

**TOWNSHIP OF RADNOR**  
**Minutes of the Meeting of March 14, 2016**

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**

James C. Higgins, President	Luke Clark, Vice President	Elaine Schaefer
Donald Curley	John Nagle	Philip Ahr

**Absent - Richard F. Booker**

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

President Higgins called the meeting to order and led the assembly in the Pledge of Allegiance

Notice of Executive Session on March 14, 2016

All commissioners with the exception of Commissioner Booker were in attendance at the March 14, 2016 executive session; where matters of personnel, real estate and litigation were discussed.

1. Consent Agenda

- a) Disbursement Review and Approval: #2016-02C, #2016-02D, #2016-03A
- b) Resolution #2016-32 - Adopting a social media policy for the Township
- e) Consideration of a Motion to Approve the Certificate of Appropriateness:
  - HARB 2016-05 — 205 Midland Avenue — Enclose rear porch as family room. Connect kitchen to family room with room along rear wall of home. Create a second/ 1/2 third floor over kitchen. Rework finish details of front of home.
- d) Approval of minutes for the Board of Commissioners meeting of February 8, 2016 & February 22, 2016
- e) 302 Orchard Way – Requesting a waiver for §245-22 of the Stormwater Management Ordinance for infiltration
- f) Resolution #2016-33 – Authorizing Kimmel–Bogrette Architecture and Site, Incorporated, to Provide Professional Design Services for Fenimore Woods
- g) Resolution #2016-34 - Authorizing the Public Works Department to Purchase Grass Seed and Fertilizer
- h) Resolution #2016-35 - Authorizing the Public Works Department to Receive Bids for the Superpave Resurfacing Program
  - i) Staff Traffic Committee Meeting Minutes – February 17, 2016
- j) Resolution #2016-31- Authorizing the Township Manager to engage with Mellon Certified Restoration services to clean hazardous materials and/or board up properties that are deemed uninhabitable due to emergency, fire or neglect
- k) Consideration of a Motion to Deny the Certificate of Appropriateness:
  - HARB 2016-04 — 406 North Wayne Avenue — New single family dwelling, garage and pool.
- t) Authorization for Solicitor to execute a Declaration of No Interest regarding Semerdjian property
- m) Resolution #2016-43 - Authorizing the Township Manager to bind coverage for Workers' Compensation Insurance for the Radnor Fire Company for the period beginning March 1, 2016 through March 1, 2017

Commissioner Higgins requested that items c, f & j be removed, Commissioner Schaefer requested item l be removed and Commissioner Curley requested item k be removed from the consent agenda.

Commissioner Clark made a motion to approve with the items above removed, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Booker absent.

Consideration of a Motion to Approve the Certificate of Appropriateness:

- HARB-2016-05 – 205 Midland Avenue - Enclose rear porch as family room. Connect kitchen to family room with room along rear wall of home. Create a second/ 1/2 third floor over kitchen. Rework finish details of front of home.

There was a brief discussion amongst Commissioners, staff and applicant for clarification purposes and in regards to an email received from Mr. Greg Prichard which was addressed to all Commissioners.

Commissioner Curley made a motion to approve, seconded by Commissioner Schaefer. Motion passed 5-1 with Commissioner Higgins opposed and Commissioner Booker absent.

Resolution #2016-33 - Authorizing Kimmel- Bogrette Architecture and Site, Incorporated, to Provide Professional Design Services for Fenimore Woods

Tammy Cohen, Director of Recreation & Community Programming gave a brief overview of the proposed project.

Commissioner Schaefer made a motion to approve, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Booker absent.

Resolution #2016-31- Authorizing the Township Manager to engage with Mellon Certified Restoration services to clean hazardous materials and/or board up properties that are deemed uninhabitable due to emergency, fire or neglect

Mr. Kochanski gave a brief overview that in emergency situations, the Township has to engage a third party certified restoration service to clean hazardous materials and/or board up properties that are deemed uninhabitable due to emergency, fire or neglect.

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

Consideration of a Motion to Deny the Certificate of Appropriateness:

HARB-2016-04 – 406 North Wayne Avenue - New single family dwelling, garage and pool.

Nick Caniglia, representing the applicant commented in regards to the project and that the applicant has made a few changes to the plans. There was a discussion amongst the Commissioners.

Public Comment

Kathy Flanagan, 404 N. Wayne Avenue – She lives directly next door to the proposed project and is urging the Commissioners to not deny the certificate of appropriateness as the home is in very bad condition.

Commissioner Schaefer made a motion to send the item back to HARB for reconsideration, seconded by Commissioner Clark.

Commissioner Higgins made a motion to amend the original motion and send HARB-2016-04 back to the HARB for them to consider retaining the building and the developer/owner rehabilitate it. Motion failed for lack of a second.

Commissioner Higgins called the vote on the original motion to send HARB-2016-04 back to HARB for reconsideration, motion passed 6-0 with Commissioner Booker absent.

