

## AMBLER BOROUGH COUNCIL MINUTES

October 17, 2017

The regular monthly meeting of Ambler Borough Council was held Tuesday, October 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. Council Vice President Curtis led the public in the Pledge of Allegiance.

**Roll Call** – Present: Mr. Pasceri, Mr. Curtis, Mr. Zaccone, Mr. DeRuosi, Mrs. McCormick (arrived after roll call), Mrs. Deininger, Mr. Sheward and Ms. Tomlinson. Solicitor Bresnan of Dischell, Bartle & Dooley, Sgt. Hoffman and Borough Manager Aversa were present. Ms. Hertz, Mayor Sorg and Chief Foley were absent.

**Approval of Minutes:** Mr. Pasceri made a motion to approve the Minutes of the September 19, 2017 Council Meeting. Seconded. Carried.

### **COMMITTEE REPORTS**

The Committees of Ambler Borough Council met Tuesday, October 3, 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, Chief Foley, Solicitor Bresnan 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 the following actions this evening:**

1. Consider adoption of Resolution 2017-15 commending Ambler Rotary on their efforts and designating October 24, 2017 as World Polio Day in Ambler.

The Resolution was seconded and carried and was followed by a reading of the Resolution by Council President Pasceri and presentation of the document to Ambler Rotary.

#### **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 Red Cross has scheduled to hold a Blood Drive at the Borough Hall Gym on December 28, 2017 from 2 – 7 p.m.
4. The Police Department has expressed concern about the increased number of handicap parking spaces being requested.

Discussion ensued. In response to an inquiry on how spaces are assigned, Sgt. Hoffman explained that handicap spaces are designated for all handicap people regardless of whether there are residents or visitors and that they will not be designated to a specific home address. The PD is looking into ways to increase the number of designated handicap spaces in the Borough.

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 the following actions this evening:**

1. Consider award for resurfacing of driveways as Wells 6 & 7 to Iannuzzi Construction Co. in the amount of \$17,100.
2. Considering award for 3-year contract for UCMR4 testing period 2018-2020 for lab analysis to American Water Central Laboratory (Illinois) in the amount of \$14,120.
3. Consider award for demolition of the old chemical feed equipment located in the basement of the Belt Press Building to The Derstine Company LLC in the amount of \$17,600.
4. Consider authorization to sign the PennDOT Master Casting Agreement with revision to correct terminology in Item 7 – Termination to read “Utility shall pay for work satisfactorily completed.”

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

1. The Engineer's report was provided.
2. Quotes are being obtained for repaving of driveways at Borough wells.

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 **September 2017** invoices in the amount of **\$522,595.96** be paid as follows: General (**\$134,311.29**); Street Lights (**\$4,414.63**); Fire (**\$47,819.72**); Refuse (**\$38,037.03**); Parks & Rec. (**\$9,025.36**); Water (**\$80,002.07.**); Sewer (**\$14,525.15**); WWTP (**\$196,010.84**); Debt Fund (**\$0.00**); Water Capital (**\$1,449.87**); Liquid Fuels (**\$0.00**).
2. Consider authorizing approval of the 2018 County Planning Assistance Contract authorized by **Resolution 2017-14**.
3. Consider approval of **Ordinance 1108 – Storm Water Management Ordinance**. Montgomery County has created a new model ordinance 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.

A Public Hearing was held to discuss the Ordinance. Solicitor Bresnan gave an overview on the Ordinance. Mrs. McCormick noted that the Ordinance did not define "non-structural project design." Solicitor Bresnan stated that in the common definition and appendix listing the criteria for non-structural design were delineated and stated further that the words themselves are capable of common understanding. There being no further comment, Mr. Pasceri called for a vote. Seconded. Poll Council – 8-Aye. Carried.

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

1. The Borough Engineer's report was received.
2. A proposed Ordinance is being reviewed by the Planning Commissions which addresses the spread of bamboo, an invasive plant, in the Borough. The Planning Commission will evaluate and recommend additional language from the County review letter.

3. A committee was selected to review parking meter type options on Borough streets and in Borough parking lots. The committee is considering eliminating free parking in December. This would take effect beginning December 2018.
4. Plans were received for a Conditional Use Hearing for a proposed development on South Chestnut Street by American Marketing Association (AMA). The applicant proposes construction of 40 townhomes on a 4.58 site. The Planning Commissions currently are reviewing the plans. The Borough Engineer's review has been received.
5. An Executive Session was held on a real estate matter.
6. The 2018 Draft Budget has been prepared and distributed to Council.

In other matters, Mr. Sheward stated that a resident had expressed concern about the St. Anthony Rectory Project. Resident Ewelina Flamm of 236 Walnut Lane expressed concern over the proposed project wherein the current house at 234 Forest Avenue will be torn down and a new rectory building will be constructed. She asked Council is there were any other options other than demolition of the building and asked how one could ensure that the building would be used as a residence only. Mr. Sheward stated the purpose of the discussion was to determine what the Borough can do and what neighbors might accomplish by speaking with the Church. Solicitor Bresnan stated that if the building were used for purposes other than residential it would be a zoning violation. He clarified this situation is a family-type of unit where residents can live together. He stated that zoning looks at use of a property and not ownership of a property and that it is irrelevant that ownership is held by an institution. Karen Salvadore of 145 Forest Avenue stated her dismay that residents will be losing a neighbor, that the property will break-up the neighborhood, and stated further that this property would in all probability become tax-exempt.

