

AMBLER BOROUGH COUNCIL MINUTES

May 17, 2017

The regular monthly meeting of Ambler Borough Council was held Wednesday, May 17, 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, Mrs. Deininger, Mr. Sheward, Ms. Tomlinson and Ms. Hertz. Mayor Sorg, Solicitor Eric Wert of Dischell, Bartle & Dooley, Chief Foley and Borough Manager Aversa were present.

Approval of Minutes: Mr. Pasceri made a motion to approve the Minutes of the April 18, 2017 Council Meeting. Seconded. Carried. Council then proceeded with Committee Reports.

COMMITTEE REPORTS

The Committees of Ambler Borough Council met Tuesday, May 2, 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. 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.

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 **Resolution 2017-06** suspending enforcement of Ordinance 748 for persons attending the Arts and Music Festival on June 16 and 17 and for those attending Oktoberfest on October 7 and 8.

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.
5. 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.
2. Staff is reviewing the proposed TMDL Agreement with the Solicitor and the Engineer will prepare a response.
3. Two new Public Works Dept. pickup trucks have been purchased through Penske GMC COSTARS. They are 2017 GMC Siers 3500 HD 4 WD Reg Cab 133.6" TK35903's with plows. Total purchase price per truck (with COSTARS discount of \$10,360 per truck) is \$39,051.00.
4. Quotes are being obtaining for the paving of several driveways at the Borough wells. This is a budgeted project.

Mr. Zaconne 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 **April 2017** invoices in the amount of **\$646,205.77** be paid as follows: General (**\$199,640.43**); Street Lights (**\$4,303.05**); Fire (**\$45,112.72**); Refuse (**\$34,374.36**); Parks & Rec. (**\$7,897.96**); Water (**\$127,038.06**); Sewer (**\$10,567.82**); WWTP (**\$186,603.22**); Debt Fund (**\$0.00**); Water Capital (**\$30,668.15**); Liquid Fuels (**\$0.00**).
2. Consider adoption of **Resolution 2017-07** urging Congress members and U.S. Senators to oppose elimination of Community Development Block Grant (CDBG) funding and to request that full funding of the CDBG program be preserved.
3. Consider authorization to advertise for bid the 2017 Paving Project to include:
 - Butler Avenue (Lindenwold to York)
 - S Main Street (Butler to Station Square)
 - Reiffs Mill Road (N Main Street to Tennis Avenue)
 - Pleasant Acre Drive (Mt. Pleasant Avenue to end of cul-de-sac)
 - Doc's Court (Mt. Pleasant Avenue to end of cul-de-sac)
4. Consider appointment of Remington, Vernick & Beach to serve as Building Code Inspection Service for the Borough.
5. Consider updating the Borough's Open Space Plan to include newly-acquired parcels.
6. Consider acceptance of the application for use of 31 E Butler Avenue (lower level, rear exterior entrance) by CommonHealth Cannabis Co. for state-licensed dispensing of medical marijuana such application to include key points as outlined by CommonHealth relevant in the consideration of this U&O application.

Discussion ensued. Solicitor Wert explained that a "restrictive covenant" would attach to any new business that dispenses medical marijuana that may seek to locate at that same location in the future. Further, he clarified that the state has set minimum distances that dispensaries might be located at, resulting in the acceptance of the CommonHealth facility as a "one and done" action. Rick Taylor of 76 S. Bethlehem Pike stated that the State will allow for 27 dispensaries, with 2 locating in Montgomery County. Solicitor Wert added that if, after Round 1, the State will consider Round 2 approvals, it will be the State that determines whether an Application will be continued or a new Application will be required. Resident Sal Boccuti of 300 Rosemary Avenue stated his preference for location in the Commercial District. He added that in his opinion recreational use of marijuana would

probably soon be legal as well and that the Borough should be prepared for those sales at that location as well. The current owner of the 31 E. Butler Avenue building Craig Murray of Version 3/D'Huy Engineering along with Kurt Beil of CommonHealth stated they look forward to working with the Borough during the application process.

7. 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."
8. Montgomery County Commissioners will hold an annual "Conversations with Commissioners" forum at Borough Hall on Wednesday, May 31 from 7:00 – 9:00 p.m.

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. Resident Bernadette Dougherty of 338 Tennis Avenue addressed Council and introduced four members of the downtown business community to discuss parking. Bob Devine of 'From the Boot Restaurant' stated he would work with the Borough to make parking more accessible. He stated that signage and parking meter communications need to be improved. Mimi Buorgeault of 'Pure Spa' spoke at length about the "number one challenge" to her customers in finding parking. She noted that "free parking in December" has backfired, with renters and employees taking all the spaces so that her clientele does not benefit from available, free parking. Chris Collier of Ambler Theater stated the Theater has both Web and Mobile sites dedicated to parking in Ambler. He stated the Borough needs to determine how to "grow parking." Future business owners Tim Brown and Matt Comly stated they would like to see parking grow as consumer demand grows for those doing business in the Borough. Sal Boccuti of 300 Rosemary Avenue suggested that the payment signage for the Lindenwold Lot be relocated on to the payment box. Borough Manager Aversa noted that a proposed parking deck would require a \$1.7 million match and that such an expenditure to provide additional parking would come at an additional cost with more parking limitations.

