

## AMBLER BOROUGH COUNCIL MINUTES

May 16, 2018

The regular monthly meeting of Ambler Borough Council was held Wednesday, May 16, 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. Hertz, Ms. DiPietro, Ms. Endicott and Mrs. Siskind. Mayor Sorg, Solicitor Eric Wert of Dischell, Bartle & Dooley, Chief Foley and Borough Manager Aversa were present.

**Approval of Minutes:** Mr. DeRuosi made a motion to approve the Minutes of the April 17, 2018 Council Meeting. Seconded. Carried.

### **COMMITTEE REPORTS**

The Committees of Ambler Borough Council met Tuesday, May 1, 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 Joe 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. Authorization is requested by the Police Department to lease/purchase a new 2017 Ford Explorer.

Discussion ensued. Mrs. Siskind noted that purchase of the vehicle had not been discussed by Council and that since the vehicle had already been delivered, she assumed this was a 'done deal.' Chief Foley stated it was his error, having asked for a new vehicle in last

year's budget without providing the paperwork to Council in advance. He stated vehicles usually last only three years in the PD, and that vehicle purchases are their largest expenditures. He added that the department does better financially with the terms of a lease as opposed to a direct purchase. Ms. DiPietro asked what would happen to the old vehicle. Chief Foley stated the old vehicle would be stripped and put up for auction, adding that old police vehicles usually are purchased by taxi services.

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

1. The Police Department, Fire Department and Community Ambulance Association reports were received.
2. The Public Works and Code Enforcement reports were received.
3. The Red Cross has scheduled a blood drive at Ambler Borough Hall Gym to be held Wednesday, June 13<sup>th</sup> from 2:00-7:00 p.m.
4. The Borough has submitted a letter to PennDOT containing documentation in support of a new traffic signal being warranted, given future construction of the St. Mary's Villa project. The Borough has requested that PennDOT reconsider having the St. Mary's Villa project install a new signal preferably at Bethlehem Pike and Lindenwold Avenue and that this be required as part of the project's Highway Occupancy Permit.

Mr. Zaccone asked if there were comments or questions from Council or the public. Chief Foley addressed Council and the public, acknowledging friends and family in attendance at this evening's meeting, which he stated would be the last Council meeting he would attend as Police Chief. He stated he had begun packing up his desk for his planned retirement. He acknowledged his career-long relationship with four Borough Mayors, grateful for their mentorship during his 30-plus years on the street. He specifically reminisced about advice given by former Mayor Wahl.

Chief Foley then focused on the Borough's process of going about selecting a new Police Chief. He stated that Council had discussed the themes of diversity, potentially looking in a new direction and transparency. Chief Foley encouraged Council to consider promoting from within. He added that Council would be pleased with the independent thinkers in the force, that they should see for themselves the talent present and show the officers their confidence in them. He highlighted Sgt. Hoffman, who has served 23 years in the force, who has been a patrolman, detective, sergeant and now administrative sergeant. He also highlighted Sgt. Borkowski, who has served 22 years in the force. He asked Council to consider the morale of the PD staff and show confidence in the staff by hiring the new Police Chief from within. He closed by once again acknowledging the guests present at this evening's meeting who were in attendance to show their support for the Police Department. A round of applause and then Chief Foley dismissed and Sgt. Hoffman moved to the Chief's meeting seat for the remainder of the meeting.

Finally, Ed Curtis of 357 Rosemary Avenue announced that this week is Police Appreciation Week. A round of applause followed. 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 Borough is considering moving forward to change the status of the Ambler Borough Water Department to form an Authority. The Solicitor will prepare a memorandum outlining the process.
3. Staff is obtaining quotes for the repaving of the Well 8 driveway at Loch Alsh.
4. The Loch Alsh Reservoir automatic valve repair has been contracted with Caddick for the low quote of \$9,674.
5. Water Department will undertake routine system flushing later this spring. A daily flushing schedule will be posted on the Borough website and Council members will be updated on the schedule.

Mr. Pasceri asked if there were comments or questions from Council or the public. Ms. Siskind stated that she and fellow freshman Councilpersons DiPietro and Endicott had enjoyed a very extensive tour of the Wastewater and Water Department facilities. 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.

A presentation was made by John Zaharchuk of Summit Realty regarding proposed floodplain and floodway map revisions for their proposed apartment development project. Mr. Zaharchus's team stated the development would be located behind Trax Café and would front on Maple Avenue.

Summit Realty displayed the most recent FEMA Floodplain Map for the 4-acre property. Summit Realty had conducted detailed analysis of the site for the purpose of better defining the floodway as it exists today by performing a field survey which shows a decreased area of floodplain and floodway than is indicated on the FEMA Map. The study shows a limitation of the floodway to about 90-100 feet of frontage on Maple Avenue. Floodplain was described as water surface elevation under a 100 year storm. Floodway is the area used to define the limits of a stream to not be disturbed.

Mr. Zaharchuk stated that some remediation will be needed on the site. He added that while the site is also located in Whitpain and Upper Dublin, construction would be on the Ambler portion of the parcel. He noted that Whitpain was not positive about the project, so the project will be limited to Ambler.

It was explained that the procedure for modification of the map is for the Borough to complete a Community Acknowledgement Form which would give Summit Realty permission to prepare a Conditional Letter of Map Revision to be submitted by them to FEMA. Essentially, Summit Realty is seeking permission from the Borough to ask FEMA for permission to modify the floodplain map so that they may continue with the project application process. Should FEMA agree to the revision, Summit Realty would prepare a Conditional Use Application consistent with the Borough's building ordinance.

