



BOROUGH OF AMBLER

COUNCIL MEETING AGENDA

APRIL 19, 2016

7:00 p.m.

CALL TO ORDER: Mr. Sal Pasceri

PLEDGE OF ALLEGIANCE: Mayor Jeanne Sorg

ROLL CALL: Ms. Mary Aversa

******* A special presentation will be made for Sargent Hoffman and Sargent Borkowski
in recognition of 20 years of public service to the Ambler Police Department**

MINUTES APPROVED

March 15, 2016

COMMITTEE REPORTS:

PUBLIC SAFETY

PUBLIC UTILITIES

FINANCE & PLANNING

PARKS & RECREATION

SALARY & PERSONNEL

Public Safety Committee

The Committee Meeting was held on April 5, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee members: Edward Curtis (Chair), Sharon Mc Cormick, Jonathan Sheward. Absent: Sal Pasceri

The Committee will make no recommendations.

1. An ordinance is being prepared for the directional traffic or one way options on Mattison and Euclid Avenues.

The following business will be discussed.

1. The Police Department report is **attached**.
2. The Fire Department report is **attached**.
3. The Community Ambulance report is **attached**.
4. The Public Works report and Code Enforcement reports were received.
5. The Ambler Ambulance is searching for an Ambler Resident interested in a seat on their Board. Interested Applicants should send a request to Borough Council for consideration. **(attached)** The Board meets the 3rd Wednesday of each month at 7:00 p.m.



WISSAHICKON FIRE COMPANY

245 E. RACE ST, AMBLER, PENNSYLVANIA 19002-4424
Station (215) 646-1266 – Office (215) 646-5592 – Fax (215) 628-3057
www.Station7.org

*Volunteers Protecting
Ambler Borough and
Lower Gwynedd
Township Since 1891*

Fire Chief Monthly Report March 2016

Total Calls: 31

14 Ambler Boro
12 Lower Gwynedd
5 Mutual Aid

Attendance to Fire Calls: 478

Attendance to Weekly Fire Schools: 168

Respectfully Submitted,

Fire Chief Phil Koller

**Wissahickon Fire Company
Year 2016 Summary**

Types of Calls	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Total
Accident Standby	1												1
AFA Actual	12	9	3										24
AFA False	5	10	5										20
Brush													-
CO Detector	4	2											6
Commercial Building	3	1	4										8
Elevator Rescue													-
EMS Assist	4												4
FAST Team Assist	2												2
Fluids on Highway													-
Gas Odor Inside	4	2	1										7
Gas Odor Outside	1		2										3
Hazardous Materials Incdnt													-
Helicopter Landing	1												1
LDH Drill	-												-
Non Commercial Building	6	3	2										11
Officer Investigation	3	3	3										9
Ornamental Fireplace													-
Residential Rescue	1												1
Search													-
Smoke in Area													-
Special Service	3												3
Standby	-	1	2										3
Task Force Assignment													-
Traffic Unit Assist			1										1
Trash													-
Unknown Type													-
Vehicle Fire	1	1	1										3
Vehicle Leaking Fuel	-												-
Vehicle Rescue	-	3	2										5
Water Flow Actual													-
Water Flow False													-
Water Rescue	1	3	5										9
Wires													-
Total	52	39	31	-	122								
													100.0%

Townships	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Total
Ambler	25	15	14										54
Lower Gwynedd	20	13	12										45
Abington													-
													100.0%



COMMUNITY AMBULANCE ASSOCIATION, AMBLER
P.O. BOX 98
AMBLER, PENNSYLVANIA 19002

EMERGENCY DIAL 911

BUSINESS 215-643-6517
FAX 215-643-5212

Ambler Borough Statistics – 2016

<u>Month</u>	<u>Calls in Borough</u>	<u>Total Calls for CAAA</u>
January	56	223
February	34	171
March	34	214
<hr/>		
YTD Totals	125	608

Serving Ambler Borough, Lower Gwynedd and Upper Dublin Townships, since 1941.

CAAA Board Member Responsibilities

GENERAL EXPECTATIONS

Know the organization's mission, purpose, goals, policies, programs, services, strengths, and needs.

Serve in leadership positions and undertake special assignments willingly and enthusiastically.

Avoid prejudiced judgments on the basis of information received from individuals; urge staff members with grievances to follow established policies and procedures through their supervisors. All significant matters coming to you should be called to the attention of the chief executive and/or the board's elected leader as appropriate.

