

TOWNSHIP OF RADNOR
Minutes of Public Meeting of November 18, 2013

The Radnor Township Board of Commissioners met at approximately 5:15 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 - Absent
Kevin G. Higgins
Donald Curley*

Also Present: *Robert A. Zienkowski, Township Manager; John Osborne, Treasurer; John Rice, Township Solicitor; William White, Finance Director 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 November 18, 2013

All commissioners were in attendance with the exception of Commissioner J. Higgins and K. Higgins as they were absent from the meeting, where matters of personnel, litigation and real estate were discussed.

Motion Authorizing Free Parking in Downtown Wayne on Saturdays in December

Commissioner Spingler made a motion, seconded by Commissioner Nagle. Motion passed 5-0 with Commissioner K. Higgins and J. Higgins absent.

Public Hearing #2 on 2014 Preliminary Recommended Comprehensive Budget

Mr. White discussed briefly that this is another opportunity to hear from residents in regards to the proposed budget and explained that on November 25, 2013 Board of Commissioners meeting the 2014 Budget Ordinance will be introduced.

There was a brief discussion amongst the Commissioners and Staff in regards to the 2014 Budget. The Commissioners are thankful for a great document. Commissioner Fisher gave a brief overview of a few highlights in the budget.

Public Comment

Kathy Mulroy, Radnor Memorial Library – Thanked the Board of Commissioners, Mr. Zienkowski and Mr. White for the 2.5% increase in this year’s contribution to the Library.

Phil Wilson, Church Road – He would like to see how the Ardrossan purchase will impact Township finances over the next five years.

Rich Booker, Belrose Lane – He inquired as well of how the Ardrossan purchase will impact the Township Budget.

Bob Zelten – He discussed his concerns with the impact of Ardrossan will have on the 2014 Budget.

Rob Murdocca – He discussed the impact on the Township’s financials and would like to see the impact of Ardrossan easily in the budget.

Ordinance #2013-22 – (Discussion) - Approving an Agreement of Sale and Purchase between the Township of Radnor and ESIII, L.P. A Pennsylvania Limited Liability Company by its General Partner, ESIII—Ardrossan LLC for the Purchase of 71 Acres of Open Space

Commissioner Schaefer gave a brief update of the process of the ordinance. The ordinance was introduced and discussed at the November 11, 2013 meeting, tonight will be the second discussion of the ordinance. There is also a scheduled discussion for November 26, 2013 at 6:30 PM. The Phase II analysis is now occurring and staff & CARFAC anticipate it being ready and posted to the website around December 5, 2013. After that there is another hearing just to discuss Ardrossan on December 9, 2013 at 6:30 PM. There was discussion amongst the Commissioners in regards to their support and concerns with the acquisition of the proposed parcels of Ardrossan.

Public Comment

Jim Schneller, St. David’s – He is not in support of the acquisition.

Tom Crane, Cumberland Place – He is in support of the acquisition.

Colleen Price, Atterbury Road – She discussed her concerns of the correlation of the proposed lots and the viewscape from the parcel that the Township is looking to acquire along with the number of homes that could potentially be built on the property.

Mary Fran Ballard - She urged the commissioners to approve the Ardrossan purchase.

Leslie Morgan, Farm Road – She discussed the acquisition and the potential conditional use of the land at Ardrossan. She also presented a few analyses that she has completed.

Hank Mahoney, E. Beechtree Lane – He introduced Mr. Huang from Econsult who was retained by the Radnor Conservancy.

Lee Huang, Econsult Solutions Inc. – He made a brief presentation in regards to the Economic Benefits of Preserving Open Space in Radnor Township.

Sarah Armstrong – She made brief comments in regards to the home pricing that was previously presented by Econsult. She also referred back to the CBFAC report, Township Land Exhibit.

Rob Murdocca – Please see attached comments.

Linda Saul, League of Women Voters – Please see attached comments.

