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MINUTES

**REGULAR MEETING
Board of Commissioners
Township of Haverford**

**September 14, 2009
MONDAY- 7:30 P.M.
Commissioners Meeting Room**

1. Opening of Meeting – President William F. Wechsler opened the meeting and indicated that the Board met in Executive Session last week prior to the Work Session to discuss Real-estate and Personnel matters.

a. Roll Call – All Commissioners were present at roll call: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, McGarrity, Broido, D’Emilio and Wechsler.

Also present were: Lawrence J. Gentile, Township Manager, Carl O’Fria, Township Auditor, Lori Hanlon Widdop and Tim Denny, Assistant Township Managers, James J. Byrne, Jr., Esquire, Township Solicitor, Chief Carmen Pettine, Haverford Police, Aimee Cuthbertson, Finance Director, David Pennoni and Chuck Faulkner, Pennoni Associates.

b. Opening prayer led by Rev. Mary Jane Kirby

c. Pledge of Allegiance led by Chief Carmen Pettine

2. Proclamations – Greg and Debbie Morris – Rita’s Water Ice received their proclamation from Commissioners Heilmann, Trumbull and Siegel.

Haverford Soccer Month – Commissioner Wechsler presented Bill Toal a proclamation announcing September at Haverford Soccer Month.

3. Citizens’ Forum – 20 Minutes Registered Speakers/20 Minutes Agenda Items

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Chad Brooks – Haverford Township Day

October 3, 2009 will be the 15th Annual Haverford Township Day. This year's theme is "Keeping a Healthy Outlook".

Matt Geary – Wynnefield Drive

Mr. Geary thanked Commissioner Holmes, Larry Gentile, Lori Hanlon Widdop and Pennoni Associates for meeting with residents of Wynnefield Drive. Minimal action has been taken through the years to correct this storm water problem. Mr. Geary would like for the Township to contact David Burke, to see what Growing Greener Grants are available to correct this ongoing problem.

Ann Phillips – Freedom Playground Update

Ms. Phillips thanked everyone that held fundraisers with proceeds going to Freedom Playground.

Committee members and volunteers and still needed.

Bill Toal – Haverford Township Day – DNA Kits

Mr. Toal indicated that this will be the District Attorney's 10th year at Haverford Township Day. This year they will be giving away DNA Kits.

The kits provide the necessary supplies needed to obtain children's DNA - hair, fingerprints, etc.

The Bomb Squad will also be at Haverford Township Day.

Richard Houseworth – 129 Landover Road

The Polo Field is overgrown and needs to be cleaned up.

Why are not all of the Department Directors at the Commissioner meetings?

Mike Levin – 414 Mill Road

Mr. Levin stated that he would like to see the Draft Lease Agreement with the YMCA and not just the summary points. Mr. Levin indicated that the Superfund Site is still contaminated.

END OF REGISTERED SPEAKERS

OPEN FORUM

The following residents all spoke and are in favor of moving forward with the Recreation Center:

Michelle Alvare – 134 Hastings Avenue

Jane Marie Rushforth – 3600 Darby Road

Alan Geiger – 5 Lisa Circle

Maria Fenini – 815 Woodland Drive

Dr. Donnay – 117 Rodney Circle

Ms. Crawford – 3300 Darby Road – Supporter of the Environmental Center

Tony Zinni – 1307 Roosevelt

Rich Carota – 1304 Rose Tree Lane – do not forget to fix the ballfield.

Mr. Houseworth – 129 Landover Road – in favor of recreation center but do not forget the other fields.

Peter Hickman – 134 Marple Road

Responses to Citizen’s Forum

Mr. D’Emlio indicated that State Senator Daylin Leach indicated there is no grant money out there to help with Township projects.

Mr. Wechsler thanked Bill Toal for his comments regarding DNA kits and hopes no one ever has to use it.

Mr. Wechsler indicated that Tim Denny, Public Works and Park Maintenance are meeting tomorrow to discuss the Polo Field.

The Lease Agreement is still being negotiated by Counsel and is not ready. The YMCA and PECO are in negotiations with regard to the sub station.

Mr. Wechsler thanked everyone that spoke on the Recreation Center and stated that full discussion will be during this meeting.

The Board broke for a 10 minute recess.

4. Approval of Minutes - Regular Meeting of August 10, 2009

Motion made by Commissioner Holmes and seconded by Commissioner Broido to approve the Regular Meeting Minutes of August 10, 2009.

Roll Called.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, Broido and Wechsler. Commissioners McGarrity and D’Emilio were not present for vote.

5. Approval of Warrants

Motion made by Commissioner Siegel and seconded by Commissioner Holmes to approve the following warrants:

G.F. P/R Warrant No. 305	in the amount of	\$ 521,663.15
G.F. P/R Warrant No. 306	in the amount of	\$ 502,181.61
G. F. Bus. Warrant No. 792	in the amount of	\$ 1,977,644.13
S.F. P/R Warrant No. 791	in the amount of	\$ 402,676.20
S.F. P/R Warrant No. 403	in the amount of	\$ 23,226.98
S.F. P/R Warrant No. 404	in the amount of	\$ 23,238.23
Community Dev. No. 10-09	in the amount of	\$ 168,336.15

Roll Called.

