

TOWNSHIP OF RADNOR

Minutes of the Public Meeting of March 23, 2009

The meeting of the Radnor Township Board of Commissioners was called to order at 7:13 P.M. in the Radnorshire Room in the Municipal Building, 301 Iven Avenue, Wayne, PA 19087.

Commissioners Present

Thomas A. Masterson, Jr., President
John Fisher, Vice-President
Enrique R. Hervada
William A. Spingler

Harry G. Mahoney
Lisa Paolino
Kevin G. Higgins

Also present: John B. Rice, Interim Township Solicitor; Aimee M. Cutbertson, Finance Director; Amanda Ostrander-Serock, Director of Personnel and Public Affairs, Coretta Hutchinson, Township Secretary; William F. Martin, Assistant Director of Finance; Daniel E. Malloy, Township Engineer; Robert F. Loeper, Jr., Director of Community Development; Matthew Baumann, Police Lieutenant, Joseph Lunger; William R. Hagan, Director of Public Works; Thomas J. Blomstrom, Director of Parks and Recreation; Stephen Giancristoforo, Director of Information Technology; John Osborne, Treasurer.

President Masterson called the meeting to order. He then led the audience in the Pledge of Allegiance to the Flag.

Minutes of the Public Meeting of March 5, and March 9, 2009

Commissioner Mahoney requested that the minutes of March 9, 2009, regarding public participation be revised. President Masterson motioned to table the minutes. Seconded by Commissioner Fisher, the motion was unanimously passed.

Notice of Executive Meetings

President Masterson reported that an executive meeting was held in the Powys Caucus Room in the Township Building prior to the public meeting on March 9, 2009, where real estate acquisition, litigation and personnel matters were discussed. All Commissioners were present, except Commissioner Hervada. He then reported that an executive meeting was held on March 16, to discuss a personnel matter. All Commissioners were present except Commissioner Spingler. He further reported that an executive meeting was held prior to the public meeting on March 23, where real estate acquisition, personnel and litigation matters were discussed. All Commissioners were present.

Public Participation re: agenda items

President Masterson informed the public that allowing public participation at the start of the public meeting was a trial suggested by John Rice to forewarn the Board of the particular topics residents would like to discuss. Diane Edbril expressed concern that the new policy would deny latecomers an opportunity to express their concerns to the Board. John Rice replied that his suggestions were a common practice of most municipalities and that the Sunshine Act requires that the public be afforded an opportunity to voice their opinions regarding an agenda item before the Board approves it. Commissioner Spingler then notified Ms. Edbril that the public will not be restricted from conveying their thoughts; however, the individuals that notify the Board of their item(s) of interest at the beginning of the meeting will be allowed to address the board first.

Proclamations re: recognition of Archbishop Carroll Boys & Girls Basketball Team for winning State Championship

Commissioner Paolino presented the girls basketball team with a proclamation recognizing them for winning the state championship. She then congratulated the team and their coaches. Commissioner Spingler then presented the boys basketball team with a proclamation to recognize them for winning the state championship as well. President Masterson then invited the public to celebrate their victory on Friday March 27, at 2:30 p.m., at Archbishop Catholic High School. The Archbishop Carroll Boys & Girls Basketball Team is currently the first Catholic League to win the state championship and the fifth basketball team in PIAA history to have both boys' and girls' achieve state titles in the same year. Commissioner Spingler motioned to approve the proclamation. Seconded by Commissioner Hervada, the motion was unanimously passed.

Proclamation re: National Transplant Assistance Fund

Commissioner Fisher presented Lynne Samson, Director of the National Transplant Assistance Fund with a proclamation pronouncing April 2, 2009 NTAF Community Heroes Day, in honor of the individuals who volunteer their time, provide financial support and donate bone marrow to assist transplant patients and individuals with catastrophic injuries. Ms. Samson then thanked the Board and invited the public to attend a community luncheon on Thursday, April 2, from 11:30 a.m. to 1:15 p.m. in the Radnor Financial Center Atrium, to commemorate *Donate Life Month*. Commissioner Spingler motioned to approve the proclamation. Seconded by Commissioner Paolino, the motion was unanimously passed.