Doug McCone – He discussed that if we don’t make the purchase now the opportunity may never come around again.

Rob Driscoll – He supports going to a referendum again.

Phil Wallis, Hillaire Road – He is in support of the acquisition for ecological purposes and also commented on the beauty of the current view shed at Ardrossan.

John Sheehan, Windsor Avenue – He is for open space however there is a lot of Stormwater projects that need to be completed and money should be used towards them.

Rich Booker, Belrose Lane – In general he is in support of open space but would like a good deal to be negotiated. There is broad concern across the community and urged to proceed to referendum.

Mr. Gustafson – Is in agreement with the acquisition and supports it fully.

Katherine Donches, Windsor Avenue – She thanked previous leaders who had the foresight to preserve other land for open space in the township.

Donna Gelvin – Her family moved here because of the open space and supports the acquisition.

Kimberly Donches, Windsor Avenue – She is in support of the acquisition of open space at Ardrossan.

Philip Wilson, Church Road – He is in support of the acquisition and would like to see a volunteer open space fund.

Commissioner Fisher discussed that the electors also have the right to initiate a referendum.

Commissioner Schaefer commented that the Board is scheduled to meet again on November 26, 2013 and then on December 9, 2013 also to discuss the potential acquisition of Ardrossan.

Commissioner Nagle made a motion to cancel the meeting on November 26, 2013, seconded by Commissioner Curley. Motion failed 2-3 with Commissioners K. Higgins, Schaefer, and Fisher opposed. Commissioner Spingler not voting.

Public Participation

Rich Booker, Belrose Lane – He urged the Board to cancel the work on the Chamounix Road sidewalk project. It has already resulted in one heritage tree being removed.

Mimi Auchincloss, Cornwall Lane – She is opposed to the sidewalk, the work has resulted in a water main break and it is an inconvenience.

Mr. Zienkowski stated that that they are on top of the project and the third-party inspector was removed immediately after residents complained.

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

Respectfully submitted,

Jennifer DeStefano

Rob Murdocca, Ward 6, Radnor Township.

I am going to say a lot tonight. All of it is in the context of teamwork with everyone in the room, on that dais, and in the community. However, some of what I say may unintentionally upset some, and some of what I say may resonate with others. But in all cases it is meant for the public benefit of Radnor citizens. And, in no way do I mean to do anything but respect Bill Spingler, Elaine Schaefer, and John Nagle's 10-to-25 years of emotional fervency on this.

I will email this entire Comment to the Township Secretary and I ask that this entire Comment be included as a complete attachment to this Meeting's Minutes.

My intended audience for this talk is (i) the Community's taxpayer voters if they are watching this, (ii) the Board – the seven people who have the fiduciary responsibility to care for the entire community, and (iii) those future citizens of our community whom have yet to join us but hopefully will as long as we remain sound caretakers of all that with which we have been blessed.

I am an informed citizen, having agreed to volunteer freely for the Township significantly over the past four years, and I wish to share with all of us, for the benefit of all of us.

Please allow me to be clear. My highlighting these issues carefully and discussing the important but boring matters of fiscal prudence are not labors of love for me. Rather, the analogy is this – my role here could be akin to a person watching an innocent child on the playground, only to find that the playground has a bully. My wife, my kids, and I live in this playground – our community playground, if you will. Here, I am saddened to report, perhaps I have been witnessing some members of the Board figuratively bully and manipulate the voters and taxpayers. Thus, I simply am trying to do my part to help all of us – that is my agenda and motive.

Most of us taxpayers are very busy with our own worries in our own lives. Most simply do not have the time to understand the nuances, complexity, and ramifications of the proposed Ardrossan purchase itself under the short time frame of these "hearings". Most do not know how it fits in the broader context of Radnor Township's Financials and Radnor's existing virtues and benefits. Radnor citizens hope their elected government officials are acting as true and good fiduciaries rather than advancing personal interests. Radnor citizens hope you will seek to do the right things, rather than potentially spinning, selling, justifying, and manipulating certain endeavors.

