

# **REVISED AGENDA – ORDINANCE NO. P24-2010**

## **WORDING**

### **MINUTES**

#### **DVD IS AVAILABLE FOR PUBLIC REVIEW AT THE LIBRARY**

#### **BUDGET AND REGULAR MEETING**

**Board of Commissioners  
Commissioners' Meeting Room**

**December 13, 2010  
Monday, 7:30 p.m.  
Township of Haverford**

**1. Opening of Meeting- William F. Wechsler, President, opened the meeting.**

**A. Roll Call – All Commissioners were present at roll call:  
Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity,  
Connell, D'Emilio and Wechsler.**

**Also present were: Lawrence J. Gentile, Township Manager, Jonathan  
Calpas, Jr., Township Auditor, James J. Byrne, Township Solicitor, Tim  
Denny and Lori Hanlon Widdop, Assistant Township Managers, Aimee  
Cuthbertson, Finance Director and Chuck Faulkner, Township Engineer**

**B. Opening Prayer led by Youth Minister, Dan Kirby, Union Methodist  
Church**

**C. Pledge of Allegiance led by Chief Carmen Pettine**

**2. Proclamation – POSTPONED UNTIL JANUARY for Eagle Scout, Thomas  
Korb-Parker**

**3. Board of Commissioners Committee Update – if any updates – nothing to report.**

**4. Citizens' Forum- 20 Minutes Registered Speakers/20 Minutes Agenda Items**

**Mr. Wechsler stated that he will allow only those that registered for other topics -  
other than the Anti Discrimination Ordinance - to speak now and those others will  
speak later in the meeting.**

#### **REGISTERED SPEAKERS**

**Dr. Levin – 414 Mill Road – Superfund Site and Traffic Accidents**

**The Planning Commission has not taken into consideration traffic usage on Eagle  
Road.**

**Brian McGoff and Christine Ferris – the Library**

**They thanked the Board for the funding to allow the Library to be open full days on  
Friday and Saturday.**

**OPEN FORUM**

**Jan Marie Rushforth – 3700 Darby Road**

Ms. Rushforth thanked the Board for Haverford Reserve.

**Bill Toal, Esquire – RHM Solicitor**

Mr. Toal provided an update: the H2O Grant will be determined this week or next. There could be an additional \$75,000 cost due to drilling and other expenditures at Merry Place.

**RESPONSES TO CITIZENS FORUM**

Mr. Wechsler indicated that the Board would look into the traffic issues on Eagle Road.

Mr. Wechsler thanked the Library for all the good things that are happening.

He thanked Mr. Toal for his comments.

The Board broke for a two-minute break.

**5. Budget Hearing and Adoption**

**A. Review Changes to Preliminary Budget**

Motion made by Commissioner Holmes and seconded by Commissioner McGarrity to accept changes to the 2011 Preliminary Budget.

Discussion began concerning the cost of the proposed Human Relations Commission. This Commission was not placed in the adopted 2011 Budget.

Roll Called.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Holmes, Connell, D'Emilio And Wechsler

Voting No: Commissioner Heilmann

Abstained: Commissioner McGarrity

**B. Ordinance No. P20-2010**

**Sewer Rental Charge (final reading)**

Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to adopt the final reading of Ordinance No. P20-2010 authorizing the

**imposition of an annual sewer rate in the amount of \$4.50 per 1,000 gallons of water consumed.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**C. Ordinance No. P21-2010**

**Trash Fee (final reading)**

**Motion made by Commissioner Holmes and seconded by Commissioner Oliva to adopt the final reading of Ordinance No. P21-2010 establishing the annual trash fee at \$172.00.**

**Roll Called.**

**Voting Yes: Commissioners Oliva, Trumbull, Siegel, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**Voting No: Commissioner Heilmann**

**D. Ordinance No. 2618-2010**

**Tax Levy (first reading is a final reading)**

**Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to adopt Ordinance No. 2618-2010 fixing the tax rate for the year 2011 at 6.359 mills.**

**Roll Called.**

**Voting Yes: Commissioners Oliva, Trumbull, Siegel, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**Voting No: Commissioner Heilmann**

**6: Ordinance No. 2619-2010**

**Budget Appropriations (first reading is a final reading)**

**Motion made by Commissioner Holmes and seconded by Commissioner Trumbull To adopt Ordinance No. 2619-2010 appropriating funds established to be required for the specific purpose of financing the municipal government for the year 2011 including all taxes, fees, service charges, and other revenue sources provided within all funds.**

**Voting Yes: Commissioners Oliva, Trumbull, Siegel, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

Voting No: Commissioner Heilmann

**END OF BUDGET PORTION**

**REGULAR MEETING OF THE BOARD OF COMMISSIONERS**

**7. Approval of Minutes**

Regular Meeting of November 8, 2010

Budget Meeting of November 15, 2010

Motion made by Commissioner Siegel and seconded by Commissioner Holmes to approve the Regular Meeting Minutes of November 8, 2010 and the Budget Meeting Minutes of November 15, 2010.

