

The regular meeting of the Human Relations Committee was held tonight, vice chairperson John DiFerdinando presiding. Members present were Herschel Elias, Myron Goldman, Drew Sharkey and Billy Williams. Guests present were David Flaks and Albert Meinster. Staff present was Nancy K. Gibson, Public Information Officer.

1. Upon motion of Mr. Goldman, and approved by committee, the minutes of the February 24, 2009 meeting were accepted.

2. As a result of the Dr. Flak's resignation from the committee, the committee has to elect a new chairperson. Mr. DiFerdinando opened the floor for nominations. Mr. Goldman nominated Mr. DiFerdinando. Mr. Elias nominated Mr. Williams. There being no further nominations, upon motion of Commissioner Sharkey and approved by committee, the nominations were closed. In a vote of 4 to 1, Mr. DiFerdinando was elected chairperson. Mr. DiFerdinando opened the floor for nominations for vice chairperson. Mr. Goldman nominated Mr. Williams. There being no further nominations, upon motion of Commissioner Sharkey and approved by committee, the nominations were closed. Mr. Williams was unanimously elected vice chairperson.

3. Regarding a policy for private-organization use of Township-owned land, Ms. Gibson read an excerpt from the Board of Commissioners' minutes dated November 17, 1936 that relates to the Boy Scout cabin on Tookany Creek Parkway:

“Mr. Conklin presented a plan for a Boy Scouts cabin and requested that permission be granted for the erection of the cabin in the Tookany Park. On motion of Mr. Morgan, seconded by Mr. Jaspersen, permission was granted, the proposed plan of cabin and type of building to be submitted to the Building Inspector and the Parks Committee.”

Mr. Elias commented that since the minutes don't say who owns the cabin, he supports prohibiting the use of the cabin by discriminating groups. Mr. DiFerdinando responded that he

has received a legal opinion that the cabin belongs to the Boy Scout Cabin Association since that organization built and maintained it. Other members commented that was just one legal opinion. Mr. DiFerdinando added that a blanket policy prohibiting use of public land by organizations that discriminate could have wide-reaching consequences beyond the Boy Scouts:

- At the start of championship competitions, the Cheltenham Little League recites the National Little League pledge that includes “I trust in God” in the first line.
- Some Township fire companies prohibit members over age 65 from driving firefighting vehicles.
- The School District prohibits graduates from displaying anything on their graduation gowns except for honor society designations and African-American heritage symbols.

Dr. Flaks said the policy is not aimed at any particular group but is indicative of the Township’s support of non-discrimination, which the committee has already supported. Ms. Gibson read an excerpt from the Human Relations Committee meeting minutes dated November 28, 2008:

“Upon motion of Dr. Flaks, and approved by committee, the committee recommends that the Board of Commissioners considers the preferred option of leasing the cabin on a basis similar to the rental halls, but if that option is unacceptable, that the Board of Commissioners establishes a policy that:

‘All leases and other agreements permitting a private group’s use of any Cheltenham Township property that is not broadly available to all residents shall include a non-discrimination statement which obligates the private group not to discriminate based on the fact or perception of a person’s race, color, national origin, ancestry, handicap or disability, religion, creed, age, sex, or sexual orientation. Violation of the non-discrimination statement shall immediately void the lease or other agreement and shall result in the private group’s forfeiture of the right to use such property.’

Upon motion of Dr. Flaks, and approved by committee, the committee also recommends that the Board of Commissioners adopts the above language for all lease and other agreements, even beyond the Boy Scout cabin.”

Dr. Flaks said this recommendation addressed issues that were not covered by Ordinance 2091 adopted in 2005, which addressed Parks and Playground Policy. If the 2008 recommendation is adopted, the policy would mean that private groups that would not comply with the non-discrimination statement would lose the right to use the applicable property.

In light of the potential impact, Mr. Goldman made a motion that the Human Relations Committee rescinds its support for the recommendation. A discussion was held. Mr. Goldman said he did not think Cheltenham had a problem with discrimination and did not want to cause problems locally to serve a national agenda. Dr. Flaks responded that even if local organizations don't actively discriminate by turning away certain minority groups, the problem of discrimination still exists here because members of those minorities don't attempt to join local organizations where they know they are not welcome or where they will be tolerated only as long as they keep a low profile. Commissioner Sharkey commented that the committee's 2008 recommendation was under consideration, and he expected the Board of Commissioners to announce a proposal soon for public debate.

Mr. Meister criticized how long the issue has been unresolved and the Human Relations Committee's membership, which does reflect the diverse demographics of the community. Commissioner Sharkey responded that staffing citizen committees is difficult in light of everyone's busy schedule, and participation is ultimately an individual's decision.

Mr. Herschel made a motion to table Mr. Goldman's motion until Commissioner Portner was present, but having no second, the motion failed.

The motion to rescind the Human Relation Committee's support for its 2008 recommendation was approved by a vote of three (Mr. DiFerdinando, Mr. Goldman, Mr. Williams) to one (Mr. Elias). Commissioner Sharkey abstained because he could be ultimately

voting on an actual ordinance in the future. Mr. Meister expressed his anger at what he characterized as the committee going the wrong way.

4. Under *New Business*, the following items were discussed.

A. Mr. Elias announced that he has invited the Democratic candidates for Commissioner to attend the September 29, 2009 Human Relation Committee meeting.

B. Mr. Williams reported a rumor that the LaMott Community Center refused to allow a post memorial service luncheon on religious grounds. Commissioner Sharkey volunteered to follow up on the issue with John Hoover, Director of Parks and Recreation.

5. There being no further business, upon motion of Mr. Goldman, and approved by committee, the meeting was adjourned.

David G. Kraynik
Township Manager

Per Nancy K. Gibson
Public Information Officer