Follow trends in the EMS field of interest and keep informed.

- Bring goodwill and a sense of humor to the board's deliberations.
- Suggest possible nominees for board membership who are women and men of achievement and distinction and who would make significant contributions to the board and CAAA.
- Be aware of and follow the CAAA Bylaws

MEETINGS

Prepare for and conscientiously participate in board and committee meetings, including appropriate organizational activities when possible.

Ask timely and substantive questions at board and committee meetings, consistent with your conscience and convictions.

Maintain confidentiality of the board's executive sessions and any confidential information given to you. Never speak for the board or CAAA unless authorized to do so, but also remember that all utterances from board members carry great weight with those within and outside of the organization.

Occasionally suggest board and committee meeting agenda items to board leaders and the chief executive to ensure that significant policy-related and strategic matters are discussed.

Follow and support the decisions of the board. Do not undermine those decisions if you disagree.

RELATIONSHIP WITH STAFF

Counsel the chief executive as appropriate, providing support through difficult relationships with groups or individuals.

AVOIDING CONFLICTS

Serve the organization as a whole rather than any special interest group or constituency. Even if you were invited to serve by virtue of your relationship with a certain constituency or organization, your first obligation is to avoid any pre-conception that you "represent" anything other than the overall organization's best interests.

Avoid even the appearance of a conflict of interest that might embarrass the board or CAAA; disclose any possible conflicts to the board in a timely fashion.

Maintain independence and objectivity and do what a sense of fairness, ethics, and personal integrity dictate.

Never accept (or offer) favors or gifts from (or to) anyone who does business with CAAA.

FIDUCIARY RESPONSIBILITIES

- At all times, exercise prudence with the board in the control and transfer of funds.
- Faithfully read and understand the CAAA's financial statements and otherwise help the board fulfill its fiduciary responsibility.

FUNDRAISING

- Give an unrestricted annual gift and restricted program or project support in line with your particular interests and personal means. Always do your best to set an example for other board members.
- Assist the fund development committee and staff by helping to identify potential donors and implement fund raising strategies through personal influence where you have it (corporations, individuals, and foundations).

April 8, 2016

Parks and Recreation Committee

The Committee Meeting was held on April 5, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue . Committee Members: Frank DeRuosi (Chair), Nancy Deininger and Sera Hertz. Absent: Sal Pasceri

The Committee will consider the following recommendation.

1. A recommendation is requested to authorize the Criterion Bike Race in Ambler August 13.

The following business will be discussed.

1. Staff will be preparing pricing and terms for rental of the Borough Gym and will present to Council for consideration.
2. Registration will be held for Borough residents on Wednesday May 4th, from 5-7 pm at Borough Hall. Camp will run from June 20-July 29 from 8:30-4:00 Monday-Friday at a cost of \$40.00 per week per child.

Public Utilities Committee

The Committee Meeting was held on April 5, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee Members: Sal Pasceri. (Chair), Claudio Zaccone, Edward Curtis. Absent: Sal Pasceri

The Committee will consider the following recommendation.

1. Authorization is requested to award the contract for the Well 8 Chlorine Contact Tank Project to lowest bidder Zimmerman Environmental at a total base bid price of \$109,757, contingent upon final bid document review by the Borough engineer and solicitor. The Commonwealth Financing Authority Local Share Account Grant for this project is \$134,925 with a required 25% total project cost match by the Borough. Bids were as follows: Zimmerman Environmental \$109,757; Derstine Company LLC \$118,000; TTI Environmental, Inc. \$125,662; Blooming Glen Contractors WW \$131,737; Aqua Resources, Inc. \$146,203; and A.J. Jurich, Inc. \$149,730.
2. The curb and sidewalk at Loch Alsh Dam are in need of replacement. This is part of an agreement with Upper Dublin from 1970. A cost estimate was received and a contribution of \$6,000 is requested.

The following business will be discussed.

1. Water Department will undertake hydrant flushing at nights from April 4 – May 2. Areas scheduled to be flushed will be listed as “Announcements” on the Borough website. Announcements will be updated daily.
2. A Conditional Use Hearing will be held on May 3 at 7pm for Crown Castle for Wireless Telecommunication Antennas in the Borough

Finance and Planning Committee

The Committee Meeting was held on April 5, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue . Committee Members: Jonathan Sheward, (Chair) Frank DeRuosi and Francine Tomlinson.
Absent: Sal Pasceri

The Committee will consider the following recommendations.

