

TOWNSHIP OF RADNOR
Minutes of the Meeting of December 10, 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>Jack Larkin</i>	<i>Sean Farhy</i>	<i>John Nagle</i>

Also Present: *Robert A. Zienkowski, Township Manager/Township Secretary; John Rice, Township Solicitor; Kathryn Gartland, Township Treasurer; 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 December 10, 2018

There was an Executive Session on December 10, 2018 where matters of personnel and litigation were discussed all Commissioners were in attendance.

Commissioner Borowski thanked the Recreation Department for the Santa Delivery as well as Public Works, Police, Radnor Fire, Bryn Mawr Fire, Berwyn Fire, Broomall and Swedeland Fire. She also congratulated Susan Stern and Lydia Solomon who were elected as School Board Leadership last week.

1. Consent Agenda

a) Disbursement Review & Approval

- b) Approval of minutes of the Board of Commissioner meeting November 12, 2018, November 19, 2018 & November 26, 2018*
- e) Approval and Acceptance of the 2019 Meeting Dates*
- d) Resolution #2018-133 - Authorization to Award the Gasoline and Diesel Fuel Contract*
- e) Motion to Authorize the Sale of Surplus Township Vehicle*
- f) Resolution #2018-138 - Authorizing the Township to enter into agreement with the Pennsylvania Recreation & Parks Society for 2019 Seasonal Discount Ticket Program*
- g) Resolution #2018-139 - Authorizing the Township to enter into agreement with David Broida for 2019 Seasonal Tennis Programming*
- h) Resolution #2018-140 - Authorizing the Township to enter into agreement with Jump Start Sports, LLC for 2019 Seasonal Programming*
- i) Resolution #2018-141 - Authorizing the Township to enter into agreement with Shining Knights, LTD for 2019 Seasonal Chess Programming*
- j) Resolution #2018-142 - Authorizing the Township to enter into agreement with Soccer Shots, LLC for 2019 Seasonal Soccer Programming*

Item c was requested to be removed from the consent agenda.

Commissioner Clark made a motion to approve the consent agenda excluding item c, seconded by Commissioner Farhy. Motion passed 7-0

Approval and Acceptance of the 2019 Meeting Dates

Commissioner Borowski commented that there are special meetings worked into the meeting schedule throughout the year to discuss budget items such as setting priorities, sewer, stormwater, capital projects, emergency services, etc. There was a brief discussion amongst the Commissioners.

Commissioner Borowski made a motion to approve the 2019 meeting dates, seconded by Commissioner Clark. Motion passed 6-1 with Commissioner Booker opposed.

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

Paul Perot, Ward 1 – He spoke regarding his opposition to a tax increase.

Dave Falcone – He thanked the Township staff for the Santa Delivery and what a great night it was.

3. Announcement of Boards and Commissions Vacancies

Board of Health 4-year term

1 Vacancy (as of 1/1/2019)

Code Appeals Board 5-year term

1 Immediate Vacancy

1 Vacancy (as of 1/1/2019)

Requirements: Master Electrician

Master Plumber

General Contractor

CARFAC 4-year term

6 Vacancies

Stormwater Management Advisory Committee

3-year term

3 Vacancies

Radnor-Haverford-Marple Sewer Authority

5-year term

1 Vacancy (as of 1/1/2019)

Citizens Communication Council

1 Vacancy (as of 1/1/2019)

Willows Park Preserve

1 Vacancy

Planning Commission

1 Vacancy

Zoning Hearing Board

1 Vacancy - unexpired term 12/31/2020

Environmental Advisory Board

1 Vacancy

Willows Park Preserve

1 Vacancy

4. Reappointments to Various Boards and Commissions

Tabled until next meeting.

5. Appointments to Various Boards and Commissions

Commissioner Clark made a motion to appoint Jane Carabasi to the Board of Health effective January 1, 2019, seconded by Commissioner Nagle. Motion passed 7-0.

