

**TOWNSHIP OF RADNOR**  
**Minutes of Public Meeting of September 10, 2012**

*The Radnor Township Board of Commissioners met at approximately 7:10 PM in the Radnorshire Room in the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087*

**Commissioners Present**

*William A. Spingler, President  
John Fisher  
James C. Higgins  
Donald Curley*

*Elaine P. Schaefer, Vice President  
Kevin G. Higgins  
John Nagle*

**Also Present:** *Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; William White, Finance Director; William Colarulo, Superintendent of Police; Steve Norcini, Director of Public Works; John Sartor, P.E., Township Engineer; Kevin Kochanski, Director of Community Development; Tammy Cohen, Director of Recreation and Jennifer DeStefano, Executive Assistant to the Township Manager.*

*President Spingler called the meeting to order and led the audience in the Pledge of Allegiance.*

Commissioner Spingler announced that the following items will not be discussed this evening:

- Acceptance of Donation for Police Motorcycles
- Presentation by Chagrin Valley Engineering - Proposed Basins for North Wayne Field
- Motion to authorize John Rice to attend the Zoning Hearing Board meeting regarding
- Motion to approve BPT Settlement Agreement #2012-BPT-04

*Public Participation*

Sara Piling –September 30, 2012 there will be a paneled discussion on rain gardens. Marissa Barletta, Garrett Hill; Rob Travers of Villanova and John Nystad of the Delaware RiverKeeper will be speaking. Skunk Hollow has donated an equivalent of \$1350 to Philabundance.

Anthony Gallia, Trianon - In attendance on behalf of business owners on Conestoga Road that are very concerned in regards to the ongoing construction. Steve Norcini, Director of Public Works spoke in regards to the construction on Conestoga Road and Radnor-Chester Road.

Jim Green, Ithan Food Market – Inquired why night work was not an option for the construction on Conestoga Road. Mr. Norcini responded that the Township fully supports them to pave at night but it would be PennDot to make that change.

*Notice of Executive Session preceding the Board of Commissioners meeting of September 10, 2012*

All commissioners were in attendance at the September 10, 2012 Executive Session, where matters of personnel and litigation matters were discussed.

*Approval of minutes for the Board of Commissioners meeting of August 20, 2012*

Commissioner Fisher moved to approve and seconded by Commissioner Schaefer. Motion passed 7-0.

Wayne Business Association - Fall Festival Announcement

Sam Strike and Diane Jiorle made a brief presentation in regards to the upcoming Fall Festival hosted by the Wayne Business Association. The 20<sup>th</sup> annual Fall Festival will be held on September 16<sup>th</sup> at 1:00 PM to 5:00 PM at North Wayne Avenue.

Diane Jiorle announced that on September 20<sup>th</sup> at the next Wayne Business Association meeting Commissioner Spingler will be the guest speaker.

Certificate of Appreciation to Radnor Township School District

Commissioner Spingler presented a Certificate of Appreciation to RTSD in regards to partnering with Radnor Township with a mutual goal of assisting the Township in providing Public Safety to the Radnor Community. Joe Perchetti from the School District was there to accept the certificate.

Certificate of Appreciation to Giant Foods

Commissioner Spingler presented a certificate of appreciation to Giant Food Stores for their generous donation of \$500.00 to be used for Juvenile Fingerprint Machine by the Radnor Police Department. Radnor Township also acknowledges Giant's new store opening in Wayne, and the positive impact it makes on our entire Community. Richard Smith, Store Manager of Giant Foods was there to accept the certificate.

Recognition of Years of Service – Ellen McDevitt and James Dungee

Commissioner Spingler presented plaques of years of service to Ms. Ellen McDevitt for 40+ years of service in the Finance Department and Mr. James Dungee for 40 years of service in Public Works Department.

Authorization for Waiver of Fees – Radnor PAGE (College Prep Meetings)

Commissioner Schaefer moved to approve and seconded by Commissioner Nagle. Motion passed 7-0.

Motion to approve The Country Day School of the Sacred Heart to hold the 3<sup>rd</sup> Annual “Miss Pat 5K” on Saturday, September 29, 2012

Commissioner J. Higgins moved to approve and seconded by Commissioner Schaefer. Motion passed 7-0.

Acceptance of Donation for Police Motorcycles

This item was removed from the agenda and moved to September 24, 2012 agenda.

Consideration of Appointments for Shade Tree Commission

Commissioner J. Fisher moved to appointment Jack Millerick to the Shade Tree Commission, seconded by Commissioner Schaefer. Motion passed 7-0.

Presentation by Chagrin Valley Engineering - Proposed Basins for North Wayne Field

This item was removed from the agenda and moved to September 24, 2012 agenda.

**COMMUNITY DEVELOPMENT**

Motion to authorize John Rice to attend the Zoning Hearing Board meeting regarding:

Appeal #2877- The Applicants, Radnor Fire Company and Metro PCS Pennsylvania, LLC property located at 121 South Wayne Avenue, Wayne, PA. Appeal continued from May hearing.

This item was removed from the agenda.