1. That the March 2016 invoices be paid as follows:

#	Fund	PRE PAID MARCH	MAR 1ST RUN	MAR 2ND RUN	TOTALS
1	GENERAL		\$338,620.03	\$ 93,658.33	\$432,278.36
2	STREET LGTS		\$5,675.38	\$ 852.78	\$6,528.16
3	FIRE			\$ 6,853.23	\$6,853.23
5	PARKS & REC		\$138.28	\$ 87.98	\$226.26
6	WATER		\$69,315.34	\$ 78,614.39	\$147,929.73
8	SEWER		\$13,224.05	\$ 16,608.89	\$29,832.94
9	WWTP		\$74,736.66	\$ 74,394.43	\$149,131.09
23	DEBT FUND				\$0.00
30	WATER CAPITAL		\$6,384.75		\$6,384.75
35	LIQUID FUELS				\$0.00
TOTALS		\$ -	\$508,094.49	\$ 271,070.03	\$779,164.52
VOID CHECKS			\$0.00		\$0.00
GRAND TOTAL		\$ -	\$ 508,094.49	\$ 271,070.03	\$ 779,164.52

2. Consider adoption of **Resolution 2016-04** ratifying the County's Revised Municipal Waste Management Plan which was adopted on March 3, 2016. (attached)
3. Consider adoption of **Resolution 2016-5** removing Nationwide Trust Company as Trustee, replacing with Reliance Trust for the Borough Deferred Compensation Plan 457b, effective May 1, 2016 and authorizes the plan record keeper as Mass Mutual to act as agent of the Trustee.

4. The Borough is now the legal owner of the property at the corner of Butler and Park in front of the CVS Parcel. A recommendation is requested to send this item to the Borough Planning Commission to provide input on potential uses for the parcel.

Approved at Committee Meeting

1. **Resolution 2016-03** authorizing the Borough Manager to file a grant application with the Montgomery County Housing & Community Development CDBG Program for sidewalk installation along Bethlehem Pike was approved at the Committee meeting. **(8-Aye)**
2. A request to advertise for adoption and schedule a hearing to adopt an Ordinance that certain uses permitted by special exception in the Borough's residential zoning districts should be permitted only in the Institutional zoning district given the inventory of institutionally zoned parcels and because adding non-residential uses in fully developed residential neighborhoods would be inconsistent with the overall feel of such neighborhoods. **(8-Aye)**

The following business will be discussed.

1. The Borough Engineer's report was received.
2. The proposed Rose Valley Creek Conservation District Ordinances were advertised for adoption, a Hearing is scheduled for May 3, at 7:15pm .
3. The **attached** Ordinance was prepared for Council to consider adopting to establish a Human Relations Commission and declares it to be a violation to discriminate in employment or public housing on the basis of, among other things, sexual orientation. The committee is looking for volunteers for the available positions.
4. Staff will prepare an advertisement to accept Bids for the vehicles that are being replaced.
5. A Draft of the 2015 financial statements is **enclosed**.

RESOLUTION 2016-04
BOROUGH OF AMBLER, MONTGOMERY COUNTY, PENNSYLVANIA
FOR RATIFICATION OF THE REVISED MUNICIPAL WASTE
MANAGEMENT PLAN

WHEREAS, the Municipal Waste Planning, Recycling and Waste Reduction Act of the Commonwealth of Pennsylvania, Act 101 of July 28, 1988, was enacted to empower and assign the duty of counties to develop and implement municipal waste management plans and other wise assure adequate capacity for municipal waste which is generated in their boundaries, and to empower and assign the duty to each municipality other than the county, to assure the proper and adequate transportation, collection and storage of municipal waste generated within its boundaries; and

WHEREAS, pursuant to Act 101, Montgomery County has developed, duly adopted and implemented a municipal waste management plan for Montgomery County; and

WHEREAS, in accordance with Act 101, the Commissioners of Montgomery County established a Municipal Waste Advisory Committee to review and update the existing municipal waste management plan; and

WHEREAS, the Municipal Waste Advisory Committee has developed a municipal waste management plan revision that addresses the availability of disposal capacity and support of municipal recycling programs; and

WHEREAS, the Commissioners of Montgomery County adopted the Plan revision on March 3, 2016; and

WHEREAS, Act 101 provides that the Municipal Waste Plan Revision may serve as the amended county policy with respect to municipal waste upon ratification by more than one-half of the municipalities representing more than one-half of the County's 2010 population.

