

TOWNSHIP OF RADNOR
Minutes of the Regular Board of Commissioners Meeting of October 18, 2021

The Radnor Township Board of Commissioners met via Zoom at approximately 6:52 pm
https://www.youtube.com/watch?v=ySL-8_7k5kg&t=5597s

Commissioners Present

<i>Jack Larkin, President</i>	<i>Moira Mulrone, Vice President</i>	<i>Lisa Borowski</i>
<i>Cathy Agnew</i>	<i>Sean Farhy</i>	<i>Richard Booker</i>
		<i>Jake Abel</i>

Also Present: *William White, Township Manager, Colby Grim, Township Solicitor, Robert Tate, Director of Finance, Steve Norcini, Township Engineer, Roger Phillips, Engineer, Damon Drummond, Traffic Engineer, Ricky Foster, Jr., Public Works Director, Molly Gallagher, Public Information Officer, Peggy Hagan, Executive Assistant to the Township Manager.*

President Larkin called the meeting to order and led the assembly in the Pledge of Allegiance.

President Larkin gave Notice of an Executive Session, held prior to the October 18, 2021 Board of Commissioners Meeting, to discuss personnel and real estate issues.

1. Public Participation

Heather Gill – She had rebuttal remarks to Commissioner Agnew’s comments from the September 13, 2021, Board of Commissioners Meeting. She spoke in approval of Resolution 2021-25, presented photos, and spoke on an incident at Porch Fest on September 11, 2021.

Kate Hart – 520 Meadowbrook Circle – She completed Ms. Gill’s statement.

Bryan Johnson of 227 Radnor Street Road – He spoke on the Concordia Development and is in favor. He also spoke on the Development process to include architectural features and design.

Matt Marshall – He spoke on interaction of Concordia Group and the neighborhood. Would like neighborhood interaction for all future developments. He also spoke on the intensity of the Board of Commissioners on specific items.

Angie Mitchell, owner of Garrett Hill Ale House and Flip and Bailey’s – She commented on the proposed Garrett Hill Overlay district changes. She is asking for Outdoor Dining in Garrett Hill.

Dan Sherry – He spoke on President Larkin’s meeting procedure and Commissioner Farhy’s response to it.

Angela Kennedy of 526 Highland Court – She spoke on funding for refurbishing Odorisio Park.

Sumanth Joseph – He described how his neighbor was approached to get signatures for a petition.

Clark Engle – 346 Conestoga Road – He spoke on Commissioner Agnew’s behavior at Porch Fest.

2. Consent Agenda

- a) Disbursement Review & Approval
- b) Approval of Minutes of the Board of Commissioners Meeting of September 13, 20, 21, 2021
- c) HARB 2021-18 - 201 Walnut Avenue – New Garage
- d) HARB 2021-19 – 319 St Davids Road – Garage Door Replacement with Framed Opening also includes New Main Door
- e) Resolution 2021-112 – Adopting a Volunteer Firefighter Tax Credit Program
- f) Motion to Authorize the receipt of sealed bids for the purchase of gasoline and diesel fuel for 2022
- g) Resolution 2021-114 - Authorizing the Engineering Department to Receive Sealed Bids for the Malin Road Culvert Replacement Project
- h) Resolution 2021-115 - Authorizing the Engineering Department to Receive Sealed Bids for the Gulph Creek (at 210 Gulph Creek Road) Bank Restoration Project
- i) Resolution 2021-117 - Appointing Douglas Meder, SEO as Primary Sewage Enforcement Officer and James Bevin, SEO [Herbert E. MacCombie Jr., PE, Consulting Engineers] as Alternate Sewage Enforcement Officer

President Larkin asked if any Commissioners would like to remove and item(s) from the Consent Agenda. Commissioners Borowski, Booker, and Farhy asked for item 2 e) to be removed from the Consent Agenda.

e) Resolution 2021-112 – Adopting a Volunteer Firefighter Tax Credit Program

President Larkin moved to approve Resolution 2021-112, seconded by Commissioner Borowski.

Bill White, spoke on the Resolution and its incentive for Volunteers. Township Staff worked with Radnor, Bryn Mawr, and Broomall Fire Chiefs. The program is a stipend not a tax credit program.

There was discussion among Commissioners and Staff. Commissioner Larkin called the vote, the motion passed 6 to 1 with Commissioner Booker against.

