

BOARD OF COMMISSIONERS

REVISED AGENDA

Monday, April 9, 2018 - 6:30 PM

Pledge of Allegiance

Notice of Executive Session preceding the Board of Commissioners meeting of April 9, 2018

1. Consent Agenda

- a) Disbursement Review and Approval: 2018-03B, 2018-03C, 2018-03D, 2018-03E
- b) Approval of the February 26, 2018 and March 12, 2018 Board of Commissioner meeting minutes
- c) HARB-2018-03 – 416 Oak Lane – Mudroom and shed addition

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

3. Appointment to Various Boards and Commissions

4. Committee Reports

PERSONNEL & ADMINISTRATION

A. Conditional Offer of Employment to Three (3) Potential Radnor Township Police Officers

B. Discussion and Possible Motion Regarding Setting a Date for Sunshine Act and Open Records Training

C. Discussion about Township Wide Clean Up Day

D. Resolution #2018-37 - Approving a License Agreement Between the Township of Radnor and The Skunk Hollow Community Garden Association, Providing for a Community Garden in Skunk Hollow Park

E. A Motion to Post the Addendum to accompany Grim, Biehn and Thatcher Memo Dated December 11, 2017, Regarding the Ethics Board and Disclosure of Confidential Information on Township Website prepared by Commissioner's Booker, ~~Abel and Marshall~~ (**Requested by Commissioner Booker**)

FINANCE & AUDIT

F. CARFAC Discussion

PUBLIC WORKS & ENGINEERING

PUBLIC SAFETY

PARKS & RECREATION

COMMUNITY DEVELOPMENT

LIBRARY

PUBLIC HEALTH

Old Business

New Business

Public Participation

Adjournment

RADNOR TOWNSHIP
DISBURSEMENTS SUMMARY
April 9, 2018

The table below summarizes the amount of disbursements made since the last public meeting held on March 12, 2018. 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.

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


Fund (Fund Number)	2018-3B March 9, 2018	2018-3C March 16, 2018	2018-3D March 23, 2018	2018-3E March 29, 2018	Total
General Fund (01)	\$222,392.74	\$102,474.40	\$444,810.82	\$123,772.02	\$893,449.98
Sewer Fund (02)	2,704.57	2,623.35	14,155.00	15,972.95	35,455.87
Storm Sewer Management (04)	172.50	377.82	0.00	0.00	550.32
Capital Improvement Fund (05)	90,375.22	4,132.68	0.00	2,459.96	96,967.86
OPEB Fund (08)	4,484.66	656.34	130,167.29	0.00	135,308.29
Investigation Fund (12)	376.69	0.00	0.00	0.00	376.69
Comm. Shade Tree Fund (15)	0.00	2,699.00	0.00	0.00	2,699.00
\$8 Million Settlement Fund (18)	4,908.75	5,294.17	0.00	0.00	10,202.92
The Willows Fund (23)	384.45	52.80	0.00	0.00	437.25
Library Improvement Fund (500)	91,431.00	0.00	141.45	261,016.72	352,589.17
Park & Trail Improvement Fund (501)	232.00	17,071.86	0.00	38,286.74	55,590.60
Total Accounts Payable Disbursements	\$417,462.58	\$135,382.42	\$589,274.56	\$441,508.39	\$1,583,627.95
<i>Electronic Disbursements</i>	n/a	n/a	n/a	n/a	1,396,000.00
Grand Total	\$417,462.58	\$135,382.42	\$589,274.56	\$441,508.39	\$2,979,627.95

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 on a daily basis 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 April 23, 2018

Description	Account No.	Date	Purpose	Amount
Credit Card Revenue Fees - Estimated	Various Funds	4/10/2018	3/18 Credit Card Revenue Processing Fees	\$5,000.00 *
Payroll [Bi-Weekly] Transaction - Estimated	01-various	4/5/2018	Salaries and Payroll Taxes - General Fund	\$485,500.00
Payroll [Bi-Weekly] Transaction - Estimated	02-various	4/5/2018	Salaries and Payroll Taxes - Sewer Fund	\$17,500.00
Payroll [Bi-Weekly] Transaction - Estimated	01-various	4/19/2018	Salaries and Payroll Taxes - General Fund	\$485,500.00
Payroll [Bi-Weekly] Transaction - Estimated	02-various	4/19/2018	Salaries and Payroll Taxes - Sewer Fund	\$17,500.00
Period Total				\$1,396,000.00

