

**TOWNSHIP OF RADNOR**  
***Minutes of Public Meeting of October 26, 2015***

*The Radnor Township Board of Commissioners met at approximately 6:45 PM in the Radnorshire Room in the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087*

***Commissioners Present***

*James C. Higgins, President*  
*Richard F. Booker*  
*Donald Curley*  
*Cheryl Graff Tumola*

*John Fisher, Vice President*  
*John Nagle*  
*Elaine Schaefer*

***Also Present:*** *Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; John Osborne, Township Treasurer; 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; Damon Drummond, Traffic Engineer; Roger Philips, Township 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 October 26, 2015*

All commissioners were in attendance at the October 26, 2015 executive session; where matters of personnel and litigation were discussed.

*Police Commendation of Merit*

Superintendent Colarulo presented Officer Gluck with a commendation of merit for a case that he led in January 2015.

*Recognition of Public Works Employees*

Mr. Zienkowski presented Public Works employees Doug Mills, Jamal Hairston and Daryl Harley with Certificates of Appreciation for their hard work and commitment in which a letter was received from residents in Conestoga Village and was signed by about 40 residents.

*Certificate of Recognition – Papal Visit*

Mr. Zienkowski, Township Manager; Superintendent Colarulo; Lieutenants Flanagan and Block presented several partners and agencies who participated and helped throughout the Papal visit weekend. Mr. Zienkowski presented Lieutenant Flanagan and Sergeant Smith with certificates of recognition for the planning and organization of the Papal visit.

*Public Participation*

Becky Nutall – She commented in regards to tabling the N. Wayne Field subdivision.

Dan Sherry, Wayne – He commented in regards to the amount the Radnor Conservancy has contributed to the purchase of Ardrossan.

Ken Taylor, Willow Avenue – He commented in regards to what he believes is a conflict between a member of the board and his wife which sits on the School Board and is a lead negotiator in the discussions surrounding the N. Wayne Field Basin.

Leslie Morgan, Farm Road – She commented that she is in favor of a zero tax increase and would like to see a sensitivity analysis completed for the proposed projects.

Martin Heldring, Audubon Avenue – He inquired why the bonding was not given to CARFAC to be vetted and then inquired in regards to the lack of Commissioner Tumola's participation in the meetings as well as the investment in the library.

Mr. Craig Sullivan – He commented in regards to the future of N. Wayne Field and the basin.

Kathy Pearsall, W. Beechtree Lane – She commented in regards to her concerns with the proposed basin at N. Wayne Field.

Helen McGrane, Representative of Library – She commented that the Library is more than just books.

Joyce Dalle, Delaware County Women Against Rape – They thanked Radnor Township and Radnor Township Police Department for their good work and their sensitivity.

Mr. Zienkowski thanked the representatives from the Delaware County Women Against Rape for attending tonight and speaking.

Matt Marshall, Walnut Avenue – He commented in regards to certain line items in the budget regarding the issuance of the bond as well as the open space referendum which was voted on in 2006.

Mr. White, Finance Director, commented that as was introduced at the last meeting, the amount of the borrowing is still at \$8.25M of new money; approximately \$3.3M of refunding and the amount above that is a requirement of DCED.

Toni Bailey, Conestoga Village – She commented in regards to her frustrations with N. Wayne Field subdivision and money that has been spent.

Cathy Salise, Beechtree Lane- She strongly urged for any discussions of N. Wayne Field basin to be tabled.

Annie Hirschler, Beechtree Lane – She commented that it is a lot of money for a little relief and is not in support of the project at N. Wayne Field.

Patrick Harper, Beechtree Lane – He asked for clarity whether there will not be a vote or any action taken on N. Wayne Field tonight.

Shannon Toro – Eagle Road – She inquired about votes that will take place tonight in regards to the bond and N. Wayne Field.