President Larkin moved to approve the balance of the Consent Agenda, items 2 a), b), c), d), f), g), h), i), seconded by Commissioner Mulrone. The motion passed unanimously.

3. Committee Reports

- A. Ordinance 2021-09 – (Adoption) - Concordia (Eagle and Radnor Rd) – Zoning Map Amendment (Advertised Public Hearing)
- B. Resolution 2021-99 – Concordia (Eagle and Radnor Rd) – Request of Preliminary/Final Land Development Plan

David Falcone, Saul Ewing, spoke on the Zoning Map Amendment and the request for Preliminary/Final Land Development Plan.

President Larkin asked to discuss Ordinance 2021-09 and Resolution 2021-99 at the same time and allow for public comment on both.

There was discussion among Commissioners and Staff, including discussion of future stormwater maintenance, installation of sidewalk, tree(s) planting, effect on School District, traffic study, installation of a trail, moving lots 4 and 5 to align with lot 3, and sidewalk/bridge installation.

Public Comment

Brian Johnson – 227 Radnor Street Road – He thanked Concordia for working with the neighbors and noted there is a consensus that it is a good plan. He would like the Commissioners to consider maintaining architecture within the Township.

Patty Conlin – 250 Radnor Street Road – She appreciates all the work Concordia has done with the neighbors.

Matt Marshall – 228 Walnut Ave – He would like the Commissioners to consider the name of the street so as to not create confusion, consider donating bushes and trees to Township parks, strict adherence to construction regulations and hours of construction, installation of a 4 to 6 ft wind screen, and to consider a trail to Walnut Avenue. He also spoke on the need to change the notice parameters.

Baron Gemmer – He applauds Concordia for reaching out to neighbors and spoke on the possibility of a by-right trail.

President Larkin moved to amend the Land Development Application adding the condition, that has been agreed to by the Applicant, to move lots 4 and to 5 to align with lot 3, seconded by Commissioner Borowski. The motion passed 7-0.

There was continued discussion among Commissioners, Applicant, and Staff.

Commissioner Booker moved to add a condition to adding a hiking trail be placed on the site, location to be determined, seconded by Commissioner Farhy. The motion failed 2-5 with Commissioners Larkin, Borowski, Mulrone, Abel, and Agnew against.

The Board asked the Applicant to explore putting a trail on the site, the Applicant agreed.

Public Comment

Matt Marshall - He spoke on Ardrossan and the lack of public access and a trail. He also spoke

on construction dust from project.

Dan Sherry – Spoke on an article written about Ardrossan and the lack of public access.

Patty Conlin – She stated the neighbors would like the bridge expanded with the sidewalk built into it.

President Larkin called the vote for the Adoption of Ordinance 2021-09, which was approved with a vote of 6-1, with Commissioner Booker against.

The Applicant asked for a waiver or credit from the Parks and Recreation Fee in that the sidewalk installation be in lieu of the Parks and Recreation Fee or a credit. There was discussion among Commissioners, Applicant, and Staff.

Commissioner Booker moved to table the land development application, seconded by Commissioner Farhy. The motion failed 3-4 with Commissioners Larkin, Borowski, Mulronev and Agnew against.

There was continued discussion among Commissioners, Applicant, and Staff.

President Larkin called the vote to approve Resolution 2021-99, the vote passed 6-1 with Commissioner Booker against.

C. Bond Refunding Opportunity

a. Ordinance 2021-12 (Introduction) – Authorizing the advance refunding of the Series 2013B in the aggregate principal amount not to exceed \$15,500,000

Commissioner Larkin moved to Introduce Ordinance 2021-12, seconded by Commissioner Borowski.

Bob Tate, Director of Finance, spoke on Ordinance 2021-12 and Resolutions 2021-123 and Resolution 2021-124. There was discussion among Commissioners and Staff.

President Larkin called the vote, the motion to Introduce Ordinance 2021-12 passed 5-0 with Commissioners Mulronev and Abel of the dais.

b. Resolution 2021-123– Engaging PFM to provide financial consulting services for the advance refunding of the Series 2013B Bonds

President Larkin moved to approve Resolution 2021-123, seconded by Commissioner Borowski. There was discussion among Commissioners and Bond Counsel, and Staff.

President Larkin called the vote, the motion passed 6-1 with Commissioner Abel off the dais.

c. Resolution 2021-124 – Engaging Cozen O’Connor as Bond Counsel for the advance refunding of the Series 2013B Bonds

President Larkin moved to approve Resolution 2021-124, seconded by Commissioner Borowski.

