

TOWNSHIP OF RADNOR
Minutes of Public Meeting of February 10, 2014

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, President
John Fisher
John Nagle
William Spingler*

*James C. Higgins, Vice President
Richard F. Booker
Donald Curley*

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

Commissioner Schaefer asked for a moment of silence for former Board of Commissioner, Lisa Paolino who passed away recently after a courageous battle.

Commissioner Schaefer announced that item 2d - Motion to Reject All Proposals for the Adaptive Re-Use of the Willows Mansion/Cottage and/or Park Property will be removed from the agenda. As requested by Mr. Zienkowski Resolution #2014-15 is also removed from the agenda this evening.

The Commissioners thanked Township Staff for their extraordinary work throughout the last storm. They made a really terrible situation better. The dedication that the staff showed through the entire storm as the EOC was open around the clock. Many residents stayed at the Township building as a warming center.

Commissioner Schaefer urged residents to register for CodeRed. You can do so by visiting the Township website at www.radnor.org.

Public Participation

Sara Pilling – She gave a brief overview of the annual report for Skunk Hollow Community Garden. Copies will be distributed to the Commissioners.

Cheryl Greist – She discussed the post prom event at the High School. She announced a fundraiser that will be held at Gullifty's on February 23, 2014. For more information you can email radnorhspostpromcommittee@gmail.com.

Notice of Executive Session preceding and following the Board of Commissioners meeting of February 10, 2014

All commissioners were in attendance, where matters of personnel were discussed.

Consent Agenda

- a) *Approval of Minutes for the Board of Commissioners meetings of January 27, 2014*
- b) *Disbursement Acceptance & Approval: 2014-01C, 2014-01D*

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

COMMUNITY DEVELOPMENT

Ordinance #2013-21 - (Motion to Table – No Discussion or Action – Future Date to Be Set) Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by establishing regulations for a new Comprehensive Integrated College Development Use within the PI – Planned Institution District

Commissioner Curley made a motion to set a new hearing date for February 24, 2014 and table the above ordinance, seconded by Commissioner Spingler. Motion passed 6-0 with Commissioner Schaefer abstaining.

Public Comment

Patti Barker – She discussed the process that would take place going forward with the above ordinance. She also asked that the Special Planning Commission meeting be posted to the website. Mr. Kochanski stated that this had already occurred.

PERSONNEL & ADMINISTRATION

Resolution #2014-15 - Adopting an amendment to the FOP Collective Bargaining Agreement to include pay rates for Officers providing off-duty care of canines

This item was tabled.

Resolution #2014-16 - Adopting an amendment to the FOP Collective Bargaining Agreement to include a provision to allow Officers to decline medical coverage from the Township, and to share the savings equally between the employee and Township

Commissioner Fisher made a motion to approve, seconded by Commissioner Spingler.

Mr. Tate explained that The Binding Arbitration Act of 1968 provides that settlements entered into as a result of collective bargaining shall be reduced to written agreement. The Township's current CBA with the Delaware County FOP provides for comprehensive medical coverage in for which the Township pays either 93% or 100% of the premium, based on the employee's hire date. To further reduce costs, the Township desires to amend the CBA to provide FOP members an incentive for opting-out of the health benefit program. The incentive will be 50% of the annual premium cost that the Township would otherwise be required to pay if the FOP member were enrolled for coverage.

There was a brief discussion in regards to clarifying the proposed resolution amongst Commissioners and Staff. The opt-out credit is not considered as compensation and will not be included for post-employment calculations. Commissioner Booker stated that he feels as though 50% is rather high.

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

Motion to Reject All Proposals for the Adaptive Re-Use of the Willows Mansion/Cottage and/or Park Property

This item was tabled.

Approval for Solicitor to execute Dustin stipulation

Commissioner Spingler made a motion to approve, seconded by Commissioner Fisher.