Roll Called.

All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D’Emilio and Wechsler.

**8. Approval of Warrants**

Motion made by Commissioner McGarrity and seconded by Commissioner Oliva to approve the following warrants:

G.F. & S.F. P/R Warrant No. 522	in the amount of	\$ 541,094.70
G. F. Bus. Warrant No. 822	in the amount of	\$ 3,000,447.27
G.F & S.F. P/R Warrant No. 523	in the amount of	\$ 560,149.11
G.F. & Bus. Warrant No. 524	in the amount of	\$ 770,920.00
S.F. Bus. Warrant No. 821	in the amount of	\$ 169,079.35
Comm Dev. Warrant No. 12/10	in the amount of	\$ 84,129.50
Home Warrant No. 12/10	in the amount of	\$ 76,347.00
2010 Bond Issue No. 12/10	in the amount of	\$ 737,091.19
2005 Bond Issue No. 12/10	in the amount of	\$ 25,491.15
Merry Place Warrant No. 12/10	in the amount of	\$ 9.86
Skateboard Park No. 12/10	in the amount of	\$ 830.56
Neighborhood Parks & Rec	in the amount of	\$ 3,585.00
Police Evidence No. 12/10	in the amount of	\$ 848.84
Credit Card Expenses – November	in the amount of	\$ 3,425.11

Roll Called.

All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D’Emilio and Wechsler.

**9. Ordinance No. P11-2010**

Zoning Map Reclassification (2<sup>nd</sup> Reading)

**Motion made by Commissioner Holmes and seconded by Commissioner Siegel to adopt the second reading of Ordinance No. P11-2010 AMENDING AND SUPPLEMENTING THE GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD, CHAPTER 182, "ZONING", REVISING THE ZONING MAP BY RECLASSIFYING THE ZONING DESIGNATION OF PROPERTIES ON EAGLE ROAD KNOWN AS FOLIOS NO. 22-03-01872-00 (PECO SUBSTATION), NOW SPLIT ZONED INS INSTITUTIONAL DISTRICT AND R-4 RESIDENTIAL DISTRICT, AND A PART OF 22-03-00958-50 (FORMER RAILROAD BED PARCEL) NOW ZONED R-5 RESIDENTIAL DISTRICT TO LIN LIGHT INDUSTRIAL DISTRICT.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**10. Ordinance No. P16-2010                      Zoning – Use Provisions of Chapter 182, Section 503, LIN Light Industrial District (2<sup>nd</sup> Reading)**

**Motion made by Commissioner Siegel and seconded by Commissioner Trumbull to adopt the second reading of Ordinance No. P16-2010 amending and supplementing Chapter 182 (Zoning), Section 503, LIN Light Industrial District §182-106B by the addition of the following: Community Center.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**11. Ordinance No. P19-2010                      Traffic (2<sup>nd</sup> Reading)**

**Motion made by Commissioner Connell and seconded by Commissioner McGarrity to adopt the second reading of Ordinance No. P19-2010 establishing traffic restrictions on the following highways:**

**establish "Prohibited Turns at Intersections" on:**

- Twin Oaks at Wickford Road – No left turns 8-9 am & 3-4 pm (School Days)**
- PineRidge Road at Allston Road – No Right Turns 8-9 am & 3-4 pm (School Days)**
- Farnham Road at Allston Road – No Right Turns 8-9 am & 3-4 pm (School Days)**
- Twin Oaks Drive at the Exit of Chatham Park School – No Left Turns 8-9 am & 3-4 pm (School Days)**
- Llandillo Road at Twin Oaks – No Left Turns 8-9 am & 3-4 pm (School Days)**

**establish "Through Traffic Restricted" on:**  
**Pineridge Road at Allston Road 8-9 am & 3-4 pm (School Days)**  
**Farnham Road at Pembroke Road 8-9 am & 3-4 pm (School Days)**  
**Twin Oaks Road at Wickford Road 8-9 am & 3-4 pm (School Days)**

**"Parking of Commercial Vehicles Prohibited at all Times", Ordinance No. 1960, be and the same is hereby amended and supplemented so as to:**

**REPEAL Darby Road, East – on the west side from 220 East Darby Road to West Chester Pike which was added 10-12-2004 by Ordinance No. 2430-2004.**

**establish "No Parking Anytime Zone" at the dead end circle of Rockwood Drive between the areas designated by the signage stating "No Parking Between Signs".**

