

EXECUTIVE SESSION – 6:30 p.m.
Legal and Personnel Issues
MINUTES

REGULAR MEETING
Board of Commissioners
Township of Haverford

March 9, 2009
Monday- 7:30 P.M.
Commissioners Meeting Room

1. Opening of Meeting – 7-45 P.M.

a. Roll Call – led by Lawrence J. Gentile, Township Manager

**Eight Commissioners present at roll call – Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido and Wechsler.
Commissioner D’Emilio arrived late**

Also present were: Lawrence Gentile, Township Manager, James J. Byrne, Jr., Esquire, Solicitor, Chief Pettine, Haverford Township Police Department, Lori Hanlon Widdop, Assistant Township Manager, Tim Denny, Assistant Township Manager, George Rementer, Finance Director, David Pennoni and Chuck Faulkner, Pennoni Associates – Township Engineer.

b. Opening prayer by William F. Wechsler, President

c. Pledge of Allegiance led by Chief Pettine

**The Board of Commissioners met in EXECUTIVE SESSION – 6:30 p.m. to discuss
Legal and Personnel Issues**

2. Proclamation –

- a. Michael Gdovin – Eagle Scout – presented by Commissioners Oliva and McGarrity**
- b. Christopher B. Smith – Eagle Scout – presented by Commissioners Broido and McGarrity**

3. Presentation by Ann Phillips - Freedom Playground

**1,500 skilled and unskilled volunteers for one week to build this
Playground at Haverford Reserve. \$270,000 is needed.
The Township committed \$50,000 towards the project.
Please visit freedomplay.org
Fundraiser on March 21st 6 – 9 at Brownies Pub - \$25 per ticket**

4. Citizens Forum – 20 Minutes Registered Speakers

**Tim Rafter – 223 Glen Arbor Road – Splash
Splash Members want to be updated on the Swell Bubble Gum Factory.**

David Baker – 37 Kathmere – the Skatium

In favor of keeping the Skatium – what isn't working with the Skatium?

Mike Levin – 414 Mill Road – Deer and Superfund Site

Mr. Levin would like a Deer Kill Exit Report.

Mr. Levin believes the Superfund Site is contaminated and is against individuals working in a closed building. A parking lot would be more suitable.

**Ed Giacomucci – President of the Mid-Atlantic Hockey Officials Association
1356 Harrington Road – the Skatium**

Mr. Giacomucci grew up ice skating at the Skatium and his love for hockey came directly from the Skatium.

Marilyn Lee – 630 Naylor's Run – Delaware County Skating Club – the Skatium

The Skatium is the best recreational facility in Haverford Township. There are 220 new Skaters. Now is the time to do the repairs on the roof. The Skatium's yearly maintenance closing begins April 30th thru the end of May.

Barbara Latsios – 206 Lone Oak Drive – the Skatium

Mrs. Latsios is a member of the Ice Rink Advisory Board. She is aware of the income/expenses for the Skatium. The Skatium is in the black. There is a future with the Skatium. The Roof definitely needs to be repaired.

Jan Marie Rushforth – 3700 Darby Road – Upcoming Go Green Festivities

All festivities will be posted on the website. Green events all coming up.

Ed Pratt – 22 Kathmere Road – 90th Anniversary American Legions

Mr. Pratt gave a reminder of the 90th Anniversary of the American Legions

Open Forum – 20 Minutes

Mike Levin – 414 Mill Road – Comprehensive Plan – Item #15

The current comprehensive plan is 25 years old. This new proposed Comprehensive Plan has no historical background. History indicates what direction we need to go in.

Chris Connell - 519 Kenmore Road – Ordinance No. P11-2009 on the Agenda – Solicitation and Peddling

Mr. Connell thinks that the Board needs to reconsider the times designated in the Ordinance – 9 a.m. to 9 p.m. 9 p.m. is too late to answer the door – especially during the winter months. Perhaps make it 7 p.m.

Commissioners Response to Citizen Forum

Commissioner Wechsler thanked Mr. Rafter for his comments and stated that the Board is continuing working on the legal issues.

Commissioner Wechsler indicated, to his knowledge, the only project going on with the Skatium is a bid going out to repair the Skatium roof. There has been no decision to close the Skatium.

Commissioner Holmes, Chair, the Ice Skating Rink Advisory Board, also stated that he and his family are skaters and he is very serious about starting to repair the Skatium.

In response to Mr. Levin, Mr. Wechsler will rely on DEP and EPA in regard to the Superfund Site. He also indicated to Mr. Levin that a report was prepared for him on January 21st concerning conclusions to the Deer Kill.

