

## AMBLER BOROUGH COUNCIL MINUTES

September 19, 2017

The regular monthly meeting of Ambler Borough Council was held Tuesday, September 19, 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. Zacccone, Mr. DeRuosi, Mrs. McCormick (arrived after roll call), Mrs. Deininger, Ms. Tomlinson and Ms. Hertz. Solicitor Bresnan of Dischell, Bartle & Dooley, Mayor Sorg, Chief Foley and Borough Manager Aversa were present. Mr. Sheward was absent.

**Approval of Minutes:** Mr. Pasceri made a motion to approve the Minutes of the August 15, 2017 Council Meeting. Seconded. Carried.

### **COMMITTEE REPORTS**

The Committees of Ambler Borough Council met Tuesday, September 5, 2017 at 7:00 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002. Present: Mr. Pasceri, Mr. Curtis, Mr. DeRuosi, Mrs. McCormick, Mrs. Deininger, Mr. Sheward, Ms. Tomlinson and Ms. Hertz. Mayor Sorg, Solicitor Bresnan and Borough Manager Mary Aversa also were in attendance. Mr. Zacccone and Chief Foley were 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, Police Department and Community Ambulance Association reports were received.
2. The Public Works and Code Enforcement reports were received.

3. The Community Development Block Grant (CDBG) application was approved with an increased allocation for the requested amount of \$70,425. Funding will be used to remove architectural barriers in the Gym Wing public rest rooms and to make them ADA compliant. A County Commissioner 30-day comment period is currently underway.

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 the roofing of the DAF Building at the WWTP to Banes Roofing in the amount of \$39,885.
2. Considering award for Phase IV Paving at the WWTP to B.F. Brown & Co. in the amount of \$84,995.

**Approved at Committee Meeting:**

1. Recommend award for the boilers in the Belt Filter Press at the WWTP to Heisey Mechanical for the bid of \$172,463. (8-Aye)
- 2.

**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 Ms. Tomlinson.

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

1. Consideration that **August 2017** invoices in the amount of **\$970,055.70** be paid as follows: General (**\$95,031.78**); Street Lights (**\$13,731.13**); Fire (**\$0.00**); Refuse (**\$38,054.59**); Parks & Rec. (**\$3,102.69**); Water (**\$144,691.10.**); Sewer (**\$147,077.64**); WWTP (**\$512,723.32**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$15,643.45**).
2. Consider providing a Letter of Support for a grant application by John Zaharchuk for a Maple-to-Chestnut Street Connector (making Chestnut Street a 2-way street) which will provide a safe and convenient public access connection via an extension along Maple Street from the residential neighborhoods along Locust Street and Chestnut Street to SEPTA Regional Rail, SEPTA Bus Stop and to the Ambler Main Street District.
3. Consider providing a Letter of Support for an ISRP (Industrial Site Re-Use Program) grant application for a proposed development by John Zaharchuk along Maple Street to be called the Ambler Lakeview Project. This project includes 180 multi-family residential units in three buildings and is based on the Borough's TOD (Transit Oriented Development) use which is permitted by Conditional Use in the Redevelopment Overlay District. Portions of the project are located within the jurisdictions of Upper Dublin Township and Whitpain Township and will require zoning relief/approvals to be consistent with the requirements of the TOD use in the Borough's Redevelopment Overlay District.

Discussion ensued. Mrs. McCormick requested that Council consider hiring an environmental attorney to review this proposed plan and to satisfy liability concerns, since she stated the developer would have not liability and the proposed residential use was unprecedented. Mr. Zaharchuk responded that the EPA and DEP would require a complete clean-up plan along with sewer and traffic details and that they would assess the site and determine the feasibility of the project. Solicitor Bresnan stated his opinion that it was too early for Council to be bringing an environmental attorney on board, that no one receives permits without the DEP/EPA go-ahead and that Council would need to know what that assessment will include before hiring an attorney. Mr. Zaharchuk added that the project would be overseen by a joint municipal planning commission headed by a member of the Montgomery County Planning Commission and that it was agreed that Ambler Borough would take the planning lead once all the planning issues were satisfied. Ms. Hertz stated her opinion that Council should hold off on hiring an attorney until after permit determination or approval.