* 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	3/22/2018	Salaries and Payroll Taxes - General Fund	\$473,293.84
\$17,500.00	3/22/2018	Salaries and Payroll Taxes - Sewer Fund	\$15,005.08
\$503,000.00			\$488,298.92
\$370,000.00	4/1/2018	Longevity - General Fund	\$359,906.12 *
\$15,000.00	4/1/2018	Longevity - Sewer Fund	\$13,486.40 *
\$385,000.00			\$373,392.52

*Flex Claims are withdrawn from our account twice per month at the discretion of the Administrator. Since these monies are actually withdrawn from employee paychecks and not Twp monies, those transactions are not included on this schedule

\$206,042.23	4/1/2018	Police Pension Payroll	\$205,314.23
\$23,700.00	4/1/2018	Annual Police Retiree Bonus Payment	\$23,700.00
\$138,382.22	4/1/2018	Civilian Pension Payroll	\$138,383.22
\$368,124.45			\$367,397.45

TOWNSHIP OF RADNOR
Minutes of the Meeting of February 26, 2018

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 Luke Clark, Vice-President Jake Abel
Sean Farhy Matthew Marshall*

Commissioners Absent - John Nagle and Richard Booker

Also Present: *Robert A. Zienkowski, Township Manager; Kathryn Gartland, Treasurer; John Rice, Township Solicitor; William White, Assistant Township Manager and Finance Director; William Colarulo, Superintendent of Police; Tammy Cohen, Director of Recreation and Community Programming; Kevin Kochanski, Director of Community Development; Andrew Block, Deputy Superintendent of Police; Steve Norcini, Township Engineer; Roger Philips, Township Engineer; Amy Kaminski, Township Traffic 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 February 26, 2018 preceding the Board of Commissioners meeting
There was an Executive Session on February 26, 2018 where all Commissioners participated with the exception of Commissioners Booker and Nagle and matters of Litigation, Real Estate and Personnel were discussed.

1. Consent Agenda

- a) *Disbursement Review and Approval: 2018-02B and 2018-02C*
- b) *Acceptance of Staff Traffic Committee Meeting Minutes of January 17, 2018*
- c) *Resolution #2018-26- Authorization for the replacement of the exterior steps at the Creutzburg Center*
- d) *Resolution #2018-27 - Authorization to Receive Sealed Bids for the Kirks Run Sanitary Sewer Encasement and Stream Bank Project*
- e) *Resolution #2018-28 - Authorizing Rettew to Perform a Stream Assessment and Monitoring of the Headwaters of Valley Run*
- f) *Resolution #2018-29 –Accept bids for the Police Uniforms for years 2018, 2019 and 2020*

Commissioner Clark made a motion to approve, seconded by Commissioner Farhy. Motion passed 5-0 with Commissioners Booker and Nagle absent.

2. Appointments to Boards and Commissions

Commissioner Clark made a motion to appoint James Gibbons to the Shade Tree Commission, seconded by Commissioner Marshall. Motion passed 5-0 with Commissioners Booker and Nagle absent.

3. Township Recognition

Mr. Zienkowski presented Mr. White and Mr. Tate with a Certificate of Achievement for Excellent Financial Reporting.

4. Recognition of Township Retirements

Mr. Zienkowski and Superintendent Colarulo recognized Deputy Superintendent Block on his retirement after 28 years of service. Deputy Superintendent Block said a few words as well. Each of the Commissioners made best wishes comments as well to Deputy Superintendent Block.

5. Public Participation - Individual comment shall be limited to not more than five (5) minutes per Board policy
Debbie Singer – She commented regarding School Safety.

Rick Anthony, Radnor Studio21 – He introduced Vincent Cheri, General Manager at RS21.

Vincent Chelli – Introduced himself as the new General Manager at RS21.

Leslie Morgan, Farm Road – She spoke regarding fiscal discipline.

Brian McGowan, Glenbrook Road – He spoke in support of the Ordinance regarding Glenbrook at the end of the agenda.