THEREFORE BE IT RESOLVED, that this municipality does hereby ratify the 2015 Municipal Waste Management Plan Revision as adopted by the Montgomery County Commissioners.

SO RESOLVED this _____ day of _____, 2016.

Salvatore Pasceri, Council President

Mary Aversa, Secretary

RESOLUTION 2016-05
BOROUGH OF AMBLER, MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION OF AMBLER BOROUGH COUNCIL
ON ACTIONS TO BE TAKEN WITH RESPECT TO
BOROUGH OF AMBLER DEFERRED COMPENSATION PLAN 457b

RESOLVED, that Ambler Borough Council removes Nationwide Trust Company as Trustee with respect to Borough of Ambler Deferred Compensation Plan 457b effective May 1, 2016.

RESOLVED, that Ambler Borough Council appoints **Reliance Trust Company**, 1100 Abernathy Road 500 Northpark, Suite 400, Atlanta, GA 30328 as Successor Trustee with respect to Borough of Ambler Deferred Compensation Plan 457b effective May 1, 2016.

RESOLVED, that Ambler Borough Council authorizes the plan record-keeper, **MassMutual**, to act as an agent of the Trustee as indicated in the Trust Agreement.

AMBLER BOROUGH COUNCIL does hereby take these actions by Resolution and the undersigned has caused this Resolution to be executed in his capacity as Ambler Borough Council President with respect to Borough of Ambler Deferred Compensation Plan 457b.

SO RESOLVED this 19th day of April, 2016.

Salvatore Pasceri, Council President

ATTEST: Mary Aversa, Secretary

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE BOROUGH OF AMBLER, ADDING A NEW SUB-PART "D" TO PART 3 OF CHAPTER 1, REGARDING AUTHORITIES, BOARDS AND COMMISSIONS, TO PROVIDE FOR THE CREATION OF THE AMBLER BOROUGH HUMAN RELATIONS COMMISSION, AND TO PROHIBIT DISCRIMINATION IN HOUSING, COMMERCIAL PROPERTY, EMPLOYMENT AND PUBLIC ACCOMMODATIONS ON THE BASIS OF ACTUAL OR PERCEIVED RACE, COLOR, RELIGIOUS CREED, ANCESTRY, SEX, NATIONAL ORIGIN, HANDICAP OR DISABILITY, USE OF GUIDE OR SUPPORT ANIMALS BECAUSE OF THE BLINDNESS, DEAFNESS OR PHYSICAL HANDICAP OF THE USER OR BECAUSE THE USER IS A HANDLER OR TRAINER OF SUPPORT OR GUIDE ANIMALS, OR BECAUSE OF AN INDIVIDUAL'S SEXUAL ORIENTATION, GENDER IDENTITY OR GENDER EXPRESSION; PROVIDING DEFINITIONS; AND PROVIDING PENALTIES

WHEREAS, the public policy of the United States of America, and the Commonwealth of Pennsylvania is grounded in the concept that all individuals are entitled to equality and equal protection under law, *United States Constitution*, Amendment 14; *Constitution of the Commonwealth of Pennsylvania*, Article I, §§ 26, 28; and

WHEREAS, The Borough Council of the Borough of Ambler finds that the population of the Borough is reflective of the general population of the United States, in that it consists of a diverse array of persons representing different characteristics based upon actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

WHEREAS, the Borough prides itself on the diversity of its citizens and residents, and the harmonious relations which have been fostered in the Borough by a widely practiced and recognized attitude of respect among all citizens of The Borough of Ambler; and

WHEREAS, The Borough Council finds that the direct and secondary negative effects of discrimination and discriminatory practices involving the personal characteristics described above in matters of employment, housing, commercial property and public accommodation are well documented nationally; and

WHEREAS, the practice or policy of engaging in discrimination or discriminatory practices against any individual or group, because of actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or

support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression is a matter of highest public concern, and constitutes a paramount threat to the rights, privileges, peace and good order of the citizens of Borough of Ambler and to guests and visitors of Ambler Borough, that undermines the basic tenets of our freedom as citizens of the United States, and is utterly without place in this Borough, which has a storied tradition of fiercely defending the individual rights of its citizens; and

WHEREAS, The Ambler Borough Council desires to establish and adopt an official policy of non-discrimination in the Borough of Ambler, in all matters involving employment, housing and commercial property, and public accommodation;

NOW THEREFORE, be it, and it is hereby **ORDAINED** by the Borough Council of the Borough of Ambler, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION I Short Title.