6. Committee Reports**FINANCE & AUDIT**A. Ordinance #2018-18 [Adoption] Adoption of the 2019 Sanitary Sewer Rent rate

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

There was a brief discussion amongst the Commissioners and Staff. The annual sewer service charges for all real property within the Township shall be set at the amount of \$7 .14 per 1,000 gallons of water used in the year 2018 as certified by Aqua.

Public Comment

Sara Pilling, Garrett Avenue – She commented the need for repairs to the sewer system.

Commissioner Borowski called the vote, motion passed 5-2 with Commissioners Booker and Abel opposed.

B. Ordinance #2018-17 [Adoption] Adoption of the Final Comprehensive Budget for 2019 be setting Township Real Estate Tax Millage rates, and adopting appropriations for 2019

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

There was an in-depth discussion amongst the Commissioners and staff. Assistant Chief Maguire, Radnor Fire briefly spoke regarding the additional funding needed by the Fire Department. That the Final 2019 Budget, referenced as the Township Manager's Recommended Comprehensive Budget attached hereto and incorporated herein, dated October 25, 2018, is hereby adopted setting forth all proposed revenues and appropriations for all Township funds for fiscal year 2019 and subject to the following Board direction discussed at the Board of Commissioner meetings held on November 19, 2018 and November 26, 2018:

- A motion to include the full amount of the 2019 OPEB allotted payment in the 2019 budget in the amount of \$1,259,209 approved by the Board at the public hearing held on November 19, 2018.
- Inclusion of \$100,000 in additional funds in addition to amounts already included in the 2019 Township Manager's Recommended Budget for the Radnor Fire Company.
- Inclusion of \$15,000 in additional funds in addition to amounts already included in the 2019 Township Manager's Recommended Budget for the Wayne Senior Center.
- No additional Capital funding to be included beyond what was included in the Township Manager's Recommended Budget. The total tax millage rate for 2019 shall be 4.1582 mills.

Public Comment

Jane Galli, Barcladen Road – She commented that the can has continually been kicked down the road and is in support with the millage increase but wish it was incrementally done over the past few years.

Mr. Perot – He commented his disagreement of funding community groups rather than using funds in the general fund.

Preston Tyrell – He commented that he supports raising the contribution to the Fire Company.

Commissioner Borowski called the vote, motion passed 4-3 with Commissioners Booker, Clark and Abel opposed.

C. Ordinance #2018-19 [Adoption] Adoption the Consolidated Fee Schedule for the Township, Effective January 1, 2019

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

There was a brief discussion amongst Commissioners and staff.

Commissioner Borowski called the vote, motion passed 5-1 with Commissioner Booker opposed and Commissioner Nagle not in the room.

D. Resolution #2018-143 – Adopting the Wage and Salary Schedule for 2019

Commissioner Farhy made a motion to approve, seconded by Commissioner Larkin. Motion passed 7-0.

PUBLIC WORKS & ENGINEERING

Resolution #2018-136 - 108 Harvard Lane GP#18-176 – Requesting a waiver from §245-22.A (2)(c)[2] – Minimum infiltration requirement

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

The applicant for Grading Permit #2018-176, at the location of 108 Harvard Lane (off of Bryn Maw A venue) is requesting a waiver from the above referenced Ordinance due to the soils on the property being unable to infiltrate stormwater runoff, and the high-water table level. This is a building lot, and the work proposed under the permit application includes:

- 1. Proposed house - 3,065 SF of new impervious
 - 2. Proposed walkways, sidewalks, pool - 799 SF of new impervious
 - 3. Proposed driveway- 1,440 SF of new impervious
- TOTAL proposed new impervious surface = 5,304 SF

There was a discussion amongst the Commissioners and staff.

Public Comment

Preston Tyrell – He commented it is not fair to the other people when a yard is approved for a grading permit and their water becomes their neighbor’s problem.

Commissioner Borowski called the vote, motion passed 6-1 with Commissioner Booker opposed.