Please allow me to be clear, again, this time about **potential outcomes**.

- 1) One potential outcome is the Board believes on balance with the request for a 2014 Voter Referendum, and the Board itself votes to allow it to happen.
- 2) A second potential outcome is, in an absence of the Board believing in such, that a subset of Citizens will believe in a 2014 Voter Referendum enough to put the effort in to make it happen.
- 3) A third potential outcome is, in the absence of both Board will and Citizen will for a 2014 Voter Referendum, that the Board and the Administration use these constructive thoughts to improve the ultimate price value and terms, and reduce the risk of, the purchase acquisition by the time it reaches the settlement table in early 2015 or early 2016.

You the Board do have a choice. You still do. **If you believe the general funding referendum from seven years ago still remains such a tremendous deal for the Township's citizens, and if you are so confident in this – that the 2006 general funding referendum is in fact is totally what the taxpayers of today still want, and still want it in the form of the specific acquisition pieces and prices you proposed on 11/11/2013, then you still can choose to put this to a voter referendum.** You do not have to hide behind the old, stale, and incomplete referendum from seven years ago. We are much more aware and advanced than we were seven years ago. Much has occurred since that time.

Now, putting the shoe on the other foot, you my fellow Radnor citizens whether sitting in this room, watching on TV, or reading this in a newspaper article or reading the Minutes, you do have a choice too. You still do. **If the Board does not give you the May 2014 Referendum opportunity, you still can make the May 2014 Referendum opportunity by collecting enough valid signatures – 10% of each Ward’s registered voters – roughly only ~2,100 signatures overall.**

But, as a fellow Radnor citizen, let us also be crystal clear to one another. My preceding and forthcoming Comment tonight is complete – I am laying out facts, professionally educated opinions and questions which are prudent for contemplating a major land acquisition. After my submission tonight, I know I am not the person to lead a Referendum effort. It will be up to the community folks who understand my Comment, and the impact of this potential purchase on them and the community, to decide whether to take such action. I know I am not the person to lead that part of the effort. I know what my role is. My role is to alert the community by saying to the Board “stop bullying and manipulating the Radnor citizens”. *I do encourage others to lead an effort to make a May 2014 Referendum, if the Board is not confident enough in the merit of its proposed acquisition transaction to majority-vote on its own to allow a May 2014 Referendum.* And if someone does lead that charge, you can count on my signature. Economics, negotiation, real estate, and land acquisition are specific areas of my expertise, and as I noted, this is my complete statement – as such I admit my public Comment tonight is and will be lengthy.

My fellow citizens and friends, whether on the Board or not on the Board, whether possessing a similar perspective or possessing a different perspective – in order for all of us to understand my perspective, allow me to provide some context, background, and history. The remainder of my comments will be grouped as follows:

- (i) A summary of me,
- (ii) Reasons I care/am here,
- (iii) What I want/care about,
- (iv) My addressing the arguments I have heard the Board make,
- (v) Items which have changed in the 7 years since the step 1 2006 funding mechanism referendum was done,
- (vi) Real examples of what worries me, and
- (vii) Further purchase due-diligence questions if the Board and/or Community decide to proceed with the purchase.

Before I delve further into the above descriptions, please remember the next five sentences.

1. In general, I do see tremendous value in Open Space.
2. That said, I do not see appropriate value in the price and terms at which the Board Majority wants to pay for these particular pieces of the developer’s open space which he wants to sell to the Township.
3. I am purposely non-partisan and my voter card says “no affiliation”.
4. Now that you the Board have identified specific pieces of property, characteristics, and price, the right thing to do is to finish the Township’s own 1991 recommendation by putting this specific major acquisition to a voter referendum this May.
5. The 2006 debt fund referendum was only step 1 of the 1991 2-step recommendation.

