

## AMBLER BOROUGH COUNCIL MINUTES

**June 20, 2017**

The regular monthly meeting of Ambler Borough Council was held Tuesday, June 20, 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, Ms. Tomlinson and Ms. Hertz. Mayor Sorg, Solicitor Bresnan of Dischell, Bartle & Dooley, Chief Foley and Borough Manager Aversa were present. Mrs. Deininger was absent.

**Approval of Minutes:** Mr. Pasceri made a motion to approve the Minutes of the May 17, 2017 Council Meeting. Seconded. Carried.

Finance and Planning Committee Chairman Sheward invited financials representatives to provide an update on the Borough pension plans. Scott Repke of Alliance Bernstein and Joe Duda of Duda Actuarial Consulting made presentations to Council.

Mr. Repke, whose firm has managed for the Borough since 1986, stated that over the years the fund has realized 8.3% annualized growth. He stated he would make suggestions for changes to the portfolio allocations since he anticipated increased volatility in assets over the next several years. He recommended an increased investment in growth stocks by investing in strategic equities at about 45.5%, bumping up the international portion of the portfolio which currently is 20% of the portfolio, and decreasing the bond portion of the portfolio to 35% from its present 40%. Ms. Tomlinson noted that there had been a change of the Board of Directors at Alliance Bernstein. Mr. Repke stated while this had occurred, there had been no portfolio management changes. Ms. Tomlinson asked when prior allocations had been made. Mr. Repke replied that it had been 2 or 3 years since the last change. Ms. Aversa added that the adjustments suggested were within the allowance of the plan and that while Council was being informed of the allocation recommendation, no further action would be required of Council. Ms. Hertz asked whether the plan contained a policy on prohibited investments such as tobacco or alcohol. Mr. Repke stated there are no restrictions to date but that restrictions could be added.

Mr. Duda, who has conducted the actuarial evaluations of the plans for 15 years, stated his evaluations are made every other year. He noted his analysis of the MMO (minimum municipal obligation) would be calculated in September in anticipation of the 2018 Budget. He noted the 2017 evaluation results were not as good as 2015. For the municipal employee pension the surplus has shrunk, but is still overfunded, which is a good place to be. He anticipated the employee contribution will continue to be 3%. Considering the

police employee pension, the surplus is under \$1.25M and as such, as is required, there will be an employee contribution in 2018. This is mandated and will automatically kick-in. Mr. Duda stated return is currently calculated at 6.75% for both municipal and police pensions, and this could be adjusted downward so that the Borough could receive an increased contribution from the state. However, this might require an additional Borough-funded contribution. Mr. Duda recommended keeping the current rate and looking at this issue again in two years. Ms. Tomlinson asked how these gentlemen were compensated by the Borough. Mr. Duda replied he received a flat fee. Mr. Repke stated his firm receives a percentage as does Uninvest.

Council then proceeded with Committee Reports.

### **COMMITTEE REPORTS**

The Committees of Ambler Borough Council met Tuesday, June 6, 2017 at 7:00 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002. Present: Mr. Pasceri, Mr. Zaccone, Mr. DeRuosi, Mrs. McCormick, Mrs. Deininger, Mr. Sheward, Ms. Tomlinson and Ms. Hertz. Mayor Sorg, Solicitor Bresnan, Chief Foley and Borough Manager Mary Aversa also were in attendance. Mr. Curtis 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 the following actions this evening:**

1. Consider adoption of **Resolutions 2017-08 and 2017-09** with attachment of the Applications for Traffic Signal approval to PENNDOT for the installation of pedestrian flashers to be placed at Butler & York and at Butler & Cavalier.

Discussion ensued. Chief Foley noted that he is awaiting PENNDOT determination on the compliancy of the flashers.

2. Consider promotions to the rank of Sergeant for three PD candidates who have successfully completed the oral and written Sergeants examination process: Ptm./Det. Chad Cassel, Ptm. Sal Pasceri and Ptm. Tom Craig.

Discussion ensued. Bernadette Dougherty of 338 Tennis Avenue asked about any involvement of the Civil Service Commission in this process. Chief Foley stated the Civil Service Commission involves with new hires only and does not consider promotions.

#### **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. 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.
4. Public Works Supervisor is putting a plan in place to begin changing over Borough streetlights to LED.

Discussion ensued. Ms. Hertz asked about the short- or long-term duration of the project. Ms. Aversa stated an amount would be allocated annually in the budget and that she anticipated approximately a 2-year long process.

5. CDBG Grant Request Preliminary Update: Montgomery County Commissions are authorizing the advertisement of the DHED's 2017 action plan for grant allocation. Among the recommended municipal applications for the community development block grant are \$64,339 recommended to Ambler Borough for the municipal building public restrooms in the gym wing which will remove architectural barriers for the benefit of the elderly and severely disabled persons. The Borough's grant request was for \$70,425, Borough matching funds of \$10,564 at a stated total project cost of \$80,989.

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. Pasceri.

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

1. Consider contracting with Iannuzzi Construction Company for the repaving of the Well 11 driveway at the low contract quote of \$13,980. This is a budgeted project.

**Recommended at Committee Meeting:**

1. Recommendation to contract with Constellation Energy Group to provide electric serve at Borough facilities. Seconded. (8-Aye). Carried.

