

TOWNSHIP OF RADNOR
Minutes of the Meeting of October 9, 2017

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

Elaine Schaefer, Vice President

Donald Curley

Richard F. Booker

Luke Clark

John Nagle

James Higgins

Absent: *Phil Ahr, President*

Also Present: *Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; William White, Assistant Township Manager & Finance Director; Steve Norcini, Township Engineer; William Colarulo, Superintendent of Police; Tammy Cohen, Director of Recreation and Community Programming; Kevin Kochanski, Community Development Director; Steve McNelis & Mark Domenick, Interim Public Works Director; Andrew Block, Deputy Superintendent of Police; Christopher Flanagan, Deputy Superintendent of Police; Mark Stiansen, Traffic Unit; Alex Janoski, Traffic Amy Kaminski, Traffic Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

Vice President Schaefer 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 October 9, 2017

There was an Executive Session prior to this meeting where all Commissioners attended except for Commissioner Ahr where matters of Real Estate, Personnel and Litigation were discussed.

1. Consent Agenda

- a) *Disbursement Review and Approval: 2017-9D, 2017-9E*
- b) *Approval of Meeting Minutes from September 18, 2017 & September 25, 2017 Board of Commissioners meeting*
- c) *Staff Traffic Committee Meeting Minutes - September 20, 2017*
- d) *Resolution #2017-110 – Authorizing the Township to Purchase & Replace Playground Equipment at Petrie Park*
- e) *Resolution #2017-111 – Awarding the Professional Services Contract for Engineering, Permitting, and Construction Drawings for the Darby Paoli Multi-Use Trail*
- f) *Resolution #2017-113 – Authorizing the Professional Services Contract for Engineering, Design, Permitting, and Construction Drawings for the Skunk Hollow Emergency Sanitary Sewer Trunk Line Replacement.*

- g) Waiver Request: 301 South Wayne Avenue GP# 17-155 – Requesting a waiver from §245-22 the Stormwater Management Requirements for Groundwater Recharge
- h) Motion to Authorize John Rice to attend the Zoning Hearing Board meeting on behalf of the Board of Commissioners for APPEAL #3001 – The Applicant, GI H Radnor Crossing LP, property located at 284 Iven Avenue and split Zoned PA and R-1, seeks a special exception pursuant to Section 280-1 O(A)(1) of the Zoning Code to change one non-conforming use to another non-conforming use to change the tennis court to parking. In the alternative Applicant seeks a variance from section 280-14 or such other relief as required under the Zoning Code consistent with the Application.
- i) HARB Certificates:
- HARB-2017-16 – 224 S Aberdeen Avenue – Re-submitting for two (2) changes to previous HARB approval (2017-05) – dormer details and front entry pent roof.
 - HARB-2017-17 – 400 Oak Lane - 2nd story addition above sun room; extend pent roof; change bay window roof to copper; remove hip roof and replace with gable roof; remove double staircase; remove shed dormer; add new two car garage; extend 2nd floor over porch.
 - HARB-2017-18 – 416 St Davids Road - Build new detached garage, expand driveway in back of house for new garage; remove existing circular driveway in front of house.
 - HARB-2017-20 – 430 Meadowbrook Avenue - Addition to east façade of house; replace existing bow window on north elevation and replace with casement windows; new covered entrance on south elevation.
- j) Remove Pine Tree Rd. Traffic Islands (by Township Staff, with rental equipment as necessary), not to exceed \$15,000 (Requested by Commissioner Booker)

Items d, e, f, h and j were requested by Commissioners to be removed from the consent agenda.

Commissioner Clark made a motion to approve the consent agenda with items d, e, f, h and j removed, seconded by Commissioner Booker. Motion passed 6-0 with Commissioner Ahr absent.

2. Public Participation

Deborah Wessel – She wanted to urge the board to send John Rice to the Zoning Hearing Board meeting next week regarding Radnor Crossing.