*Authorization for Solicitor to execute a Declaration of No Interest regarding Semerdjian property*

Commissioner Schaefer made a motion to approve with it amended as follows - *Authorization for Solicitor to **negotiate** a Declaration of No Interest regarding Semerdjian property*, seconded by Commissioner Nagle.

Mr. Rice, Township Solicitor gave a brief background. Commissioner Higgins called the vote, motion passed 6-0 with Commissioner Booker absent.

*2. Public Participation*

Leslie Morgan, Farm Road – She made a presentation in regards to the options for the Willows Mansion as a residence as well as her discouragement of approval of a day care facility housed in the Mansion. She also discussed her proposal that she submitted to lease/purchase the Willows Mansion. She would like to see a new RFP process with all ideas welcome.

Mr. Zienkowski gave a brief list of items that the Township was looking to receive from St. David's Nursery School such as construction detailed costs, a definitive plan for all the improvements to be made to the Mansion and the entire site with a detailed sketch plan. We also need proof/evidence of SDNS's financial resources to complete the project. Written commitment to establish a PSA as well as reimburse the Township for any legal expenses in the event there is legal action brought against the Township in regard to this project. A clear timeline to complete this project. The completed traffic study. A reference to new terms to the contract whereas SDNS will assume all liability for the structure & all environmental concerns for the Mansion.

Christina Perrone, Walnut Avenue – She commented in regards to the future of the Willows Mansion.

Kimberly Rolph Pine Tree Road – She commented about proposed traffic calming on Pine Tree Road. She would like to see Pine Tree Road put back on the agenda for a decision to be made for traffic calming. There was a brief discussion amongst the Commissioners and staff.

Barbara Barnes – Thanked the staff and Commissioners for the stop signs at Pine Tree Road and Woods Lane.

Dan Sherry, Wayne – He commented in regards to the lack of contribution by Radnor Conservancy to the Ardrossan parcel. He also commented about the proposed ordinance #2016-03 which is on the agenda for adoption tonight.

Cas Holloway, W. Wayne Ave – He commented in regards to the National Lands Trust proposal which is on the agenda for tonight.

### 3. Appointments to Various Board and Commissions

Commissioner Ahr made a motion to appoint James Dolan, Jr to Codes Appeal Board and Andrew Kalan to EAC, seconded by Commissioner Schaefer. Motion passed 6-0 with Commissioner Booker absent.

### 4. Committee Reports

#### **PERSONNEL & ADMINISTRATION**

##### A. Resolution #2016-42 - Authorizing the Township Manager to enter into an agreement with Alura Business Solutions for Information Technology infrastructure installation and managed services

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

Bill White, Finance Director, gave a brief presentation in regards to the resolution as well as a video that can be found on the Township website at: <http://pa-radnor.civicplus.com/910/Board-of-Commissioners-Presentations>.

Commissioner Higgins called the vote, motion passed 6-0 with Commissioner Booker absent.

#### **PUBLIC WORKS & ENGINEERING**

##### B. ~~Radwyn Apartments—Requesting a waiver from the Land Development Process~~ **REMOVED**

##### C. Ordinance #2016-03 (Adoption) - Approval for the Stormwater Fund Capital Budget

Commissioner Nagle made a motion to remove the item from the agenda tonight, motion failed for lack of a second.

There was a discussion amongst the Commissioners in regards to whether to remove or adopt the original ordinance which was introduced. The ordinance which is before the board this evening and was advertised has a revision added to it which includes under capital improvements for North Wayne Field in the amount of \$979,749.

Commissioner Schaefer made a motion to adopt the ordinance version which was introduced February 8, 2016 without the line item for North Wayne Field in the amount of \$979,749, seconded by Commissioner Clark.

Commissioner Curley raised his concerns that Commissioner Higgins added the line item for North Wayne Field between the time that the ordinance was introduced and the ordinance which is in front of them tonight for adoption. The ordinance was advertised with the line item for North Wayne Field added.

Mr. Rice commented that the ordinance that was introduced on February 8, 2016 did not include the added line item for North Wayne Field. The ordinance which was advertised had the revision of the added line item for North Wayne Field and he feels as though it is a substantial change and recommends the Board to clean-up the spreadsheet attachment to the ordinance and reintroduce the ordinance.

There was an in depth discussion amongst the Commissioners in regards to ordinance #2016-03 and how to proceed forward with it.

Commissioner Curley made a motion to revise and reintroduce ordinance #2016-03 to match the original ordinance introduced on February 8, 2016 and include funds to repair the basin at approximately

\$180,000 and that the repairs to the basin be conditional upon not starting the basin repair until the board has made a decision about the rehabilitation of the basin, seconded by Commissioner Clark.

Commissioner Higgins made comments supporting his reasons for adding the line item for North Wayne Field in Ordinance #2016-03.

Public Comment

Ken Taylor, Willow Avenue – He commented that he agrees with Commissioner Nagle’s motion which failed for lack of a second as well as his support for the township wide assessment. He also shared with the board a 20014 court case.

