

## AMBLER BOROUGH COUNCIL MINUTES

**January 19, 2016**

The regular monthly meeting of Ambler Borough Council was held Tuesday, January 19, 2016 at 7:00 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002.

Council President Pasceri called the Council Meeting to order. Mayor Sorg then led the public in the Pledge of Allegiance.

**Roll Call** – Present: Mr. Pasceri, Mr. Curtis, Mr. Zaccone, Mr. DeRuosi, Mrs. Deininger, Mrs. McCormick, Mr. Sheward, Ms. Tomlinson and Ms. Hertz. Mayor Sorg, Solicitor Bresnan, Chief Foley and Borough Manager Mary Aversa also were in attendance.

Mayor Sorg presented a Proclamation of Council and Mayor to Mr. Bruce Jones, former Ambler Wastewater Treatment Plant Superintendent, upon his retirement.

Mr. Pasceri made a motion to approve the Minutes of the December 15, 2015 Council Meeting. Seconded. Carried. Council then proceeded to hear Committee reports.

### **COMMITTEE REPORTS**

A Reorganization Meeting of Ambler Borough Council was held Monday, January 4, 2016 at 7:30 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002.

At the Council Meeting this evening, the Committees conducted business as follows:

#### **Public Safety Committee – Mr. Curtis, Chairperson**

Committee members: Mrs. McCormick, Mr. Sheward

The Public Safety Committee report was given this evening by Mr. Curtis.

**The Committee will consider no actions this evening.**

#### **Recommended at Committee Meeting:**

1. Recommend adoption of Resolution 2016-01 for application for a PECO Grant to be used for the Edgewood Preserve efforts. Seconded. 9-Aye. Carried.

#### **In other business the following will be discussed:**

1. The Police and Fire reports were received.

2. The Ambulance Association report was received.
3. The Public Works, Safety Meeting and Code Enforcement reports were received.

Mr. Curtis asked if there were comments or questions from Council or the public. Chief Foley stated his appreciation to Christine Raines for her efforts with the Ambler Area Coalition for Peace volunteers who made possible the “Coffee and Conversation with a Cop” social held at Sweet Briar Café. Mr. Curtis asked the Code Enforcement Officer about rental inspections and citations in 2015. Mr. Glenn Kucher responded that 90% of rentals had been inspected in 2015, with 7% scheduled for citations. Ms. Mary-Margaret Monser of Forest Avenue thanked Council for expeditiously passing Resolution 2016-01. Mrs. Judy Baigis of Tennis Avenue asked for clarification on the PECO grant application as to whether the grant had been procured or was being sought. Mrs. Aversa responded that grant monies were being sought, that the award might be after the job was complete and that awarded monies could be applied toward maintenance of the Edgewood Preserve. There being nothing further, it was moved the Committee’s report be accepted as filed. Seconded, carried.

**Parks and Recreation Committee – Mr. DeRuosi, Chairperson**

Committee members: Mrs. Deininger, Ms. Hertz

The Parks and Recreation Committee report was given this evening by Mr. DeRuosi.

**The Committee will consider no actions this evening.**

**In other business the following will be discussed:**

1. Mr. Scott Miller, President of Ambler Junior Baseball, made a detailed presentation to Council on future requests and plans for upgrades of the playing fields at Pickering Field. He provided an overview on work to be performed on the field fencing, dugouts, on-deck circles and blockhouse. He stated AJB’s vision is to convert the present T-ball field into a softball/T-ball field and to provide better fencing. He stated AJB is considering installation of artificial turf -- pervious materials other than gravel -- which has become a distraction in the dugout areas. He added that artificial turf might be laid in the infields and dugouts, and possibly at the baselines. He stated the scoreboard would be taken down and that AJB was researching use of a portable board.

Mr. DrRuosi asked if there were comments or questions from Council or the public. Mr. Curtis requested that retired ball player Mr. Bobby Shantz, who is in his nineties, be invited to the AJB season opener to serve as “Parade Marshall.” There being nothing further, it was moved the Committee’s report be accepted as filed. Seconded, carried.