Resolution #2018-137 - 12 Meadowood Road GP#18-178 – Requesting a waiver from §245-22.A (2)(c)[2] – Minimum infiltration requirement

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

The applicant for Grading Permit #2018-178, at the location of 12 Meadowood Road is requesting a waiver from the above referenced Ordinance due to the soils on the property being unable to infiltrate stormwater runoff, and the high-water table level. The work proposed under the permit application includes:

- 1. Shed - 120 SF of new impervious
- 2. Driveway Addition - 57 SF of new impervious

3. Patio - 558 SF of new impervious

TOTAL proposed new impervious surface= 735 SF

There was a discussion amongst the Commissioners and staff.

Public Comment

Sara Pilling, Garrett Avenue – She spoke that she has rain barrels and are connected to soaker hoses which could take care of the problem.

Commissioner Borowski called the vote, motion passed 4-3 with Commissioner Booker, Larkin and Nagle opposed.

E. ~~*Resolution #2018-132 – Arboricultural Risk Management of Trees in West Wayne Preserve*~~

Commissioner Abel and Mr. Zienkowski briefly discussed the agenda item above.

F. ~~*Ordinance #2018-15 – Discussion and Possible Introduction - Enacting A New Chapter 176, Hazardous Accident Reimbursement, Authorizing the Collection Of, And the Reimbursement of Township and Fire Department Costs of Response and Clean Up After Transportation, Environmental or Industrial Accidents*~~

There was an in-depth discussion amongst the Commissioners and staff regarding the above proposed ordinance. It was agreed that the Solicitor will incorporate the Commissioners comments in the ordinance and bring it back to the Board for introduction.

Public Comment

Preston Tyrell – He commented for clarification of the ordinance.

Roberta Winters – She commented about another town and a pole that they use with a tennis ball for trucks to understand the height.

G. ~~*Resolution #2018-131 - Authorizing Meliora Design to provide design, permitting, and construction drawings for the West Wayne Preserve Stormwater Management Project, and Flood Reduction Options for the Darby Creek Watershed, at a cost of \$185,889*~~

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

The proposal before the Commissioners is to provide the following:

1. **Provide design, permitting, and construction drawings for the West Wayne Preserve Stormwater Management Project:** Use of the West Wayne Preserve, as was originally intended, for stormwater management (SWM). This portion of the proposal will be for Meliora to provide design, permitting, and bidding documents for converting the Preserve into a SWM facility. (please see attachments; note that the draft for the Preserve is not a final design). This task also includes meetings with the residents, Commissioners, and SWMAC. As noted above, Meliora will be refining the previous concept. Many of the trees in the Preserve are invasive species, declining, or near the end of their lifespan. I have required Meliora to include a tree survey of the Preserve; we can then determine if reforestation is the best move forward, working around existing trees, or a combination

of both. If authorized by the Commissioners, this phase of the proposal will go to bid in late March of 2019.

2. **Flood Reduction Options for the Darby Creek Watershed:** The intent of this portion of the proposal is to provide options, should it so please the Commissioners, to choose flood mitigation projects for this watershed, which includes South Devon Avenue, Arbordale, West Wayne, etc. Previous studies have suggested the use of Bo Connor Park and Warren Filipone Park for stormwater management. These will be revisited, as well as the area outlined in the attachment as Friends of the Radnor Trail Park. The possibility of public/private flood mitigation projects will also be evaluated. The deliverables for this task:
- I. Location of possible flood mitigation project
 - II. Quantification of flood reduction
 - III. Cost for design
 - IV. Budget cost for construction.

Public Comment

Matt Holtman – He spoke in support of the project.

Preston Tyrell – He is in support of the project.

Jeff Adams, Arbordale Road – He spoke in support of the project.

Roberta Winters, Williams Road – She would like to see the contracts held accountable.

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

H. Resolution #2018-134 - Penn Medicine, 145 King of Prussia Road – FINAL – Financial Subdivision Plan
Commissioner Larkin made a motion to approve, seconded by Commissioner Clark.

Penn Medicine has submitted Financial Subdivision plans for the above project. The purpose of this plan is to depict a financial subdivision for the property at 145 King of Prussia Road. This project received final approval by the Board of Commissioners on May 21, 2018. This project is in the PLO district of the Township. There was an in-depth discussion amongst the Commissioners and applicant.