Chuck Barber, Hildale Road – He inquired if item J pertaining to PLO Zoning Amendment could be delayed until after the election in November.

Ginny Hart, Radnor Way – She also asked for the PLO Amendment to be delayed.

William Martin, Rodney Road – He commented regarding an event with a concert that occurred at Villanova University during Hoops Mania and the noise that was created by it.

Sara Pilling, Garrett Avenue – She agreed with the previous comment of the noise created by the recent concert at Villanova University.

Baron Gemmer – He announced that the Carol H. Axelrod blood drive is today and tomorrow at Lankanau Hospital.

Toni Bailey, Conestoga Village – She commented regarding her opposition of the PLO Zoning amendment.

Resident at 601 Glenmary Road – He commented regarding his support of the PLO amendment.

Leslie Morgan, Farm Road – She inquired about whether the property owner at 145 King of Prussia Road will pay taxes.

3. Appointments to Various Boards and Commissions

Commissioner Schaefer made a motion to appoint Colleen Price to the EAC and Jeff Boogay to Shade Tree, seconded by Commissioner Higgins. Motion passed 6-0 with Commissioner Ahr absent.

4. Announcement of Boards and Commissions Vacancies

***Shade Tree Commission - 2 Vacancies Environmental Advisory Council - 1 Vacancy
Board of Health – 1 Vacancy Stormwater Advisory Committee – 1 Vacancy***

Commissioner Schaefer announced that there are vacancies on the following boards. Anyone interested should submit their resume to the Township Manager, Bob Zienkowski at 301 Iven Avenue, Wayne, PA 19087.

Shade Tree Commission - 1 Vacancy, Board of Health – 1 Vacancy, Stormwater Advisory Committee – 1 Vacancy.

I. Resolution #2017-116 - Authorizing Payment of Change Orders to the Prime Contractors for the Memorial Library of Radnor Update and Expansion Project

Rick Capone and Mike Stoll, QCI gave the background on the above resolution. There was a brief discussion amongst the Commissioners and staff.

Commissioner Curley made a motion, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Ahr absent.

5. Committee Reports

PERSONNEL & ADMINISTRATION

A. Discussion and Possible Motion of the Willows Funding

There was an in-depth discussion amongst the Commissioners on how to proceed with funding of the Willows project. Commissioner Schaefer suggested that at the next meeting a Resolution is prepared and the Board discuss the terms of the MOU that the Board is comfortable with then.

Public Comment

Christina Perrone, Walnut Avenue – She commented on several items that are needed for the donor’s commitment as well as the resident group to receive the 501c status.

B. Motion to Replace the President of the Board and Elect a New Candidate (Requested by Commissioner Booker)

Commissioner Booker made a motion to replace the President of the Board and Elect a New Candidate, seconded by Commissioner Curley.

There was a brief discussion amongst the Commissioners.

Public Comment

Dan Sherry, Wayne – He commented regarding his support of the above motion.

Leslie Morgan, Farm Road – She inquired if Commissioner Ahr has participated in behind the scenes and just not participating in the meetings.

Christina Perrone, Walnut Avenue – She commented that Commissioner Ahr is not required to step down unless convicted according to the Township Charter.

Doug McCone – He commented regarding he is not in support of the motion.

Jim Corrodi, Windsor Avenue – He is not in support of the above motion.

Toni Bailey, Conestoga Village – She is in support of the motion and inquired who is representing Ward 7.

Commissioner Schaefer called the vote, motion failed 3-3 with Commissioners Higgins, Schaefer and Nagle opposed and Commissioner Ahr absent.

Commissioner Booker made a motion that the Board of Commissioners does hereby inform counsel for the Ethics Board that its opinion is that section 39-7 of the Radnor Code of Ethics requires the President of the Board of Commissioners to participate in all proceedings and in light of the absence of Commissioner Ahr, the Commissioners believe that it is appropriate that the Ethics Board Stay any further proceedings until such time the Ethics Board obtains representation thereon by the duly elected President of the Board of Commissioners, seconded by Commissioner Curley.