I. Summary of me

I have a family – a wife, and three young boys. We are pleased to be in Radnor, our home by choice. I am a national real estate professional – as a developer, broker, and project manager. And I say the following with genuine deep respect – having looked at your Board website seeing at least 12 or more higher education degrees among you – that I earned both an MBA in General Management from Harvard (including taking a course called Business & the Environment, which

included cases on conservation easements), and also a BS in Economics from Wharton; and that I also am a CPA and CFP®, as well as having earned two distinguished real estate professional designations – CCIM and SIOR. A bedrock of the Harvard General Management program is to train big-picture thinkers.

I was a 2010 CBFAC appointee: Appointed in late 2009 by Commissioners Bill Spingler, John Nagle, John Fisher, and Kevin Higgins. And in early 2010, Bill Spingler made the motion to approve me as an appointment.

I was a 2012 OS subcommittee participant: Commissioner Elaine Schaefer contacted me and asked me to be on it.

II. Reasons I care/am here

On 4/30/2012, current Commissioner Jim Higgins said he agreed that the sale of property merits a further look, and that we need to be creative going forward.

I am for Open Space. But, I am for good value. And, I can help the Board do better on all or most aspects of its entire purchase and diligence process if it would like me to help.

III. What I want/care about

Excellent and consistent process: For example, I admit I do not know why did Commissioner Bill Spingler recuse himself from discussion and vote of the Louella 12-condo real estate transaction on 1/23/2012? Why not recuse on this Ardrossan real estate?

Sound negotiation: Why not let Bob Zienkowski negotiate? The subset of negotiating Commissioners may be quite compromised by their passion.

Proper pricing, proper due-diligence and risk mitigation, and receiving what is bargained for

Completion of the recommended major acquisition referendum: We have not completed a referendum on a major acquisition. This action was recommended in our own 1991 Parks, Recreation and Open Space Plan.

*“Establish an Open Space Acquisition Fund to purchase parkland (**done in 2006**); major acquisitions should be the subject of a referendum (**not done**).*

IV. Board arguments and underlying flaws

1) *Citing that the GreenSpace Alliance Report says Open Space adds value*: In my profession, it is important that I assess motivation. This Board argument is a half-truth...let's peel this back a bit...consider the following four points about that study:

- A. It does not analyze the costs associated with acquiring, preserving or maintaining land as protected open space – and it admits that.
- B. It was produced FOR GreenSpace Alliance and FOR the Delaware Valley Regional Planning Commission;
--GreenSpace Alliance is an alliance of land conservation organizations;
--Delaware Valley Regional Planning Commission, although not a conservation organization, does have a stated goal of preserving another 500,000 acres of open space throughout its nine-county region;
- C. It was produced BY three entities, one of which is Keystone Conservation Trust – which is an entity focused on preserving and finding value in land;
- D. It was funded BY two entities, one of which is PA Department of Conservation and Natural Resources.

2) *Save the main house*: As stated publicly by the seller/developer team, the Trust does not intend to preserve the main house, although the plan calls for it to remain intact.

3) *Prevent development*: Developer's attorney said “we have our application – 87...that doesn't mean that somebody that buys an unrestricted parcel can't come in for their own approval...[but] we hope [people] buy it and donate it”. Additionally, the Board Executive Summary literature to the public threatens with “hundreds” – but the most homes would be 154 on the Main Tract, only 67 more than the 87 presented on the developer's Main Tract documents. This is not “hundreds”.

These questions remain: **How are you guaranteed, or how will you guarantee to the taxpayers that this \$12 million cost/expenditure will limit the new houses to a maximum of 78 additional houses plus the existing 9 structures?** Has the Board obtained legal/contractual guarantees to stop the full allowed development? Or will we all find out down the road that the seller/developer, or his future purchasers, will be back into the Township to build more?

