

RESOLUTION NO. 2012-50

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
RADNOR TOWNSHIP APPROVING THE MAIN LINE JAZZ
FEST AND WAIVER OF FEES

WHEREAS, the Township of Radnor and Main Street Festival LLC has planned the Annual Jazz Festival on Saturday June 2, 2012, and

WHEREAS, part of the Annual Jazz Festival has been planned using the North Wayne Avenue between Lancaster Avenue and West Avenue, and

WHEREAS, in order to conduct this event, the Pennsylvania Department of Transportation requires the Township to submit an application for the temporary road closing permit for North Wayne Avenue from 7:00 a.m. June 2, 2012 until 7:00 a.m. June 3, 2012, and

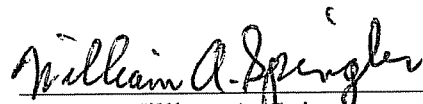
WHEREAS, the Radnor Township Board of Commissioners agree to waive a portion of the special permit fees for the Annual Jazz Fest in accordance with the attached Letter of Understanding Agreement,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Radnor Township, hereby authorizes the Township Manager, or his designee to execute the Penn Dot Road Closure application on behalf of the Annual Jazz Festival.

RESOLVED, at a duly convened meeting of the Board of Commissioners conducted on this 23rd day of April A.D., 2012.

TOWNSHIP OF RADNOR

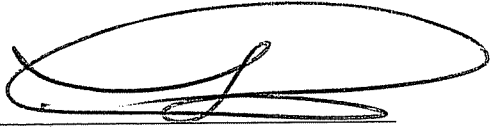
By:



Name: William A. Spingler

Title: President

ATTEST:


Robert A Zienkowski, Secretary

LETTER OF UNDERSTANDING

This Letter of Understanding is to outline the general agreements between Radnor Township (the "Township") and Main Street Festival Management, on behalf of itself and any other vendors participating in the Festival ("MSFM"), regarding the ninth annual Main Line Jazz & Food Festival (the "Festival") scheduled for June 2, 2012 from 12:00 p.m. to 9:00 p.m.

The Township hereby agrees to: (1) apply to Penn-DOT for a permit to close North Wayne Avenue, from West Avenue/Station Road to Lancaster Avenue, on Saturday, June 2, 2012 from 7:00 a.m. to 7:00 a.m. on June 3, 2012; and (2) provide on-site uniformed police officers for traffic and crowd control and a public works employee for trash and recycling pickup during the Festival's operating hours on June 2, 2012. In addition, the Township will enforce its building and electrical codes as well as its food safety codes at the Festival and will review food permit applications submitted by establishments that desire to serve food and/or beverages on-site on June 2, 2012.

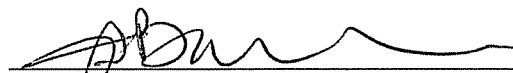
The Township agrees to provide such personnel, services, and equipment on an in-kind basis up to a value of \$3,217 ("in-kind contribution"). In consideration for the Township's provision of such personnel, services, and equipment for the Festival and its in-kind contribution, MSFM hereby agrees to pay the Township a sum of \$1,000. MSFM also agrees that it and all vendors participating in the Festival shall follow all codes, rules and guidelines, including application deadlines, as set by the Township. In addition, MSFM will be responsible for contracting with an approved 3rd party electrical inspection agency to inspect and approve all ancillary electrical systems installed for this event.

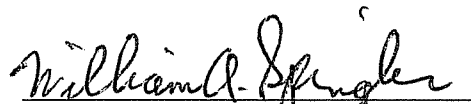
MSFM further agrees to indemnify and hold harmless the Township, its elected officials, agents, employees, servants, officers, attorneys, their heirs, successors and assigns, and all other persons, firms or corporations, from, and to satisfy in full, any and all liability for any and all claims, actions, cause of action, damages, other obligations of any kind and/or character including but not limited to claims for damages to persons or property that have arisen or may arise against the Township as a result of the Festival. This indemnification and hold harmless agreement shall be binding upon and inure to the benefit of the heirs, successors, executors, administrators, personal representatives and assigns of each.

