

AMBLER BOROUGH COUNCIL MINUTES

March 20, 2018

The regular monthly meeting of Ambler Borough Council was held Tuesday, March 20, 2018 at 7:00 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002.

Council President DeRuosi called the Council Meeting to order. Mayor Sorg led the public in the Pledge of Allegiance.

Roll Call – Present: Mr. DeRuosi, Mr. Pasceri, Mr. Zaccone, Mrs. Deininger, Ms. Tomlinson, Ms. DiPietro, Ms. Endicott and Mrs. Siskind. Mayor Sorg, Solicitor Bresnan of Dischell, Bartle & Dooley, Chief Foley and Borough Manager Aversa were present. Ms. Hertz was absent.

Approval of Minutes: Mr. DeRuosi made a motion to approve the Minutes of the February 20, 2018 Council Meeting as corrected. Seconded. Carried.

COMMITTEE REPORTS

The Committees of Ambler Borough Council met Tuesday, March 6, 2018 at 7:00 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002. Present: Mr. DeRuosi, Ms. Hertz, Mr. Pasceri, Mr. Zaccone, Mrs. Deininger, Ms. Tomlinson, Ms. DiPietro, Ms. Endicott and Mrs. Siskind. Mayor Sorg, Solicitor Bresnan of Dischell, Bartle & Dooley, Chief Foley and Borough Manager Aversa were present.

At the Council Meeting this evening, the Committees conducted business as follows:

Public Safety Committee – Mr. Claudio Zaccone, Chairperson

Committee members: Mrs. Deininger, Mrs Siskind

The Public Safety Committee report was given this evening by Mr. Zaccone.

The Committee will consider the following action this evening:

1. Consider adoption of **Resolution 2018-05** to suspend the open container ordinance for the following specific Borough events: Arts & Music Festival (June 15 & 16); Ambler Criterium Bike Race (August 18); and Oktoberfest (October 6, raindate October 7).

In other business the following was reviewed:

1. The Police Department and Community Ambulance Association reports were received.
2. The Public Works and Code Enforcement reports were received.

3. Borough Council is considering options to address the concerns of the residents as regard stormwater plans and traffic studies for the proposed St. Mary's Development.

Mr. Zaccone asked if there were comments or questions from Council or the public. Ms. Endicott asked about the status of 'rolling stop signs' that had been discussed at the recent Town Hall Meeting held March 14, 2018. Chief Foley responded that the previous signs had been removed because traffic fines had changed and the signs were outdated. Brook Marshall of 157 Edgewood Drive asked whether the sign locations and heights were consistent with Borough ordinance. Chief Foley noted that there was no legal issue with the signs, but that they had become damaged and ran their course. Solicitor Bresnan stated that the 'rolling stop signs' are not enforceable signs, and may be installed as long as they do not obscure the stop signs. He added that as long as the information on the sign is correct it is acceptable to install them. He stated that donations could be solicited and turned in to the Borough for a dedicated purpose such as for the purchase of these signs, but that the public should not purchase these signs directly. There being nothing further, it was moved the Committee's report be accepted as filed. Seconded. Carried.

Public Utilities Committee – Mr. Salvatore Pasceri, Chairperson

Committee members: Mr. Zaccone, Ms. Tomlinson, Mrs. Siskind

The Public Utilities Committee report was given this evening by Mr. Pasceri.

The Committee will consider no actions this evening.

In other business the following was reviewed:

1. The Engineer's report was provided.
2. The Ambler Crossings applicant has inquired about water connection fees for the development. The project was approved with sewer fees required in the review letter. Borough Council granted permission for staff and the solicitor to discuss the fees.

Discussion ensued. Solicitor Bresnan stated he had communicated earlier in the day with the applicant's attorney and it was agreed that since the applicant has not specifically stated his claim as to fee credits, the issue has yet to be resolved.

3. The Borough is considering moving forward to change the status of the Ambler Borough Water Department to form an Authority. Currently, the Water Department is regulated under a Public Utilities Commission Regulated Tariff. To become an Authority, the Borough must file a Petition to Abandon the PUC Tariff. After discussion at the Committee Meeting, it was agreed by Council that the Solicitor should prepare a memorandum outlining the process along with benefits and concerns.

Discussion ensued. Solicitor Bresnan stated his current investigation involves his concern that the Authority's involvement must be sufficient enough for the PUC not to involve in

exercising its jurisdiction over the Authority. He stated that as an Authority, water rates would be reviewed by the Courts and not by the PUC. As such, he is preparing a letter to the PUC Law Bureau for clarification before he seeks an order from the Commission. This two-step process is in progress and he will await the Law Bureau answer before preparing a memorandum for Council. Ms. Tomlinson asked Solicitor Bresnan to detail the cost (expert rate filing litigant plus attorneys' fees) of preparing prior Ambler Water Department PUC rate cases as compared to the anticipated attorneys' costs associated with establishing and operating an Authority.

Mr. Pasceri 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 – Ms. Francine Tomlinson, Chairperson

Committee Members: Ms. DiPietro, Ms. Endicott

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 **February 2018** invoices in the amount of **\$783,358.51** be paid as follows: General (**\$122,111.25**); Street Lights (**\$4,950.03**); Fire (**\$0.00**); Refuse (**\$34,732.09**); Parks & Rec. (**\$5,229.09**); Water (**\$428,427.40.**); Sewer (**\$14,717.11**); WWTP (**\$170,288.38**); Debt Fund (**\$0.00**); Water Capital (**\$2,903.16**); Liquid Fuels (**\$0.00.**)
2. Consider making a recommendation regarding the draft Ordinance addressing the planting and spread of bamboo in the Borough.