4) *Be careful about more development because more population brings more school expenditures and taxes:* First, even if the entire Ardrossan were built out fully to every home the developer/seller depicts on his documents for the Main Tract (154), Wheeler Tract (6), and Quarry Tract (8) – it would equal 168 homes. Second, the School Board study was reported in the 10/27/13 Suburban which projects approximately 500 less students in our public schools within 10 years. So it appears we have the capacity without worrying about the Ardrossan properties triggering a step-function to build more schools.

5) *Save the farm:* Great concept, but the CSA attempted a few years ago did not survive.

6) *This situation has been placed upon us now, and we must act or risk losing it.* I firmly professionally believe neither Eddie Scott, nor his leftover land, are going anywhere if Radnor Township limited its offer/payment to no more than \$4.5 million. Contrary to how the Township positions this, I firmly believe the Township is not at risk of losing this opportunity – if Eddie Scott found another buyer, he would come back to the Township. The Township has the most certainty of closing, and there is value in that which the Township is not obtaining. Radnor Township is the best buyer out there, the developer will not go away.

7) *Make trails:* Still can do the Trails without buying the Wheeler Tract (this alone saves \$2.4+ million). According to the seller/developer (and unverified by you), only 6 homes can be built there according to his own plan (because the remainder is a flood plain), and those homes are on the southernmost end adjacent to existing homes on Lawrence Lane cul-de-sac. Heck, let six more homes go adjacent to existing homes. That is not a lot of homes to allow to be built, and it does not bother a wide open stretch of space...those six would be adjacent to existing. There still would have a huge wide open expanse from those six homes northward through the flood plain.

8) *We already did the referendum:* No, you established the Open Space Acquisition Fund to purchase parkland; but major acquisitions were recommended to be the subject of a referendum – you did not do this yet. Your funding mechanism referendum made zero mention of Ardrossan, zero mention of size, zero mention of specific location, and zero mention of price.

“Shall debt of up to \$20 million to finance the acquisition and preservation of real property, interests therein and contracts related to real property, all for purposes of open space preservation, recreation, and environmental and historic preservation, be authorized to be incurred as debt approved by the electors?”

9) *It is “free” or “partially free” due to the Open Space Fund being funded by realty transfer tax:* We the taxpayers do pay this – when moving in, when moving within (twice), and when moving out

10) *Radnor Township finances are in better shape today than five years ago when the Great Recession started:* This is not true. The Board took care of two low-hanging fruits – removed a crook, and in four years raised average residential taxes-and-fees 29.4%. And in just the last three years, Radnor Township – the government, and the citizens – have begun to learn of \$246 million of real contractual unfunded liabilities for services previously provided, and for Township-admitted long overdue deferred capex (\$236 + \$10). So, even if the Township’s finances might be in better shape, it has come at the expense of weakening the taxpayers’ personal finances by jacking up residential taxes-and-fees 29.4% - without yet the “Ardrossan effect” and without yet the \$246 million “unfunded previously earned and owed liabilities and deferred capex effect”.

11) *Commissioner Jim Higgins insinuating the debt is no big deal in that it is like a homeowner paying a mortgage over time:* The DIFFERENCE in that analogy is a homeowner buys a house and pays a mortgage into the future for a future benefit – shelter. Whereas, we have zero future benefit of the

Unfunded but Already Owed Liabilities – these are for workers' earnings already earned and service already provided. The proper analogy is paying the Unfunded Liabilities into the future is like paying for expensive dinners we already consumed in the past.

12) *2014 supposedly will not have a millage tax increase:* But it will install a \$29 fee, at least, for storm water – this minimum equates to a 1.7% millage tax increase – and again, without yet the “Ardrossan effect” and without yet the \$246 million “unfunded previously earned and owed liabilities and deferred capex effect”.

13) *Characterizing the \$8 million somewhat recent settlement as an “unexpected windfall”:* It was not an unexpected windfall – it was real money in which the Township was owed, thought it was owed, and pursued vigorously to get it back.