Proclamation to Cabrini College re: Woodcrest Mansion placement on National Registry of Historic places

Commissioner Hervada presented Mr. Howard Holden, Director of Facilities at Cabrini College, Martha Dale and Beverly Barnes with a proclamation recognizing Cabrini College for their outstanding horticultural efforts to preserve the Woodcrest Mansion, which recently earned them placement in the National Registry of Historic Places. President Masterson motioned to approve the proclamation. Seconded by Commissioner Mahoney, the motion was unanimously passed.

Announcement of 2009 Landrover Main Line Jazz & Food Festival

Jennifer Bailor and Laura Munich reported that this year's Landrover Main Line Jazz & Food Festival will be held on Sunday, June 13, from 4:00 p.m. to 9:00 p.m. on North Wayne Avenue. Ms. Bailor then announced some of the festivities scheduled to take place and encouraged everyone to attend.

Wayne Business Association update

Diane Jiorle informed the board and the public of some of the upcoming fun and family oriented events scheduled to occur in the Wayne Business District. She then encouraged the board to attend the WBA award dinner on Thursday, April 16, in honor of Wayne business owners and residents that have positively impacted the community. Ms. Jiorle then informed the Board that the valet parking services offered in Wayne were in jeopardy of being discontinued; therefore, the WBA is currently working with business owners to avoid termination of such a beneficial service. She then happily announced that Chester County Life recently published a magnificent honorary spread of the Wayne Business District.

Departmental Reports

Commissioner Spingler motioned to approve the reports as presented. Seconded by Commissioner Hervada, the motion was unanimously passed.

COMMUNITY DEVELOPMENT

Application of T-Mobile re: use permit to install cellular facility on Peco pole at Sproul Road & Bryn Mawr Avenue

Don Petrosa announced that subsequent to the Boards instruction, the Cable Council reviewed T-Mobiles request to install cellular faculties atop of Peco poles in the Township, which rendered a unanimous approval. Commissioner Paolino asked if he convened with the Homeowners association. Mr. Petrosa replied that he met with the Homeowners Association and no rejections were conveyed. Commissioner Fisher asked if neighbors were notified of the project. Mr. Petrosa replied that several neighbors were informed. Commissioner Fisher then suggested notifying all neighbors within 500-1000ft. of the cellular facilities. Commissioner Fisher then asked if there were any recent amendments to the agreement. Mr. Petrosa replied that no changes were made. James Schneller suggested that the Cable Council routinely review similar projects in the future. Commissioner Spingler motioned to approve the application. Seconded by Commissioner Paolino, the motion was unanimously passed.

Introduction of an ordinance re: off premises signs

John Rice informed the board and the public that the Townships current zoning ordinance failed to include provisions regarding the placement of off premises signage in the Township, which could result in an applicant posting undesirable signage on Township grounds. He then stated that the Township is obligated to permit the posting of off premises signs, but have the authority to regulate the dimension and location of the signs. Mr. Rice then announced that he and Township staff researched various possible sites and determined that the Wayne Business District and a portion of the C3 zoning district would be appropriate for placement. President Masterson questioned the size of the proposed billboards. Mr. Rice replied that the site would determine the size of the billboard; however, 64ft. would be the maximum size permissible. Commissioner Fisher asked if the signs would be displayed electronically or placed on top of buildings. Robert Loeper replied that such placement would be prohibited in the ordinance. Mr. Rice noted that he was currently working with staff to craft a new zoning ordinance to be presented to the Board by June; however, the Delaware County Planning Commission is required to review the case 30 days before it can be adopted followed by the Zoning Committee, to allow residents an opportunity to voice their concerns. He further noted that Matthew Baumann proposed amendments to the ordinance prior to the public meeting to include the definition of sign area and the policy for posting V-shaped signs. Mr. Rice then recommended that the proposed amendments be included in the final ordinance. Commissioner Spingler motioned to introduce the ordinance with the proposed amendments. Seconded by Commissioner Mahoney, the motion was unanimously passed. Diane Edbril announced that it was refreshing to know that the new Township Solicitor was well versed in current case law. Baron Gemmer informed the Board that § 280-121, 122 and 123 displayed conflicting language and the inclusion of the sign definition could possibly negatively impact civic event postings. President Masterson suggested that Mr. Gemer send him an email detailing his concerns.

Resolution 2009-15 re: Wayne Hotel addition

Commissioner Paolino motioned to approve the resolution. Seconded by Commissioner Spingler, the motion was unanimously passed.