**Effective January 15, 2011 - establish "NO PARKING" on Lancaster Avenue - Lancaster Avenue North Beginning at a point 225' west of the intersection of Penn Street through and including a point 250' east of Penn Street.**

**establish: "Special Parking Zone for the parking of Police Vehicles Only" in front of 511 West Chester Pike on the North Side for 200 feet in a west direction on West Chester Pike; thereby repealing Ordinance West Chester Pike (added 11/14/94 by Ordinance No. 2213).**

**establish "Special Purpose Parking" in front of 660 Dayton Road**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**12. Ordinance No. P25-2010**

**Discontinuance of Current Defined Pension Plan for non-uniformed New Hires – effective 1/1/11 (2<sup>nd</sup> Reading)**

**Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to adopt the second reading of Ordinance No. P25-2010 discontinuation of participation within the defined benefit plan for the non-uniformed employees of Haverford Township hired on or after January 1, 2011.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**13. Ordinance No. P26-2010**

**Establishment of Defined Contribution  
Plan for Full-time non-uniformed Employees  
Effective 1/1/11 (2<sup>nd</sup> Reading)**

**Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to adopt the second reading of Ordinance No. P26-2010 establishing a defined contribution plan for full-time non-uniformed employees hired on or after January 1, 2011.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**14. Ordinance No. P27-2010**

**Traffic (1<sup>st</sup> Reading)**

**Motion made by Commissioner Connell and seconded by Commissioner McGarrity to adopt the first reading of Ordinance No. P27-2010 establishing traffic restrictions on the following highway:**

**Parking of All Vehicles Prohibited at all Times: On the 200 block of Pembroke Road – on the east side of the street located at Chatham Glen Park.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**15. Resolution No. 1776-2010**

**Announcement of Public Hearing  
Establishment/Increase in membership –  
Historical Commission**

**Motion made by Commissioner McGarrity and seconded by Commissioner Connell to adopt Resolution No. 1776-2010 announcing a Public Hearing to be held on Monday, January 16, 2011 at 7 p.m. regarding the establishment and membership of the Historical Commission.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**16. Resolution No. 1777-2010**

**2010-11 Mowing Agreement with PennDot**

**Motion made by Commissioner Holmes and seconded by Commissioner Siegel to adopt Resolution No. 1777-2010 to authorize to the Township Manager to enter into an agreement with PennDot for the Township to mow State Roads for the 2010-11 Contract year.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**17. CONTRACT AWARDS**

**Business Privilege, Mercantile and LMS (Local Municipal Services) Taxes**

**Motion made by Commissioner Holmes and seconded by Commissioner McGarrity to award a two year contract with Tri-State Financial Group, for the collection of the Township of Haverford's Business Privilege, Mercantile and LMS Taxes.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**Acceptance of 2011 Workers' Compensation**

**Motion made by Commissioner Siegel and seconded by Commissioner Trumbull to accept the Township of Haverford's 2011 Workers' Compensation Renewal.**

**Roll Called.**

**All Commissioners Voted Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Connell, D'Emilio and Wechsler.**

**REGISTERED SPEAKERS FOR ORDINANCE NO. P24-2010**

**Lou Devecchis - 1431 Johnson Road**

**Mr. Devecchis thanked the Board for considering this proposed ordinance, which is being addressed all over the country. He recommends that the Board pass it.**

**Joe Breslin - 529 Country Club Lane**

**This ordinance is a disgrace and has nothing to do with the Township.**



**Barbara Rigo, Esquire – 574 Kathmere Road**

Ms. Rigo is happy to see the ordinance has been amended. The Township doesn't have the money or the resources to handle this commission. The Board needs to lobby Congressmen and Representatives.

**Will Leahy, Esquire – 22 Meadows Lane**

Mr. Leahy echoes the same. This will be another invitation to sue. The Board did not commit any money towards it in the budget.

**OPEN FORUM ON THIS SAME TOPIC****Dr. Levin – 414 Mill Road**

This opens the Township to legal action on all different levels and needs to be rejected at this point.

**Jim Schular – Radnor Township Resident**

Mr. Schular is concerned that this will have a domino affect. The facts are not being reported. This issue needs to be discussed in the schools and the media.

**Paul Hayes – Radnor Township Resident**

Mr. Hayes indicated that his godchild died of AIDS. Since 1981, 325 men have died since 1981. The homosexuals are hurting themselves.

**Joe Fideli – Clamar Road**

There is no evidence in this Township of anti discrimination and the Board needs to table this ordinance. This is coming from outside groups.

**Joe Breslin – 529 Country Club Drive**

This will bankrupt the Township and needs to be place on the ballot as a referendum.

**William Dennison – Springfield Township**

Mr. Dennison is concerned when the YMCA is built and shower issues that may arise, property rights and coercive vs peaceful discrimination.