1. Consent Agenda

- a) Disbursement Review and Approval: 2015-10B, 2015-10C
- b) Acceptance of Department Monthly Reports
- c) BPT Settlement Agreement 2015-BPT-02 in the amount of \$300,000
- d) Resolution #2015-108 - Engaging PFM as pricing and disclosure agent for the upcoming bond refunding/new money issue at a price not to exceed \$9,700
- e) Resolution #2015-107 – Authorization to Receive Bids for Gasoline, Diesel Fuel, and Lubricants
- f) Resolution #2015-105 – Establishing An Ending Time Limit For Commissioner Meetings
- g) Resolution #2015-109 – Authorizing the Township Manager to enter into an agreement with PowerDMS to provide licensing including, training and ongoing support along with PowerSTANDARDS for PACP
- h) Resolution #2015-110 – Authorizing the purchase of one (1) 2016 Transit 350, High Roof HD Super Length Cargo Van Vehicle in the amount not to exceed \$55,285.09 to be used by Radnor Township Police Department SWAT Team Members (Monies for this vehicle will be reimbursed by the Central Deleco Tactical Response Team (CDTRT))

Commissioner Booker requested for items g & h to be removed from the consent agenda. Sara Pilling requested that item f is removed from the consent agenda.

Commissioner Fisher made a motion to approve the consent agenda including items 5a to 5e; seconded by Commissioner Schaefer. Motion passed 7-0.

- g) Resolution #2015-109 - Authorizing the Township Manager to enter into an agreement with PowerDMS to provide licensing including, training and ongoing support along with PowerSTANDARDS for PACP

Commissioner Booker inquired in regards of resolution #2015-109. Superintendent Colarulo explained that this is software that would assist in ascertaining the accreditations needed.

Commissioner Booker made a motion to approve, seconded by Commissioner Fisher. Motion passed 7-0.

- h) Resolution #2015-110 – Authorizing the purchase of one (1) 2016 Transit 350, High Roof HD Super Length Cargo Van Vehicle in the amount not to exceed \$55,285.09 to be used by Radnor Township Police Department SWAT Team Members (Monies for this vehicle will be reimbursed by the Central Deleco Tactical Response Team (CDTRT))

Superintendents Colarulo gave a brief background on the resolution. Commissioner Booker made a motion to approve, seconded by Commissioner Fisher. Motion passed 7-0.

- f) Resolution #2015-105 – Establishing An Ending Time Limit For Commissioner Meetings

Commissioner Fisher gave a brief background of the resolution. Commissioner Fisher made a motion to approve, seconded by Commissioner Schaefer.

Public Comment

Sara Pilling, Garrett Hill – She commented that the later the Board of Commissioners meeting started past 6:30 PM the time is added to the end of the meeting.

Dan Sherry, Wayne – He agreed that there does not need to be a resolution to limit the time of meetings.

Shannon Toro, Eagle Road – She is in agreement with the resolution.

Brendan Gallagher, Beechtree Lane – He would like to see the discussions on N. Wayne Field be tabled until after the election.

Becky Nutall – She commented in regards to her agreement with the resolution.

Commissioner Booker made a motion to amend the resolution to have a sunset on the resolution for it to end in one year, seconded by Commissioner Curley. Motion failed 2-5 with Commissioners Tumola, Fisher, Nagle, Higgins and Schaefer opposed.

Commissioner Higgins called the vote on the original motion; motion passed 6-1 with Commissioner Booker opposed.

#### 6. Committee Reports

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

#### D. Board Discussion of a Subdivision of North Wayne Field, including acquiring 1.0 Acre from the Radnor Township School District containing the basin with the School District retaining the balance of the park

There was a very in depth discussion amongst the Commissioners on how to proceed with the planned project at N. Wayne Field and the basin. Commissioner Schaefer stated that she will not be participating in any discussions or votes that involve the School District as she has a conflict but does not have a conflict and will participate in discussions about the basin itself.

Commissioner Curley made a motion to table items associated with Item E on the agenda (*Motion for Staff to proceed with: 1) any additional engineering to complete the basin upgrade, and 2) to prepare an Agreement of Sale with the School District for acquisition which would provide access for the RTSD to the retained field*) until no sooner than the first meeting in November and until the Radnor Township School District communicates to the Township its interest in subdividing or otherwise transferring North Wayne Field or portions of it to the Township; seconded by Commissioner Booker.

#### Public Comment

Ken Taylor, Wayne – He commented in regards to his agreement for the Township to continue with negotiations with the School District.

Shannon Toro, Eagle Road – She commented in regards to possibly looking into acquiring the whole parcel.