Patrick Harper, W. Beechtree Lane – He commented in regards to his frustrations that Commissioner Higgins added an item to the ordinance without the board being aware of it.

Paige Maz, Stormwater Advisory Committee – She thanked the board for taking the steps to revert to the original ordinance which was introduced.

Annie Hirschler, W. Beechtree Lane – She commented that she agrees with Mr. Harper’s comments made previously.

Dan Sherry, Wayne – He commented in regards to his disagreement with Mr. Rice explanation on why 7.08 of the charter does not apply.

Regina Majarcek – She commented in regards to the study which is underway and about the funding which has already been allocated to complete the connection of the stormwater system on S. Wayne at the Middle School and her concern that the project isn’t moving forward.

Mr. Zienkowski commented that the project has not moved forward because he still has concerns about the benefits of it. There was an in depth discussion amongst the Commissioners and staff in regards to the above mentioned project.

Maya VonRossum, Delaware Riverkeeper – She commented in regards to her disagreement with the revisions to the attached spreadsheet. She also commented about the stormwater system at the Middle School and urged the Board to move forward with the redo of the stormwater ordinance.

Christina Perrone – She commented in regards to her concerns with the process that was taken with ordinance #2016-03 as well as commented about the changes that were made with the Charter so these types of situations wouldn’t happen.

Commissioner Higgins apologized for his actions which were taken with the above referenced ordinance.

Commissioner Higgins called the vote on Commissioner Curley motion, motion passed 6-0 with Commissioner Booker absent.

*D. Motion to approve the proposal from National Lands Trust for services related to implementation of the trail system proposed along Darby Paoli Road*

Commissioner Schafer gave a brief description of the proposed proposal related to the implementation of the trail system along Darby Paoli Road.

Public Comment

Cas Holloway – He inquired in regards to item 5H within the proposal that he is the current owner of and asked that any reference to his property is removed from the proposal.

Christina Perrone – She commented in regards to Mr. Holloway’s Lot 9 that is dedicated to open space.

Dan Sherry, Wayne – He commented also in regards to the history of Lot 9.

Commissioner Schaefer made a motion to approve the proposal and direct the Township Manager to execute a contract, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Booker absent.

*E. Discussion on Sidewalks along Lancaster Avenue – Township Manager Zienkowski*

Mr. Zienkowski made a brief presentation in regards to the sidewalks along Lancaster Avenue and the need for them to be improved for pedestrian traffic. He would like to pursue with approval of the board to partner with Villanova University and PennDOT to seek state and federal funding to improve them. There was a brief discussion amongst the Commissioners in regards to their position and different grant options.

Public Comment

Jane Galli – She commented also in regards to sidewalks needing to be completed on the North side of Lancaster Avenue.

Rick Leonardi – He commented that there is an opportunity with the Villanova construction project to revise the sidewalks in that area now.

Commissioner Ahr commented that this is an issue that needs to be improved and items that are already proposed in the Greenways and Open Space plan.

**COMMUNITY DEVELOPMENT**

*F. Authorization to file a Complaint to remove unsafe structure at 228 Willow*

Mr. Rice and Kevin Kochanski gave a background of the above reference item.

Commissioner Curley made a motion to authorize to file a complaint, seconded by Commissioner Clark.

Commissioner Higgins called the vote, motion passed with 5-0 with Commissioner Booker absent and Commissioner Nagle out of the room at time of vote.

G. Ordinance #2016-04 – (Introduction) Amending Chapter 280 of the Radnor Code, Zoning Ordinance, Section 115.5 Municipal Services/Uses to clarify the use category contemplated by this Ordinance on lands owned, operated, leased and/or maintained by Radnor Township

Commissioner Curley made a motion to introduce ordinance #2016-04, seconded by Commissioner Higgins.

There was a brief discussion amongst Commissioners and staff on particular wording such as structure and accessory and the change of accessory use to principal use.

Public Comment

Christina Perrone – She commented in regards to her concerns with the change from accessory use to principal use.

Maya VonRossum, S. Robert Road – She commented in regards to her opposition to the proposed changes.

Commissioner Curley amended his original motion to amend chapter 280; section 115.5 of the zoning code and delete the words “structure and lots” and replace it with “(as an accessory)”. Motion passed 5-0 with Commissioner Booker absent and Commissioner Nagle out of the room.

**PUBLIC SAFETY** - None

**FINANCE & AUDIT** - None

**PARKS & RECREATION**- None

**LIBRARY** - None

**PUBLIC HEALTH** - None

Old Business - None

New Business - None

Public Participation

Dan Sherry, Wayne – He commented about his disagreement and concerns about the changes that were made to ordinance #2016-03 by Commissioner Higgins.

Jane Galli – She asked for an update from the Villanova CARE meeting to be given at the next meeting.

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

*Respectfully submitted,*

*Jennifer DeStefano*