FINANCE AND AUDIT

Monthly budget update and schedule of bills payable

Commissioner Higgins questioned charges associated with the PennDoT and Rezak Pembroke North Condominiums. Aimee Cuthbertson replied that the fees were for occupancy permits. Dan Malloy elaborated that PenDoT levied an inspection fee against the township as applicants for a sewer line; however, reimbursement is expected from the builders. Commissioner Higgins then questioned charges from North Western University. Ms Cuthbertson replied that the charges were a result professional training received by two members of the Police Department. Commissioner Higgins then questioned fees incurred for photography services. Thomas Blomstrom replied team photos of the Parks & Recreation basketball

team were given to participants; however, the charges were included in the program registration fee. Commissioner Higgins then asked if the current PECO invoice for Sulpizio Gym was representative of future bills. Mr. Blomstrom replied that the current charges are elevated due to extremely low temperatures and are not representative of future expenses. Commissioner Higgins then questioned numerous payments made to the Delaware County Sherriff. Ms. Cuthbertson replied that the charges were a result of the delinquent sewer rent recovery program implemented by the Board in 2008. Commissioner Higgins then questioned charges from Physio-Control Inc. Ms. Cuthbertson replied Physio-Control supplies the Townships AED system, which is required to assist an individual experiencing a heart attack. Commissioner Spingler motioned to approve the reports as presented. Seconded by Commissioner Paolino, the motion was unanimously passed. Christina Perrone asked when the bills would be viewable to the public online. President Masterson replied that the Board is currently considering making the reports available to the public; however, he would like to discuss the possibilities with the interim Township Manager and Solicitor first. Ms. Perrone then requested that the Board consider posting the budget trend reports as well.

Ms. Cuthbertson then presented the Board with the bills payable totaling \$1,450,718.72. Commissioner Fisher reported that the Township is experiencing a substantial drop in revenues and suggested that the Board act now to prevent a greater deficit. He then suggested that two separate committees be assembled to review the MMO and GASB Fund. Commissioner Fisher also suggested that a funding mechanism for employee leave time be formulated and presented to the Board at a future public meeting. Commissioner Spingler motioned to approve the bills payable totaling \$1,389,862.72. (The Board later rejected a payment of \$60,856 payable to Natural Gardens & Lawns, Inc and requested that the purchase be formally put out for public bid). Seconded by Commissioner Paolino, the motion was unanimously passed.

Resolution 2009-17 re: authorization for TD Bank to remove/ change account endorsers

Commissioner Higgins motioned to remove David Bashore as an endorser on the Townships TD Bank account. Seconded by Commissioner Paolino, the motion was unanimously passed. President Masterson then announced that a constituent asked if the Township would be interested in accepting proposals from local banks opposed to the current Canadian based institutions. Aimee Cuthbertson replied that her staff is currently in the process of preparing RFP's for local banking services. Diane Edbril noted that Canadian banking systems have been declared the best monetized system in the world right now; therefore, the Board should consider maintaining their current banking relationship.

LIBRARY

Update on upcoming Spring Programs and activities

Commissioner Higgins informed the public of various upcoming events scheduled to occur at the Radnor Memorial Library this spring for residents of all ages. He then encouraged the public to contact the library for additional details and program registration. Commissioner Higgins then reminded the public that the Radnor Library Board of Trustees is currently seeking new members and that applications will be available at the Radnor Library until March 26, 2009.

PERSONEL AND ADMINISTRATION

Appointment to advisory boards and commissions

Commissioner Higgins motioned to appoint Patrick Maggitti to the Library Board. Seconded by Commissioner Spingler, the motion was unanimously passed. Commissioner Spingler motioned to appoint Joshua Hilbert to the Environmental Advisory Council. Seconded by Commissioner Mahoney, the motion was unanimously passed.

Resolution 2009-18 re: appointment of interim Township Manager

President Masterson introduced Mr. John Granger to the public and briefed them on his credentials. Commissioner Spingler asked how many days Mr. Granger would serve the Township. President Masterson replied that Mr. Granger will split his schedule with Solebury Township. Commissioner Paolino asked when the position for a permanent Township Manager would be posted. President Masterson replied that he will await Mr. Granger's opinion on how to proceed. Mr. Granger then informed the Board that he anticipated dedicating 30-50 hrs per week to Radnor Township. Commissioner Spingler asked Mr. Granger if he would apply for the position of permanent Township Manager. Mr. Granger replied that he would not because he favored his position with Solebury Township. Commissioner Higgins motioned to approve the resolution. Seconded by Commissioner Fisher, the motion was unanimously passed.