Commissioner Wechsler thanked Mr. Pratt for his enlightening comments.

Commissioner Wechsler comment to Mr. Connell: the Board has similar concerns regarding the Solicitation and Peddling Ordinance.

5. **Approval of Minutes** Budget Meeting – November 24, 2008
 Regular Meeting – January 12, 2009
 Regular Meeting – February 9, 2009

Motion made by Commissioner Trumbull and seconded by Commissioner Oliva to approve the Budget Meeting Minutes of November 24, 2008.

Mr. Siegel indicated that his name was misspelled throughout and if it could be noted in the minutes that, in the future, Worker's Compensation quotes be provided to the Board a couple of weeks prior to vote.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido and Wechsler.

Commissioner D'Emilio was absent from vote.

Motion made by Commissioner Trumbull and seconded by Commissioner McGarrity to approve the Regular Meeting Minutes of January 12, 2009 and February 9, 2009.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido and Wechsler.

Commissioner D’Emilio was absent from vote.

6. Approval of Warrants

Motion by Commissioner McGarrity and seconded by Commissioner Oliva to approve the Warrant’s listed below:

G.F. P/R Warrant No. 292	in the amount of	\$ 518,876.20
G.F. P/R Warrant No. 293	in the amount of	\$ 508,384.76
G.F. Bus. Warrant No.780	in the amount of	\$1,048,256.30
S.F. P/R. Warrant No. 390	in the amount of	\$ 28,055.29
S.F. P/R Warrant No. 391	in the amount of	\$ 25,451.12
S. F. Bus. Warrant No.781	in the amount of	\$ 326,736.54
H.U.D. Warrant No. 04-09	in the amount of	\$ 25,066.00
H.U.D. Warrant No. 03-09	in the amount of	\$ 1,980.00
Home Warrant No. 09-2	in the amount of	\$ 34,457.00

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido and Wechsler.

Commissioner D’Emilio was absent from vote.

7. Ordinance No. P6-2009 Traffic (2nd Reading)

Motion made by Commissioner Broido and seconded by Commissioner Holmes to adopt the second reading of Ordinance No. P6-2009 by establishing traffic restrictions on the highways:

**Establish Handicapped Sign in front of 100 Signal Road
Establish Handicapped Sign in front of 1605 Rose Glen Road**

Sticker Parking Only – changing Ordinance No. 2544 to allow residents in the even number of houses in the 700 block of E. Manoa to park in the 700 and 800 block of Merion Avenue

Parking of All Vehicles Prohibited on the south side of Juniper Road from Township Line Road to 206 feet on Juniper Road

PARKING TIME LIMITED ZONE – 1 hour parking between the hours of 8 a.m. to 4 p.m., Monday through Friday, on the north side of Juniper Road, from the side driveway of 444 E. Township Line Road to 128 feet west on

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Juniper Road and on the eastside of Railroad from the southeast corner of Railroad at Millbrook and extend 90 feet northwest on Railroad.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, Broido and Wechsler.

Commissioners D’Emilio and McGarrity were absent from vote.

8. Ordinance No. P8-2009 Trash/Bulk Collection Fees (2nd Reading)

Motion made by Commissioner Holmes and seconded by Commissioner Oliva to adopt the second reading of Ordinance No. P8-2009 AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE “GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD”, BY REVISING CHAPTER 95, GARBAGE, RUBBISH AND REFUSE, PROVIDING FOR THE CHANGE IN FEES AND BY ESTABLISHING CERTAIN COLLECTION FEES BY RESOLUTION.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido and Wechsler.

Commissioner D’Emilio was absent from vote.

9. Ordinance No. P9-2009 Stop Intersections (2nd Reading)

Motion made by Commissioner Holmes and seconded by Commissioner Oliva to adopt the second reading of Ordinance No. P9-2009 REVISING AND SUPPLEMENTING THE PROVISIONS OF CHAPTER 175, “VEHICLES AND TRAFFIC” BY FURTHER REVISING SCHEDULE VIII, *STOP INTERSECTIONS*.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido and Wechsler.

Commissioner D’Emilio was absent from vote.

10. Ordinance No. P10-2009 Police Department Rules & Regulations (2nd Reading)

Motion made by Commissioner Oliva and seconded by Commissioner McGarrity to adopt the second reading of Ordinance No. P10-2009 revising the administrative provisions of Chapter 32, “Police Department Civil Service Rules and Regulations”, by amending the fee requirements in Article II, “Applications and Examinations for new employees”.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido and Wechsler.