This Ordinance shall be known as the "Ambler Borough Human Relations Ordinance."

SECTION II Purpose and Declaration of Policy.

A. The Borough of Ambler finds that it is of high public importance to adopt appropriate legislation to insure that all persons, regardless of actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap, use of guide or support animals because of blindness, deafness or physical handicap of the user or the user is a handler or trainer of support or guide animals, or sexual orientation, gender identity or gender expression enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing and public accommodation.

B. The Borough Council of The Borough of Ambler hereby declares it to be the public policy of the Borough to foster equality and equal opportunity for all citizens, regardless of actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression in all matters effecting employment, housing and commercial property and public accommodation, and to safeguard the right of all persons to remain free of discrimination or discriminatory practices in any of the foregoing aspects of their lives.

C. Nothing in this Ordinance shall be construed as supporting, endorsing or advocating any particular doctrine, point of view, or religious belief. On the contrary, it is the express purpose and intent of this Ordinance that all persons be treated fairly and

equally, and that all persons in the Borough of Ambler shall be guaranteed fair and equal treatment under law.

D. This Ordinance shall be deemed an exercise of the police power of the Borough of Ambler, as provided under the Pennsylvania Borough Code, for the protection of the public welfare, prosperity, health and peace of the community of Ambler Borough.

SECTION III Definitions.

The following words and phrases, when appearing in this Ordinance, shall have the meanings given to them under this Section.

1. **BOROUGH:** The Borough of Ambler, Montgomery County, Pennsylvania.

2. **BOROUGH COUNCIL:** The elected Borough Council of the Borough of Ambler, Montgomery County.

3. **DISCRIMINATION:** Any discriminatory act(s) taken by any person, employer, entity, employment agency, or labor organization, with respect to or involving a transaction related to employment, public accommodations, on the basis of a person's actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

4. **DISCRIMINATORY ACTS:** All acts or actions defined in the Pennsylvania Human Relations Act as unlawful discriminatory practices as related to employment, public accommodations, publicly offered commercial property or housing accommodations actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals; OR, though not set forth in the Pennsylvania Human Relations Act, because of an individual's sexual orientation, gender identity or gender expression.

A. **EMPLOYMENT:** The opportunity for an individual to obtain employment for which he is qualified.

B. **PUBLIC ACCOMMODATION:** The opportunity for an individual to access food, beverages or lodging, resort or amusement which is open to, accepts or solicits the patronage of the general public, but shall not include any accommodations which are in their nature distinctly private.

C. **COMMERCIAL PROPERTY OR HOUSING:** The opportunity for an individual to obtain any commercial property or housing accommodation for which he is qualified.

The above rights are hereby recognized as and declared to be a civil right which shall be enforceable as set forth in Section 4 of the Pennsylvania Human Relations Act.

5. **GENDER IDENTITY OR EXPRESSION:** Self-perception, or perception by others, as male or female, including an individual's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or assigned sex at birth, and shall include, but is not limited to, persons who are undergoing or who have completed sex reassignment, are transgender or gender variant.

6. **EMPLOYEE:** Does not include any individuals who, as a part of their employment, reside in the personal residence of the employer.

7. **EMPLOYER:** The term "employer" includes the Borough, its departments, boards and commissions, and any other governmental agency or school district thereof and any person employing four or more persons within the Borough, but except as hereinafter provided, does not include religious fraternal, charitable or sectarian corporations or associations, except such corporations or associations supported, in whole or in part, by governmental appropriations.

8. **ORDINANCE:** This Ordinance, which shall be referred to as the "Ambler Borough Human Relations Ordinance."

9. **PERSON:** Any natural person, fraternal, civic or other membership organization, corporation, general or limited partnership, proprietorship, limited liability company, or similar business organization, including the Borough, its departments, boards and commissions, and any other for-profit and nonprofit organization.

10. **SEXUAL ORIENTATION:** Actual or perceived homosexuality, heterosexuality and/or bisexuality.

11. Any terms of this Ordinance not expressly defined herein shall be construed in a manner consistent with the Pennsylvania Human Relations Act.

SECTION IV Unlawful Practices

A. Discrimination in employment, housing and commercial property or any public accommodation is prohibited under this Ordinance.

B. Retaliation against any individual because such person has opposed any practice forbidden by this Ordinance, or because such person has made a charge, testified,

or assisted in any manner in any investigation or proceeding under this Ordinance is prohibited under this Ordinance.