PARKS AND RECREATION

Announcement of Clem Macrone Park clean-up; March 28, 9:00 a.m. to 1:00 p.m.

Commissioner Hervada encouraged the public join the EAC and Parks & Recreation Board on Saturday, March 28, from 9:00 a.m. to 1:00 p.m. in a community effort to beautify Clem Macrone Park. Participants will assist in cutting unsightly vines, restoring the stream bank and ridding the park of invasives. He then advised participants to RSVP with Joseph Kline at 610 688-5600 x190.

Authorization for Eagle Scout Project – Levin Steps

Balt Heldring, a local Eagle Scout presented a project proposal to the board that would authorize the construction of steps up to the Radnor Trail from South Devon Avenue. Commissioner Spingler motioned to authorize the project. Seconded by Commissioner Masterson, the motion was unanimously passed.

PUBLIC HEALTH

No Report.

PUBLIC SAFETY

Staff Traffic Report

Commissioner Paolino motioned to approve the report as presented. Seconded by President Masterson, the motion was unanimously passed.

Resolution 2009-16 re application to PennDoT to close North Wayne Avenue for the Jazz & Food Festival

Commissioner Spingler motioned to approve the resolution. Seconded by Commissioner Hervada, the motion was unanimously passed.

Demonstration of voice notification services via Global Connect

Stephen Giancristoforo demonstrated the Townships new internet based emergency notification service available via Global Connect. He then encouraged all Radnor residents and business owners to register their phone numbers with the township to receive a phone call in the event of an emergency. Mr. Giancristoforo then informed the public that video on demand services were attainable to view township broadcasted meetings online. He then requested approval from the board to implement the service. Commissioner Hervada motioned to approve the service. Seconded by Commissioner Fisher, the motion was unanimously passed.

Ordinance 2009-07 re: speed limit on Woodland Avenue

Commissioner Spingler motioned to approve the ordinance. Seconded by Commissioner Hervada, the motion was unanimously passed.

Ordinance 2009-08 re Parking on Garrett Avenue

Commissioner Spingler motioned to approve the ordinance. Seconded by Commissioner Hervada, the motion was unanimously passed.

Ordinance 2009-09 re: permit parking on Farm Road

Commissioner Spingler motioned to approve the ordinance. Seconded by Commissioner Hervada, the motion was unanimously passed.

Ordinance 2009-10 re: prohibiting parking on a portion of Farm Road

Commissioner Spingler motioned to approve the ordinance. Seconded by Commissioner Hervada, the motion was unanimously passed.

Ordinance 2009-11 re: special purpose parking zones on Farm Road

Commissioner Spingler motioned to approve the ordinance. Seconded by Commissioner Hervada, the motion was unanimously passed.

PUBLIC WORKS AND ENGINEERING

Request for authorization to enter into agreement with McMahon Associates Construction Services

William Hagan requested authorization to enter into an agreement with McMahon Associates to install a Smart System, which would control and synchronize traffic signals from Lowrys Lane to Old Eagle School Road, enhancing traffic flow. Mr. Hagan further noted that the Township will be required to produce minimal funding for the engineering and design, considering PennDoT has funded over two million dollars to implement the project. Commissioner Spingler motioned to authorize the agreement. Seconded by Commissioner Fisher, the motion was unanimously passed.

Request for authorization to enter into an agreement with Brian Jones Natural Lawns and Gardens – 2009 safe turf programs

Commissioner asked if Brian Jones' outsourced their materials. Mr. Hagan replied that he was not aware. Commissioner Fisher suggested soliciting bids from other vendors. Mr. Hagan replied that petitioning for bids would negatively impact the project deadline. President Masterson questioned the time required to collect bids. Dan Malloy replied that six weeks would be required. President Masterson suggested approving the agreement and bidding out future projects. Christina Perrone commented that the current starving economy should make bid soliciting effortless and that staff should refrain from presenting the Board with plans near the project deadline. Mr. Rice then declared that the project was not an emergency; therefore, the staff should seek other bids. Commissioner Fisher motioned to table the agreement for additional bids. Seconded by Commissioner Paolino, the motion was unanimously passed.

Old Business

None.