Commissioner D’Emilio was absent from vote.

11. Ordinance No. P11-2009 Amending Chapter 130 – Peddling and Soliciting by Prohibiting Commercial Solicitation and Certain Peddling (1st Reading)

Motion made by Commissioner Heilmann and seconded by Commissioner Oliva to adopt the first reading of Ordinance No. P11-2009 Amending Chapter 130 – Peddling and Soliciting by Prohibiting Commercial Solicitation and Certain Peddling.

Lori Hanlon Widdop is recommending that the Board TABLE this motion tonight; many Commissioners have concerns.

Voting Yes to TABLE: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, Broido and Wechsler.

Voting No to TABLE: Commissioner McGarrity.

Commissioner D’Emilio was absent from vote.

12. Ordinance No. P12-2009 Traffic (1st Reading)

Motion made by Commissioner Siegel and seconded by Commissioner Oliva to adopt the first reading of Ordinance No. P12-2009 by establishing Restrictions on the highways:

STOP SIGN – On Melrose Avenue at the intersection of Maryland Avenue

STOPPING AND STANDING PROHIBITED – both sides of Braeburn for a Distance of 45 feet in a westerly direction from Darby Road on School Days

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

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13. Resolution No. 1699-2009 Mowing Contract

Motion made by Commissioner Trumbull and seconded by Commissioner Broido to adopt Resolution No. 1699-2009 approving the maintenance contract between the Department of Transportation and Haverford Township; whereby the Commonwealth desires to obtain the assistant of the Township to carry out routine maintenance on State Highways within the Township. Contract will expire March 31, 2010.

Voting Yes: Commissioners Trumbull, Siegel, Heilmann, Broido and Wechsler.

Commissioners Oliva, Holmes, McGarrity and D'Emilio were absent from vote.

14. Resolution No. 1702-2009 Public Hearing Announcement

Motion made by Commissioner Heilmann and seconded by Commissioner Trumbull to adopt Resolution No. 1702-2009 approving a Public Hearing to be held on Monday, April 27, 2009 at 7:00 p.m. in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA, regarding a proposed amendment to the sign code provisions at §182-701 of the General Laws of the Township of Haverford.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, Broido and Wechsler.

Commissioners D'Emilio and McGarrity were absent from vote.

15. Resolution No. 1703-2009 Public Hearing Announcement

Motion made by Commissioners Siegel and seconded by Commissioner Oliva to adopt Resolution No. 1703-2009 approving a Public Hearing to be held on Monday, April 13, 2009 at 7:00 p.m. in the Commissioners Meeting Room, 2325 Darby Road, Havertown, PA regarding an amendment to the Comprehensive Plan consisting of maps, charts and textual material for the redevelopment of the Haverford Road business corridor and Phase I of the Eagle Road business corridor.

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

16. Resolution No. 1705-2009

PennDot Dot Grant System

Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to adopt Resolution No. 1705-2009 authorizing the President and Vice President to execute all documents necessary, electronically, – Liquid Fuels forms including but not limited to the MS-965, MS-329 and MS-999.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

17. Appointments

Cable TV Advisory Board – 1 unexpired term

Motion made by Commissioner Heilmann and seconded by Commissioner McGarrity to appoint Christopher Mauer to fill an unexpired four year term on the Cable-TV Haverford Public Access Corporation Board of Directors which will expire December 31, 2012.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

Senior Citizens Advisory Council

1st Ward TABLED

3rd Ward TABLED

18. Contract Awards and Purchases

Renewal - Business Privilege Tax/Mercantile Tax Consultant – 2009

Motion made by Commissioner Holmes and seconded by Commissioner Heilmann to renew a one (1) year contract to Keystone Tax Bureau, Inc., for the collection of the Township of Haverford’s Business Privilege and Mercantile Tax.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

Recreation - Phase II – Parking Facilities

Motion made by Commissioner Oliva and seconded by Commissioner McGarrity to accept the recommendation of Dave Pennoni and Tim Denny to award the bid for Phase II of the Recreation Facilities at Haverford Reserve to Premier Concrete, in the amount of \$800,415.50, submitting the lowest responsible bidder.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

Public Works Department Purchase – 2010 Construction Dump Truck with 10 Ft. Plow and Tailgate Spreader

Motion made by Commissioner D’Emilio and seconded by Commissioner Trumbull to authorize the purchase of a 2010 International 7300 4x2 Construction Dump Truck, from G L Sayers, Inc, Conshohocken, PA, under CoStars Contract #013-081, in the amount of \$63,058.03 and a Heil Dump Body, Tail Gate Spreader, 10 ft. Power Angle Plow, from H A DeHart & Son, under CoStars Contract #013-079, in the amount of \$44,468.00.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