4. Recommend adoption of **Resolution 2017-11** recognizing the actuarial condition of the Borough's Police Pension Plan as determined by calculation of the 2018 Minimum Municipal Obligation for Borough pension plans.
5. Recommend adoption of **Resolution 2017-12** recognizing the actuarial condition of the Borough's Municipal Employee Pension Plan for the benefit of municipal employees hired prior to January 1, 2014, as determined by calculation of the 2018 Minimum Municipal Obligation for Borough pension plans.

6. Recommend adoption of **Resolution 2017-13** recognizing the actuarial condition of the Borough's Municipal Employee Pension Plan for the benefit of municipal employees hired after January 1, 2014, as determined by calculation of the 2018 Minimum Municipal Obligation for Borough pension plans.
7. Consider advertising for adoption a modified stormwater management ordinance, modelled after a Montgomery County 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 to be called "Ambler Borough Stormwater Management Ordinance."

**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.
3. A 30-day public comment period was held from August 1<sup>st</sup> – 30<sup>th</sup> for the MS4 (Municipal Separate Storm Sewer System) Pollution Reduction Plan and TMDL (Total Maximum Daily Load) Report. The report has been completed and sent to the DEP.
4. The Committee will evaluate the current Business Privilege Tax (BPT) and determine if a reduction in tax is feasible once the 2018 Budget has been prepared.
5. 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 has reviewed the plans.

Discussion ensued. Ms. Hertz asked whether Council could make environmentally-friendly requirements of the developer. Mrs. McCormick stated that the request timing would mean that the development would come in under old laws, since the new MS4 has not been adopted. She suggested that one could ask the developer to be benevolent. Solicitor Bresnan stated requirements of the developer would need to be dealt with by amendment to the SALDO, however the developer would be protected for five years for any new requirements to the SALDO. He added that Conditional Use is only the first step in a Land Development Application which would require both Preliminary and Final Approvals.

6. Applications to the Zoning Hearing Board have been received for a residential addition on Mattison Avenue and for a residential addition on Overlook Road.
7. The 2018 Montgomery County Planning Assistance Contract is being prepared.
8. The Committee reviewed parking meter rates and hours data sheets.

Discussion ensued. Mr. DeRuosi stated that collections from parking meters totaled about \$94,000 (he corrected his original total) at 50 cents-per-hour. He stated he would like to see meter rates increased to \$1.00 per hour. He added that he would like to do away with both free parking in December and free 2-hour lunchtime parking. Ms. Hertz stated that if rates are to increase the Borough should provide an additional service such as a “parking app.” Borough Manager Aversa stated she had set up a meeting with a distributor to discuss prices on meters and payment boxes and would discuss meter technology to determine whether the Borough could consider meter upgrades or replacements.

Resident John Kunzier of 360 Mattison Avenue asked Council to conduct a thorough parking assessment before moving forward on building a parking deck. He noted that technology can help and that Council should consider an ‘app’ or credit card feature. Mrs. McCormick noted that the SEPTA lot is only 4 blocks from the theatre and has ample available parking.

Several residents spoke about parking. Wendy Fry of Overlook Road stated meters on Butler Avenue are for only one hour and that if ‘free lunch’ is discontinued, parkers might need to feed the meter during a long lunch. Erin McKenna of Tennis Avenue asked for additional handicap spaces in the business district. Judy Harrison of Greenwood Avenue asked Council to consider permit parking or the assignment of one space for each residence on her street. Solicitor Bresnan stated that municipalities have found that permit parking does not resolve parking problems in a community, but rather the problem “creeps” to another street. Mr. DeRuosi stated it would be unmanageable to regulate public parking on public streets.