**Joe Abrams – 1431 Johnson Road**

Mr. Abrams is worried about the human life vs the cost of money to fund the commission.

**Lou Devecchis – 1431 Johnson Road**

**Mr. Devecchis does not have an agenda. Unfortunately, people have to be hurt first. Homosexuality is not behaviorism.**

**Judith LaLonde**

**Ms. LaLonde works in HIV Research and is caused by a virus.**

**State Senator Daylin Leach**

**Since Senator Leach was elected he has always promoted equality. In the short term, this issue will not happen over night. The Township has the power to enact this law. This will push the state to take action.**

**Dr. Mike Levin**

**There will be a lot of traffic in the court system.**

**18. Ordinance No. P24-2010**

**Anti Discrimination (1<sup>st</sup> Reading)**

**Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to Amend The General Laws of the Township Of Haverford, adding Chapter 183, To Provide For The Creation of The Haverford Township Human Relations Commission, and to Prohibit Discrimination In Housing, Commercial Property, Employment and Public Accommodations Based Upon An Individual's Sexual Orientation, Gender Identity Or Gender Expression.**

**Discussion began among the Commissioners.**

**Motion made by Commissioner Heilmann and seconded by Commissioner McGarrity to TABLE.**

**Roll Called.**

**Voting Yes to Table: Commissioners Oliva, Heilmann, McGarrity, Connell and D'Emilio**

**Voting No to Table: Commissioners Trumbull, Siegel, Holmes and Wechsler**

**TABLED: 5-4**

**19. Continuance of Citizen's Forum – Non-Agenda Items – No one**

**20. Other Business**

**Mario Oliva – 2<sup>nd</sup> Ward Commissioner**

**Commissioner Oliva thanked all those that contributed in any way to the MacAleer Family. They are truly grateful.**

**Rob Trumbull – 3<sup>rd</sup> Ward Commissioner**

**Commissioner Trumbull is very disappointed with this Board by taking the cowards way out in TABLING this ordinance.**

**Dan Siegel – 4<sup>th</sup> Ward Commissioner**

**Commissioner Siegel offered condolences to the family of Phil Jasner a life long resident and friend.**

**Jeff Heilmann – 5<sup>th</sup> Ward Commissioner**

**Coopertown Civic Association will hold Luminary Night on December 19<sup>th</sup>.**

**Commissioner Heilmann indicated that on December 21<sup>st</sup>, Santa would be riding throughout Coopertown on a fire truck.**

**Commissioner Heilmann presented a Resolution to the Board which would ask our State Senator and State Rep to sponsor a Bill on the Anti Discrimination matter.**

**Discussion began among Commissioners. The proposed ordinance will be placed on the website so all residents may read and form their opinions. If they choose, they may attend the next Commissioners' Meeting in January.**

**Motion needed to be made to have at least five yes votes to add this Resolution to the agenda.**

**Commissioners Voting Yes: Commissioners Oliva, Heilmann, McGarrity, Connell, D'Emilio and Wechsler.**

**Commissioners Voting No: Commissioners Trumbull, Siegel and Holmes.**

After discussion, Commissioner Heilmann withdrew his motion.

**Larry Holmes – 6<sup>th</sup> Ward Commissioner**

Commissioner Holmes believes that this Ordinance needs to be put into law at the local level; he is very passionate about this.

He wished everyone a Happy Holiday.

**Jim McGarrity – 7<sup>th</sup> Ward Commissioner**

Commissioner McGarrity thanked everyone involved in the Toys for Tots Campaign. December 17<sup>th</sup> will be the last day for drop offs throughout the Township.

Brookline Fire Company and Santa will be riding throughout the Brookline area this Sunday.

Commissioner McGarrity is requesting a proclamation be presented to Kevin Clancy, Head Coach at Strath Haven.

**Chris Connell – 8<sup>th</sup> Ward Commissioner**

During the Christmas school break, there are a lot of activities in the Township. Take a look at the Hav A Good Times Magazine.

The Grange Estate will be holding Sunday tours and the Model Train Set is there for enjoyment.

The Skatium will be holding their Haile Berry Skate on December 18<sup>th</sup>.  
The Winter Fest is January 2<sup>nd</sup>.

There will be an 8<sup>th</sup> Ward, 2<sup>nd</sup> Precinct Meeting at St. James Church on Thursday, December 16<sup>th</sup>.

**Steve D'Emilio – 1<sup>st</sup> Ward Commissioner**

Nothing to report this month.

**William F. Wechsler, 9<sup>th</sup> Ward Commissioner**

Commissioner Wechsler thanked all five-fire companies that went to the devastating fire and said to please be careful when putting out cigarettes.

The Grange Holiday Party was great. The Grange is a true gem in the Township.

21. **MEETING WAS ADJOURNED.**