Dan Sherry, Wayne – He spoke regarding emails received by the Board from a resident recently appointed to a Quasi-Judicial Township Board, the CARFAC group resigning and recent developments with Commissioner Ahr.

Baron Gemmer – He announced the upcoming Carol H. Axelrod Blood Drive at The Shipley School on March 2nd from 9-7. The following one will be on May 8th here at the Township Building.

Kelly Martin – She commented regarding a past vote taken by the Board to have Mr. Ahr remain on the Board as well as commented regarding the current ethics complaint leak of exhibit 7.

6. The Ward 7 Initiative (Requested by Commissioner Farhy)

Commissioner Farhy gave a presentation which can be found on the Township website. There was a brief discussion amongst the Commissioners, staff and Solicitor regarding the presentation.

7. Committee Reports

FINANCE & AUDIT

A. Quarterly 2017 Finance Update

Mr. White gave a presentation on the 4th Quarter of 2017 Financial Update which can be found on the Township website.

PERSONNEL & ADMINISTRATION

B. Motion to approve release of report on McCone ethics complaint

Commissioner Farhy made a motion to release the report. Motion failed for lack of a second.

Commissioner Clark commented that he is support of releasing the report however, Commissioner Booker requested it be postponed until the next meeting in his absence.

Commissioner Clark made a motion to table the motion until next meeting, seconded by Commissioner

There was an in-depth discussion amongst the Commissioners regarding the tabling of the motion as well as the effectiveness of the Ethics Board.

Public Comment

Dan Sherry, Wayne – He commented regarding the tabling of the agenda item.

Kelly Martin – She commented in support of the motion to table until the next meeting.

Commissioner Borowski called the vote, motion passes 3-2 with Commissioner Farhy and Borowski opposed and Commissioners Booker and Nagle absent.

PUBLIC WORKS & ENGINEERING

C. Ordinance #2018-01 – (Introduction) – An Ordinance of Radnor Township, Delaware County, Pennsylvania, Amending Chapter 235, Sewers, by Creating a New Article VI, “Adoption of PWD Wastewater Control Regulations by Reference”, Which Formally Adopts the Philadelphia Water Department Sewer and Wastewater Control Regulations as Amended January 1, 2013, for that Portion of the Sanitary Sewer System of Radnor Township Which Flows into Lower Merion Township

Commissioner Clark made a motion to introduce, seconded by Commissioner Marshall.

Mr. Norcini gave a summary of the proposed ordinance.

Commissioner Borowski called the vote, motion passed 4-0 with Commissioner Marshall out of the room and Commissioners Booker and Nagle absent.

D. NHLS Stadium Station #18-008 – Requesting a waiver from §245 – Stormwater Requirements

Commissioner Clark commented that he will recuse himself from discussions and vote as he has a conflict.

Commissioner Abel made a motion to approve the waiver from Stormwater Requirements, seconded by Commissioner Marshall.

There was a discussion amongst the Commissioners, staff and representatives of SEPTA.

Public Comment

Jane Galli, Rosemont – She commented not in support of the waiver.

Annemarie Hessmann, Villanova – She commented regarding her support for the improvements from a functional standpoint but commented that stormwater management is needed.

Sara Pilling – She commented regarding the stormwater problems in that area.

Rick Leonardi – He commented on the clarity of the plans in the packet.

Commissioner Abel made a motion to table, seconded by Commissioner Marshall. Motion passed 4-0 with Commissioner Clark abstaining, Commissioners Booker and Nagle absent.

*E. Resolution #2018-31 - Approving the Waiver Of Land Development Of Walker Family Properties, LLP For The Property Located At 372 West Lancaster Avenue - Waiver of Land Development
Commissioner Clark made a motion to approve, seconded by Commissioner Marshall.*

Commissioner Clark made a motion to approve the resolution, seconded by Commissioner Marshall.

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

Commissioner Borowski called the vote, motion passed 5-0 with Commissioners Booker and Nagle absent.

F. SALDO Application #2017-S-09 - 230 Ashwood Road – Caucus – Minor Final Subdivision Plan
Roger Philips, Township Engineer briefly explained the project as two small parcels will be conveyed from Lot #1 to Lot #2. The applicant then reviewed the proposed plans with the Board.