Discussion ensued. Ms. Endicott speculated as to how the Borough would be able to enforce the draft ordinance as written, noting the ordinance contained language prohibiting the planting of new bamboo as well as language requiring both containment and setbacks. She stated that if a property owner could successfully contain bamboo, she would not require the complete removal of bamboo. She noted that there would be a financial burden on a property owner to maintain a property line free of bamboo. Mr. Pasceri stated his recollection that the issue of bamboo originally considered only the prohibiting of planting new bamboo and that he was concerned that the latest ordinance revision involved imposing fines on homeowners and could pose a financial burden. Ms. Siskind asked how property owners currently, without a bamboo ordinance, resolve these issues. Solicitor Bresnan stated that currently a property owner's remedy is to file a civil complaint against another property owner. Ms. Tomlinson stated that since there is no setback requirement for fences, she would not be in favor of an initiative placing setback requirements for bamboo. Council continued to discuss specifics in the proposed ordinance. It was agreed by the Committee that the ordinance should prohibit new bamboo plantings while leaving setbacks and containment to the property owner. As such, no further action on the current draft ordinance was required. The Borough Solicitor was directed to draft a new ordinance

which would be presented to the Committee at the April meeting before being forwarded to the Planning Commission.

The following was approved at Committee Meeting:

1. An Executive Session was held to discuss a settlement agreement involving a real estate tax reduction. Council considered approval of the agreement. Seconded (9-Aye). Carried.

In other business the following was reviewed:

1. The Borough Engineer's report was received.
2. The Parking Committee provided details on a parking plan and meter options for Council's review. The Council President will be meeting with Ambler Main Street to discuss the parking issue.
3. Staff will prepare paperwork to solicit Statements of Qualifications for specified professional services.

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 – Ms. Sara Hertz, Chairperson

Committee members: Mrs. Deininger, Ms. Endicott

The Parks and Recreation Committee report was given this evening by Ms. Endicott.

The Committee will consider no recommendations this evening.

In other business the following was reviewed:

1. The Committee will consider establishing a new program – *Friends of Borough Parks* – with residents who would like to volunteer their time and energy to improve the parks.

Discussion ensued. Ms. Endicott shared ideas on the start-up of this program. She stated she would like to post notices in the parks and hold a special meeting or host an online survey to determine community engagement. She stated she would like a better understanding of fundraising logistics and whether a charter would be required. Mr. Pasceri noted that if residents would be working in the parks, union employees could grieve their activities. Ms. Endicott stated her viewpoint that residents primarily would be enhancing plantings in the parks. Resident Jill Sanchez of 149 Rosemary Avenue shared her interest in promoting fundraising for new structures and equipment in addition to establishing new plantings.

Ms. Endicott asked if there were comments or questions from Council or the public. Discussion ensued regarding the timeline for park construction at Ambler Square, with a resident asking that bollards, roping and signage be installed to deter parking and unauthorized use of the “lot.” Manager Aversa stated that groundbreaking would be early spring 2019 and that the grant would require specific signage. She stated the Borough’s liability at that location is similar to its liability at any Borough lot. Both Ms. Endicott and Ms. Tomlinson stated that if construction would not begin for almost a year, it would not be necessary, in their opinions, to immediately begin roping and towing. Mrs. Siskind suggest that at a point in time the Borough should consider roping off the lot on four sides and installing a ‘coming soon’ sign. 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: Mr. Pasceri, Mr. Zaccone, Ms. DiPietro

The Salary and Personnel Committee report was given this evening by Mrs. Deininger.

The Committee will consider the following action this evening:

1. Consider adoption of **Resolution 2018-06** in appreciation of Jack Silverman who has completed his Wissahickon High School Senior Project by videotaping Borough meetings.

In other business the following was reviewed:

1. Resumes are being reviewed to schedule interviews for the vacant Public Works and Water Department positions.

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. Zaccone moves:

Consider adoption of **Resolution 2018-05** to suspend the open container ordinance for the following specific 2018-calendered Borough events: Arts & Music Festival (June 15 & 16); Ambler Criterium Bike Race (August 18); and Oktoberfest (October 6, raindate October 7). Seconded. Carried.

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

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

Consideration that **February 2018** invoices in the amount of **\$783,358.51** be paid. Seconded. Carried.

Approved at Committee Meeting: An Executive Session was held to discuss a settlement agreement for a real estate tax reduction. Council considered approval of the agreement. Seconded (9-Aye). Carried.

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

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

Consider adoption of **Resolution 2018-06** in appreciation of Jack Silverman who has completed his Wissahickon High School Senior Project by videotaping Borough meetings. 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. Residents are asked to state their name and address. 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.

Jill Sanchez, representing the Environmental Advisory Council, announced activities in conjunction with the Growing Greener Grant. Manager Aversa stated she would like to set up a meeting between the Finance Manager and Ms. Sanchez to review grant requirements and put a plan of action in place.

Brook Marshall stated she was upset that due to inclement weather, the Council Meeting had not been cancelled. She stated her opinion that this was a public safety issue.

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

Respectfully submitted,

Elizabeth Russell
Assistant Secretary
Borough of Ambler