There was an in-depth discussion amongst the Commissioners about the above motion pertaining to the Ethics Board.

Public Comment

Dan Sherry, Wayne – He commented regarding his support of the above motion.

Doug McCone – He commented opposed to the motion.

Commissioner Schaefer called the vote, motion failed 3-3 with Commissioners Higgins, Schaefer and Nagle opposed and Commissioner Ahr absent.

C. Motion to Eliminate the Consent Agenda (Requested by Commissioner Nagle)

Commissioner Nagle made a motion to create a set of guidelines and standards for the consent agenda.

There was a brief discussion amongst the Commissioners, the motion failed for lack of a second.

D. Motion that the agenda is locked as of noon on the Wednesday prior to the meeting. Any items requested after that time shall be placed on the next regular meeting agenda (Requested by Commissioner Nagle)

Commissioner Nagle made a motion to lock the agenda as of noon on the Wednesday prior to the meeting also recognizing that there are emergency measures that could be added, seconded by Commissioner Higgins.

Public Comment

Dan Sherry, Wayne – He commented that he is not in support of the motion.

Baron Gemmer – He commented in agreement to the motion.

Lisa Borowski – She suggested having a committee structure and the public would have more time to comment at the committee level.

Commissioner Schaefer called the vote, motion failed 3-3 for lack of a majority with Commissioners Booker, Clark and Curley opposed and Commissioner Ahr absent.

FINANCE & AUDIT

E. 2018 Township Manager's Recommended Budget Presentation

Mr. Zienkowski briefly spoke to open the presentation of the 2018 Township Manager's Recommended Budget. Mr. White discussed the comprehensive Budget along with Kevin Kochanski, Steve Norcini, Steve McNelis, Mark Domenick, Bill Colarulo, Andrew Block, Christopher Flanagan and Tammy Cohen which can be found on the Township website at: <http://www.radnor.com/910/Board-of-Commissioners-Presentations>.

Commissioner Schaefer made a motion to remove Items F, H & J from the agenda because of time and move to the next meeting, seconded by Commissioner Curley.

Mr. Zienkowski commented that item F was to make the Commissioners aware of the item and see if there was any opposition, otherwise it does not need to come back to the Board. It was agreed it does not need to come back to the Board.

Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Ahr absent.

PUBLIC WORKS & ENGINEERING

~~F. *Violation of Ordinance No. 2012-05 of Radnor Township, the Shade Tree Ordinance, sections 263-9C and 263-11 A-3, by Miller Brothers, in Connection with Gas Utility Construction on East Beechtree Lane: Compensatory Plantings and Fine*~~

Removed

G. *Ordinance #2017-16 – (Adoption) - Vacating a Portion of Belrose Lane Extending Between Huston Road and Glenmary Lane with the Exception of Radnor's Easement Rights in the Sewer Facilities Located Within the Existing Right of Way*

Commissioner Higgins made a motion to adopt, seconded by Commissioner Booker. Motion passed 6-0 with Commissioner Ahr absent.

~~H. *Ordinance #2017-15 – (Introduction) – Establishing Rules and Regulations for The Management Of Its Rights-Of-Way; Requiring A Permit Application Fee And Plan For Any Street, Driveway, Or Utility Installation Upon Any Portion Of A Township Road Or Other Public Road Or Right-Of-Way*~~

Removed

d) *Resolution #2017-110 - Authorizing the Township to Purchase & Replace Playground Equipment at Petrie Park*

Commissioner Higgins made a motion to approve, seconded by Commissioner Clark. Motion passed 6-0

e) *Resolution #2017-111 - Awarding the Professional Services Contract for Engineering, Permitting, and Construction Drawings for the Darby-Paoli Multi-Use Trail*

Commissioner Higgins made a motion to approve, seconded by Commissioner Schaefer.