19. Continuation of Non-Agenda items

Commissioner Siegel made a motion which was seconded by Commissioner McGarrity to allow Township Solicitor to participate - with reference to the Cell Tower, at St. George’s Episcopal Church, Zoning Appeal in the Court of Common Pleas.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

Commissioner Heilmann made a motion which was seconded by Commissioner McGarrity to appoint Township Solicitor to participate in the Student Housing Appeal for 716 Railroad Avenue.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

Commissioner Heilmann made a motion which was seconded by Commissioner D’Emilio to appoint Township Solicitor to appear, in the best interests of the Township, before the Zoning Hearing Board regarding the Billboard matter. Township Solicitor to look at the change of venue concerns which were brought before the Board.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

20. Other Business

Mario Oliva – 2nd Ward Commissioner

Commissioner Oliva gave an update on the RFQ’s. 22 Companies submitted their qualifications. Five qualified companies remain. They will be asked to submit a proposal.

Commissioner Oliva announced the fundraiser to be held for Freedom Playground on Saturday, March 21st at Brownies, 23 East.

Rob Trumbull – 3rd Ward Commissioner

Nothing to report.

Dan Siegel – 4th Ward Commissioner

Commissioner Siegel stated that on his own website he had a poll – 45% of individuals would rather reduce other township services than cut back on trash and leaf collection.

Commissioner Siegel thanked the Police Department for the fast clean up they did with the vandalism and graffiti at the Bubble Gum Factory. Commissioner Siegel emphasized that if anyone sees anyone damaging the facility, please call the police.

He also stated that many rumors are being spread concerning the Skatium. Do not assume anything - call your Commissioner for any updates.

Upcoming Events: Paddock Farms will hold an Easter Egg Hunt on Saturday, April 11th at 11:00 a.m., April 1st is registration day for an art sale to be held on May 2nd and a social will be held at Peabody’s Pub on Darby Road on March 20th from 7-10 p.m.

In regards to the Solicitation and Peddling Ordinance, which was tabled tonight,

anyone that has any concerns as to whether or not an organization is legitimate, please go to the Department of State, Bureau of Charitable Affairs website. Any organizations that collect more than \$25,000 per year – must register.

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Jeff Heilmann – 5th Ward Commissioner

Upcoming Events at Coopertown: Annual Children’s Clothing Sale on March 21st. T-Ball needs sponsors - \$100.00 to sponsor, please contact John McGoldrick April 11th – 10 a.m. – Easter Egg Hunt at the Coopertown Playground.

Steve D’Emilio – 1st Ward Commissioner

Commissioner D’Emilio asked for an update on the Old West Chester Pike property and partnering with SEPTA. Ms. Widdop has been in contact with SEPTA and will follow-up.

Mr. Gentile reported to Commissioner D’Emilio’s concerns regarding all the supermarket carts that are being left throughout his ward. The Codes Department are picking them up and not returning them to Superfresh.

Commissioner D’Emilio is concerned that West Gate Park is in bad shape - a stormwater issue.

Commissioner D’Emilio was informed that Chief Pettine is preparing a Police Dog demonstration.

Larry Holmes – 6th Ward Commissioner

Commissioner Holmes indicated that the Township is still waiting to hear about the H2O Grant from the State.

Jim McGarrity – 7th Ward Commissioner

Commissioner McGarrity thanked the Board for supporting the traffic ordinance.

Commissioner McGarrity asked those that live on Mill, Greenway and Beverly Roads to come out and voice their opinions as to whether or not the Library should purchase the house next to the Library.

Haverford Township Little League will be celebrating their 50th Year Anniversary on April 18th.

Post 338 will hold a Fundraiser - Spaghetti and Meatball Night - this Friday for the soldiers that return from Iraq.

April 5th will be the Annual Kevin Cain Run.

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Tom Broido – 8th Ward Commissioner

Upcoming Events: Clean up at the Grange – April 18th

Arbor Day at the Grange – April 26th

Commissioner Broido asked everyone to please support their fire company and pay their dues.

Please keep away from any solicitations that might make you lose money!

Bill Wechsler – 9th Ward Commissioner

Commissioner Wechsler congratulated Bon Air Fire Company for 91 years of service and 20 years of service to Kevin Kramer as Chief.

Upcoming Events: March 21st – 10:30 a.m. Easter Egg Hunt at Hill Top.

21. Adjournment