Consideration to forward the request from BioMed Realty Trust (Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by establishing regulations for a new Mixed-Use Special Transportation Development Use within the PLO – Planned Laboratory–Office District) to the Township Planning Commission and/or other Township Boards, Commissions, and Committees for review and comment.

Commissioner Nagle specifically requested that this be sent to Comprehensive Plan Implementation Committee with direction that they specifically review this in the context of the Comprehensive Plan.

Commissioner Curley moved to move BioMed to the Planning Committee and the Comprehensive Plan Implementation Committee, seconded by Commissioner Fisher. Motion passed 7-0.

**PUBLIC WORKS & ENGINEERING**

CAUCUS – SD # 2012-SD-03 (Preliminary) of C F Holloway, III & Co. to consolidate 2 lots into one. Existing retail store to remain as commercial building, out buildings to be demolished and construct 6 new townhouse units with new parking and access driveways at 229 & 255 W. Wayne Ave., Wayne.

David Falcone, attorney for the applicant explained the project. Commissioner Schaefer inquired if the building will remain a florist. Mr. Falcone responded that yes, they are currently working with the existing tenant. There were discussions on the right of way, size of parking lot, a possible turning lane in the future at the intersection, moving the parking lot to the back of the property. Commissioner Nagle inquired if the commercial part of the property will be part of the planned community. The response was yes that it would be. He also discussed the homeowners wanting to have decks on their properties. The response was that it was already planned for in the calculation. Commissioner Fisher would not like to give up the Right of Way. There was in depth conversation between the applicant, applicant's attorney, Commissioners and Mr. Norcini in regards to the details of the plan.

**Public Comment**

Cathy Wright, Lenoir Avenue - The neighbors on Lenoir Avenue ask the Board of Commissioners to support this current project and keeping it mixed use. This is the best plan since 2005 for this property.

Mr. Zienkowski stated that he is in agreement with Commissioner Curley that the small right of way is another form of traffic calming.

Commissioner Fisher asked the applicant if they are in agreement with the recommendations suggested by Township Staff. The attorney for the applicant stated that they are in agreement with items 1-6 & 8, but not number 7 in regards to perpetual care and maintenance of N. Wayne cemetery.

John Rice clarified the process of the project approval. The applicant would like the preliminary plan approval to be placed on the September 24, 2012 Board of Commissioners meeting so they would not have to ask for an extension. The attorney for the applicant stated that if there is a problem with submitting all needed materials the applicant will grant an extension.

Consideration of a Motion to approve the Certificates of Appropriateness:

HARB 2012-17 (b.1) – 219 Poplar Avenue, Wayne (Old Business)

Commissioner J. Higgins explained history of the project. He is requesting that before the Certificate of Appropriateness not yet be approved and the matter be sent back to the HARB for consideration of adding architectural details to the second floor master bathroom addition and garage extension. Commissioner Schaefer is in agreement with sending it back to HARB for review. John Rice stated that if the garage has changed that it needs to go back to HARB. Commissioner Spingler explained that the minority of the commissioners voted against the certificate at the last meeting because they felt it was a zoning issue not a HARB item.

Michael Gill, attorney for the applicant stated that it would be a hardship to have this sent back to HARB. Commissioner Nagle stated that he spoke with several of the HARB members and that they were looking at the totality of the project. Mr. Gill stated that he would like to see the “bump-out” on the second floor approved tonight and the garage to go back to HARB. Commissioner Curley stated his agreement with the process. Mr. Zienkowski stated that he disagrees with it because it comes down to transparency and consistency.

After in depth conversation, Commissioner Spingler moved to approve the “bump-out” and send it back to HARB for reconsideration of the architectural details. The garage is a new review and will go to HARB also, Commissioner Curley seconded.

Commissioner Schaefer stated that she cannot approve the bump-out but would like to send it back to HARB. Commissioner Nagle agrees with Commissioner Schaefer suggestion.

Commissioner J. Higgins is in agreement with Commissioner Spingler’s motion to approve the Certificate of Appropriateness now for the house with the second-floor “bump-out” approved but with conditions that it be mandatory for the applicant to return to HARB to discuss improvements to the second story addition pertaining to architectural details and that the garage will need to be reviewed by HARB for approval.

Public Comment

Mr. Wentz – He is the prospective buyer and if the home is not approved they will need to move on and look for another home to live in.

CindyWalsh, 225 Poplar Avenue – She is in support for the project to proceed.

Sandhya Taghavi, Poplar Avenue – She is in disagreement with not sending this back to HARB. They are the experts. She suggests reviewing the numbers.

John Mandrach, 221 Poplar – He lives directly next door and the “bump-out” is not too big.

Marion Childs, 215 Poplar – Is in agreement with the project.

Jim Greenfield – Is here on behalf of the Marshalls who live directly behind the project. He showed pictures to show the massing of the building. Their hope is that the Board will allow the Marshalls to build an eight foot fence and the builder to provide buffering.

Art Donato, Poplar Avenue - He urges the Commissioners to vote in favor of Commissioner Spingler

motion.

Commissioner Spingler called the vote and the motion passes 4-3 with Commissioners Fisher, Schaefer and Nagle opposed.

