

TOWNSHIP OF RADNOR
Minutes of the Meeting of November 28, 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

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

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

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

Notice of Executive Session on November 28, 2016

All commissioners were in attendance with the exception of Commissioner Schaefer at the November 28, 2016 of real estate, personnel and litigation were discussed.

1. Consent Agenda

- a) Disbursement Review and Approval: 2016-11B, 2016-11C
- b) Approval of Board of Commissioners meeting minutes of November 7, 2016
 - c) Acceptance of Monthly Department Reports
 - d) Approval and Acceptance of the 2017 Meeting Dates
 - e) Approval of the 2017 Township Holiday Schedule
 - f) Staff Traffic Committee Meeting Minutes – November 16, 2016
- g) Resolution #2016-112 – Approving Anti-Defamation League Training for all Township Employees
- h) Resolution #2016-113 - Award of the parking lot enhancements at Dittmar Park and Friends of the Radnor Trail Park

Commissioner Nagle commented that item a - #2016-11C was not posted on the website and asked for it to be removed. Commissioner Booker commented that he would like item d, e & g removed.

Commissioner Ahr made a motion to approve the consent agenda excluding items a-2016 11C, d, e & g; seconded by Commissioner Nagle. Motion passed 7-0.

d) Approval and Acceptance of the 2017 Meeting Dates

Commissioner Curley commented that he doesn't feel as though the Special Board of Commissioners on the set meeting calendar for 2017 are necessary. He is open to special meetings when needed but not pre-established. There was a brief discussion amongst the Commissioners and staff.

Public Comment

Leslie Morgan, Farm Road – She commented on her support of the extra meetings on the proposed calendar.

Dan Sherry, Wayne – He commented in regards to his concern with limiting Commissioners speaking time.

Commissioner Ahr made a motion to approve as drafted, seconded by Commissioner Higgins. Motion failed 3-4 with Commissioners Booker, Clark, Ahr and Curley opposed.

Commissioner Curley made a motion to approve the meeting dates absent the special meeting dates, seconded by Commissioner Clark. Motion passed 5-2 with Commissioners Higgins and Nagle opposed.

e) Approval of the 2017 Township Holiday Schedule

Commissioner Booker inquired if this is an increase in Holidays from 11 to 12. Mr. Zienkowski commented that it is not, the proposed Holiday Schedule is the same as 2016.

Commissioner Curley made a motion to approve, seconded by Commissioner Clark. Motion passed 7-0.

g) Resolution #2016-112 – Approving Anti-Defamation League Training for all Township Employees

Commissioner Booker made a motion to table, seconded by Commissioner Clark.

Commissioner Curley asked for more background on the item. Superintendent Colarulo gave a background on the above resolution that the training was to examine the ways identity and culture influence attitudes and behavior between law enforcement professionals and township officials and employees, and the community members they (protect and) serve.; To assist law enforcement professionals and township officials and employees in identifying the impact biased attitudes and behaviors can have on job performance.; To illustrate how cross-cultural skills and communication can enhance officer effectiveness and safety, and community building by facilitating cooperation and trust with diverse communities.; To encourage law enforcement professionals, township officials and employees to apply diversity knowledge and skills to their work.; To assist law enforcement professionals, township officials and employees in responding to biased behavior in the communities they serve.

Commissioner Booker made a motion to amend the resolution to replace the word *approve* with *ratify*, seconded by Commissioner Curley. Motion passed 7-0.

Commissioner Ahr called the vote on the original motion, motion passed 7-0.

2. Public Participation

Susan Michaelson, President, Radnor Township School District – She commented on behalf of the School District and asked that Ordinance #2016-13 pertaining to amending the PLO District is tabled.

Dan Sherry, Wayne – He commented in regards to his disagreement with the appointment of William Bolla as Special Counsel to the Ethics Board.

Leslie Morgan, Farm Road - She commented in regards to her concerns to keep the Penn Medicine parcel in the tax base and suggested a moratorium on development.

Austin Hepburn, Upper Gulph Road – He commented that he is not in support of Ordinance #2016-13 pertaining to amending the PLO District as he is concerned with traffic as well as the potential of the Penn Medicine site becoming tax exempt.

Matt Marshall, Walnut Avenue – He commented in regards to his concerns of the Penn Medicine site becoming tax exempt and the consequences it would have on the residents.

Al Murphy – He commented that he is concerned about the impact from traffic, uses, etc. and asked for the Township to pause on moving forward at this moment.

Commissioner Higgins stated that he would not participate in discussion or votes on Ordinance #2016-13 since the University of Pennsylvania and its Health System are clients of his law practice.

3. *Appointment of William Bolla – Special Counsel to the Ethics Board*

Commissioner Schaefer commented that she will not participate in discussion or vote on the above item as she has been advised verbally and in writing to not participate.