14) *An assertion floated that Rob Murdocca is against Open Space:* False. I am for Open Space. That is why I willingly said yes to Commissioner Elaine Schaefer when she asked me to serve on the Open Space subcommittee during 2012.

15) *Commissioner Jim Higgins assertion that Rob Murdocca is against Open Space recommended to sell nearly all the Township’s real estate and that it is hard to reason with someone like that:* Let me clear this up. I, as part of an 8-person unanimous non-partisan/bi-partisan consent CBFAC team – which included two members who today are on CARFAC – we collectively unanimously recommended exploring the sale of only 6.4% of the available 609 public recreational acres in the Township. So this excludes the additional 596 acres of private open space which many residents enjoy. Further, this recommendation was after an exhaustively researched and documented analysis of the copious amount of property Radnor Township has on a per-person basis, as provided for in reputable national guidelines cited in Radnor’s own 1991 Parks, Recreation and Open Space Plan. Even further, also note that subsequently in 2011-12, CRESA Partners was hired by the Township and also made quite similar suggestions.

16) *The Ardrossan property should fetch a higher multiple than the Foxcatcher/Lisiter property, asserting reasons largely based on the school district:* \$164,078/acre – for mostly sloped and flood plain – still equals 2.4 times the Foxcatcher per acre amount. Does one really think 2.4x is an appropriate multiple for Radnor Township’s school district versus Marple-Newtown? And, of the current and potential future inhabitants of the Ardrossan properties, how many of those families actually choose RTSD over a private school of their liking?

17) *This Board is not overpaying:* I reference #7 *Trails* above. The Board wants to pay \$2.4 million to stop 6 homes? I submit to you that paying \$400,000 per home avoidance, next to a flood plain no less, is a good definition and example of overpaying.

18) *Need “privacy” to avoid impairing negotiations:* It is intellectually disingenuous for the Board to try to have it both ways – it should not be able to say “*the campaign that accompanied the referendum centered squarely upon the purchase of Ardrossan*” and “*eyed the purchase for many years*”, yet also say it needs to do “*aspects temporarily closed to the public to obtain a negotiating advantage*”. To the contrary, the Board could have used the public to help, not hurt, its negotiation.

19) *This Board more than halved the price over the years:* That is a half-truth. If using that argument, then at least also publicly admit to halving the acreage from 141 acres to 71 acres. The current rate negotiated is only 87% of the heyday 2006 price’s rate. Further, it is not of interest to benchmark to a previous flawed negotiation and limited Appraisal in 2006...two wrongs do not make a right.

20) *Our community cares about this:* Well, yes when placed in isolation. But our community also cares about items such as the Radnor Library, the Radnor ABC House, the Senior Center, and the Radnor Fire Company for examples. It would be extremely interesting to ask the community directly how they would allocate \$12 million among the 5 choices of:

- 1) These pieces of Ardrossan
- 2) Radnor Library

- 3) Radnor ABC House
- 4) Senior Center
- 5) Radnor Fire Company

It is fun to spend money. It is even more fun to spend other people's money. That is what the 7-member Board is doing. But what would all the registered voters say to today on how to allocate \$12 million if given the choice? As a matter of fact, the citizens ranked 23 other local government activity expenditures higher than open space – this was only three years ago in 2010 (which was a year after the Great Recession ended) and is shown on page 9 of the CBFAC Report. CONTEXT MATTERS.

V. Items which have changed in the 7 years since November 2006

- 1) The Board has increased our taxes-and-fees 29.4% since 2009 on the average household
- 2) The Board and Township have learned of real contractual enormous unfunded liabilities of ~\$236 million
- 3) The Board and Township have learned of real past-deferred yet-still-unsaved-for storm water capital expenditures of at least \$10 million
- 4) The Great Recession
- 5) Taxpayer/voter turnover – citizens move in, and citizens move out
- 6) Taxpayers' heads and hearts – citizens assess their situation in 2006, and assess it now in 2013...our personal perspectives and wherewithal very well could have changed significantly
- 7) The recent report projecting ~500 less RTSD students in the next 10 years

VI. Real examples of what worries me

[8/14/13] Commissioner Spingler's campaign letter dated August 14th, two months in advance, stating four commissioners to vote yes for Ardrossan in October.

