

**TOWNSHIP OF RADNOR**  
**Minutes of Public Meeting of March 11, 2013**

*The Radnor Township Board of Commissioners met at approximately 7:10 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 Osborne, Treasurer; John Rice, Township Solicitor; William White, Finance Director; Steve Norcini, Director of Public Works; Kevin Kochanski, Director of Community Development; Roger Phillips, P.E., Township Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

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

*Public Participation*

None

*Notice of Executive Session preceding the Board of Commissioners meeting of  
March 11, 2013*

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

*Appointments to various Boards, Commissions and Committees*

Commissioner Fisher made a motion to appoint Jen McGowan to Comprehensive Plan Implementation Committee, seconded by Commissioner Curley. Motion passed 7-0.

Commissioner Fisher made a motion to appoint Elizabeth Springer to the Code Appeals Board, seconded by Commissioner Spingler. Motion passed 7-0.S

*Consideration of a Motion to approve the Certificate of Appropriateness:*

*HARB 2013-3 - 230 E. Beechtree Lane, Wayne – Convert pedestrian door to window;  
convert overhead door to a pedestrian door with side lights and bracketed roof  
covering*

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

Public Comment

Baron Gemmer – He stated that the certificate of appropriateness presented is not what was discussed and approved at the HARB meeting. There was also an addition on the plans but not on the application but it was discussed and approved.

Kevin Kochanski clarified that under the notes and/or conditions of approval of the certificate it is listed to read - Approved as submitted including the addition to the rear of the home that was not detailed in the summary description on Page 1 but included on the plans submitted.

Commissioner Fisher inquired if John Rice would reach out to the Chair of HARB to explain the Sunshine Act.

***PUBLIC SAFETY***

*Motion for authorization to receive bids for (2) two handheld automated ticket machines and parking management software to support the machines*

Commissioner Spingler made a motion, seconded by Commissioner Nagle. Motion passed 7-0.

***PERSONNEL & ADMINISTRATION***

*Resolution #2013-30 - Authorizing the Application to the Pennsylvania Department of Conservation and Natural Resources for Grant Funding for Open Space Acquisition*

Commissioner Fisher made a motion, seconded by Commissioner Spingler.

Commissioner Curley made a motion to amend #3 of the resolution in regards to the appraisal is consistent with the Township policy, seconded by Commissioner J. Higgins. Motion passed 7-0.

Commissioner Curley inquired why the township is having National Land Trust handle and not the township. Commissioner Schaefer responded that they are a partner and have been helping for eight years and it is very technical to submit that the township does not have the manpower to handle.

Commissioner Schaefer called the vote for the original motion. Motion passed 7-0.

***FINANCE & AUDIT***

*Disbursement Acceptance and Approval (2013-2A and 2013-2B)*

Commissioner K. Higgins made a motion, seconded by Commissioner Spingler. Noted is Commissioner Curley line item recusal on Office Basics. Motion passed 7-0.

*Disbursement Acceptance and Approval (2013-2C and 2013-3A)*

Commissioner K. Higgins made a motion, seconded by Commissioner Spingler. Noted is Commissioner Curley line item recusal on Office Basics. Motion passed 7-0.

Ordinance #2012-17 - [Introduction] - Amending Chapter 44 of the Administrative Code – Investment Policy

Commissioner K. Higgins introduced Ordinance #2012-17, seconded by Commissioner Spingler.

Mr. White described that the Ordinance is being reintroduced to pertain only to Chapter 44, Investment of Public Funds. This Ordinance includes various amendments to the Township's investment policy as it relates to the investment of Township Funds, Pension Funds and [someday] OPEB Trust funds. In addition to being a good business practice, the review / updates to Chapter 44 were also recommended in the Independent Auditor's report to Management as an item that should be addressed.

Commissioner K. Higgins inquired with Mr. White on a few clarification points within the ordinance.

Commissioner Schaefer inquired since OPEB is not included in this Ordinance is it still being investigated. Mr. White stated that it is in the General Fund and is being investigated.

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

Resolution #2013-27 - Engaging Clifton Larson Allen for the special engagement to audit the DCNR Parks, Recreation and Conservation Grant not to exceed \$5,000

Commissioner K. Higgins made a motion, seconded by Commissioner Nagle. Motion passed 7-0.

Resolution #2013-28 - Authorizing the expenditure of \$3,500 for special improvements to the Integritax Act 511 Tax system

Commissioner K. Higgins made a motion, seconded by Commissioner Spingler. Motion passed 7-0.

**PUBLIC WORKS & ENGINEERING**

Resolution #2013-10 - Authorization to Renew the Existing Traffic Signal Maintenance Contract with Charles H. Higgins, Incorporated

Commissioner J. Higgins made a motion, seconded by Commissioner Spingler.

Commissioner Nagle inquired if this covers the street lights as well. Mr. Norcini responded that that is a different contract.

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

Resolution #2013-12 - Authorization for Gannett Fleming, Incorporated, Township Engineer, to prepare Design and Bidding Documents for the Installation and Raising of Sanitary Sewer Manholes at Various Locations in Radnor Township

Commissioner J. Higgins made a motion, seconded by Commissioner Spingler. Motion passed 7-0.

Motion for Authorization to Receive Bids for Grass Seed & Fertilizer

Commissioner J. Higgins made a motion, seconded by Commissioner Spingler.

Commissioner Nagle inquired if this was consistent with the natural fertilizer that we have been using and Mr. Norcini responded that it is.