C. Aiding, abetting, inciting, compelling or coercing the doing of any act declared by this Ordinance to be an unlawful practice, or obstructing or preventing any person from complying with the provisions of this Ordinance is prohibited under this Ordinance.

SECTION V Exceptions

A. Nothing in this ordinance shall bar any religious or denominational institution or organization or any charitable or educational organization which is operated, supervised or controlled by or in connection with any religious organization or any bona fide private or fraternal organization from giving preference to persons of the same religion or denomination or to members of such private or fraternal organization from making such selection as is calculated by such organization to promote the religious principles or the aims, purposes or fraternal principles for which it is established or maintained. Nor shall it apply to rental of rooms in a landlord-occupied rooming house with a common entrance, nor with respect to discrimination based on sex, the advertising, the rental or leasing of housing accommodations in a single-sex dormitory or rooms in one's personal residence in which common living areas are shared.

SECTION VI Establishment of Human Relations Commission

A. Pursuant to the authority set forth under § 962.1 of the Pennsylvania Human Relations Act, 43 P.S. § 962.1, there is hereby established a Human Relations Commission for the Borough of Ambler, which shall be known as the "Ambler Borough Human Relations Commission."

B. The Ambler Borough Human Relations Commission shall consist of five (5) members, who shall be appointed to terms of three (3) years by the Board. The terms of the members of the Commission shall be staggered, such that the terms of one third (1/3) of the members of the Commission shall expire each year. All members of the Commission shall be residents or business owners of the Borough of Ambler and shall serve without compensation.

C. The Chairperson of the Commission will designate one member as needed to receive the complaint and conduct an intake meeting with the complainants. The member charged with this duty shall not participate in any mediations involving parties to the complaint for which they handled the intake nor shall this member vote on complaints brought in front of the Commission.

D. The Human Relations Commission shall, annually, designate one member to serve as Chairperson of the Commission. The Chairperson shall be responsible for coordinating the activities, meetings, and operations of the Commission, as set forth

under this Ordinance. The Chairperson shall also report, from time to time, to the President of the Borough Council regarding the activities of the Commission.

E. Members of the Commission shall, as soon after their appointment as practical, attend such training and education seminars or sessions as deemed necessary to acquaint themselves with the functioning of the Ambler Borough Human Relations Commission under this Ordinance, as well as the terms, conditions and provisions of the Pennsylvania Human Relations Act, and the operation of the Pennsylvania Human Relations Commission. Such training and education shall be as directed by the Chairperson, and shall be performed in conjunction with the state Human Relations Commission.

F. The Ambler Borough Human Relations Commission shall have all of those powers necessary to execute the duties set forth under this Ordinance, provided that such powers shall not exceed those exercised by the Pennsylvania Human Relations Commission under the Pennsylvania Human Relations Act.

G. The Ambler Borough Human Relations Commission shall operate within the scope of funds which may be allocated, on an annual basis, by the Board and shall not exceed the annual allocation in any year, except upon prior approval by the Board. In adopting this Ordinance, the Board hereby expresses its intention that the operation of the Ambler Borough Human Relations Commission under this Ordinance shall be supported by volunteers, unpaid staff, and volunteer efforts and shall be as close to “zero-cost” to the Borough as reasonably feasible.

SECTION VII Complaint and Procedures for filing Complaints

1. Complaints

A. Any person claiming to be aggrieved by a practice which is made unlawful under this Ordinance may make, sign and file a verified complaint, as provided under paragraph B of this Ordinance, alleging violations of this Ordinance. Such complaint shall, at a minimum, contain the following information:

- i. The name, telephone number, mailing address and email (if applicable) of the aggrieved person(s);
- ii. The name, telephone number, mailing address and email (if applicable) of the person(s) alleged to have committed the prohibited practice;
- iii. A concise statement of the facts, including pertinent dates, time, locations, people, and acts involved constituting the alleged discriminatory practice;
- iv. Such other information as may be required by the Commission.

B. Complaints may be filed in person at the office of the Borough Manager, or by mailing such complaints to the Borough offices, to the attention of the Borough Manager or the member of the Commission designated to handle intake. All such

complaints must be received by the Borough within one hundred eighty (180) days of the occurrence of the last act giving rise to the complaint or such complaint shall be dismissed as untimely.

C. The Borough Manager shall transmit all complaints received to the Chairperson of the Commission not later than ten (10) days of receipt of the complaint. The Borough Manager shall conspicuously mark the face of the complaint with the date the document was first received in the Borough offices.