PUBLIC SAFETY

G. Ordinance #2018-02 – (Adoption) – Upper Gulph Road and Oak Grove Lane – Stop Sign
Commissioner Clark made a motion to adopt, seconded by Commissioner Farhy. Motion passed 5-0 with Commissioners Booker and Nagle absent.

H. Ordinance #2018-03 – (Introduction) – 900 Block Glenbrook Avenue – Time Limit Parking
Commissioner Clark made a motion to introduce, seconded by Commissioner Farhy. Motion passed 5-0 with Commissioners Booker and Nagle absent.

COMMUNITY DEVELOPMENT

PARKS & RECREATION

LIBRARY

PUBLIC HEALTH

Old Business - None

New Business

- *Discussion regarding Board Training on the Sunshine Act and Open Records (Requested by Commissioner Abel)*

Commissioner Abel discussed that he would like to see Board training on the Sunshine Act, as most of the Board is new. He would also like to see it available to all Boards and Commissions and open to the public. There was a discussion amongst the Commissioners and staff to place on an agenda under personnel and administration to set a date for a training session and topics to be discussed.

Public Participation

Dan Sherry – He commented regarding his disagreement with having Mr. Rice’s office conduct the board training as well as constituent communications with Commissioners.

Baron Gemmer – He commented regarding the Sunshine Act Training which was discussed.

Annemarie Hessmann, Rosemont- She commented in support of the proposed Sunshine Act Training.

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 March 12, 2018

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

<i>Lisa Borowski , President</i>	<i>Luke Clark, Vice-President</i>	<i>Jake Abel</i>	<i>Richard Booker</i>
<i>Sean Farhy</i>	<i>Matthew Marshall</i>	<i>John Nagle</i>	

Also Present: *Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; William Colarulo, Superintendent of Police; 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 on March 12, 2018 preceding the Board of Commissioners meeting

There was an Executive Session on March 12, 2018 where all Commissioners participated with the exception of Commissioners Booker and Nagle and matters of Litigation, Real Estate and Personnel were discussed.

1. *Consent Agenda*

- a) *Disbursement Review and Approval: 2018-02D, 2018-03A*
- b) *Approval of the February 12, 2018 Board of Commissioner meeting minutes*
- c) *Acceptance of Staff Traffic Committee Meeting Minutes of February 21, 2018*
- d) *Resolution #2018-25 - Authorization to Award the HVAC Maintenance Contract for the Radnor Township Building, Public Works Facility, and Radnor Activity Center*
- e) *Resolution #2018-32 - Emergency Declaration for Winter Storm Riley*
- f) *Resolution #2018-33 - Authorizing the Engineering Department to Receive Sealed Bids for the Maplewood Avenue Storm Sewer Extension Project*
- g) *Resolution #2018-34 - Authorizing the Engineering Department to Receive Sealed Bids for the Repair of the Pedestrian Truss Bridge in Skunk Hollow Park*

Commissioner Clark requested item e removed and Commissioner Abel requested for item g to be removed.

Commissioner Clark made a motion to approve excluding items e & g, seconded by Commissioner Abel. Motion passed 7-0.

Resolution #2018-32 - Emergency Declaration for Winter Storm Riley

Mr. Zienkowski gave a brief background of the purpose of the resolution. Commissioner Clark made a motion to approve, seconded by Commissioner Nagle. Motion passed 7-0.

Resolution #2018-34 - Authorizing the Engineering Department to Receive Sealed Bids for the Repair of the Pedestrian Truss Bridge in Skunk Hollow Park

Mr. Norcini gave a brief background on the above resolution. Commissioner Abel showed two photos of pedestrians ignoring the closed signs.

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

Public Comment

Christina Perrone – She inquired if there are other options that could be used for crossing the creek during construction.

Commissioner Borowski called the vote, motion passed 7-0.

Commissioner Clark commented that item B will be tabled from the agenda tonight and will be placed on the next agenda. Commissioner Booker explained that the item under New Business will be tabled tonight as well.

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

Leslie Morgan, Farm Road – She commented regarding her support of resolution #2018-36 which is on the agenda this evening as well as commented about the Willows, the past storms and no power.

Gretchen Groebel, Radnor Conservancy – She commented regarding her opposition to the proposed motion to amend the Shade Tree Ordinance under New Business.

