

AMBLER BOROUGH COUNCIL MINUTES

April 18, 2017

The regular monthly meeting of Ambler Borough Council was held Tuesday, April 18, 2017 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 led the public in the Pledge of Allegiance.

Roll Call – Present: Mr. Pasceri, Mr. Curtis, Mr. Zaccone, Mr. DeRuosi, Mrs. Deininger, Mr. Sheward, Ms. Tomlinson and Ms. Hertz. Mayor Sorg, Solicitor Bresnan, Chief Foley and Borough Manager Aversa were present. Mrs. McCormick was absent.

Public Hearing: A Public Hearing was held at 7:15 p.m. to consider adoption of **Ordinance 1107**, an ordinance amending the Zoning Ordinance to define and recognize medical marijuana and to allow for growing/processing facilities and dispensaries.

Prior to the start of the Hearing, Solicitor Bresnan explained that a Use & Occupancy Application has already been received from a proposed marijuana dispensary, pending approval from the State to be licensed as a dispensary. The application is for a location just outside the Commercial District and is located in the Downtown Commercial District. The application was received the same day the advertisement ran and therefore the limitations imposed by the proposed Ordinance would not apply since the Ordinance has yet to be considered. The applicant sought to establish a marijuana dispensary at the “old, old Borough Hall” on Butler Avenue, and it would be situated in the basement with access only from N. Spring Garden Street. The applicant would agree that as a condition of the U&O, there would be no frontage or access from Butler Avenue.

As the Public Hearing began, Solicitor Bresnan explained that these retail businesses would be subject to strict State regulations and that detailed language would not need to be included in this Ordinance. He stated that the allowed Zoning District for dispensaries which is in the Commercial District, extends from Short Street westward to the Bridge and added that dispensaries may not be closer than one-half mile from each other. In response to an inquiry by Mr. Sheward, he stated that while the Ordinance considers processing, Ambler Borough does not meet the State’s strict criteria to allow for the establishment of any processing facilities. Motion to approve. Seconded. Poll Council. (7-Aye; 1-Nay [Mr. Zaccone]). Carried.

Approval of Minutes: Mr. Pasceri made a motion to approve the Minutes of the March 21, 2017 Council Meeting. Seconded. Carried. Council then proceeded with Committee Reports.

COMMITTEE REPORTS

The Committees of Ambler Borough Council met Tuesday, April 4, 2017 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, Mr. Sheward, Ms. Tomlinson and Ms. Hertz. Mayor Sorg, Solicitor Bresnan, Chief Foley and Borough Manager Mary Aversa also were in attendance. Mrs. McCormick was absent.

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 was reviewed:

1. The Fire Department and Police Department reports were received.
2. The Community Ambulance Association report was received.
3. The Public Works and Code Enforcement reports were received.
4. The US Army Corps of Engineers will be hosting workshops given by the National Nonstructural/Flood Proofing Committee to promote the use of nonstructural flood risk adaptive measures for reducing flood risk to residential, commercial and public property. Workshops are scheduled for June 22 (6:30-9:30 pm) and June 24 (1:00-4:00 pm) at the Daniel Dowling Legion Post, 351 Maple Street. Representatives from the Army Corps, FEMA, PEMA, EPA and Montgomery County will be in attendance to answer questions.

Mr. Curtis asked if there were comments or questions from Council or the public. Borough Manager Aversa confirmed that regarding Euclid Avenue signage, the lights were on and times were posted on the sign. Mr. Pasceri asked about the solar flasher crossing signals. Chief Foley stated they were being retrofit and would be installed at new crossing locations in the Borough in about a month. Chief Foley stated a skate competition would be held at the Knight Park Skate Park on June 3rd from 9 a.m. to 6:00 p.m. Mr. Curtis announced that National Police Week is the week of May 15-21 and that an appreciation luncheon would be scheduled. There being nothing further, it was moved the Committee's report be accepted as filed. Seconded. Carried.

Public Utilities Committee – Mr. Claudio Zaccone, Chairperson

Committee members: Mr. Curtis, Mr. Pasceri

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

The Committee will consider the following actions this evening:

1. Water Department requests authorization for the Water Engineer to prepare bid documents and advertise for bid the Lafayette Avenue (Fort Washington) Pipeline Replacement Project (Budget: \$225,000).

In other business the following was reviewed:

1. The Engineer's Report was received.
2. Staff is reviewing the proposed TMDL Agreement with the Solicitor and the Engineer will prepare a response.

Mr. Zaccone asked if there were comments or questions 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 **March 2017** invoices in the amount of **\$603,129.62** be paid as follows: General (**\$140,087.00**); Street Lights (**\$4,723.36**); Fire (**\$7,474.10**); Refuse (**\$34,569.31**); Parks & Rec. (**\$4,053.56**); Water (**\$105,068.68**); Sewer (**\$16,048.07**); WWTP (**\$253,816.05**); Debt Fund (**\$0.00**); Water Capital (**\$36,310.00**); Liquid Fuels (**\$979.49**).

In other business the following was reviewed:

1. The Borough Engineer's report was received.
2. Detail was provided on RACP Grant Funding for the proposed parking deck at the Lindenwold Parking Lot. The final design allowed for the deck ramp to be accessed on Race Street. Council received copies of the draft plans.