Betty Surbeck, Wayne – She encouraged the Board to take action and not table.

Patti Booker, School Board member and resident representing herself – She commented to provide historical context in regards to prior discussions and communications.

George Kerschner, Wayne – He is in agreement with tabling discussions.

Patrick Harper – He is in favor of tabling discussions.

Dan Sherry, Wayne – He commented about the timing of the discussions as well as past information that has been placed in the press regarding the Stormwater Advisory Committee.

Bill Bruno, N. Wayne Ave. – He commented in regards to the safety of the residents and their property.

Doug McCone – He urges the Board to not table tonight.

Mr. Zienkowski commented about the intensity of the flooding of the area in N. Wayne.

Commissioner Higgins called the vote, motion failed 2-3 with Commissioners Tumola, Fisher and Higgins opposed and Commissioners Nagle and Schaefer abstaining.

*E. Motion for Staff to proceed with: 1) any additional engineering to complete the basin upgrade, and 2) to prepare an Agreement of Sale with the School District for acquisition which would provide access for the RTSD to the retained field*

Commissioner Fisher made a motion to authorize staff and the Solicitor to prepare an agreement of sale engaging the School District for the acquisition which would provide access for the basin area of the field, seconded by Commissioner Tumola.

The commissioners discussed the motion and agreed to delete Item E1 regarding proceeding with the engineering of the project.

#### Public Comment

Kathy Pearsall, Beechtree Lane – She inquired where the easement would be.

Commissioner Higgins made a motion to amend the original motion to have the staff prepare an agreement of sale with the School District for acquisition which would provide access for the RTSD to the retained field and to take into account in the agreement of sale the concerns of the School District communicated to the Township on October 25, 2015 by email from Kimberly Doherty to the Board of Commissioners; seconded by Commissioner Fisher.

Commissioner Fisher respectfully requests that the agreement of sale is presented back to the Board of Commissioners and the public at the next meeting to be vetted and voted on to forward to the School Board.

#### Public Comment

Dan Sherry, Wayne – He is in agreement that the agreement of sale is vetted in public prior to it being forwarded to the School District.

Brian Johnson, Wayne – He commented in regards to the importance of the discussions to be held publicly.

Commissioner Higgins called the vote on the amended motion, motion passed 5-1 with Commissioner Booker opposed and Commissioner Schaefer abstaining.

Commissioner Fisher commented that he wanted to clarify that within his original motion that the agreement of sale is brought back to the Board of Commissioners at the next meeting for public review,

discussion and vote; seconded by Commissioner Higgins. Commissioner Higgins called the vote on the original motion, motion passed 5-1 with Commissioner Booker opposed and Commissioner Schaefer abstaining.

*D. Resolution #2015-106 - (Preliminary/Final) - 227 and 229 Plant Avenue*

Nick Caniglia, representing the applicant briefly spoke about a comment in the engineers letters about street lights; the plans currently include curbing and sidewalks. There was a brief discussion in regards to street lights, stormwater, and a request for the applicant to repave the street at the frontage. Staff requested that the Board require the applicant to upgrade the street lights which the applicant responded that the lights are not on their property. The applicant agreed to upgrade the two street lights.

Commissioner Tumola made a motion that the applicant be required to repave the road in front of the subject property subject to the supervision and approval of the Township and the Director of Public Works, seconded by Commissioner Booker.

Commissioner Tumola withdrew her motion.

Public Comment

Ken Taylor, Willow Avenue – He commented in regards to the lack of stormwater mitigation with this project by the Commissioners.

Commissioner Curley made a motion to approve including waivers “a” through “f” and adding requirement “g” that the property owner upgrade the street lights in a manner which is consistent with the Township Engineer’s requirements; seconded by Commissioner Schaefer. Motion passed 7-0.

**COMMUNITY DEVELOPMENT**

*F. Ordinance #2015-11 (Adoption) Park and Recreational Land and Fee Requirements – Amending Chapter 255 of the Radnor Township Code, Subdivision & Land Development Ordinance to redefine the basis for calculating the fees in-lieu-of dedication & revising other recreational land requirements in accordance with Act 135 of 2014*

Commissioner Curley made a motion to adopt, seconded by Commissioner Schaefer.