Dan Sherry, Wayne – He commented regarding the item under new business which was tabled as well as commented regarding the resolution on the agenda from RFP's for professional services.

Kelly Martin, Ward 7 – She commented her support of Commissioner Bookers request for the motion to amend the Shade Tree Ordinance.

Joel Feldman, Woods Lane – He commented on his displeasure of the time it took to restore power and clean-up wires and trees during the last storm. He also commented inquiring why the wires are not buried underground.

There was a discussion amongst the Commissioners and staff regarding winter storm Riley which caused numerous trees to fall and power outages. There was also conversation regarding how to proceed forward with CARFAC.

3. Committee Reports

PUBLIC SAFETY

A. Ordinance #2018-03 – (Adoption) – 900 Block Glenbrook Avenue – Time Limit Parking

Commissioner Clark made a motion to adopt, seconded by Commissioner Nagle. Motion passed 7-0.

PERSONNEL & ADMINISTRATION

B. Ordinance #2018-05 – (Adoption) - Approving a Lease Agreement Between the Township of Radnor and Willows Park Preserve **Item will be tabled at the meeting.**

Item Tabled

C. Motion to approve the release of the report on the McCone ethics complaint

Commissioner Clark made a motion to approve the release of the report, seconded by Commissioner Marshall.

Commissioner Booker made a motion to include an addendum to the report which he prepared, seconded by Commissioner Abel.

There was an in-depth discussion amongst the Commissioners and the motions above.

Public Comment

Dan Sherry, Wayne – He commented regarding the motions above.

Kelly Martin – She commented in support of the amended motion.

Commissioner Borowski called the vote on the amended motion, motion failed 3-4 with Commissioners Farhy, Clark, Borowski and Nagle opposed.

Public Comment

Dan Sherry, Wayne – He commented regarding the time for the investigation report to be released.

Commissioner Borowski called the vote on the original motion, motion 6-0 with Commissioner Booker abstaining.

PARKS & RECREATION

D. Discussion regarding Smoking Ban in Township Parks (Requested by Commissioner Abel)

Commissioner Abel briefly discussed about the need to make Township Parks non-smoking. There was a discussion and consensus amongst the Commissioners to pass it to the Board of Health and the Parks and Recreation Board.

PUBLIC WORKS & ENGINEERING

E. Ordinance #2018-01 - (Adoption) - An Ordinance of Radnor Township, Delaware County, Pennsylvania, Amending Chapter 235, Sewers, by Creating a New Article VI, "Adoption of PWD Wastewater Control Regulations by Reference", Which Formally Adopts the Philadelphia Water Department Sewer and Wastewater Control Regulations as Amended January 1, 2013, for that portion of the Sanitary Sewer System of Radnor Township Which Flows into Lower Merion Township

Commissioner Clark made a motion to adopt, seconded by Commissioner Marshall.

There was a brief discussion amongst the Commissioners and staff. Commissioner Borowski called the vote, motion passed 6-0 with Commissioner Booker abstaining.

F. Resolution #2018-35 - SALDO Application #2017-S-09 -230 Ashwood Road - Final - Minor Subdivision Plan

Commissioner Clark made a motion to approve, seconded by Commissioner Marshall.

There was a brief discussion, Commissioner Borowski called the vote, motion passed 7-0.

FINANCE & AUDIT

G. Resolution #2018-36 - Approving the Preparation and Advertising of Requests for Proposals, and Establishing A Policy Of Regularly Requesting And Reviewing Proposals For Professional Services To The Township Of Radnor (Requested by Commissioner Booker)

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

There was a discussion amongst the Commissioners regarding the resolution and the timing of the RFP's. Mr. Zienkowski commented that staff can have a timeline broken out to address them and drafts available for the Board to review at the next meeting.

Commissioner Marshall moved to amend that the resolution to reflect that bids will be due Friday, May 11, 2018 at 5:00PM Eastern Time, seconded by Commissioner Borowski.

Public Comment

Dan Sherry, Wayne – He inquired for clarification that it was numerical paragraph 4 to be amended as well as inquired about paragraph 6.

Kelly Martin – She commented with her support for the above resolution.

Commissioner Borowski called the vote on the amended motion, motion passed 7-0.