There was a brief discussion amongst the Commissioners and staff.

Commissioner Schaefer called the vote, motion passed 5-0 with Commissioner Booker abstaining and Commissioner Ahr absent.

- f) Resolution #2017-113 - Authorizing the Professional Services Contract for Engineering, Design, Permitting, and Construction Drawings for the Skunk Hollow Emergency Sanitary Sewer Trunk Line Replacement.

Commissioner Higgins made a motion, seconded by Commissioner Schaefer. Motion passed 6-0 with Commissioner Ahr absent.

- h) Motion to Authorize John Rice to attend the Zoning Hearing Board meeting on behalf of the Board of Commissioners for APPEAL #3001 - The Applicant, GI II Radnor Crossing LP, property located at 284 Iven Avenue and split Zoned PA and R-1, seeks a special exception pursuant to Section 280-1 Ol(A)(l) of the Zoning Code to change one non-conforming use to another non-conforming use to change the tennis court to parking. In the alternative Applicant seeks a variance from section 280-14 or such other relief as required under the Zoning Code consistent with the Application.

Commissioner Clark made a motion to authorize John Rice to attend the Zoning Hearing Board meeting on behalf of the Board of Commissioners to oppose the relief requested in Appeal #3001, seconded by Commissioner Booker.

There was a brief discussion amongst the Commissioners as well as Mr. Caniglia representing the applicant.

Public Comment

Deborah Wiesel – She commented regarding her support of the motion.

Ryan, Radnor Crossing – He commented that he is not in support of the motion that the additional parking is needed.

Commissioner Schaefer called the vote, motion passed 5-1 with Commissioner Higgins opposed and Commissioner Ahr absent.

- j) Remove Pine Tree Rd. Traffic Islands (by Township Staff, with rental equipment as necessary), not to exceed \$15,000 (Requested by Commissioner Booker)

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

Commissioner Nagle made a motion to strike the parenthetical comment from the motion, seconded by Commissioner Booker.

There was an in-depth conversation amongst the Commissioners and staff.

Public Comment

Dan Sherry, Wayne – He commented regarding the costs associated with the project.

Mr. Zienkowski commented that there may be a liability issue now that there will not be a traffic calming measures in place. Mr. Osborne commented he agrees with Mr. Zienkowski comments and stated that no parking is needed.

Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Ahr absent.

COMMUNITY DEVELOPMENT

- I. Motion to Authorize Advertising for the Adoption of Ordinance #2016-13 at the November 13, 2017 Board of Commissioners Meeting - Ordinance #2016-13 – Amending Chapter 280 Zoning, Article Xv, PLO Planned Laboratory-Office District, Sections 280-62, 280-63 And 280-64, By Providing For Additional Uses In The PLO Planned Laboratory-Office District Including Mixed Use Developments; Providing For Revised Dimensional Requirements For Mixed Use Developments Including Financial Subdivisions And Providing For Additional Accessory Uses

There was an in-depth discussion amongst the Commissioners. Commissioner Curley reviewed a proposed schedule to follow for the process of the ordinance and discussions. Commissioner Higgins stated that he will not participate in the discussions or voting pertaining to the ordinance as his law firm represents University of Penn.

Commissioner Curley made a motion to extend the meeting until 11:15 PM, seconded by Schaefer. Motion passed 5-1 with Commissioner Booker opposed and Commissioner Ahr absent.

- J. Authorization to file an Enforcement Action Re: 5 Marlyn Circle and 713 Miller Street

PUBLIC SAFETY

LIBRARY

PUBLIC HEALTH

PARKS & RECREATION

Old Business - None

New Business - None

Public Participation

Dan Sherry, Wayne – He commented regarding to comments earlier in the meeting pertaining to the Ethics Board.

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

Respectfully submitted,

Jennifer DeStefano