

AMBLER BOROUGH COUNCIL MINUTES

July 18, 2017

The regular monthly meeting of Ambler Borough Council was held Tuesday, July 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. McCormick, Mr. Sheward, Mrs. Deininger and Ms. Tomlinson. Mayor Sorg, Solicitor Bresnan of Dischell, Bartle & Dooley, Chief Foley and Borough Manager Aversa were present. Ms. Hertz was absent.

Approval of Minutes: Mr. Pasceri made a motion to approve the Minutes of the June 20, 2017 Council Meeting. Seconded. Carried.

COMMITTEE REPORTS

The Committees of Ambler Borough Council did not meet in July. 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 the following actions this evening:

1. Consider adoption of a **Resolution** suspending Ordinance 738 on August 19th for persons attending the Criterium Bike Race.

Discussion ensued. Mr. Curtis stated the Committee would table the proposed resolution to allow Chief Foley time to consider overtime demands on his staff. He stated the resolution concerned allowing the consumption of alcoholic beverages at the event.

In other business the following was reviewed:

1. The Fire Department, Police Department and Community Ambulance Association reports were received.

2. The Public Works and Code Enforcement reports were received.
3. Public Works Supervisor is putting a plan in place to begin changing over Borough streetlights to LED.

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.

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 no actions this evening.

In other business the following was reviewed:

1. The Engineer's Report was received.

Discussion ensued. Solicitor Bresnan and Borough Engineer Jim Dougherty explained that the PA Department of Environmental Protection had been dissatisfied with the proposed upgrades to satisfy the TMDL (total maximum daily load) requirement and had offered a "consent order" offer for new upgrades. They stated they had objected to the format of a "consent order" because nothing had been done wrong. The MS4 study demonstrated our level of commitment. They emphasized that the new phosphorus levels are unreachable and that a genuine 15-year commitment was sought. They added that they were considering writing upgrade terms into the next 5-year NPDES permit.

Mr. Zaccone 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.

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 **June 2017** invoices in the amount of **\$491,635.96** be paid as follows: General (**\$113,765.50**); Street Lights (**\$2,923.62**); Fire (**\$88,445.24**); Refuse (**\$34,419.04**); Parks & Rec. (**\$4,731.81**); Water (**\$115,404.40.**); Sewer (**\$13,442.85**); WWTP (**\$117,503.50**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$0.00**).

2. Consider review of language to draft model ordinance created by Montgomery County intended to achieve continuing compliance with Act 167 and to remain compliant with the law. Title 26, Part 4 of the codified ordinances will include a new Part 4 to be called “Ambler Borough Stormwater Management Ordinance.”

Discussion ensued. Solicitor Bresnan stated PA State Law Act 167 requires the Borough to act on passage of a new Stormwater Management Ordinance Part 4. To be compliant, the Borough must accomplish the same goal as provided by the County. He stated Borough Engineer Jim Dougherty had prepared alternate language which follows Act 162 and is based upon state law. Procedurally, the Planning Commissions should review and comment upon this new language before Council votes to authorize advertising for a public meeting to consider adoption of the ordinance. It was agreed the Montgomery County Planning Commission and Ambler Borough Planning Commission should review the language before consideration by Council.

3. Consider awarding the contract for the Ambler 2017 Road Program for both the base and alternate bid to Gorecon Inc. in the amount of \$259,746.30 contingent upon Solicitor review of the bids.

Discussion ensued. Ms. Tomlinson asked whether the bid included ramps. Mr. Dougherty responded that the project involves about a dozen ramps. Code Enforcement Officer Glenn Kucher added that resident curb and sidewalk repair would need to occur in conjunction with this paving project.

4. Consider advertisement of a 30-day public comment period to run August 1st – 30th for the MS4 (Municipal Separate Storm Sewer System) Pollution Reduction Plan and TMDL (Total Maximum Daily Load) Report. This is required for the MS4 Notice of Intent (NOI) due in September.

Discussion ensued. Mrs. McCormick stated her concern that the County was not looking at the larger scale of considerations regarding MS4. Mr. Bresnan stated the national MS4 applies as a whole to all municipalities and that the MS4 obligations are broader than what the County was considering in the report. Borough Manager Aversa added that this report considered storm water, and not waste water.