Commissioner Borowski called the vote on the original motion, motion passed 6-1 with Commissioner Nagle opposed.

COMMUNITY DEVELOPMENT

LIBRARY

PUBLIC HEALTH

Old Business - None

New Business

- *A Motion Authorizing the Preparation of an Amendment to The Existing Regulations Regarding Tree Removal in Radnor Township (Requested by Commissioner Booker)*

This item was tabled

Commissioner Marshall announced that himself and Commissioner Borowski will initiate a Township Spring clean-up on May 12, 2018.

Public Participation

Jim Giegerich, St. David's – He commented regarding the N. Wayne Basin.

Sara Pilling, Garrett Avenue – She commented regarding the trees that have come down during recent storms as well as the need for trees to be pruned.

Baron Gemmer, S. Wayne Ave - He commented regarding expanding the discussions with Board of Health and Parks Board to other areas in the Township other than just the Township Parks.

Dan Sherry, Wayne – He commented regarding a comment made by Commissioner Nagle earlier in the meeting as well as comments made by Commissioner Farhy.

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

CERTIFICATE OF APPROPRIATENESS

Radnor Township Historical and Architectural Review Board
Radnor Township, Pennsylvania



NAME OF OWNER: GILMOUR DUNCAN P & JOCELYN
OWNER ADDRESS: 416 OAK LN, WAYNE, PA 19087
ADDRESS OF PROPERTY: 416 OAK LA , WAYNE PA 19087
APPLICATION NUMBER: HARB-2018-03

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

MUDROOM AND SHED ADDITION

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:

Approved as submitted.

ISSUED: Monday, April 09, 2018

TOWNSHIP OFFICIAL

ACCEPTED BY APPLICANT

Public Participation

Appointment to Various Boards and Commissions

Conditional Offer of
Employment to Three (3)
Potential Radnor Township
Police Officers

Discussion and Possible
Motion Regarding Setting a
Date for Sunshine Act and
Open Records Training

Discussion about Township Wide Clean Up Day

**RESOLUTION NO. 2018-37
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, APPROVING A LICENSE AGREEMENT BETWEEN
THE TOWNSHIP OF RADNOR AND THE SKUNK HOLLOW
COMMUNITY GARDEN ASSOCIATION, PROVIDING FOR A
COMMUNITY GARDEN IN SKUNK HOLLOW PARK**

WHEREAS, Radnor Township has been requested by the Skunk Hollow Community Garden Association and residents of Radnor Township to authorize the establishment of a community garden, consisting of approximately forty (40) garden plots at Skunk Hollow Park; and

WHEREAS, the Township desires to encourage the utilization of the existing area within Skunk Hollow Park to be accessed by Radnor Township residents through the establishment of a community garden.

NOW, THEREFORE, be it hereby resolved that the Board of Commissioners of Radnor Township does hereby approve the License Agreement attached hereto as *Exhibit "A"* between Radnor Township and the Skunk Hollow Community Garden Association for the establishment of a community garden within Skunk Hollow Park.

SO RESOLVED this ____ day of _____, 2018.

RADNOR TOWNSHIP

By: _____
Name: Lisa Borowski
Title: President

ATTEST: _____
Robert A. Zienkowski, Secretary

LICENSE AGREEMENT

THIS LICENSE AGREEMENT, made this day of , 2018, by and between the ***TOWNSHIP OF RADNOR***, a Home Rule municipality, with offices located at 301 Iven Avenue, Wayne, PA 19087 (hereinafter referred to as "***Township***") and the ***SKUNK HOLLOW COMMUNITY GARDEN ASSOCIATION***, a 501 (c) (3) Corporation, having a mailing address of 202 Midland Avenue, Wayne, PA 19087, (hereinafter referred to as "***Garden Association***") for a portion of the Skunk Hollow Park to operate a community garden.

WHEREAS, the Township desires to encourage the utilization of the existing area within Skunk Hollow Park for a community garden; and

WHEREAS, the Township and the Garden Association desire to set forth the terms and conditions of the establishment of such community garden.

NOW THEREFORE, in consideration of the mutual covenants set forth herein, and intending to be legally bound hereby, the parties hereto agree as follows:

1. Township hereby grants a License to the Garden Association to establish a community garden within the area as set forth on the attached ***Exhibit "A"***, to be divided into approximately forty (40) garden plots.