[10/27/13] Commissioner Schaefer's email, while being the Board president, encouraging folks to come to the 10/28/13 meeting "*It might be helpful to have a few supportive voices in the Board audience...it seems that this [RRRG] group [is] rallying themselves to come to the meeting and agitate...*"

[10/27/13] Commissioner Curley's email, "*not all commissioners are included or involved*" and "*It seems a subset of commissioners is negotiating outside of executive session*"

[10/28/13] Commissioner Jim Higgins' *email falsely telling a constituent that I recommended selling nearly all the Township's real estate*

[11/6/13] The Appraiser being influenced by the developer/seller – so far all the documents have been provided by the seller, and none from the buyer, including these two:

- 1) *Land development concept plan for Tract B (aka the Quarry Tract) drawn by Momenee & Associates and dated February 20, 2013. This plan show a development potential for eight lots clustered along a cul-de-sac street on Tract B.*
- 2) *Yield summary portion of a development plan prepared by Momenee and dated January 24, 2007 showing a maximum permitted density of 180 units on the 352.537-acre larger parcel.*

[11/6/13] The Purchase Agreement appearing not to have a drafted mechanism to adjust the price based on our/Buyer due-diligence findings. For example:

- 1) *What happens when we do a Geotech report on the Quarry Tract and if it shows that no houses (instead of the SELLER CONCEPT plan showing 8) can be built feasibly, or it shows it would take an enormous expenditure to correct the grounds to do so?*
- 2) *How do we reduce the price for the fact that the Appraiser calculated Main Tract value incorporating a SELLER CALCULATION of 180 units max, when subsequent to the Appraisal the SELLER RE-CALCULATED 154 units max? This alone could be a \$665,000 subtraction.*

3) *What happens when we do a Geotech report on the Wheeler Tract and if it shows that no houses (instead of the SELLER plan showing 6) can be built feasibly, or it shows it would take an enormous expenditure to correct the grounds to do so?*

[11/11/13] Commissioner Nagle's manipulation of CARFAC. In the 10/16/13 CARFAC Meeting Minutes, CARFAC clearly approved a motion to recommend to the Board that the Board conduct a simultaneous independent appraisal, by a certified MAI appraiser (5 ayes, 0 nays, 1 abstention). But at 11/11/13 Board Meeting Commissioner Nagle told Citizen Leslie Morgan that he then explained to CARFAC why we don't need this. This really worries me both that Commissioner Nagle can influence the group and scrap good process so easily, as well as it worries me that the rest of the Board did not speak up to ensure that yes, we need to do CARFAC's recommendation.

VII. The Resolution 2013-07, and the Purchase Agreement and prudent documents and procedures

Will the Township in fact order a new Phase I Environmental Report?

Will the Township in fact order a new Geotech/Soils Report?

Will the Township in fact order a new and thorough ALTA Survey with the Township's Resolution's "Phase 2" minimum scope?

Will the Township in fact order the new Title Commitment?

Then after all that comes in, will the Township hire a fresh new Appraiser, provide all these materials to the new Appraiser, and obtain a new unadulterated Appraisal? (Let's not keep recycling the gentleman retained in 2006 by Natural Lands Trust.)

Will the Township present a Pro Forma Budget showing ~\$600,000 worth of direct-tradeoff expenditure cuts, clearly showing what would be proposed to be cut, since it has shown a direct-debt service schedule for this proposed purchase of ~\$600,000/year? To be clear, I am not saying we necessarily must cut \$600,000, but it is an appropriate lens to use when evaluating a new \$600,000/year expenditure, rather than simply operating under a belief that money is infinite.