**Public Utilities Committee – Mr. Sal Pasceri, Chairperson**

Committee members: Mr. Curtis, Mr. Zaccone

The Public Utilities Committee report was given this evening by Mr. Pasceri.

**The Committee will consider the following actions this evening:**

1. Recommend adoption of **Resolution 2016-02**, an Inter-Governmental Agreement to prepare an alternate Total Maximum Daily Limit (TMDL) plan concerning water quality issues in the Wissahickon Watershed.

Discussion ensued. Mrs. McCormick noted that the EPA-proposed TMDL does not address Ambler's dump sites. Mrs. Aversa concurred, stating that she had encouraged meeting with the EPA to address this issue.

2. Consider approval of site plan exhibits for potential cell site project proposed by Verizon, so that Verizon can prepare land development plans. Proposed cell site is on the 131 Rosemary Avenue property, parking lot side, towards the building's generator. Verizon would like to finalize the site plan so that they may prepare a Lease Agreement. Verizon proposes to construct and then lease the monopole from the Borough, allowing Borough ownership so that the Borough may utilize the monopole for SCADA and any other municipal antennas as well as leasing this site to other telecom companies.

**In other business the following was discussed:**

1. The WWTP Supervisor's and Engineer's reports were received.
3. Correspondence from Crown Castle to begin the approval process for proposed Wireless Telecommunications Antennas to be installed in the Borough (at S. Main & Orange; the 200 block of Butler; and on Spring Garden) has been received. Mr. Joe Bresnan stated that a Conditional Use Hearing might be needed before granting approval at a future date, and that he was looking into this, as well as the potential need for an engineering review. Further discussion on this matter was tabled.

Mr. Pasceri asked if there were questions or comments from Council or the public. There being nothing further, it was moved the report be accepted and filed. Seconded, carried.

**Finance and Planning Committee - Mr. Sheward, Chairperson**

Committee Members: Mr. DeRuosi, Ms. Tomlinson

The Finance and Planning Committee report was given this evening by Mr. Sheward.

**The Committee will consider the following actions this evening:**

1. Consideration that **December 2015** invoices in the amount of **\$896,644.45** be paid as follows: General (**\$306,562.30**); Street Lights (**\$5,828.26**); Fire (**\$9,256.45**); Parks & Rec. (**\$1,383.25**); Water (**\$99,468.32**); Sewer (**\$165,521.62**); WWTP (**\$164,459.36**); Debt Fund (**\$0.00**); Water Capital (**\$108,641.54**); Liquid Fuels (**\$35,523.35**).
2. Consider sending Steep Slope and Riparian Buffer Rose Valley Creek Conservation District Ordinances to the Planning Commission for review.

Discussion ensued. Mr. Brian Quinn of Valley Brook Road questioned the Ordinances' limitations on homeowners at the Rose Valley Creek. Code Officer Glenn Kucher stated the ordinances consider construction within the Conservation District, and not post-flood cleanup caused by storm activity.

3. Consider authorizing the Solicitor to complete the FEMA Floodplain Conservation District Ordinance revision language and advertise Ordinance for adoption in anticipation of the FEMA adoption deadline of March 2, 2016.

Discussion ensued. Solicitor Bresnan, Manager Aversa and Code Officer Kucher set forth the FEMA position that the ordinance must be adopted by March 2<sup>nd</sup> and that the language is not negotiable. Mr. Bresnan stated that without such action, FEMA will cut-off federal grant, loan, mortgage and disaster relief for properties located in the jurisdiction and that FEMA has already begun to cut-off municipalities that have not sufficiently progressed in these matters.

4. Consider acceptance and execution of an Agreement of Sale for Borough property located at 122 East Butler Avenue (old Borough Hall) at the offered price of \$801,111.
5. Consider authorization to once again collect Business Privilege Tax (BPT) from individuals who conduct the business of real estate rental in the Borough, based upon the Court decision on such collections and without retroactively collecting tax for the 2015 year.