Discussion ensued. Bernadette Dougherty of Tennis Avenue asked about the deadline for application. Borough Manager stated the authorization language is applicable until the year 2023 to apply for the secured funding. She added that the State would require a 50/50 match and that a \$1.7 million match would be needed.

Executive Session:

An Executive Session was held. Mr. Pasceri announced that the Borough will appeal the Zoning Hearing Board decision regarding the Appeal by Tim Alexi on the permits for 323 Valley Brook Road (driveway, fence and shed permits). Solicitor Bresnan stated that the Borough's appeal is separate from any appeals that might be made by other parties.

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

Approved at Committee Meeting:

1. Consider adoption of **Resolution 2017-05** authorizing the application to the Department of Conservation and Natural Resources (DCNR) for grant funds to complete the “pocket park.” Motion to approve. Seconded (8-Aye). Carried.

In other business the following was reviewed:

1. Earth Day activities have been scheduled for April 22nd from 11:00 a.m. until 3:00 p.m. in the Ambler Borough Hall Gymnasium. The event is being planned by the Environmental Advisory Council (EAC).
2. Residents have requested that equipment additions and fencing be added to the Wahl Playground. Staff is obtaining quotes for the upgrades.
3. Registration is being held at Borough Hall on Wednesday, May 3rd from 5-7 p.m. for the Knight Park YMCA Summer Camp. Camp dates are June 19 – July 28.

Mr. DeRuosi asked if there were comments or questions from Council or the public. Mr. Curtis asked about the status of Ambler Junior Baseball improvement projects at Pickering Field. Mr. DeRuosi stated that AJB has received \$10,000 from Council to improve the field with the condition that additional fundraising be undertaken by AJB. Mr. Curtis stated his objection to AJB pouring concrete flooring at the dugouts, stating that the concrete is an unsafe surface for children and that the Borough would need to consider insurance liability. Mr. DeRuosi did not concur, but noted that porous surfaces were being installed at the batting warm-up area, and that concrete would not be poured at the T-Ball dugout. Ms. Hertz asked that a plan for improvements at all parks be prepared. Borough Manager Aversa stated that a Five Year Plan exists for the park system. There being nothing further, it was moved the Committee's report be accepted as filed. Seconded, carried.

Salary and Personnel Committee – Mrs. Deininger, Chairperson

Committee members: Mrs. McCormick, Ms. Tomlinson, Ms. Hartz

The Salary and Personnel Committee report was given this evening by Mrs. Deininger.

The Committee will consider the following actions this evening:

1. Consider hiring John Conway as a probationary police officer.

Discussion ensued. Mrs. Deininger stated that it is the expectation of the Salary and Personnel Committee that a member of the Civil Service Commission be included in all Police Department interviews for hiring.

2. Consider appointing Mitchell Cashatt to a vacant seat on Ambler’s Environmental Advisory Council.

In other business the following was reviewed:

1. An Executive Session was held.
2. Vacancies exist on the EAC and the Appeals Board. Interested candidates are asked to send a letter of interest and resume to the Borough Manager.
3. The Ambler Human Relations Commission (HRC), staff and several Council members met for a kick-off meeting and training session. Members chose Deborah Greenstein to chair the Commission.

Mrs. Deininger 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.

Public Utilities Committee – The Committee recommends and Mr. Zaccone moves:

Water Department requests authorization for the Water Engineer to prepare bid documents and advertise for bid the Lafayette Avenue (Fort Washington) Pipeline Replacement Project. Seconded. Carried.

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

Consideration that **March 2017** invoices in the amount of **\$603,129.62** be paid. Seconded. Carried.

Consider adoption of **Ordinance 1107**, an ordinance amending the Zoning Ordinance to recognize medical marijuana to allow growing/processing facilities and dispensaries. Seconded. Poll Council. (7-Aye; 1-Nay [Mr. Zacccone]). Carried.

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

Salary & Personnel Committee – The Committee recommends and Mrs. Deininger moves:

Consider hiring John Conway as a probationary police officer. Seconded. Carried.

Consider appointing Mitchell Cashatt to a vacant seat on Ambler’s Environmental Advisory Council. Seconded. Carried.

PUBLIC COMMENT PERIOD

At the conclusion of the public meeting, Council allows the public time to comment on matters of interest or concern. Comment is not limited to current agenda items. During the Public Comment Period, Council will not answer questions or engage in dialog with the speaker. Comments regarding any and all employee issues are not entertained. Council may address items or questions raised at the next scheduled Committee or Council meeting, but reserves the right to determine agenda items. Council requests those in attendance refrain from engaging the speaker during public comments.

Resident Judy Baigis of Tennis Avenue stated she had attended a meeting in Upper Dublin Township discussing the St. Mary’s Development and noted that no representatives from Ambler Borough were present. Borough Manager Aversa stated the Borough has been in contact with UDT for the last two years, and has additionally communicated with state representatives and PennDOT regarding traffic issues.

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

Respectfully submitted,

Elizabeth Russell
Assistant Secretary
Borough of Ambler