Voting Yes: Commissioners Oliva, Trumbull, Siegel, Heilmann, Holmes, Broido and Wechsler. Commissioners McGarrity and D’Emilio were not present for vote.

6. Discussion – 2010 Financial Requirement and Minimum Municipal Obligation

Mr. Gentile indicated that Act 205 requires that this item be listed on the September Agenda and incorporated into the Minutes. Tom Anderson will attend the October 5th Work Session and will provide a full presentation.

7. Ordinance No. P18-2009

Preservation of Historic Resources
(1st Reading)

Motion: To adopt the first reading of Ordinance No. P18-2009 by revising Chapter 182, Zoning, Article XIII, by revising standards for the preservation of Historic Resources.

Due to the earlier Public Hearing being continued, the first reading was not read.

8. Ordinance No. P20-2009

Traffic (2nd Reading)

Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to adopt the second reading of Ordinance No. P20-2009 authorizing traffic restrictions on the following highways:

establish “PARKING OF ALL VEHICLES PROHIBITED AT ALL TIMES”

On both the north and south sides of Norman at Stump, 60 feet in a westerly direction.

Roll Called.

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

9. Ordinance No. P21-2009

Right of Way Useage (1st Reading)

*****If this does not pass, the next two Ordinances come off the Agenda*****

Motion made by Commissioner Broido and seconded by Commissioner McGarrity to adopt the first reading of Ordinance No. P21-2009 adopting a new substitute for Ordinance No. 2319 in its entirety with new Chapter 167, Wireless Communication Facilities in Rights-of-Way.

Winnie Branton, Esq. from Drinker Biddle drafted the Ordinance for the Township and provided a summary of what the new Chapter 167 would involve. It will now address permit requirements, insurance and fees. This Ordinance will also work well with Ordinance No. P26-2009 - which is also on the Agenda for tonight.

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Ordinance P26-2009 would now be more specific: application to open ground, fees, performance bonds, minimal insurance and other fees.

Discussion and Questions began concerning who is to review appeals?

Insurance requirements?

Equipment facilities?

Height requirements?

Consider TABLING Ordinances P22 and P23.

Lori Hanlon Widdop is recommending that the Board of Commissioner's Property Review Committee review the appeals and not a new committee be established nor should the Zoning Hearing Board review the appeals.

Technical changes will be amended in the 1st Reading: Insurance, permittees and subcontractors.

Roll Called.

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

10. Ordinance No. P22-2009

NextG – Authorize Lease (1st Reading)

Motion made by Commissioner Broido and seconded by Commissioner McGarrity to adopt the first reading of Ordinance No. P22-2009 pursuant to Section 301(G) and Section 707 (A) of the Home Rule Charter, authorization is hereby given to the Township Manager and Township Solicitor to commence negotiation of a license agreement for the use of the public rights of way for NextG Networks of New York in accordance with the provisions of Chapter 167 of the General Laws of the Township of Haverford.

Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to TABLE.

Roll Called.

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

11. Ordinance No. P23-2009

Sunesys – Authorize Lease (1st Reading)

Motion made by Commissioner Holmes and seconded by Commissioner McGarrity to adopt the first reading of Ordinance No. P23-2009 pursuant to Section 301(G) and Section 707 (A) of the Home Rule Charter, authorization is hereby given to the Township Manager and Township Solicitor to commence negotiation of a license agreement with Sunesys for the use of the public rights of way in accordance with the provisions of Chapter 167 of the General Laws of the Township of Haverford.

Motion made by Commissioner Broido and seconded by Commissioner Trumbull to TABLE.

Roll Called.

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

12. Ordinance No. P26-2009

Streets and Sidewalks (1st Reading)

Motion made by Commissioner Holmes and seconded by Commissioner Trumbull to adopt the first reading of Ordinance No. P26-2009 further amending and supplementing Ordinance No. 1960 by revising Chapter 157 ‘Streets and Sidewalks’ Article III ‘Excavations and Openings’.

Amendments suggested to Ordinance by Commissioner Siegel pertaining to Insurance were accepted by Commissioner Holmes and Commissioner Trumbull.

Roll Called.

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

13. Resolution No. 1724-2009

Land Development – Merion Golf Club

Motion made by Commissioner Heilmann and seconded by Commissioner Trumbull to adopt Resolution No. 1724-2009 for the construction of a new 68,287 square foot maintenance facility on the property at 450 Ardmore Avenue.

***the square footage should read 26,226 and not 68,287.**

Roll Called.

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

14. Resolution No. 1725-2009

Penn Dot 5 Year Traffic Services Agreement

Motion made by Commissioner Trumbull and seconded by Commissioner Oliva to authorize the Township Manager to enter into a 5 Year Traffic Services Agreement with the Pa Department of Transportation.