President Larkin called the vote, the motion 6-1 with Commissioner Abel off the dais.

D. 904 Drexel Lane -Waiver of the Stormwater Management Ordinance

The Applicant’s Engineer spoke on the request for waiver. There was discussion among Commissioners, Applicant, and Staff.

Commissioner Mulroney moved to table, seconded by Commissioner Booker. The motion to table passed 6-1 with Commissioner Farhy against.

E. 123 Hickory Lane – Waiver of the Stormwater Management Ordinance

Andrew Allen, contractor for Applicant, spoke on the request for waiver. There was discussion among Commissioners, Applicant, and Staff.

Commissioner Booker moved to table, seconded by Commissioner Mulroney. The motion passed 5-2 with Commissioners Farhy and Larkin against.

F. Ordinance 2021-07 – (Adoption) – Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by permitting an increase in building height in the Garrett Hill Neighborhood (GH-N) and Garrett Hill Garrett Avenue (GH-GA) Districts. In addition, outdoor dining would be permitted in the Garrett Hill Conestoga Road (GH-CR) District.

President Larkin moved to adopt Ordinance 2021-07, seconded by Commissioner Farhy.

Commissioner Farhy spoke on the Ordinance and communication/transparency with the neighbors. There was discussion among Commissioners and Staff.

It being 10:59 pm, President Larkin moved to extend the meeting thirty minutes, seconded by Commissioner Mulroney. The motion passed unanimously.

Public Comment

Sara Pilling – She spoke on the background on Garrett Avenue

Dan Sherry – He spoke on Commissioner’s Farhy data collection and the comments of the other Commissioners relating to the emails they received.

Roberta Winters – She spoke on petition submitted and list of shared values.

President Larkin called the vote, the motion failed 3-4 with Commissioners Larkin, Mulroney, Borowski, and Booker against.

G. Ordinance 2021-11 – (Adoption) - Approving the First Amendment to Land Lease Agreement Between the Township of Radnor and Cellco Partnership D/B/A Verizon Wireless

President Larkin moved to extend the meeting 30 minutes, seconded by Commissioner Mulroney. The motion passed 7-0.

Bob Tate, Director of Finance, introduced Steve Giancristoforo who spoke on the amendment to the Land Lease between Radnor Township and Cellco Partnership D/B/A Verizon Wireless. There was discussion among Commissioners and Staff.

President Larkin called the vote, the motion passed 6-1 with Commissioner Booker against.

H. Resolution 2021-125 – Resolution of Admonishment and Censure of Interim Commissioner, Catherine Agnew

Commissioner Booker moved to approve Resolution 2021-123, seconded by Commissioner Abel.

Commissioner Booker stated that the Resolution was brought to him by Heather Gill. He spoke on the incident at Porch Fest. Commissioner Agnew responded to Commissioner Bookers comments. There was discussion among Commissioners.

Public Comment

Heather Gill – Stated she did not know the Porch Fest rules and spoke on Commissioner Agnew’s behavior.

At 11:58 pm President Larkin moved to extend the meeting, seconded by Commissioner Booker. The motion passed 7-0.

Sue McFarland Metzger - She spoke in support of Cathy Agnew and Porch Fest.

Dan Sherry – He spoke on Commissioners behavior and speaking when there is a conflict of interest.

Annie Webb – She said the Porch Fest incident was a neighborhood disagreement and is

disappointed it was brought to the Board of Commissioners.

Angie Mitchell - Flip and Baileys – She was upset that the Garrett Hill Overlay changes were not adopted.

Commissioner Abel moved to watch a video of the incident at Porch Fest, seconded by Commissioner Booker. The motion failed for lack of majority.

Commissioner Able moved to table the item, the motion failed for lack of a second.

President Larkin called the vote, the motion failed 4-1 with Commissioner Booker against, and Commissioner Abel abstaining.

4. Reports of Standing Committees

None

5. Old Business

Commissioner Booker asked about OPEB funding and the report CARFAC requested. Bill White, Township Manager, noted the information was requested of the actuary. Commissioner Booker asked to put the item under Old Business for the October 25, 2021 meeting.

6. New Business

a. PECO contractor incident. (Commissioner Farhy)

Commissioner Farhy asked that the item be tabled to the October 25, 2021 meeting.

7. Public Participation

Dan Sherry – He commented on alleged misconduct of Commissioners.

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

Respectfully submitted.

Peggy Hagan