Ms. Tomlinson 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. The Committee has scheduled two additional Yoga in the Park sessions for the season on Saturday, September 30 and Saturday, October 14.
2. A Mindfulness Nature Walk will be held at Ambler Borough Park on Saturday, September 23<sup>rd</sup> at 10:00 a.m.

3. 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. To date, about 100 respondents have answered the survey. A majority of respondents are in favor of expanded hours. An Ordinance amendment will be required to expand park use hours.

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 hiring Jon Sirianni as the new Assistant Public Works Supervisor.

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

1. An Executive Session was held regrading a personnel matter.
2. Jim Sykes, Interim Director of the Community Ambulance Association of Ambler made a presentation to Council.

Mr. Sykes introduced himself and stated that he was in the process of assessing the operations, administration and medical preparedness of the CAAA. He stated that 25% of the CAAA’s calls were from Ambler and that the CAAA received a total of about 3,000 calls last year. He noted that the CAAA relies on grants and fundraisers. He stated his goals is to improve communications with the community and that this would involve a new webpage design. He stated the CAAA was in the process of searching for a new director.

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 this evening.

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

Recommend award for the roofing of the DAF Building at the WWTP to Baner Roofing in the amount of \$39,885. Seconded. Carried.

Recommend award for Phase IV Paving at the WWTP to B.F. Brown & Co. in the amount of \$84,995. Seconded. Carried.

*Approved at Committee Meeting:* Recommend award for the boilers in the Belt Filter Press at the WWTP to Heisey Mechanical for the bid of \$172,463. (8-Aye)

**Finance & Planning Committee** – The Committee recommends and Ms. Tomlinson moves:

Consideration that **August 2017** invoices in the amount of **\$970,055.70** be paid. Seconded. Carried.

Consider providing a Letter of Support for a grant application by John Zaharchuk for a Maple-to-Chestnut Street Connector (making Chestnut Street a 2-way street) which will provide a safe and convenient public access connection via an extension along Maple Street from the residential neighborhoods along Locust Street and Chestnut Street to SEPTA Regional Rail, SEPTA Bus Stop and to the Ambler Main Street District. Seconded. (7-Aye; 1-Nay [Mrs. McCormick]). Carried.

Consider providing a Letter of Support for an ISRP (Industrial Site Re-Use Program) grant application for a proposed development by John Zaharchuk along Maple Street to be called the Ambler Lakeview Project. Seconded. (7-Aye; 1-Nay [Mrs. McCormick]). Carried.

Recommend adoption of **Resolution 2017-11** recognizing the actuarial condition of the Borough's Police Pension Plan as determined by calculation of the 2018 Minimum Municipal Obligation for Borough pension plans. Seconded. Carried.

Recommend adoption of **Resolution 2017-12** recognizing the actuarial condition of the Borough's Municipal Employee Pension Plan for the benefit of municipal employees hired prior to January 1, 2014, as determined by calculation of the 2018 Minimum Municipal Obligation for Borough pension plans. Seconded. Carried.

Recommend adoption of **Resolution 2017-13** recognizing the actuarial condition of the Borough's Municipal Employee Pension Plan for the benefit of municipal employees hired after January 1, 2014, as determined by calculation of the 2018 Minimum Municipal Obligation for Borough pension plans. Seconded. Carried.

Consider advertising for adoption a modified stormwater management ordinance, modelled after a Montgomery County 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 to be called "Ambler Borough Stormwater Management Ordinance." 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 hiring Jon Sirianni as the new Assistant Public Works Supervisor. 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.

Wendy Fry of Overlook Road introduced herself as Ambler’s representative on the Board of the Community Ambulance Association of Ambler. She addressed the public informing them that the CAAA is a non-profit and encouraged resident membership in the association. She stated that insurance pays only a fraction of the cost of transport and that members could cut their bill in half after insurance by joining annually.

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

Respectfully submitted,

Elizabeth Russell  
Assistant Secretary  
Borough of Ambler