

TOWNSHIP OF RADNOR
Minutes of Public Meeting of January 7, 2013

The Radnor Township Board of Commissioners met at approximately 8:00 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
Kevin G. Higgins
Donald Curley*

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

Commissioner Schaefer announced the removal of Resolution #2013-01 and Ordinance #2012-05 from the agenda.

Public Participation

None

Notice of Executive Session preceding the Board of Commissioners meeting of January 7, 2013

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

Presentation by John Fischer - Bird Town

John Fischer, Radnor Conservancy and Phil Wallis, Audubon Bird Town made a presentation in regards to adopting initiatives to be recognized as an Audubon Bird Town. Bird Town could be a powerful tool to increase “green” living, promote a culture of conservation in our community and provide positive social, economic and ecological outcomes. If Radnor adopts to be a Bird Town they would recognize that using native plants, reducing storm water runoff and energy use, and reducing the use of synthetic chemicals can help restore natural systems and ecological integrity.

Resolution #2013-06 - To adopt initiatives to be recognized as an Audubon Bird Town

Commissioner K. Higgins inquired to have the wording of the resolution from agent to representative changed.

Commissioner Spingler moved to approve with the wording change of agent to representative, seconded by Commissioner Curley. Motion passed 7-0.

John Fischer presented Commissioner Schaefer with a Bird Town Certificate Plaque.

FINANCE & AUDIT

Disbursement Acceptance & Approval

Commissioner K. Higgins moved to approve, seconded by Commissioner Spingler. Motion passed 7-0.

A motion authorizing the Bryn Mawr Fire Company to retain Radnor Township's share of the State facilities grant proceeds in the amount of \$4,390.32 for the exclusive use of providing facility maintenance to the Bryn Mawr Fire Station.

Commissioner K. Higgins moved to approve, seconded by Commissioner Spingler. Motion passed 7-0.

Resolution 2013-01 - Authorizing the Township Manager to bind Workers Compensation Coverage for 2013 at a price of \$433,035.

This item has been removed from the agenda.

PARKS & RECREATION

Resolution 2013-03- Amendment to the Radnor Township 2013 Consolidated Fee Schedule
Motion of Authorization for Waiver of Athletic Field Fee for Fall 2012 for the Agnes Irwin School

Commissioner Nagle moved to approve, seconded by Commissioner Spingler. Motion passed 6-0 with Commissioner Schaefer recusing herself.

Motion of Authorization for the Approval of Radnor Youth Basketball Program Scholarships for the 2012-2013 Season – Third Round Submission

Commissioner Nagle moved to approve, seconded by Commissioner Spingler. Motion passed 7-0.

PERSONNEL & ADMINISTRATION

Adoption of Ordinance #2012-20 - Charter Amendment - Amending Article I Pertaining to Interpretations, Article II Pertaining to the Board of Commissioners' Term of Office, Vacancies, Meeting Procedures, Records and Reports; Amending Article V, Manager Powers and Duties and Article VI, Administration; and Requesting the Board of Elections to Place the Proposed Referendum Questions on the May 21, 2013 Primary Ballot.

Commissioner Fisher moved to approve, seconded by Commissioner Spingler.

Commissioner Fisher inquired if Solicitor Rice is satisfied with the Ordinance. Solicitor Rice responded that Commissioner J. Higgins had a few grammatical changes and they will be made.

Motion passed 7-0.

Adoption of Ordinance #2012-21 – Charter Amendment - Amending Article IV Pertaining to the Elected Treasurer and Requesting the Board of Elections to Place the Proposed Referendum Questions on the May 21, 2013 Primary Ballot.

Commissioner Fisher moved to approve with the two edited changes below, seconded by Commissioner Spingler.

Commissioner J. Higgins stated that he will vote against this Ordinance.

§4.05.D.(1) was revised adding the word “losses” to the seventh line so that the portion of that sentence would read “, the surcharge imposed shall be limited to the difference between the loss and costs actually incurred by the Township and the costs that would have been incurred had legal means and authorized procedures been employed.”

A type in §4.05.E.(1) was corrected changing the word “Financial” to the word “Finance”.

Motion passed 6-1 with Commissioner J. Higgins opposed.

Adoption of Ordinance #2012-22 – Charter Amendment - Amending Article VII, Finances, Pertaining to the Submission of a Comprehensive Budget, Budget Form and Adoption Procedures for the Comprehensive Budget; and Requesting the Board of Elections to Place the Proposed Referendum Questions on the May 21, 2013 Primary Ballot.

Commissioner Fisher moved to approve with the edits below, seconded by Commissioner Spingler.

At the end of proposed §7.03, the following language was added “as described in §7.06.C. of this Article.”

The opening three words of §7.06 “Quarterly budget review” were deleted as unnecessary given the title of that section.

Motion passed 7-0.

Adoption of Ordinance #2012-23 – Charter Amendment - Amending Article VII, Section 7.11 Contracts, and Requesting the Board of Elections to Place the Proposed Referendum Questions on the May 21, 2013 Primary Ballot.