Commissioner Borowski called the vote, motion passed 6-1 with Commissioner Booker opposed.

I. Resolution #2018-135 - Awarding Gannett Fleming, Incorporated the Sanitary Sewer System Condition Assessment in the amount of \$92,000.00

Commissioner Nagle made a motion to approve, seconded by Commissioner Larkin. Motion passed 7-0.

COMMUNITY DEVELOPMENT

L. Comprehensive Lighting Ordinance for Discussion (Requested by Commissioner Farhy)

Commissioner Farhy made a motion to send to the Planning Commission, seconded by Commissioner Nagle.

There was an in-depth discussion amongst the Commissioners.

Public Comment

Roberta Winters, LWV – She commented that the League of Women Voters will plan to have a public forum in February on the above ordinance.

Martin Cauffield, Hawthorne Lane – He spoke in support of the ordinance.

Annemarie Hessmann – She spoke in support of the ordinance.

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

M. Discussion and Possible Motion to Authorize John Rice to attend the December 20, 2018 Zoning Hearing Board Meeting to oppose the following: **(Requested by Commissioner Farhy)**

- **APPEAL #3029** The Applicant, Villanova University, property located at 800 E Lancaster Avenue and zoned PI (Planned Institutional). Applicant seeks to modify the conditions imposed by the prior decision of the Zoning Hearing Board in Appeal #1554 dated November 20, 1980 regarding a grant of relief by the Zoning Board from the height requirements for light standards at the Villanova Football Stadium. Applicant requests that the conditions be modified in order to be consistent with Resolution #2006-05 dated February 14, 2006 of the Board of Commissioners. In the alternative, Applicant requests a variance from Section 280-64E of the Zoning Code, contends that the prior grant of variance did not impose conditions except for the height and number of the light standards, or improperly imposed any other conditions. Applicant further requests such other relief from the Zoning Code consistent with the Exhibits presented.

There was an in-depth discussion amongst the Commissioners.

Commissioner Farhy made a motion to Authorize John Rice to attend the December 20, 2018 Zoning Hearing Board Meeting to oppose the following: **APPEAL #3029** The Applicant, Villanova University, property located at 800 E Lancaster Avenue and zoned PI (Planned Institutional). Applicant seeks to modify the conditions imposed by the prior decision of the Zoning Hearing Board in Appeal #1554 dated November 20, 1980 regarding a grant of relief by the Zoning Board from the height requirements for light standards at the Villanova Football Stadium. Applicant requests that the conditions be modified in order to be consistent with Resolution #2006-05 dated February 14, 2006 of the Board of Commissioners. In the alternative, Applicant requests a variance from Section 280-64E of the Zoning Code, contends that the prior grant of variance did not impose conditions except for the height and number of the light standards, or improperly imposed any other conditions. Applicant further requests such other relief from the Zoning Code consistent with the Exhibits presented, seconded by Commissioner Larkin.

Public Comment

Martin Cauffield – He spoke that the issue that needs to be looked at is light spilling into the neighborhoods and keep it inside their property. It doesn't matter the time of day.

Annemarie Hessmann – She commented regarding the scheduling of the stadium lights and how it has continued to creep to be on longer as well as updating the street lighting, so the stadium lights are not used for safety purposes.

*Commissioner Farhy made a motion to extend the meeting by 15 minutes, seconded by Commissioner Larkin.
Motion passed 5-2 with Commissioners Booker and Nagle opposed.*

Tim Fry, Ward 7 – He commented regarding the need for the township and Villanova to work together and resolve the problem with the stadium lights.

Jane Galli, Ward 7 – She spoke of her frustrations with Villanova and their promises.

Commissioner Borowski called the vote, motion passed 5-2 with Commissioner Clark and Able opposed.

***PARKS & RECREATION
PERSONNEL & ADMINISTRATION***

PUBLIC SAFETY

LIBRARY

PUBLIC HEALTH

New Business

None

Old Business

None

Public Participation

None

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

*Respectfully submitted,
Jennifer DeStefano*