Public Comment

Leslie Morgan, Farm Road – She asked for clarity on which developments this includes and if it is retroactive.

Mr. Rice commented that it is not retroactive and does not apply to any currently filed plans but will apply to any future development.

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

*G. Resolution #2015-112 - Villanova Center, Enrico Partners, L.P., 771-797 E. Lancaster Avenue – Addendum to Settlement Agreement*

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

John Rice briefly reviewed the settlement agreement. There was a brief discussion in regards to future disputes and shared parking.

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

### **FINANCE & AUDIT**

A. Resolution #2015-111 - Pursuant to Chapter §7.06[B] of the Home Rule Charter, Board approval of the 2016 Recommended Comprehensive Budget, subject to further review and amendment

Commissioner Fisher made a motion to approve, seconded by Commissioner Nagle. There was a discussion amongst the Commissioners in regards to the Capital Budget, stormwater fee and reducing expenses.

*Commissioner Nagle made a motion to extend the meeting by 30 minutes, seconded by Commissioner Schaefer. Motion passed 6-1 with Commissioner Booker opposed.*

There was an in depth discussion in regards to reducing expenses. Mr. Zienkowski gave a brief overview of the changes with current employee count along with employee benefits since 2010.

#### **Public Comment**

Tom Lowy – He inquired for clarity about a statement Commissioner Booker made in regards to time and energy.

Leslie Morgan, Farm Road – She commented in regards to her concerns with capital spending and voting the debt in.

Lisa Goldstein – She commented in regards to differences in philosophy and when things are going well that's when we need to invest in the Township.

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

B. Ordinance #2015-18 - (Adoption) An ordinance authorizing the incurrence by the Township of Radnor of non-electoral debt by the issuance of General Obligation Bonds, Series 2015 in an aggregate principal amount not to exceed \$15,580,000 for the purpose of providing funds for park and trail improvements, library facility improvements and for the current refunding of the Series 2010 General Obligation Bonds

Commissioner Fisher made a motion to adopt, seconded by Commissioner Tumola.

Mr. White, Director of Finance, briefly commented that the ordinance was amended to include the exhibit with the sources and uses of the projects identified. He requested a slight amendment with a little bit of flexibility in the numbers to add a footnote to the exhibit to state that *individual project costs are estimates and subject to change, provided however, total costs within a project category are fixed.*

Commissioner Fisher made a motion to adopt with the footnote to be added on the sources and uses exhibit to read: *individual project costs are estimates and subject to change, provided however, total costs within a project category are fixed*, seconded by Commissioner Schaefer.

Michael Wolf from Boenning & Scattergood gave a brief explanation of the difference in numbers on the parameters ordinance with the requirement of DCED.

*Commissioner Schaefer made a motion to extend the meeting another 15 minutes, seconded by Commissioner Fisher. Motion passed 6-0 with Commissioner Booker abstaining.*

There was an in depth discussion in regards to spending, pros and cons of taking on more debt and CARFAC reviewing the funding for the projects.

*Commissioner Fisher made a motion to extend the meeting another 15 minutes, seconded by Commissioner Schaefer. Motion passed 6-1 with Commissioner Booker opposed.*

**Public Comment**

Sara Pilling, Garrett Ave. – She commented in regards to the proposed trail portion through Martha Brown’s woods.

Shannon Toro, Eagle Road – She inquired if the allocation of the bond can be committed at a later time.

Martin Heldring, Audubon Avenue – He inquired in regards to the total outstanding debt for the Township currently as well as the time limit on the meetings and making a large decision so late. He also commented on his disagreement with the lack of CARFAC’s role with the funding of capital projects and resigned as a member of CARFAC.

Commissioner Higgins called the vote on the amended motion. Motion passed 6-1 with Commissioner Booker opposed.

Commissioner Higgins called the vote on the original motion to adopt the ordinance as amended. Motion passed 5-2 with Commissioners Booker and Curley opposed.

**PERSONNEL & ADMINISTRATION - None**

**PUBLIC SAFETY - None**

**PARKS & RECREATION - None**

**LIBRARY - None**

**PUBLIC HEALTH - None**

**Old Business - None**

**New Business - None**

**Public Participation - None**

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

*Respectfully submitted,*

*Jennifer DeStefano*