

To the Editor:

Phyllis Beck's letter in response to Evelyn Yaari's recent article about the Barnes Foundation is replete with the evasions and distortions that unfortunately characterize the Foundation's public statements about its proposed move.

The Friends of the Barnes Foundation has never been responsible for limiting the number of visitors to the Foundation, and has in fact played a major role in its recent expansion. No restriction on walkup visitors was ever imposed by the Lower Merion Township Commission or the Orphan's Court, contrary to Judge Beck's allegation; it is simply the policy of the Barnes Foundation itself. The Barnes' neighbors never sued the foundation, but were sued by it in an action dismissed as "cynical and frivolous" by a federal court, which ordered the foundation to pay the defendants' court costs. These amounted to less than \$100,000, but the Barnes' lawyers themselves, as Judge Beck must be aware, drained the Foundation's coffers of millions of dollars in a decade-long battle to avoid repayment. It is from this that the so-called financial predicament of the foundation actually stems.

Under expanded visitation, the foundation could admit an additional 80,000 visitors per year. This, with parking fees and purchases in addition to a \$12 ticket price, would net the foundation more than enough money to cover its actual operating deficit, even deducting for additional expenses. Derek Gillman, the foundation's director, told me in a public meeting of the Lower Merion Conservancy on Nov. 8 that the foundation would not admit these visitors while it was engaged in court proceedings -- no doubt because the additional revenues would destroy the rationale for a move to Philadelphia. Now, Judge Beck states that the foundation "welcomes" the new zoning ordinance and will "consider" admitting more visitors, doubtless in anticipation of having to justify its refusal to do so in court while continuing to plead poverty.

It is sad to see the same parade of misrepresentations trotted out again and again, as if sheer repetition could make them true. Judge Beck should know better. The actual truth is that the combination of Montgomery County's proposed bond issue and increased visitation would be more than sufficient to restore financial viability to the Foundation -- indeed, with prudent management, either would.

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