Monsignor, representing St. Anthony's, stated he was willing to discuss the Church's necessity for the project. Judith Baigis of 172 Tennis Avenue pondered whether this building would be a rectory or a house in limbo. She asked the Monsignor to define a rectory. Monsignor stated a rectory is where priests live. He stated that since 1991 when he first affiliated with St. Anthony's, he has lived 'over the store' and that it is time for the priests to have a home. He noted that with the Hispanic influx, the Church has increase staff whose offices are now located on the second floor along with residential. He clarified that the existing rectory will become a "Parish Center" and a separate rectory will be built for the priests to reside. He stated that with new set-back requirements and building codes it was best to focus on creation of a new building for these purposes. He added that a parishioner will be pay for this \$1M project and noted that no variances were necessary. If the Church has endeavored to reconstruct the existing structure, a half dozen variances would have been sought. He stated the Church has obtained all permits and work would be performed according to the books. He added that Diocese approval has been obtained and that a construction contract has been executed. He stated the property is zoned R-1 and that the Church would pay property taxes if the County determined that was applicable. He added that since the property is zoned residential, if it were ever sold it would be sold as residential.

Mary Margaret Monser of 372 Forest Avenue asked that this project be required to implement stormwater management practices. Solicitor Bresnan stated that single family residential homes are not subject to state law to undergo the land development process and that the Borough cannot force this. Further, he added that it is difficult to regulate these projects and certainly not to control aesthetics. He noted that the Borough can, in a Downtown Commercial District, regulate building facades, but not in residential areas. Generally, he stated, a property owner can do what they want with their property. The Borough's only recourse would be to take ownership of a property and look to a historical commission and that this would not apply in this case. Mrs. McCormick stated that some communities look to Preservation Grant Programs to provide monetary incentives to owners to retain structures. Mrs. Aversa added that the Borough has photos of what the new structure will look like and the public is welcomed to come to Borough Hall and take a look at the photos.

Mr. Sheward 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 was reviewed:**

1. Resident Abby Cooley (aged 12) made a presentation of a petition requesting placing a swing set at Riccardi Park. She had obtained 215 signatures and stated the request also included a request for baby swings. Mr. DeRuosi replied that he was impressed with her advocacy and noted that in the Parks Department Five Year Plan, a swing set installation was scheduled for 2018 and that a line item budgeting the purchase would be in the 2018 budget.
2. The Committee has posted a survey on "Survey Monkey" on the Borough Website to solicit thoughts on expanded park usage hours. The survey will be posted until the time change occurs this fall on November 5<sup>th</sup>.

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.

**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. Recommend appointing Erin Landis to the Environmental Advisory Committee.
2. Recommend appointing Kia Connelly-Baker to the Wissahickon Valley Public Library Board of Trustees.

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

1. Vacancies exist on the Environmental Advisory Council and Appeals Board. Interested candidates are asked to send a letter of interest and resume to the Borough Manager.

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 recommends and Mr. Curtis moves:

Consider adoption of Resolution 2017-15 commending Ambler Rotary on their efforts and designating October 24, 2017 as World Polio Day in Ambler. Seconded. Carried.

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

Consider award for resurfacing of driveways as Wells 6 & 7 to Iannuzzi Construction Co. in the amount of \$17,100. Seconded. Carried.

Considering award for 3-year contract for UCMR4 testing period 2018-2020 for lab analysis to American Water Central Laboratory (Illinois) in the amount of \$14,120. Seconded. Carried.

Consider award for demolition of the old chemical feed equipment located in the basement of the Belt Press Building to The Derstine Company LLC in the amount of \$17,600. Seconded. Carried.

Consider authorization to sign the PennDOT Master Casting Agreement with revision to correct terminology in Item 7 – Termination to read “Utility shall pay for work satisfactorily completed.” Seconded. Carried.

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

Consideration that **September 2017** invoices in the amount of **\$522,595.96** be paid. Seconded. Carried.

Consider authorizing approval of the 2018 County Planning Assistance Contract authorized by **Resolution 2017-14**. Seconded. Carried.

Consider approval of **Ordinance 1108 – Storm Water Management Ordinance** created 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. Seconded. Carried.

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

**Salary & Personnel Committee** – The Committee will recommend and Mrs. Deininger moves:

Recommend appointing Erin Landis to the Environmental Advisory Committee. Seconded. Carried.

Recommend appointing Kia Connelly-Baker to the Wissahickon Valley Public Library Board of Trustees. 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.

A resident noted that odors were permeating from the WWTP during last 2-4 weeks and he asked that the Borough determine whether the digester was working properly. Brian Quinn of Valley Brook Road thanked Council for incorporating a few changes in the Stormwater Management Ordinance passed this evening. He stated the Ordinance was more fair at all levels.

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

Respectfully submitted,

Elizabeth Russell  
Assistant Secretary  
Borough of Ambler