5. Consider authorization to approve consent with the County Tax Claim Bureau for the repository tax sale of a Church Street property (Parcel 01-00-01302-80-3) for the proposed bid amount of \$500 to prospective bidder Blackstone Investments LLC.

Discussion ensued. Mr. Bresnan stated the Borough would have no liability attached to any agreement to the sale of the property and clarified that this was property going to a sheriff's sale. He stated that in the past it was his experience that the County did not involve municipalities. He added he would contact the County to ascertain the intentions of the bidder. Council agreed to table consideration of the sale.

In other business the following was reviewed:

1. The Borough Engineer's report was received.
2. The Planning Commission offered language from other municipalities outlining several options to address the spread of bamboo, an invasive plant, in the Borough.

Mrs. McCormick asked for revisions to the definition of "bamboo owner." Brook Marshall of 157 Edgewood Drive stated her concern about the language "presumptive evidence." She added she had no problem with the ban of planting bamboo but did regarding have a concern about the liability of pre-existing and spreading bamboo on a property. Mary Margaret Monser of 327 Forest Avenue noted that bamboo has spread into public space at Ambler Borough Park and is also evident near the Edgewood Apartments and proximate to 228 Forest Avenue. Further discussion is required

Mr. Sheward asked if there were comments or questions from Council or the public. Bernadette Dougherty of 338 Tennis Avenue spoke about her parking concerns in the Borough. She encouraged Council to maintain this issue for consideration on future agendas and urged them to consider partnership with various agencies, the County and State to help underwrite much of the cost associated with improved parking projects. 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 was reviewed:

1. Staff has updated the Five Year Plan for several Borough park upgrades. Residents have requested that equipment additions and fencing be added at the parks. Staff is obtaining quotes for the upgrades.
2. The Committee is collecting 'gently used' books for use in our Free Libraries.
3. The Committee has scheduled Yoga in the Parks activities in August. Two Mindfulness Sessions have been held.

Mr. DeRuosi asked if there were comments or questions from Council or the public. Borough Manager Aversa stated that Five Year Plans are prepared by Borough Departments for consideration in preparing annual budgets. Mr. Pasceri asked whether tax millage would need to be increased for the Parks & Recreation Department. Mrs. Deininger stated proposed projects are being prioritized to stay within budget. 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, at the request of Wissahickon Valley Public Library reappointing Karen Kieser to the WVPL Board of Trustees for an additional 3-year term.

Additionally, the Library will accept letters of interest for another seat being vacated this fall. WVPL is looking for a community leader and library supporter who has skill in one or more of the following areas: finance, fundraising, planning, human resources, technology, property management or law. The Board meets monthly and the candidate additionally will serve on a WVPL committee.

In other business the following was reviewed:

1. The Council President has appointed the negotiating team for the upcoming Municipal Union employee contract: Ms. Deininger, Mr. DeRuosi, Ms. Tomlinson, Solicitor Bresnan and Borough Manager Aversa.
2. Vacancies exist on the Environmental Advisory Council and Appeals Board. Interested residents are asked to send a letter of interest and resume to the Borough Manager.
3. Advertisements have been placed for the vacant position of Public Works Foreman.

Ms. 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.

Public Utilities Committee – The Committee will make no recommendations.

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

Consideration that **June 2017** invoices in the amount of **\$491,635.96** be paid. Seconded. Carried.

Consider awarding the contract for the Ambler 2017 Road Program for both the base and alternate bid to Gorecon Inc. in the amount of \$259,746.30 contingent upon Solicitor review of the bids. Seconded. Carried.

Consider advertisement of a 30-day public comment period to run August 1st – 30th for the MS4 (Municipal Separate Storm Sewer System) Pollution Reduction Plan and TMDL (Total Maximum Daily Load) Report. Seconded. Carried.

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

Salary & Personnel Committee – The Committee will make no recommendations this evening.

Consider, at the request of Wissahickon Valley Public Library reappointing Karen Kieser to the WVPL Board of Trustees for an additional 3-year term. 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.

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

Respectfully submitted,

Elizabeth Russell
Assistant Secretary
Borough of Ambler