Commissioner Fisher moved to approve, seconded by Commissioner Spingler.

A revision was made to §7.11.C. by changing the word “Municipality” to the word “Township”.

Changes were made to §7.11.D.: The opening sentence was revised to read “All expenditures above \$7,500 shall require Board of Commissioners’ specific approval, subject to the following:”; and §7.11.D.(2), in the introductory clause, was revised to read “Expenditures of \$25,000 and above.”

§7.11.E.(4) the first letter in the word “municipal” was made lower case.

Sections 2.A. Ballot Question and 2.B. Plain English Version were also corrected to reflect the revisions in Subsection D. as to bidding thresholds.

Minor typos were also corrected.

Motion passed 7-0.

COMMUNITY DEVELOPMENT

Adoption of Ordinance #2012-05 – Amending Chapter 263, Trees of the Radnor Township Code, establishing new definitions, general powers, and duties of the Shade Tree Commission, new permit and application requirements, and revising the Enforcement and Penalties Provisions of the Ordinance.

This item has been removed from the agenda.

Motion to set a hearing date regarding the Inter-municipal Transfer of a Liquor License to Pietro’s Italian Restaurant – 200 Radnor Chester Road.

Commissioner Curley moved to approve to set the hearing date to January 28, 2013, seconded by Commissioner Spingler.

Commissioner Schaefer inquired about details of the hearing. Solicitor Rice stated that at the hearing is during the Commissioners meeting. The applicant will present menus, size of the facility, etc.

Motion passed 7-0.

Motion to set a hearing date regarding the Inter-municipal Transfer of a Liquor License to Estia Taverna Restaurant – 200 Radnor Chester Road.

Commissioner Curley moved to approve to set the hearing date to January 28, 2012, seconded by Commissioner Spingler. Motion passed 7-0.

Motion to authorize John Rice to attend the Zoning Hearing Board meetings regarding: Appeal #2888 - The Applicants, RRD County Line, LLC, property located at 1106 County Line Road and zoned R5 residential to permit the dwelling unit to be utilized as a Student Home. The applicant is requesting a Special Exception and five (5) variances.

Commissioner Curley made a motion to authorize, seconded by Commissioner Spingler.

Mr. Rice stated that this is not currently a rental house and the applicant requests zoning relief in order to allow these seniors, who reside in the property to stay until June 2013. Kevin Kochanski stated that the process of setting a precedent of allowing illegal student rentals to continue sets a bad precedent for the Township. It is a policy decision.

After a brief discussion, Commissioner Schaefer called the vote and the motion passed 7-0.

PUBLIC WORKS & ENGINEERING

Resolution #2013-02 - Adopting the Delaware County 2011 Hazard Mitigation Plan

Commissioner J. Higgins moved to approve, seconded by Commissioner Spingler. Motion passed 7-0.

Resolution #2013-04 - 2012-SD-03 (Final) of C. F. Holloway, III & Co. to consolidate 2 lots into one. Existing retail store to remain as commercial building, out buildings to be demolished and construct 6 new townhouse units with new parking and access driveways at 229 & 255 W. Wayne Ave., Wayne (Submitted 11/2/12)

Commissioner J. Higgins moved to approve, seconded by Commissioner Curley. Motion passed 7-0.

Resolution #2013-05 - 2012-D-16 (Preliminary) of Cabrini College to construct two (2) parking structures, a student commons building and related improvements on campus at 610 King of Prussia Rd., Wayne (Submitted 8/31/12)

Commissioner J. Higgins moved to approve, seconded by Commissioner Spingler.

John Rice stated that the waivers can continue to be worked out after preliminary plan approval up until final plan approval.

Howard Holden commented that the parking depth has already been corrected.

Commissioner K. Higgins inquired that if there are improvements needed at the corner of Eagle Road and King of Prussia Road is all the land coming from Cabrini and Eastern. Mr. Holden responded yes it is.

Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Schaefer recusing herself.

PUBLIC HEALTH

Introduction of Ordinance #2013-01 - Amending Chapter 115, animals, of the code of the Township of Radnor, by providing for new regulations and revisions to the code upon recommendation of the Radnor Township Department of Health.

After a brief discussion between Commissioners, Commissioner Nagle moved to table the Introduction of Ordinance, seconded by Commissioner Spingler. Motion passed 7-0.

PUBLIC SAFETY

Superintendent Colarulo announced a school violence meeting that is scheduled for Tuesday, January 8, 2013 at 5 PM in the Radnorshire room of the Township building.

LIBRARY

None

Old Business

None

New Business

Commissioner Fisher stated that the Board every year completes a performance evaluation of the Township Manager. The Board of Commissioners has completed their performance evaluation of the Township Manager this year and there are no substantive problems or questions. Commissioner Fisher also wanted to share with the public that Mr. Zienkowski has done a tremendous job over the past year.

Public Participation

None

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

*Respectfully submitted,
Jennifer DeStefano*