D. The Commission may promulgate forms for use by persons wishing to file a complaint, however, complaints which are prepared without the use of an approved form shall be deemed acceptable under this Ordinance so long as the facts set forth under paragraph "A" of this Section can be clearly determined from the document submitted as a complaint.

E. The Commission may provide for a process by which persons seeking to file a complaint may consult with a volunteer or other staff person affiliated with the Commission who is trained to assist the prospective complainant in discerning the facts relevant to the prospective complaint. Such process shall also include referral of additional information to the prospective complainant concerning the content of this Ordinance, the content of the Pennsylvania Human Relations Act, and the availability of the Pennsylvania Human Relations Commission as an additional venue within which the prospective complainant may seek redress when possible.

2. Notifications and Answer

A. Within thirty (30) days of receipt of a complaint, the Commission shall:

- i. Send a copy of the complaint to the person(s) charged with a discriminatory act or practice under this Ordinance (the "respondent"), together with a copy of this Ordinance.
- ii. Send a notice to the complainant, informing them that the complaint has been accepted and processed by the Commission. If the complaint alleges discrimination on a basis proscribed under federal or state law, the Notice shall also inform the complainant of their right to file a complaint with the Pennsylvania Human Relations Commission or the federal Equal Employment Opportunity Commission as well as the U.S. Department of Housing and Urban Development, where applicable.
- iii. The Commission shall notify the Pennsylvania Human Relations Commission of the filing of any complaint that may be deemed to be within the jurisdiction of that Commission, as required under the Human Relations Act.

iv. The Commission shall also include a notice to both the complainant and the respondent(s) of their option to elect to proceed to voluntary mediation in order to resolve the matters giving rise to the complaint.

B. The respondent(s) shall file a written verified answer to the complaint within thirty (30) days of service of the complaint. An answer shall be filed in the same manner as a complaint.

3. Mediation

A. Within thirty (30) days of receipt of an answer to a complaint, or, where no answer is filed, within sixty (60) days of service of the complaint upon the respondent(s), the Commission shall proceed in accordance with the following options:

i. In the event that both parties have consented to mediation, under paragraph 2(A)(iv) of this Section, then the Commission shall refer the matter to a recognized alternative dispute resolution service, which same service may be provided through Montgomery County, the Montgomery County Bar Association, or any other professional mediation service provider, or may refer the matter to a licensed member of the Pennsylvania bar, who may be willing to perform service to the Commission as a volunteer mediator. Any costs or expenses which may be associated with the mediation shall be the responsibility of the parties. The parties shall jointly select the mediator; however, the Commission shall retain the authority to act as the mediator in the event the parties have agreed to mediation but cannot jointly agree on a mediator. Mediation sessions conducted by the Commission may proceed with a minimum of two eligible Commission Members. Mediation sessions shall remain private and not otherwise subject to public attendance.

B. When mediation has resulted in an amicable resolution of the complaint and the complaint is resolved, the Commission shall notify the parties that the complaint has been dismissed, and shall record the result of the mediation in the Notice of dismissal.

C. In the event the complaint has not been resolved through mediation the parties are entitled to proceed to the Court of Common Pleas in Montgomery County and/or the Pennsylvania Human Relations Commission if appropriate.

SECTION VIII Non-limitation of Remedies

Nothing contained in this Ordinance shall be deemed to limit the right of an aggrieved person to recover under any other applicable law or legal theory.

SECTION VIX Multiple Filings

This Ordinance shall not apply to matters which are the subject of pending or prior filings made by an aggrieved person before any state or federal court or agency of competent jurisdiction.

SECTION X Penalties

Any person who shall violate any provision of Section IV of this Ordinance may be subject by the Montgomery County Court of Common Pleas or any Court of competent jurisdiction to the penalties enumerated in Section 9(f)(1&2), Sections 9.2, 9.3, and Sections 10 & 11 of the Pennsylvania Human Relations Act. The penalties contained in this ordinance shall mirror any future changes to the Pennsylvania Human Relations Act as adopted by the General Assembly and approved by the Governor.

- A. This ordinance extends the protections of the Pennsylvania Human Relations Act to include actual or perceived sexual orientation, gender identity or gender expression.
- B. All penalties included in the Pennsylvania Human Relations Act shall be extended to include all protected classes enumerated in the Ambler Borough Human Relations Ordinance.

SECTION XI Severability

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, Ambler Borough Council hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

SECTION XII Repealer

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION XIII Effective Date

This Ordinance shall be effective ninety (90) days after enactment.