Commissioner Curley made a motion to table, seconded by Commissioner Booker.

Public Comment

Dan Sherry, Wayne – He commented in regards to Commissioner Schaefer’s statement on this agenda item.

Commissioner Ahr called the vote, motion passed 5-0, Commissioner Nagle abstaining and Commissioner Schaefer recusal.

4. *Delaware Riverkeeper Presentation and Discussion of Levin Tract and Stormwater*

Maya Von Rossum, Delaware Riverkeeper and Michelle Adams made a brief presentation in regards to Green Stormwater Infrastructure and Park Improvements at West Wayne Preserve which can be found on the Township website at: <http://www.radnor.com/910/Board-of-Commissioners-Presentations>. There was a brief discussion amongst the Delaware Riverkeeper and Commissioners.

5. *Resolution #2016-114 - Authorizing a grant application to the DEP for an environmental education grant application in the amount of \$3,000 (EAC to present)*

Matt Holtman, member of the EAC briefly explained that the EAC plans to develop a Citizen Science Water Quality Monitoring Project for elementary school children in Radnor Township. The project will help students learn about science while connecting with critical environmental issues in their own community and contributing to real, high-value research. The grant funds will be used to cover the costs of water testing kits and electronic probes to test for multiple characteristics, such as chemistry, conductivity, transparency and PH. The kits and probes will then be distributed to the participating schools within the township.

Commissioner Curley made a motion to approve, seconded by Commissioner Clark. Motion passed 7-0.

6. *Committee Reports*

PERSONNEL & ADMINISTRATION

A. *Ordinance #2016-11 – (Introduction) - Amending Section 5-70, Civil Service Provisions, Of Chapter 8 Of The Radnor Township Rules and Regulations*

Erin Galbally, Township Labor Attorney, reviewed the changes that are being proposed to Ordinance #2016-11.

Commissioner Curley made a motion to introduce, seconded by Commissioner Clark. Motion passed 6-1 with Commissioner Booker opposed.

COMMUNITY DEVELOPMENT

- B. *Ordinance #2016-13 – (Introduction) 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*

Commissioner Curley made a motion to introduce, seconded by Commissioner Nagle.

There was an in depth discussion amongst the Commissioners as well as Commissioner Booker making a brief presentation, Commissioner Curley presenting two items on the screen in regards to traffic as well as brief discussion amongst the other Commissioners in regards to traffic, parking, ambulatory care, etc.

Public Comment

Sara Pilling, Garrett Avenue - She commented in regards to traffics impacts around the Penn Medicine site as well as the Prestige of having Penn Medicine in Radnor.

Toni Bailey – She commented in regards to her concerns of the proposed amendment to the PLO ordinance.

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

PUBLIC WORKS & ENGINEERING

- C. *Resolution #2016-115 - Award of the Renovation and Expansion of the Radnor Memorial Library Prime Contracts*

Commissioner Higgins made a motion to approve, seconded by Commissioner Nagle. Commissioner Higgins sated that there are three contracts with different scopes of work but no prime contractor responsible for all of the work under the contracts and that this arrangement is not the ideal situation for the Township from the standpoint of enforcing obligations.

There was a brief discussion amongst the Commissioners, project architect and Township Solicitor.

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

D. Motion to Set Goals for Modification to Stormwater Ordinance

Commissioner Curley briefly reviewed his memorandum which he submitted on November 2, 2016 and is in the meeting packet. He would like to see the Board give Staff direction on the amendments that they are looking to see and would like the Board to agree on the following goals:

Goal 1 - Evaluate and identify ways to make the ordinance improves management instead of maintaining SW conditions in the current form. For example, if the Township used meadow conditions (or a percentage of meadow conditions) as a baseline instead of existing conditions then each SW facility constructed would provide SW benefit instead of maintaining the status quo. **Goal 2**- Evaluate if there are inefficiencies in the current ordinance (a.k.a. where and how do the Township, citizens, and land owner apply resources without

sufficient benefit to justify the expenditure) and propose remedies. **Goal 3** - Evaluate if the ordinance incents activity in greenspace and does not reward reuse or recycling of footprint or impervious cover and identify ways to make the ordinance increase the incentive to reuse existing IC rather than replace existing pervious cover. **Goal 4**- Evaluate if the ordinance does not support our current or expected MS4 permit and identify ways to make the ordinance more supportive of MS4 permit requirements than it currently is.

Commissioner Schaefer asked that the goals include to identify any other significant shortfalls or oversights in the current ordinance that are not covered in the 4 goals above and to propose solutions to address those issues.

There was a brief discussion amongst the Commissioners in regards to potential revisions to the Stormwater Ordinance.

Public Comment

Jane Galli, Barcladen Road – She commented that while the amendment to the Stormwater ordinance is being done that the 2018 MS4 requirements are incorporated.