John Rice gave a brief explanation of the agreement. He stated that a Complaint was filed against the Township by John and Claudia Dustin on July 11, 2013. The Complaint arises out of several transactions which occurred at the time that the Radnor Elementary School was built upon what was formerly known Old Hares Lane. At the time that the Elementary School was built the Township made an effort to have all property owners backing-up to Old Hares Lane sign off on an Easement Agreement which would give the Township rights to put a walking

trail from the Elementary School to Hares Park. The Dustin's predecessor in title signed off on the Agreement but none of the other property owners signed the Easement Agreement and Release and ultimately the Rollins family sued the Township in a separate action which was settled by the Township and School District on November 19, 2012. The Dustin's are asking to be put back into the same position as their neighbors are with respect to Hares Lane. Counsel for Mr. and Mrs. Dustin has prepared a proposed Settlement Order which would accomplish that and settle the litigation with each party reserving any existing rights in Hares Lane. The proposed Stipulation and Order needs authorization by the Board for the Solicitor to sign on behalf of the Township in order to resolve the Dustin case.

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

PUBLIC WORKS & ENGINEERING

Caucus - Preliminary Approval - Villanova Train Station – Septa

Mr. Falcone, Attorney for Applicant and Julie Rentz, Engineer for Applicant, discussed the plan.

Gannett Fleming completed a preliminary review of the Villanova Station Improvement Preliminary Plans for compliance with the Radnor Township Code. SEPTA is proposing to expand the existing parking lot at the Villanova Train Station (Regional Rail). The proposed improvements include new platforms, connecting tunnel underneath track, ADA access improvements, parking expansion and associated stormwater management improvements. The property is located in the PI area of the Township. This Land Development Application is subject to Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

There was a discussion in regards to impervious surface, tree plantings, infiltration of the soil is negligible at this site, SEPTA is not in favor of trading landscaping for parking, underground stormwater tank and size of the parking spaces. Mr. Zienkowski asked if SEPTA would consider improving the Stormwater problems at the N. Wayne Station as well in conjunction with this project. Mr. Falcone and Ms. Rentz said they would take that request to SEPTA.

Resolution #2014-14 - Final - Preliminary Approval - 115 Strafford Avenue LLC

Commissioner Spingler made a motion to approve, seconded by Commissioner Fisher.

Commissioner Schaefer asked if condition #6 of the resolution also include enforcement of parking as well. Attorney for the applicant stated that the draft HOA documents already include enforcement of parking. Commissioner J. Higgins commented that he will vote for this but reluctantly. He stated that he feels that there are too many houses on the property.

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

FINANCE & AUDIT

A motion approving the Business Privilege Tax Settlement “2014-BPT-01” in the amount of \$5,000.00

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

PUBLIC SAFETY

None

PARKS & RECREATION

Commissioner Nagle commented that all Township Parks and Trails are closed until further notice.

LIBRARY

None

PUBLIC HEALTH

None

Old Business

None

New Business

Mr. Zienkowski asked the Board to consider a Declaration of Disaster Emergency that will allow the Township to seek storm damage monies through the County and State.

Commissioner Spingler made a motion to approve the Declaration of Disaster Emergency, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Booker abstaining.

There was a discussion amongst the Commissioners and Staff in regards to storm clean-up. Mr. Zienkowski commented that there are a tremendous amount of trees and limbs that are down throughout the Township which will be very expensive and was not anticipated. At this time there has been a freeze on all spending unless it is storm related. Mr. White commented that Finance is continuing to gather all of the costs that have been incurred with the storm. Commissioner Curley discussed that the fees in the Shade Tree Ordinance are too high and he would like to see changes made to the ordinance. It was decided that staff will bring back to the Commissioners recommendations with costs for the clean-up and it will be discussed further then. Also, the staff will come back in March and then again in May when actual expenses have been logged and revenues are in to discuss the effects on the budget.

Commissioner Booker commented further about the FOP medical opt-out that was on the agenda earlier. He stated that \$36,000 is a large amount for a healthcare plan. He is not in agreement with giving the option of 50% of the premium to the employees. In the long run this is a bad idea and a new set of payments should not be set-up for public employees.

Public Participation

Leslie Morgan – She suggested that there is a tree company that is in the area from Ohio looking for work. His work is fantastic and very inexpensive. She will forward his contact information.

Dee Thompson, Garrett Hill – He discussed his concerns in regards to the fees that are imposed with the Shade Tree Ordinance.

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

Respectfully submitted,

Jennifer DeStefano