall be aimed or directed so as to preclude light projection beyond the immediate object or objects intended to be illuminated. All such lighting shall be extinguished between the hours of 11:00 p.m. and 6:00 a.m.

[\(5\)](#)

Glare control shall be accomplished primarily through the proper selection and application of lighting equipment. Only after those means have been exhausted shall vegetation, fences, and similar screening methods be considered acceptable for reducing glare.

[\(6\)](#)

Under-canopy lighting for such applications as gas/service stations, hotel/theater marquees, and fast-food/bank/drugstore drive-ups shall be accomplished using flat-lens full-cutoff luminaries aimed straight down and shielded in such a manner that the lowest opaque edge of the luminaries shall be below the light source and its light-directing surfaces, at all lateral angles round the luminaries.

[G.](#)

Enforcement and compliance.

[\(1\)](#)

The landowner is responsible if not compliant to the lighting plan approved by the Board of Supervisors. The Township may conduct a post-installation inspection to verify compliance of the approved plan. After installation, the Township, by way of an authorized enforcement officer, may require the landowner, at the landowner's expense, to make adjustments, remedial measures, or other means to comply with the approved lighting plan.

[\(2\)](#)

Notwithstanding the installation date or preexisting conditions of a lighting fixture or arrangement, if the Township determines that the standards set forth in Subsection [E](#) are not met, the Township, by way of an authorized enforcement officer, may require the landowner, at the landowner's expense, to make adjustments, remedial measures, or other means to comply with the lighting standards.

[\(3\)](#)

Notwithstanding the above regulations of this section, if at any time the Township deems a lighting fixture or arrangement to be a potential safety hazard or nuisance, it may, at the landowner's expense, require the landowner to make adjustments, remedial measures, or other

means to mitigate or prevent the potential hazard or nuisance. In determining a potential nuisance, the authorized officer of the Township must take the following into consideration:

[\(a\)](#)

The measurement of the amount of illuminance, in footcandles, at the spot where the lighting fixture or arrangement is causing the potential nuisance.

[\(b\)](#)

Whether the suspect lighting fixture or arrangement complies with the standards set forth in Subsection [E](#).

[H.](#)

Special regulations for outdoor athletic facilities.

[\(1\)](#)

Proposed outdoor athletic facility lighting fixtures, as defined by this section, are permitted as a conditional use in any zoning district, subject to the condition that the applicant can demonstrate to the Board of Supervisors that the neighboring properties can be sufficiently protected from any adverse effects.

[\(2\)](#)

Whenever outdoor athletic facility lighting fixtures are proposed, the Board of Supervisors may require additional screening and buffering requirements to protect the neighboring properties from glare.

[\(3\)](#)

Outdoor athletic facility lighting fixtures approved by the Township are exempt from the design and performance restrictions of Subsections [E](#) and [F](#) of this section.

[\(4\)](#)

Outdoor athletic facility lighting fixtures may only be turned on for official games or practices of a duly registered team in an organized league recognized by the Township, and only for the specific playing fields being used.

[\(5\)](#)

Outdoor athletic facility lighting fixtures shall be extinguished between the hours of 11:00 p.m. and 6:00 a.m.

# Reports of Standing Committees of the Board

New Business



Old Business

# Public Participation

Adjournment