Discussion ensued. Bernadette Dougherty of Tennis Avenue stated her position on such collection is that rentals are not businesses, but are a passive activity, adding that rentals already pay for code inspection and annual registration. Mr. Bresnan stated the Supreme Court has determined that municipalities can impose this tax, and suggested that what Ms. Dougherty has made is a policy request of Council not to place the BPT upon landlords. It was agreed that the BPT would be discussed at a future meeting.

**Approved at Committee Meeting:**

1. Consider rejection of a sealed bid received December 23, 2015 for the purchase of 122 East Butler Avenue property. Seconded. 9-Aye. Carried.

**In other business the following was discussed:**

1. The Borough Engineer's report was received.

Mr. Sheward asked if there were questions or comments from Council or the public. There being nothing further, it was moved the report be accepted and filed. Seconded, carried.

**Salary and Personnel Committee – Mr. Zaccone, Chairperson**

Committee members: Mr. Curtis, Frank DeRuosi, Mrs. Deininger

The Salary and Personnel Committee report was given this evening by Mr. Zaccone.

**The Committee will consider the following actions this evening:**

1. Recommend hiring Mr. Steve Torma for the WWTP Superintendent position.
2. Recommend hiring Mr. Bob Croasdale for the WWTP Assistant Superintendent position.
3. Recommend approval of the Ambler Borough Pension Statement of Investment Policy Objectives & Guidelines, which will incorporate changes discussed with Council by plan managers Alliance Bernstein.

Mr. Zaccone asked if there were questions or comments from Council or the public. There being nothing further, it was moved the report be accepted and filed. Seconded, carried.

**RECOMMENDATIONS**

**Public Safety Committee** – The Committee will make no recommendations this evening.

**Approved at Committee Meeting:** Recommend adoption of Resolution 2016-01 for application for a PECO Grant to be used for the Edgewood Preserve efforts. Seconded. 9-Aye. Carried.

**Parks & Recreation Committee** – The Committee will make no recommendations.

**Public Utilities Committee** – The Committee recommends and Mr. Pasceri moves:

Recommend adoption of **Resolution 2016-02**, an Inter-Governmental Agreement to prepare an alternate Total Maximum Daily Limit (TMDL) plan concerning water quality issues in the Wissahickon Watershed. Seconded. Carried.

Consider approval of site plan exhibits for potential cell site project located at 31 Rosemary Avenue proposed by Verizon, so that Verizon can prepare land development plans. Seconded. Carried.

**Finance & Planning Committee** – The Committee recommends and Mr. Sheward moves:

Consideration that **December 2015** invoices in the amount of **\$896,644.45** be paid. Seconded. Carried.

Consider sending Steep Slope and Riparian Buffer Rose Valley Creek Conservation District Ordinances to the Planning Commission for review. Seconded. Carried.

Consider authorizing the Solicitor to complete the FEMA Floodplain Conservation District Ordinance revision language and advertise Ordinance for adoption in anticipation of the FEMA adoption deadline of March 2, 2016. Seconded. Carried.

Consider acceptance and execution of an Agreement of Sale for Borough property located at 122 East Butler Avenue (old Borough Hall) at the offered price of \$801,111. Seconded. Carried.

Consider authorization to once again collect Business Privilege Tax (BPT) from individuals who conduct the business of real estate rental in the Borough, based upon the Court decision on such collections and without retroactively collecting tax for the 2015 year. Seconded. Carried.

**Approved at Committee Meeting:** Consider rejection of a sealed bid received December 23, 2015 for the purchase of 122 East Butler Avenue property. Seconded. 9-Aye. Carried.

**Salary & Personnel Committee** – The Committee recommends and Mr. Zaccone moves:

Recommend hiring Mr. Steve Torma for the WWTP Superintendent position. Seconded. Carried.

Recommend hiring Mr. Bob Croasdale for the WWTP Assistant Superintendent position. Seconded. Carried.

Recommend approval of the Ambler Borough Pension Statement of Investment Policy Objectives & Guidelines, which will incorporate changes discussed with Council by plan managers Alliance Bernstein. Seconded. Carried.

**There being no further business,** Mr. Pasceri moved the meeting be adjourned. Seconded, motion carried.

Respectfully submitted,

Elizabeth Russell  
Assistant Secretary  
Borough of Ambler