Sara Pilling, Garrett Avenue – She commented that she would like to see the Stormwater Advisory Committee address how to entice the residents to contribute with a small item that would improve the flow of water through their properties.

Jim Giegerich, Aberdeen Terrace – He commented in regards to extending the rain garden credit for at least 5 years.

Commissioner Curley made a motion to adopt the goals and schedule per the November 2, 2016 memo and to include a fifth goal asking the Stormwater Advisory Committee and staff to identify any other significant concern or suggestion and include the need for the consideration of cost benefit, seconded by Commissioner Clark. Motion passed 7-0.

E. *SALDO Application #2016-SD-12 - Caucus – Minor Final Subdivision Plan – 824-828 Mill Road*

Jack Robinson, Engineer for the applicant, states that the applicant is proposing to adjust a lot line to eliminate the need for a shared driveway at the above location. The applicant has indicated that the following waiver is being requested: §255.22.B(I)(k) - Existing principal buildings and their respective uses, and driveways on the adjacent peripheral strip; sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site (this includes properties across streets). There was a brief discussion amongst the Commissioners and staff.

F. *Resolution #2016-116 - SALDO Application #2016-D-13 - Final - Preliminary Land Development Plan - Academy of Notre Dame*

Nick Caniglia, representing the applicant, commented that the applicant is proposing to develop the property with a new Science, Technology, Engineering, and Mathematics building along with new walkways, ADA accessible ramps, grading and associated stormwater management improvements. This project is located in the PI zoning district of the Township.

Commissioner Higgins made a motion approve, seconded by Commissioner Schaefer. Commissioner Ahr called the vote, motion passed 6-1 with Commissioner Booker opposed.

G. Resolution #2016-117 - SALDO Application #2016-D-09 - Final - Preliminary Land Development Plan – Radwyn Apartments

Commissioner Higgins made a motion to approve, seconded by Commissioner Clark. Motion passed 7-0.

H. Ordinance #2016-14 – (Introduction) - Providing for the Amendment of the Radnor Township Code Of Ordinances By Amending Part 2, General Legislation Creating A New Chapter 224, Adopting Regulations For The Planting, Controlling, And Removal Of Bamboo, Including Penalties And Other Remedies For Violations

Commissioner Higgins made a motion refer Ordinance #2016-14 to the Shade Tree Commission for review and input, seconded by Commissioner Clark. Motion passed 6-1 with Commissioner Curley opposed.

FINANCE & AUDIT

I. Ordinance #2016-15 - (Introduction) Adoption of the final comprehensive budget for 2017 which includes appropriations for 2017, the Five-Year Capital Plan and Five-Year Forecast, and establishing the Township Real Estate Tax and Sanitary Sewer Rates for 2017

Mr. White made a few brief comments. There was a discussion amongst the Commissioners and staff in regards to annual contributions to community groups.

Commissioner Curley made a motion to adjust line items for Surrey Services and Wayne Senior Center back to 2016 level, plus 2.75%; and that the total appropriations are not increased as a result, seconded by Commissioner Schaefer. Motion passed 6-1 with Commissioner Clark opposed.

Commissioner Curley made a motion to introduce the ordinance to incorporate the Stormwater budget presented by the SWMAC at the November 7 public hearing into the adopted budget, seconded by Commissioner Clark. Motion passed 6-1 with Commissioner Booker opposed.

Commissioner Clark made a motion to extend the meeting to 11:15 PM, seconded by Commissioner Higgins. Motion passed 5-2 with Commissioners Booker and Nagle opposed.

Commissioner Ahr made a motion to introduce Ordinance #2016-15, seconded by Commissioner Schaefer. Motion passed 4-3 with Commissioners Booker, Clark and Curley opposed.

Public Comment

Sara Pilling, Garrett Avenue – She commented that she tried to use Surrey Service before and she couldn't get any cooperation.

J. Ordinance #2016-16 - (Introduction) Adopting the Consolidated Fee Schedule for the Township, Effective January 1, 2017

Commissioner Ahr made a motion to introduce, seconded by Commissioner Curley. Motion passed 6-0 with Commissioner Nagle not in the room for the vote.

PUBLIC HEALTH

Commissioner Nagle commented that the Board of Health is kicking around a few recommendations and it was recommended to them to come to the Board to discuss before moving forward. He also gave the packet from Maya Von Rossum in regards to artificial turf to the Board of Health to review.

PUBLIC SAFETY - None

PARKS & RECREATION

Commissioner Ahr commented that the Parks Board discussed the Budget and their priorities at their last meeting.

LIBRARY - None

Old Business - None

New Business - None

Public Participation

Jim Giegerich – He inquired in regards to a write-up in the newspaper last week about the last Board of Commissioners meeting and stormwater in the Township.

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

*Respectfully submitted,
Jennifer DeStefano*