

## AMBLER BOROUGH COUNCIL MINUTES

February 16, 2016

The regular monthly meeting of Ambler Borough Council was held Tuesday, February 16, 2016 at 7:00 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002. The meeting was preceded by a Public Hearing held at 6:30 p.m. on proposed Ordinance 1093 amending language contained in Part 19, "Floodplain Conservation District." A motion to adopt Ordinance 1093 was made. Seconded. [8-Aye; Mr. Sheward was not yet present]. Carried.

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.

Mr. Pasceri made a motion to approve the Minutes of the January 4, 2016 Reorganizational Meeting and the January 19, 2016 Council Meeting. Seconded. Carried. Council then proceeded to hear Committee reports.

### **COMMITTEE REPORTS**

The Committees of Ambler Borough Council met Tuesday, February 2, 2016 at 7:00 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002. 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.

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.**

**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 and Code Enforcement reports were received.

Mr. Curtis asked if there were comments or questions from Council or the public. 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. The Environmental Advisory Council provided an overview of their 2016 plans. The EAC proposed to enter into a park maintenance contract with Red Tail Restoration.

Mr. DeRuosi stated the contract would be discussed at the Committee's March meeting. Mrs. McCormick suggested that Council determine procedures to declare Ambler Borough Park a "preserve" potentially to obtain future grant money. A suggestion was made by Mrs. McCormick to consider the park as an IBA (important bird area).

Mr. DeRuosi asked if there were comments or questions from Council or the public. 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. Authorization is requested to purchase two  $\frac{3}{4}$  ton 2016 GMC Sierra 2500 HD trucks with plow and Tommy gate at a CoStars price of \$36,755 per truck and to purchase one  $\frac{1}{2}$  ton 2016 GMC Sierra 1500 truck at a CoStars price of \$26,087, with purchase to be made from Penske GMC Trucks at a total three-vehicle cost of \$99,597.00, payable at \$34,876.21 per year for three years.

Discussion ensued. Mrs. Judy Baigis of Tennis Avenue requested that the Borough reinstate its existing "No Smoking in Vehicles" policy. Mr. Curtis stated the "No Smoking" Policy would be discussed at the next Public Safety Meeting.

2. Authorization is requested to sign the Wireless Telecommunication Antenna Agreement with Crown Castle.

Discussion ensued. Solicitor Bresnan advised that Council's vote would serve to allow Crown Castle to locate equipment in a public right-of-way. He stated that the Telecommunication Act gives broad rights to these companies, allowing them to place facilities where they are needed. He stated that a Conditional Use Hearing would be required. He noted that the proposed agreement allowed for three sites with annual payment of \$500 per site to the Borough.

Ms. Bernadette Dougherty went on record to voice concerns about health issues associated with telecommunications equipment. Ms. Hertz asked whether the Borough is indemnified from claims. Mr. Bresnan responded that Crown Castle would guarantee all liability for maintenance and damage.

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

1. The WWTP Engineer's report was received.

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 **January 2016** invoices in the amount of **\$521,887.64** be paid as follows: General (**\$175,404.61**); Street Lights (**\$2,362.88**); Fire (**\$0.00**); Parks & Rec. (**\$4,029.92**); Water (**\$66,623.19**); Sewer (**\$8,835.14**); WWTP (**\$251,912.08**); Debt Fund (**\$0.00**); Water Capital (**\$12,719.82**); Liquid Fuels (**\$0.00**).
2. 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. Ms. Tomlinson asked Finance Manager Gordon about whether the Earned Income Tax and Business Privilege Tax were fairly allocated in the Operating Budget. Ms. Gordon stated that 'reserves' should equal one-quarter of the Operating Budget, and that reserves will fall below that in 2015. She noted that of total tax collected during the years 2012-2014, 85% came from the EIT and 15% from the BPT.

Bernadette Dougherty of Tennis Avenue stated that the BPT historically was put into place due to a shortfall in property taxes. She questioned whether that need still existed, or whether the shortfall has changed, possibly allowed for a lower BPT rate. She stated that businesses do not directly benefit from the BPT. Mr. Bresnan stated that the agenda item was for Council to determine whether or not to levy the tax on landlords, and not to change the level of taxation. Ms. Hertz noted that if the tax was lowered, the tax burden would shift from the businesses to the residents.

3. Authorization is requested to sign the Northern Montgomery County Recycling Commission yard waste disposal agreement with the Barnside Farms Compost Facility.

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

1. The Borough Engineer's report was received.
2. Proposed Rose Valley Creek Conservation District Ordinances are being reviewed by the Planning Commission.

**An Executive Session was held on a real estate matter.**

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. Thomas Harris to the vacant Water Operator I position. .

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.

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

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

Authorization is requested to purchase two ¾ ton 2016 GMC Sierra 2500 HD trucks with plow and Tommy gate at a CoStars price of \$36,755 per truck and to purchase one ½ ton 2016 GMC Sierra 1500 truck at a CoStars price of \$26,087, with purchase to be made from Penske GMC Trucks at a total three-vehicle cost of \$99,597.00, payable at \$34,876.21 per year for three years. Seconded. Carried.

Authorization is requested to sign the Wireless Telecommunication Antenna Agreement with Crown Castle. Seconded. Carried.

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

Consider adoption of Ordinance 1093 amending language contained in Part 19, “Floodplain Conservation District.” A motion to adopt Ordinance 1093 was made. Seconded. [8-Aye; Mr. Sheward was not yet present]. Carried.

Consideration that **January 2016** invoices in the amount of **\$521,887.64** be paid. Seconded. Carried.

Consider authorization to reinstate collection of Business Privilege Tax (BPT) from individuals who receive rental income in the Borough in 2016. Seconded. Carried.

Authorization is requested to sign the Northern Montgomery County Recycling Commission yard waste disposal agreement with the Barnside Farms Compost Facility. Seconded. Carried.

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

Recommend hiring Mr. Thomas Harris to the vacant Water Operator I position. Seconded. Carried.

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

Respectfully submitted,

Elizabeth Russell  
Assistant Secretary  
Borough of Ambler