To conclude

1. I do see tremendous value in Open Space.
2. That said, I do not see appropriate value in the price and terms at which the Board Majority wants to pay for these particular pieces of the developer's open space which he wants to sell to the Township.
3. The right thing to do is to finish the Township's own 1991 recommendation by putting this specific major acquisition – now that you have identified specific pieces of property, characteristics, and price – to a voter referendum this May.
4. **I ask the Board to vote "yes" for that.**
5. **If that Board does not allow that, then I encourage the citizens or subset of the citizens to make a Referendum happen if that is what they want.**

I believe it may have been Einstein who mentioned "Not everything that counts can be counted, and not everything that can be counted counts." I hope this full Comment tonight counts.



*Public Comment
of the
League of Women Voters of Radnor Township
to the
Board of Commissioners of Radnor Township
November 18, 2013*

As many of you know, the League of Women Voters (LWV) at the state and local levels has studied land use issues for decades. Such study and consensus building result in the adoption of positions from which the LWV advocates. The following comments are rendered by the LWV of Radnor as we

- continue to monitor and examine all activities in the Township pertaining to zoning, planning, transfer and acquisition of land;
- support the protection of open space and recreational lands; and
- take action when appropriate.

The League appreciates the time and effort that each of you has spent reviewing numerous land development matters during recent months. We are pleased that you have set aside this evening for a special meeting to deal primarily with the Ardrossan issues. Limiting the agenda is helpful to both you and to Radnor's citizens who wish to provide input in this important decision.

The introduction of the agreement to purchase of 71 acres of open space at your previous meeting has prompted the League to provide comments to you this evening. Fortunately, Radnor has a Comprehensive Land Use Plan¹ that embodies the vision of Radnor residents and guides your decision-making in this area. Of particular relevance is one of the two goals under Section 6 Open Space and Recreation:

Protect and enhance the character of the Township through the acquisition and protection of open space. (p. 6-1)

This goal is followed by specific objectives that speak to this item:

Continue to acquire, protect, and preserve open space in the Township. Coordinate these efforts with protection and enhancement of natural resources. Assess various methods of acquiring land or interests in land for the purpose of conserving open space. (p. 6-1)

Create non-motorized linkages between recreation and open space facilities, Township residences, businesses and schools and between the facilities themselves. Create linkages to regional trail systems. (p. 6-2)

This document further speaks to the importance of open space in relationship to environmental resources in such areas as stormwater management, urban area "greening,"

¹ http://www.radnor.com/egov/docs/1163291878_779510.pdf

riparian buffer reestablishment and reforestation projects. Even the visual enjoyment of open space was noted as an important and unique attribute that contributes to charm and character of our Township. (p. 15)

Combining open space with environment and natural resources was one of the considerations of the stakeholders of the Comprehensive Land Use Plan. When one looks at the item before the Commissioners this evening, the connections between these areas are evident. Here is the Section 2 Environment and Natural Resources goal:

Protect the Township's vital environmental values, including water resources, wetlands, floodplains and riparian areas, woodlands and important habitat areas, balancing the needs of development with environmental values. (p. 2-1)

This, in turn, is followed by several objectives with two being:

Direct development to areas of minimum environmental sensitivity; prohibit development in areas of heightened sensitivity and value, such as wetlands, floodplains, riparian zones, and steep slopes. (p. 2-1)

Work to preserve remaining open spaces in the Township, using all direct means such as acquisition, as well as less direct regulatory programs; prioritize those open spaces taking into account factors such as proximity to wildlife habitats and forage areas, aesthetic values, water resource values and other factors relating to landscape ecology management. (p. 2-2)

The League appreciates the opportunity to reinforce several of the goals and objectives of the Comprehensive Land Use Plan. We value the work you do and trust you will make the right decision for our Township.