Mr. Sheward asked if there were comments or questions from Council or the public. Susan Curry of 316 Edgewood Drive asked that the revised Zoning Map include undeveloped space. Judy Baigis of 172 Tennis Avenue suggested that residents utilize the Pennlyn Park walking paths, noting that this park which was created in partnership with Lower Gwynedd Township appears to be under-utilized by Borough residents. 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.

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. The Committee will meet to discuss improvements to the parks.
2. Registration was 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.
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.
5. Movies in the Parks have been scheduled: ‘Zootopia’ on June 10th at Pickering Field and ‘Moana’ on September 9th at Knight Park.
6. Environmental Advisory Committee meeting minutes were received. Jill Sachez of 149 Rosemary Avenue provided an update on EAC activities. She stated EAC was promoting a ‘Sponsor a Tree’ activity to either purchase or care for trees to be planted in the fall at Knight Park to replace the trees removed due to Emerald Ash Borer damage.
7. The Committee has been asked to consider donation of \$1,000 for “Ambler Bucks” to be used at the Farmers Market by those who purchase fruits and vegetables with food stamps.

Discussion ensued. Ms. Hertz outlined the “Ambler Bucks” program which would enable purchase of fruits and vegetables by these individuals at a reduced cost. The amount of \$400 of the \$1,000 requested would be used to provide incentives to farmers and vendors to reduce their prices. Ben Bergman of Greener Pastures, who manages the Farmers Market stated a similar ‘food trust’ program operates in Philadelphia. He stated that the “Ambler Bucks” would only be valid in Ambler. Ms. Tomlinson questioned why vendors could not offer to reduce certain prices each week without receiving a monetary incentive. Additionally she asked whether the Borough should directly involve with this program. Manager Aversa stated she believed there are funds allocated to Parks & Recreation for donations and added that perhaps Council could make a donation to Ambler Main Street to disperse the “Ambler Bucks” funds.

Mr. DeRuosi asked if there were comments or questions from Council or the public. Jill Sanchez of 149 Rosemary Avenue and Maureen Adgie of 141 Rosemary Avenue stated that the Wahl Playground is important to the community and that child safety is paramount. They asked the Committee to consider added fencing at the playground. 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 Michael Wert as a Water Operator II, contingent upon the satisfactory completion of his background check by the Police Dept.

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. Staff is conducting research into how to tape and broadcast Council meetings. Staff is surveying neighboring municipalities on if and how they 'tape' meetings.

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 recommends and Mr. Curtis moves:

Consider adoption of **Resolution 2017-06** suspending enforcement of Ordinance 748 for persons attending the Arts and Music Festival on June 16 and 17 and for those attending Oktoberfest on October 7 and 8. Seconded. Carried.

Public Utilities Committee – The Committee will make no recommendations this evening.

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

Consideration that **April 2017** invoices in the amount of **\$646,205.77** be paid. Seconded. Carried.

Consider adoption of **Resolution 2017-07** urging our Congress members and U.S. Senators to oppose elimination of Community Development Block Grant (CDBG) funding and to request that full funding of the CDBG program be preserved. Seconded. Carried.

Consider authorization to advertise for bid the 2017 Paving Projects. Seconded. Carried.

Consider appointment of Remington, Vernick & Beach to serve as Building Code Inspection Service for the Borough. Seconded. [8-Aye; 1-Nay (Ms. Tomlinson)]. Carried.

Consider updating the Borough's Open Space Plan to include newly-acquired parcels. Seconded. Carried.

Consider acceptance of the application for use of 31 E Butler Avenue (lower level, rear exterior entrance) by CommonHealth Cannabis Co. for state-licensed dispensing of medical marijuana such application to include key points as outlined by CommonHealth relevant in the consideration of this U&O application. Seconded. [7-Aye; 2-Nay (Mr. Pasceri, Ms. Tomlinson)]. Carried.

Consider sending language to the Planning Commission regarding prohibiting the spread of bamboo in the Borough. Seconded. Carried.

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

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

Consider hiring Michael Wert as a Water Operator II, contingent upon the satisfactory completion of his background check by the Police Dept. 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 172 Tennis Avenue stated her concern for safety at the Rita's Water Ice parking lot. She questioned whether vehicles are permitted to back out on to Butler Avenue. Chief Foley stated he would look into this. Maureen Adgie of 141 Rosemary Avenue commented that a clerical error on the ballot listing only one Council seat for Ward 2 had denied her the ability to vote for two candidates for Borough Council.

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

Respectfully submitted,

Elizabeth Russell
Assistant Secretary
Borough of Ambler