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

Resolution #2013-18 - Authorization for Emergency Repairs to the King of Prussia Road Pumping Station

Commissioner J. Higgins made a motion, seconded by Commissioner Spingler.

The Township's King of Prussia Pumping Station pumps an average of 1.1 million gallons per day (MGD) of sewage to the Delcora Pumping Station. This station is the Township's largest pumping station. The pumping station works via duplex pumps, two pumps that alternate cycles. One of the pumps failed, and Municipal Maintenance was called in to affect repairs. The damaged unit was removed, and the Township's spare unit was installed (volute, impeller, pump motor). The station was repaired and back on line with no issues, since a replacement pump owned by the Township was on hand. Municipal Maintenance was ordered to repair the unit, and provide a volute and impellor, as a prescribed backup (to replace the spare unit that was used). The lead time of the impellor and volute is three to six months; emergency purchase orders were processed in order to have the fabrication of the items begun.

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

Resolution #2103-29 - Authorization to Renew the Gasoline, Diesel Fuel, and Gate Tracking and Reporting System Maintenance Service Contract with TRAK Incorporated

Commissioner J. Higgins made a motion, seconded by Commissioner Spingler. Motion passed 7-0.

### **COMMUNITY DEVELOPMENT**

Discussion of Ordinance #2012-09 – Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by establishing regulations for outdoor dining in the C-1, C-2, C-3, PB, and PLO Zoning Districts

Mr. Kochanski discussed that this ordinance has been in front of the Board on several occasions as a result of numerous revisions made to the ordinance over the course of the last year. This draft contains the comments discussed at your January 28, 2013 meeting and is what was authorized to be sent to the Planning Commissions for their review. The recommendation from the Township's Planning Commission has also been provided. If the Board chooses to not accept the recommendations of the Planning Commission, the ordinance can be placed on your next agenda for an introduction and possible adoption at one of your April Meetings. If the Board feels that the recommendation from the Township Planning Commission should be incorporated or there are other changes that the Board would like to see, those revisions can be made and the ordinance will need to be sent back to both the County and Township Planning Commissions for their review and recommendation prior to any further action by the Board.

The Township Planning Commission's recommendations are as follow: All references to the Garrett Hill Zoning Districts are removed; Section 10 (e) should state that the minimum right of

way width of a public road should be a minimum of 80 feet; Section 10 (b) reference to single family or two family detached or semi-detached should be removed and be replaced with dwelling units.

The Commissioners discussed that they will not accept any of Planning Commission's recommendations and would like the Ordinance on the March 18, 2013 Board of Commissioners meeting for introduction.

#### Public Comment

Baron Gemmer – Thanked the Commissioners for having the conversation in regards to the ordinance. He also discussed Garrett Hill Outdoor Dining and the interpretation of dwelling units.

Philip Ahr – Would like to see that Garrett Hill not be included in the Ordinance.

Commissioner Fisher asked Kevin Kochanski to proceed with reviewing what language will need to be added to amend the Garrett Hill regulations.

#### Request to amend a 1985 Stipulated Agreement for 175 King of Prussia Road – Radnor Racquet Club

Mr. Caniglia, attorney for the applicant wishes modification to the Stipulation, which provides that the "dining area seats no more than 166 people indoors and 20 people outside, weather permitting." Recently Mr. Goodman requested permission for 186 seats indoors but a determination was made by the Township that pursuant to the Stipulation only permitted 166 seats are allowed indoors. Mr. Goodman wishes modification of the Stipulation to permit a total of 204 seats indoors with no more than 20 of the 204 seats outside unless otherwise permitted by Township Code. The Premises meets the Township Code requirements for number of off-street parking spaces. In the past, there was zoning relief granted to construct a tennis building on the Premises. At the same time relief was granted for fifty-two parking spaces to serve the facility. In 1985 the abovementioned Stipulation was entered which permitted the construction of a 4,420 square foot dining facility along with seating for 186 people as above described. In 1989 a permit was granted by the Township which converted 3,000 square feet of the tennis club into offices which is a permitted use in the Zoning District. The conversion to office use (1 space per 200 Square Feet) requires less of a parking demand pursuant to the Zoning Code than the recreational use (1 space per 150 Square Feet); the Township did not require additional parking spaces.

The request is to add 18 additional seats. The additional seating requires 6 parking spaces. The total parking required under Code for the site with the additional seating totals 136 parking spaces. The site contains 141 spaces.

Commissioner Schaefer made a motion to direct the Township Solicitor to review the revised agreement that would allow for 204 seats at most 20 of them outdoors that would be zoning compliant for the 204 restaurant seats, respecting the previous stipulation for the 52 for the recreation space and that they would be compliant with all other Township codes, seconded by Commissioner Spingler. Motion passed 7-0.

***PARKS AND RECREATION***

Commissioner Nagle announced that there is a meeting on Thursday night at the Wayne Senior Center.

*Public Health*

None

*Old Business*

Commissioner Fisher asked if staff could put a process in place to maintain unoccupied homes throughout the Township and lien the property to cover the cost of maintenance. Commissioners discussed with staff and John Rice procedures in regards with property maintenance.

Commissioner J. Higgins confirmed that on the April 8, 2013 agenda there will be discussion in regards to geese in the Township parks.

*New Business*

Bob Zienkowski stated that at the March 18, 2013 Board of Commissioners the final four firms will make their presentations in regards to the Adaptive Re-Use of the Willows Mansion and Cottage.

*Public Participation*

None

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

*Respectfully submitted,*

*Jennifer DeStefano*