The parties hereto agree this 4 day of 24, 2012


MAIN STREET FESTIVAL MANAGEMENT

RADNOR TOWNSHIP


Jennifer Bailer, President
Main Street Festival Management


William A. Spingler
Board of Commissioners, President

Witness: 

Attest: 
Robert A. Zienkowski
Township Manager/Secretary

Radnor Township, PA
 Schedule of Estimated Township Costs
 To Provide Additional Services for the 2012 Jazz Festival

Police Traffic & Crowd Control (Dedicated Officers)

| Public Works Employee Classification | Hours | Hourly Rate | Payroll Liabilities | Benefit Factor | Total Expense |
|--------------------------------------|-------|-------------|---------------------|----------------|-----------------|
| 1 Uniformed Officer (Overtime) | 12.0 | \$ 56.4170 | \$ 7.3350 | \$ 32.1569 | \$ 1,151 |
| Subtotal | | | | | \$ 1,151 |

Public Works Waste & Recycling Pickup Requirements

| Public Works Employee Classification | OT Hours Needed | Overtime Rate | Payroll Liabilities | Benefit Factor | Total Expense |
|--------------------------------------|-----------------|-------------------------|---------------------|----------------|-----------------|
| Driver 1 | 20.0 | \$ 41.1300 | \$ 5.2800 | \$ 13.5700 | \$ 1,200 |
| Light Equipment Operator 1 | 14.0 | \$ 40.3500 | \$ 5.2500 | \$ 20.2800 | \$ 922 |
| Driver 2 | 4.0 | \$ 41.6700 | \$ 5.5500 | \$ 17.3300 | \$ 258 |
| Trash Removal Tipping Fee | # of Tons: 4 | Tipping Fee: \$ 23.4500 | | | \$ 94 |
| Subtotal | | | | | \$ 2,474 |

Community Development:

| Community Development | Hours | Salary Rate (by hour) | Payroll Liabilities | Benefit Factor | Total Expense |
|--------------------------|-------|-----------------------|---------------------|----------------|---------------|
| Health Officer | 4 | 40.6103 | 5.02 | 16.87 | \$ 250 |
| Code Official (Overtime) | 6 | 34.3347 | 4.22 | 18.44 | \$ 342 |
| Subtotal | | | | | \$ 592 |

| | |
|---|-------------------|
| SUBTOTAL OF TOWNSHIP COST | \$ 4,217 |
| Less: Board of Commissioners Allowance | \$ (3,217) |
| NET AMOUNT DUE TO THE TOWNSHIP | \$ 1,000 |

Footnotes:

- The 2012 fee schedule requires that the Township charge \$250 per restaurant to cover the costs of the health inspections. The agreement reached last year was that since all the vendors are located in the same area, that one fee would be charged (\$250) which would cover the 4 hours of time required of the Health Officer for this event.

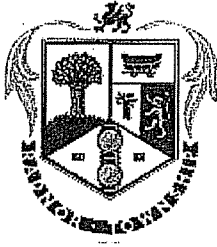
For Informational purposes only, the estimated amount of opportunity cost on revenue based on the estimated number of restaurants who might participate in the Jazz Festival is calculated in the table below:

| Restaurant Health Inspection Fee | Rate | Number of Establishments | Total Fee |
|----------------------------------|-----------|--------------------------|-----------------|
| 2012 Fee Schedule | \$ 250.00 | 15 | \$ 3,750 |
| Subtotal | | | \$ 3,750 |

Radnor Township, PA

"Making a Great Place Better"

301 Iven Ave.
Wayne, PA 19807
Phone 610.688.5600
Fax 610.688.1279



INVOICE

April 18, 2012

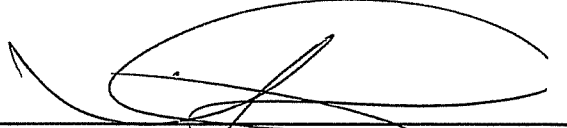
TO:

Jennifer Bailer
Main Street Festival Management
104 Bernard Court
Wayne, PA 19087

FOR:

Radnor Township Jazz Festival Municipal Services

| DESCRIPTION | HOURS | RATE | AMOUNT |
|---|----------|-----------|----------------|
| Police Traffic & Crowd Control | 12 | \$95.9089 | \$1,151 |
| Public Works Waste & Recycling Pickup Requirements | 38 | \$62.6316 | 2,380 |
| Trash Removal – estimated at 4 tons | 4 (tons) | \$23.4500 | 94 |
| Community Development Health Officer (per fee schedule) | 4 | \$62.5000 | 250 |
| Community Development Code Official (Overtime: 4 hours x 1.5) | 6 | \$56.9947 | 342 |
| Less: Township In-Kind Allowance | | | \$(3,217) |
| Per Board of Commissioner meeting on April 23, 2012 as memorialized in Resolution 2012-50 and the Letter of Understanding | | | |
| TOTAL | | | \$1,000 |


Robert A. Zienkowski, Township Manager / Secretary

Payment is Due at the time of the event
Please Remit Payment Attention to: **Finance Department**
Make all checks payable to **Radnor Township**