Resolution #2012-102 - Award of sealed bid contract for Tree Removal & Stump Grinding, Contract #B-12-006

Commissioner J. Higgins moved to approve and seconded by Commissioner Nagle. Motion passed 6-0. Commissioner Fisher was absent from the room for the vote.

Resolution #2012-103 - Authorizing the Purchase of One Replacement Truck

Commissioner J. Higgins moved to approve and seconded by Commissioner Schaefer. Motion passed 7-0.

Resolution #2012-106 - Authorizing the Purchase of One Trailer

Commissioner J. Higgins moved to approve and seconded by Commissioner Fisher. Motion passed 7-0.

Resolution #2012-107 - Authorizing the Purchase of Tar Kettle

Commissioner J. Higgins moved to approve and seconded by Commissioner Nagle. Motion passed 7-0.

Resolution #2012-108 - Authorizing The Emergency Repairs to Four Refuse Trucks

Commissioner J. Higgins moved to approve and seconded by Commissioner Nagle. Motion passed 7-0.

**FINANCE & AUDIT**

Disbursement Acceptance and Approval Summary

Commissioner Fisher moved to approve and seconded by Commissioner Schaefer. Motion passed 6-0. Commissioner J. Higgins was absent from the room for the vote.

Adoption of Ordinance 2012-13 - Amending Chapter 260 to change the Mercantile Tax Filing Year

Commissioner Fisher moved to adopt the above referenced Ordinance and seconded by Commissioner Nagle.

Bill White stated that in addition to speaking with the Wayne Business Association the Finance Department spoke to all merchants coming into the Township Building over the last two weeks. All were in agreement with it. In addition to being available for phone calls, they will hold question and answer meetings.

Motion passed 6-0. Commissioner J. Higgins was absent from the room for the vote.

Adoption of Ordinance 2012-14 - Amending Chapter 260 to combine the Business Privilege and Mercantile Annual License with the Annual Filing Requirement

Commissioner Fisher moved to adopt the above referenced Ordinance and seconded by Commissioner Schaefer. Motion passed 7-0.

Motion to approve BPT Settlement Agreement #2012-BPT-04

Removed from the Agenda

2013 Minimum Municipal Obligation (MMO) Introduction

Bill White introduced the 2013 Minimum Municipal Obligation. Commissioner Schaefer commented that she is in full support for the 7.5% assumption after doing considerable historical research. Commissioner Fisher commented that he is in agreement as well with the 7.5% assumption. Commissioner K. Higgins would like to see the return by year for 25 years, the average return for the last 5, 10, 15, 20 and 25 year period and the compounded rate of return for the same periods. Commissioner Nagle mentioned that the Pension report has a lot of that information in it.

**PARKS & RECREATION**

Commissioner Nagle announced that the Fall Newsletter is currently available on-line. He also mentioned the Fall Harvest and Great Pumpkin Patch on October 7, 2012, Trick or Treat at the Township Building on October 26, 2016 and a Mystery Dinner on October 27, 2012.

A Motion Requesting Authorization to Receive Bids for Radnor Youth Basketball Apparel for the 2012/2013 Program

Commissioner Nagle moved to approve and seconded by Commissioner Fisher. Motion passed 7-0.

Resolution #2012-99 - Authorizing the Township to Enter into an Agreement with David Broida for Fall Tennis Lessons

Resolution #2012-100 – Authorizing the Township to Enter into an Agreement with Science Explorers for Fall After-School Science Program

Resolution #2012-101 – Authorizing the Township to Enter into an Agreement with World Cup Sports Academy for Fall Junior Soccer Programs

Commissioner Nagle moved to approve and seconded by Commissioner Fisher. Motion passed 7-0.

Commissioner Fisher wanted to thank Parks and Recreation in regards to the movie and attraction discount tickets.

**PERSONNEL & ADMINISTRATION**

Resolution #2012-109 - Approval of Philadelphia Area School Business Officers Association (PAISBOA) Renewal Lease Agreement

Commissioner K. Higgins moved to approve and seconded by Commissioner Fisher. Motion passed 7-0.

**PUBLIC SAFETY**

None

**LIBRARY**

None

**PUBLIC HEALTH**

*None*

*Old Business*

None

*New Business*

Commissioner Schaefer announced that the next Open Space meeting will be on September 12, 2012 at 5:30 PM in the Powy's room.

*Public Participation*

Annie Herschel, W. Beechtree Lane – Commented in regards to N. Wayne Field Basin, she is not in support of the basin at N. Wayne Field.

Commissioner J. Higgins explained that we are at the infancy stage of this project and there is no commitment for this to happen. There are a lot of items that need to be completed the first being the funding of the project. The conversation will be on the September 24, 2012 Board of Commissioners agenda.

Mr. Zienkowski stated that he will take full responsibility for the project being discussed at this time. There will be a considerable amount of time to discuss this that this is the initial out of the box plan.

Patrick Harper, N. Wayne Community – Do we have any plans that we can look at ahead of the meeting. Mr. Zienkowski responded that if the supplement is received ahead of the September 24, 2012 meeting we will make it available to everyone.

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

*Respectfully submitted,*

*Jennifer DeStefano*

*Jennifer DeStefano*