ENACTED and **ORDAINED** this _____ day of _____,
2015

BOROUGH OF AMBLER

Attest:

Mary Aversa

By:

Salvatore Pasceri, President
Borough Council

APPROVED: _____

Jeanne Sorg

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING THE BOROUGH ZONING ORDINANCE TO REMOVE CERTAIN SPECIAL EXCEPTION USES FROM THE BOROUGH'S RESIDENTIAL ZONING DISTRICTS, BEING AMENDMENTS TO SECTIONS 502, 602, 702, AND 802 OF TITLE 27 OF THE BOROUGH CODIFIED ORDINANCES, LEAVING THE REMAINDER OF THE ORDINANCE IN FULL FORCE AND EFFECT; EFFECTIVE UPON ADOPTION

WHEREAS, the Borough of Ambler has enacted and at times revised a comprehensive zoning ordinance applicable to all of the parcels of land in the Borough, and

WHEREAS, the Borough from time to time modifies the ordinance in furtherance of the stated legislative intent of promoting the most appropriate use of land throughout the Borough, and

WHEREAS, it is the determination of Borough Council that certain uses permitted by special exception in the Borough's residential zoning districts should be permitted only in the Institutional zoning district given the inventory of institutionally zoned parcels and because adding non-residential uses in fully developed residential neighborhoods would be inconsistent with the overall feel of such neighborhoods. Further, given the small size of the Borough, institutional parcels are readily accessible to all residents.

NOW THEREFORE, Borough Council does ORDAIN as follows:

1. 27-502 is amended in the following respect: 502(2), "Special Exception Uses is deleted in its entirety.
2. 27-602 is amended in the following respect: 602(2), "Special Exception Uses" is deleted in its entirety.
3. 27-702 is amended in the following respect: 702(2), "Special Exception Uses" is deleted in its entirety.
4. 27-802 is amended in the following respect: 802(2), "Special Exception Uses" and 802(3), "Conditional Uses" are deleted in their entirety.
5. 27-1702(1), "Permitted Uses" in the Institutional Zoning District", is amended in the following respect: The following uses shall be added to the list of permitted uses.
 - J. Public Utility facility
 - K. Recreational and community center building operated by a non-profit agency.
 - L. Club or lodge, as defined by 27-202 and provided the principal activity is customarily conducted as a business and the services of which are provided for members and guests only.

SO ORDAINED THIS ___ DAY OF _____, 2016. This ordinance is effective upon adoption and the remainder of the zoning ordinance remains in full force and effect, unaffected by the within provisions.

Salvatore Pasceri, Council President

ATTEST: _____
Mary Aversa, Secretary

APPROVED: _____
Jeanne Sorg, Mayor

Salary & Personnel Committee

The Committee Meeting was held on April 5, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee Members: Claudio Zaccone (Chair), Edward Curtis , Frank De Ruosi and Nancy Deininger. Absent: Sal Pasceri

Approved at Committee Meeting

1. Mr. Ryan Kennedy was appointed to the Zoning Hearing Board Alternate position at the Committee meeting.

The following business will be discussed.

1. A recommendation will be made for the vacant position in the WWTP.
2. A recommendation will be made for the vacant Highway Laborer Position.
3. An executive session is needed.

Recommendations

Public Safety Committee

1. A recommendation may be provided for the signaling on Mattison and Euclid Avenues.

Parks and Recreation

1. A recommendation is requested to authorize the Criterion Bike Race in Ambler August 13.

Public Utilities Committee

1. The curb and sidewalk at Loch Alsh Dam are in need of replacement, a contribution of \$6,000 is requested.
2. Authorization is requested to award the contract for the Well 8 Chlorine Contact Tank Project to lowest bidder Zimmerman Environmental at a total base bid price of \$109,757, contingent upon final bid document review by the Borough engineer and solicitor.

Finance and Planning Committee

1. Recommend the March 2016 invoices be paid in the amount of **\$779,164.52**.
2. Consider adoption of **Resolution 2016-04** ratifying the County's Revised Municipal Waste Management Plan which was adopted on March 3, 2016
3. Consider adoption of **Resolution 2016-5** removing Nationwide Trust Company as Trustee, replacing with Reliance Trust for the Borough Deferred Compensation Plan 457b.
4. A recommendation is requested to send a letter to the Borough Planning Commission to provide input on potential uses for the parcel at Park and Butler Avenues.

Salary and Personnel Committee