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

1. The Engineer's Report was received.

Mr. Pasceri 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 **May 2017** invoices in the amount of **\$675,521.64** be paid as follows: General (**\$118,429.83**); Street Lights (**\$6,056.54**); Fire (**\$0.00**); Refuse (**\$45,038.20**); Parks & Rec. (**\$12,007.81**); Water (**\$159,585.70**); Sewer (**\$186,998.38**); WWTP (**\$208,269.71**); Debt Fund (**\$0.00**); Water Capital (**\$18,203.38**); Liquid Fuels (**\$1,932.09**).
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 in the sample ordinance, but has some flexibility and could offer other options as remedies. He stated BMPs (best management practices) are set forth in voluminous manuals and that the options allowed by the Borough must be contained in the BMP Manual. Language in the new ordinance will create options. Borough Engineer Jim Dougherty stated the ordinance particulars would kick-in for projects over 1,000 square feet of imperious coverage. Projects smaller than that would be reviewed and probably would require a grading permit only. Mrs. McCormick asked whether the riparian buffer language kicks-in only when a site is altered. Solicitor Bresnan stated this is correct and that the County provides us a manual, the BMP Manual, to follow. Resident Brian Quinn of Valley Brook Road spoke again the boilerplate ordinance and asked Council to process this patiently and scrutinize the language if no deadline has been set. Solicitor Bresnan responded that there are concepts specific to Ambler Borough contained in the ordinance and that it written for the watershed and for the entire Borough, not limited to one body of water. He stated that

Drew Shaw of the County Planning Commission is familiar with Ambler's issues. He added that Ambler Borough is rather late in complying with the ordinance requirement. It was agreed by Council to allow time for further review of ordinance language and to discuss the matter again at the July Council Meeting.

3. Consider support for a draft resolution prepared by Upper Dublin Township requesting more information from DVIT (Delaware Valley Insurance Trust) on calculation of premiums and rate determination.

Discussion ensued. Solicitor Bresnan advised that while Upper Dublin Township would like more transparency, rates are based on long-term histories. He stated all carriers calculate rates as such, and that private carriers would not disclose the information requested. He stated that one should consider DVIT to be sound and responsible, or look elsewhere for coverage. After discussion, Council agreed not to recommend moving forward on this matter.

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

1. The Borough Engineer's report was received.
2. Audited financials were received at Jeff Weiss of Zelenkofske-Axelrod LLC attended the Committee Meeting to answer questions.

Mr. Sheward asked if there were comments or questions from Council or the public. Bernadette Dougherty of 338 Tennis Avenue addressed Council to discuss parking. She asked the Borough to move forward on placement of parking signage. She asked Council to continue to consider a parking deck and to plan ahead for the future. She stated that businesses also pay property taxes, noting that the 10 largest property tax bills last year were paid by businesses. Ms. Aversa stated signage is being prepared along with a website parking map.

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.**

**Recommended at Committee Meeting:**

1. Consider providing \$600 to fund the Farmer's Market program as follows: \$100 for printing and \$500 for customer reimbursement, the funds not to be used to subsidize the market vendors. Seconded. (8-Aye). Carried.

**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. Wissahickon Summer Music Program is scheduled again this summer to perform on the following dates/venues: July 24 (7:00 p.m.) at Pickering Field and July 27 (7:00 p.m.) at Alley of the Arts on Cavalier Drive.
3. The Committee is collecting 'gently used' books for use in our Free Libraries.
4. The Committee is working with Ambler Main Street to schedule Summer Concerts in the Parks, Yoga in the Parks, and Mindfulness/Meditation in the Parks. Two Mindfulness Sessions are scheduled: June 29 (10-11 a.m.) for families and July 2 (9-10 a.m.) for adults. Session will begin at the Hendricks Street entrance. Shannon Funt, instructor.
5. Environmental Advisory Committee meeting minutes were received.

Mr. DeRuosi asked if there were comments or questions from Council or the public. Maureen Adgie of 141 Rosemary Avenue stated that the Wahl Playground is important to the community and that increased fencing at the location was needed for child safety. 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 Ms. Tomlinson.

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

**Recommended at Committee Meeting:**

1. Recommendation to approve the Executive Session recommendation regarding three Borough employees. Seconded (8-Aye). Carried.

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

1. An emergency Executive Session was held May 31, 2017 on employee issues.

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.

Ms. Tomlinson 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 recommends and Mr. Curtis moves:

Consider adoption of **Resolutions 2017-08 and 2017-09** with attachment of the Applications for Traffic Signal approval to PENNDOT for the installation of pedestrian flashers to be placed at Butler & York and at Butler & Cavalier. Seconded. Carried.

Consider promotions to the rank of Sergeant for three PD candidates who have successfully completed the oral and written Sergeants examination process: Ptm./Det. Chad Cassel, Ptm. Sal Pasceri and Ptm. Tom Craig. Seconded. Carried.

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

Consider contracting with Iannuzzi Construction Company for the repaving of the Well 11 driveway at the low contract quote of \$13,980. Seconded. Carried.

*Recommended at Committee Meeting:* Recommendation to contract with Constellation Energy Group to provide electric serve at Borough facilities. Seconded. (8-Aye). Carried.

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

Consideration that **May 2017** invoices in the amount of **\$675,521.64** be paid. Seconded. Carried.

**TABLED:** 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.”

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

*Recommended at Committee Meeting:* Consider providing \$600 to fund the Farmer’s Market program as follows: \$100 for printing and \$500 for customer reimbursement, the funds not to be used to subsidize the market vendors. Seconded. (8-Aye). Carried.

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

*Recommended at Committee Meeting:* Recommendation to approve the Executive Session recommendation regarding three Borough employees. Seconded (8-Aye). 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