2. The Garden Association will select the participants to lease the plots and administer the operation of the garden and all funds collected for the operation of the garden. The Garden Association will require every participant to execute a release, indemnification and hold harmless agreement in the form attached hereto as ***Exhibit "B"***.

3. The terms of this License shall commence on April 9, 2018, and shall expire on December 31, 2018. The License will continue on an annual basis from year to year thereafter unless either party gives thirty (30) days written notice to the other on or before December 1st of the applicable year.

4. The community garden shall only be used for community plantings of vegetables, fruits, herbs and flowers, and for the storage of related equipment and/or tools.

5. The Garden Association may charge an annual fee to garden participants in an amount not to exceed Fifty Dollars (\$50.00) and/or it may waive that fee for individual participants provided, however, that the Garden Association shall have the right to charge a one-time initiation fee to offset the costs of required improvements to the community garden. All funds shall be collected and maintained in a separate account, subject to audit by the Township. All participant fees shall be utilized solely for the expenses of establishing and maintaining the community garden, for insurance costs, and for reimbursement to the Township of any electricity used for the garden, provided that the Township agrees not to disconnect the existing electrical service from the Willows Mansion to the farm area.

6. The Township shall include the Garden Association and its activities at Skunk Hollow Community Garden on its comprehensive general policy of liability insurance currently in place for its community park operations. The Garden Association agrees that all members of the Association will be Township residents and will sign the liability waiver as set forth on **Exhibit “B”**.

7. Indemnity.

A. Garden Association shall defend, indemnify and hold harmless Township and its officers, directors, elected or appointed officials, employees, servants and/or agents against and from all costs, expenses, liabilities, losses, damages, injunctions, suits, actions, fines, penalties, claims and demands of every kind or nature, including reasonable counsel fees, by or on behalf of any person, entity or governmental authority whatsoever arising out of (a) any failure by Garden Association to perform any of the agreements, terms, covenants or conditions of this License on Garden Association’s part to be performed, (b) any accident, injury or damage that happens in, about or outside the community garden caused by a willful or negligent act or omission of Garden Association, its agents, servants or employees, or (c) Garden Association’s failure to comply with any laws, ordinances, requirements, orders, directions, rules or regulations of any Federal, State, County or municipal governmental authority, or agreement of record affecting the community garden.

B. Township shall defend, indemnify and hold harmless Garden Association against and from all costs, expenses, liabilities, losses, damages, injunctions, suits, actions, fines, penalties, claims and demands of every kind or nature, including reasonable counsel fees, by or on behalf of any person, entity or governmental authority whatsoever arising out of (a) any failure by Township to perform any of the agreements, terms, covenants or conditions of this License on Township’s part to be performed, (b) any accident, injury or damage that happens in, about or outside the community garden caused by the willful or negligent act or omission of Township, its agents, servants or employees, or (c) Township’s failure to comply with any laws, ordinances, requirements, orders, directions, rules or regulations of any Federal, State, County or municipal governmental authority, or agreement of record affecting the community garden.

8. Township and Garden Association each represents and warrants to the other that (i) the execution and delivery of this License has been fully authorized by all necessary corporate action, (ii) each person signing this License has the requisite authority to do so and the authority and power to bind the party on whose behalf he/she has signed, and (iii) to the best of its knowledge and belief, this License is valid, binding and legally enforceable in accordance with its terms.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have hereunto set their hands and seals the day and year first above written.

RADNOR TOWNSHIP

ATTEST: _____
Name: Robert A. Zienkowski
Title: Township Secretary

By: _____
Name: Lisa Borowski
Title: President

SKUNK HOLLOW COMMUNITY
GARDEN ASSOCIATION

ATTEST: _____
Name:
Title:

By: _____
Name: _____
Title: _____



Community
Garden

EXHIBIT
"A"
To The
License Agmt.

tabbies

A Motion to Post the Addendum
to accompany Grim, Biehn and
Thatcher Memo Dated December
11, 2017, Regarding the Ethics
Board and Disclosure of
Confidential Information on
Township Website” prepared by
Commissioner’s Booker, ~~Abel and~~
~~Marshall~~ (*Requested by*
Commissioner Booker)

CARFAC Discussion