Roll Called.

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

15. Resolution No. 1726-2009

Land Development – Rugby Road

Motion o adopt Resolution No. 1726-2009 authorizing the Township of Haverford to revise its Sewage Facilities Plan (ACT537 Plan) by executing a sewage facilities planning module for the addition of 525 gallons per day (2 new EDU’s) into the Cobbs Creek System, associated with the consolidation of 749 and 763 Rugby Road and the subdivision of the resulting tract into four (4) lots: one (1) existing residence; one (1) reconstructed residence, and two (2) new residences on Rugby Road, approximately 0.4 miles east of the intersection of Haverford Road and Bryn Mawr Avenue along Haverford Road.

16. Contract Awards

Recreation - Kimmel Bogrette

Motion made by Commissioner Oliva and seconded by Commissioner Trumbull to approve the execution of the contract with the firm of Kimmel/Bogrette for Architectural and Engineering Services for the Community Recreation/Environmental Building at Haverford Reserve.

All Commissioners stated their overall support of a Recreation facility of some fashion up at Haverford Reserve – some Commissioners have concerns and some approve - without reservation.

Pennoni Associates will be submitting a Draft letter to Larry Gentile and Tim Denny with options and costs to correct the ball field shortage.

Roll Called.

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

Continuation of Non-Agenda Items

Ed Pratt – 22 Kathmere Road – This will be the 222nd Anniversary of the Constitution.

Tony Zinni – Why isn't anyone talking about traffic issues which will become heavier on Eagle Road where the YMCA will be built?

Mr. Wechsler thanked Mr. Pratt for his comments.

Mr. Wechsler said that the Township is working with PennDot on traffic issues on the Eagle Road Corridor.

Other Business

Mario Oliva – 2nd Ward Commissioner

Commissioner Oliva announced that October 3, 2009 will be the 15th Annual Haverford Township Day.

Freedom Playground will be holding a Girls Night Out on September 26th from 7 – 10 p.m. at the Boulevard Grille. Proceeds to benefit Freedom Playground.

Robert Trumbull – 3rd Ward Commissioner

Commissioner Trumbull asked for a Hathaway Bridge Update from Pennoni Associates. Chuck Faulkner from Pennoni announced that it will take, probably, until the first half of 2010 to complete the whole rebuilding of the bridge.

Mr. Trumbull thanked the residents for their patience during this period.

Mr. Trumbull was elated to hear a unanimous vote from fellow Commissioners for Kimmel/Bogrette.

Dan Siegel – 4th Ward Commissioner

Commissioner Siegel is glad to know that included in the YMCA Lease Agreement there is a provision up to \$500,000 for traffic improvements.

Commissioner Siegel thanked Chief Pettine, Deputy Chief Viola and Sgt. Hagan for their prompt and professional responses to his requests.

Commissioner Siegel urged everyone to attend the September 17th Billboard Meeting at Lynnewood School.

This year, leaf pick up will remain the same. Curb-side pickup.

Commissioner Siegel will be holding his constituent meeting either October 10th or 11th.

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Jeff Heilmann – 5th Ward Commissioner

Commissioner Heilmann is urging Commissioners to Scoop out water ice at Rita's.

Coopertown will be holding a Fall Block Party

Children's Used Clothing Drive will be held September 26th from 9 – 12 noon.

Commissioner Heilmann stated that the Walker Cup was great and thanked the Police Department for all their efforts in controlling traffic.

Steve D'Emilio – 1st Ward Commissioner

Commissioner D'Emilio also urged everyone to attend the Billboard Hearings.

This year's Flu Clinic will be held on October 19th and 26th.

Commissioner D'Emilio thanked everyone that came out to his recent resident meeting – which was due to a recent break-in in his Ward. He is requesting that in this upcoming Budget Proposal, a Canine Unit be requested.

Chief Pettine was asked to speak on the topic of a Canine Unit for Haverford Township. Chief Pettine indicated that crime has increased and now is the time for Canine dogs. They are a deterrent to crime.

Chief Pettine will speak at the October Work Session on this subject matter.

Larry Holmes – 6th Ward Commissioner

Commissioner Holmes thanked Llanerch Ambulance for responding to and taking care of his 10 year old son.

Haverford Township Day is October 3rd.

Commissioner Holmes will be holding a constituent meeting within the next couple of weeks. Date to be determined.

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Jim McGarrity – 7th Ward Commissioner

Commissioner McGarrity also thanked the Paramedics and EMS Department for their outstanding service.

Commissioner McGarrity announced upcoming Grange Estate Festivities. He urged everyone to come out to all the Billboard Meetings.

Tom Broido – 8th Ward Commissioner

Commissioner Broido is urging residents to call or write letters to PECO letting them know that the contractor they hired to prune trees is butchering them and not pruning.

William Wechsler – 9th Ward Commissioner

Commissioner Wechsler mentioned the passing of long-time active Haverford Township resident, Helen Berger.

Hilltop Civic Associations meeting will be September 24th.

Adjournment