New Business

Commissioner Spingler noted that while under construction, the CVS in Wayne was making use of an unauthorized parking area. He then suggested that staff contact the property owners to determine if they intend to continue building on the property, which would provide additional storm water management. Robert Loeper agreed to contact the property owner. Commissioner Fisher requested an update of the bathroom conditions at the library. Mr. Hagan reported that he and Warren Plumbing and Heating Company recently inspected the bathroom facilities. He further noted that Warren Plumbing & Heating submitted a proposal for the repairs to the library; therefore, he is currently awaiting a response from library staff.

Public Participation

Paul Hayes notified the Board of a reoccurring sewer problem at his home, which the Township has inspected and attempted to repair various times in the past. He then noted that the repairs totaled \$5000, which he believes the Township is liable for, considering the problem was a preexisting condition; possibly resulting from frequent vehicular traffic. William Hagan replied that assuming liability of repairs was a costly Township practice; therefore, in an effort to save money, he surveyed the process of neighboring townships and discovered that they did not provide access or repair of lateral sewer mains. Consequently, in December of 2008 Radnor Township amended their zoning ordinance to simulate other municipal cost saving trends. Commissioner Spingler opposed the idea of outside plumbing companies excavating Township roads to make repairs. He then concluded that the problem was a preexisting condition and motioned to authorize Mr. Hagan to evaluate the damage and make the necessary repairs. Seconded by Commissioner Mahoney, the motion was unanimously passed.

Chip Addis reminded the Board of the discrimination regulations illustrated in the Township Code Book and requested a response timetable for the letter he previously submitted to the Board identifying discriminatory behavior displayed by a Township employee. President Masterson replied that the Board did not intend to respond to his correspondence; however, the Board would thoroughly and confidentially investigate his concerns as a personnel matter. He then suggested that Mr. Addis review the provisions in the charter for unelected officials to pursue justice regarding such claims.

Rick Barker noted that the Garrett Hill Master Plan is consistent with the storm bank restoration plans illustrated in the Clem Macrone Park cleanup project. He then requested that the Board authorize the installation of a 10-20 ft. riparian buffer strip behind Clem Macrone Park during the cleanup to enhance the park, minimize landscaping fees and improve storm water management. Peter Casenza addressed the Board regarding their request for David Bashore's resignation; implying that the Board inappropriately applied the provisions in the Home Rule Charter regarding his removal. He further noted that the Boards allegations that Mr. Bashore deliberately defrauded the Township, were astoundingly inaccurate, and has negatively impacted the reputation of the Township and Mr. Bashore. Michael Ellis informed the Board of how limited parking has affected Wayne Business owners. He further noted that the fees associated with providing valet parking for customers, property taxes and contributing to the Radnor Gateway Enhancement Fund are becoming financially overwhelming for him and other business owners. Mr. Ellis then questioned the significance of the enhancement fund and asked the Board to consider providing some relief. President Masterson suggested that Mr. Ellis consult with Mr. Granger to achieve a solution. Commissioner Mahoney suggested soliciting the opinion of Mac McCoy, a former advisory board member who was involved in the implementation of the Gateway Enhancement Plan since its inception. Mr. Ellis replied that he asked Mr. McCoy to explain how the required contributions to the enhancement fund are designated, but was unable to generate a response. Commissioner Hervada informed Mr. Ellis that that the funds are used to make Township Gateway improvements, which have afforded him an opportunity to open his business.

Christina Perrone suggested that the Board authorize Mr. Granger to seek new auditors. Aimee Cuthbertson replied that the Township will be seeking new auditors in this fall. Michael Simmons affirmed that Commissioner Fisher's earlier comments regarding the possibility of an underfunded pension fund has been a longtime concern emphasized numerous times by the Radnor Association of Employees in the past.

Commissioner Fisher asked Ms. Cuthbertson to define the Minimum Municipal Obligation for the public. Ms. Cuthbertson replied that the MMO is a state mandated funding level that the Township must achieve. She further noted that Radnor Township is currently in the 90 plus percentile, which is a highly desirable funding level for pension plans. James Schneller cautioned the Board regarding a 20ft. embankment at an apartment building bordering the Township building and Radnor-Chester Road, which he believed could become hazardous.

There being no further business and on a motion duly made and seconded, the public meeting of the Radnor Township Board of Commissioners was adjourned at 10:38 PM.

Respectfully submitted,

Coretta N. Hutchinson
Township Secretary