After a brief discussion among Councilmembers, it was agreed to table further consideration until the June meeting.

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

1. Consideration that **April 2018** invoices in the amount of **\$412,114.41** be paid as follows: General (**\$127,165.69**); Street Lights (**\$5,350.30**); Fire (**\$0.00**); Refuse (**\$35,205.80**); Parks & Rec. (**\$4,090.25**); Water (**\$92,893.14.**); Sewer (**\$15,477.05**); WWTP (**\$115,551.54**); Debt Fund (**\$0.00**); Water Capital (**\$12,897.05**); Liquid Fuels (**\$3,483.59**).
2. Consider a recommendation to advertise the Bamboo Ordinance for adoption.
3. Consider adoption of **Resolution 2018-08** authorizing a 3-year lease/purchase of a new street sweeper.

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

1. The Borough Engineer's report was received.
2. Staff has prepared documents for the Finance and Planning Committee for the solicitation of Statements of Qualifications for specified professional services.

3. Staff has been working with SEPTA on the 2018 Farmers' Market lease. Revisions were made and the new lease document will be available for review at Council's June meeting.

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. Hertz.

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

1. The Committee has been asked to consider permitting dogs in Ricciardi Park.

Discussion ensued. Ms. Hertz noted that the P&R Committee was not in agreement in making such a recommendation. The Committee, however, could make a recommendation for vote of Council NOT to allow permitting of dogs in Ricciardi Park.

**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 stated her intention to launch a survey on the Borough website in June to garner interest in the new program.

2. Knight Park Summer Day Camp will be held June 18 through July 27 (8:30-4:00 p.m.) weekdays. Camp is advertised in the Hometown News and on the YMCA website. Residents may still register their children at the YMCA.
3. The Committee would like a coordination of efforts between the Borough, Ambler Main Street, Plant Ambler and business owners to achieve a unified approach to Ambler's streetscape.
4. The Committee will be scheduling Yoga, Mindfulness Activities and Movie Nights for the 2018 summer season.
5. The Edgewood Drive flag lot was discussed and the Borough will coordinate access plans with property owners who are legally permitted access.

Ms. Hertz asked if there were comments or questions from Council or the public. Ms. Endicott stated the Environmental Advisory Committee is working with the Wissahickon Valley Watershed Association on 'Growing Ambler Greener' initiatives. She noted that Stewardship Saturday is May 19<sup>th</sup> with the focus on invasive plants. 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 a recommendation to authorize the Ambler Human Relations Commission Chairperson to execute a revised Memorandum of Understanding with the Pennsylvania HRC.
2. Consider appointment of applicant Stephen McKenna to the Appeals Board.

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

1. The Assistant Supervisor at the Wastewater Treatment Plant position has been advertised and resumes are being accepted.
2. Vacancies exist on the Planning Commission and on the Environmental Advisory Council. Interested residents should forward a letter of interest/resume to the attention of 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. Zaccone moves:

Consider authorization for the Police Department to lease/purchase a new 2017 Ford Explorer. 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 **April 2018** invoices in the amount of **\$412,114.41** be paid. Seconded. Carried.

Consider a recommendation to advertise the Bamboo Ordinance for adoption. Seconded. Carried.

Consider adoption of **Resolution 2018-08** authorizing a 3-year lease/purchase of a new street sweeper. Seconded. Carried.

**Parks & Recreation Committee** – The Committee will recommends and Ms. Hertz moves:

Consider NOT moving forward to permit dogs in Ricciardi Park. Seconded. ((8-Aye; 1-Nay [Ms. Endicott])).

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

Consider a recommendation to authorize the Ambler Human Relations Commission Chairperson to execute a revised Memorandum of Understanding with the Pennsylvania HRC. Seconded. Carried.

Consider appointment of applicant Stephen McKenna to the Appeals Board. 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.

Several members of the community who were in attendance addressed Council's procedure for hiring a new Police Chief. It was stated by Council President DeRuosi that Council was presently considering working with an outside agency to facilitate the job search, and that Council was obtaining references and would report back in June. Mr. DeRuosi stated that this is a job search and that the best practice would be to advertise outside of the department. He emphasized that this did not necessitate hiring from the outside.

Bernadette Dougherty of 338 Tennis Avenue inquired as to the cost of working with an outside agency. Mr. DeRuosi responded, \$6,000. Ms. Dougherty encouraged Council to meet with the two senior sergeants currently employed by the Ambler PD. Ed Curtis of 357 Rosemary Avenue mentioned by name all 13 Ambler police officers and noted their years of service. He stated the officers are tenured, qualified and knowledgeable and have served the Borough quite well. Mr. DeRuosi stated there is no judgment of incompetence against the Borough's officers and that Council has not yet made a hiring procedures determination. He stated this is a Salary & Personnel Committee matter and that there has not been a violation of the Sunshine Law. Mr. Curtis stated there would be a conflict if Borough Manager Aversa was on the hiring committee. Ms. Aversa stated she was not on the hiring committee and would not have a vote as to whom to hire.

Mr. John Kunzier of 360 Mattison Avenue asked whether there were any restrictions for any of our officers to apply. Mr. DeRuosi replied, no restrictions. Mr. Paul Dooley of 224 Mattison Avenue asked whether an African American or a woman might be considered as a candidate for Police Chief. Mr. DeRuosi replied, no limitation. Ms. Amy Hughes of 40 School Street asked for confirmation as to whether Manager Aversa would have a vote on whom to hire. Ms. Aversa stated she would not. Ms. Hughes asked about the Mayor's role in the hiring process. Mayor Sorg stated she could review the job description and attend process meetings. She stated she would not have a vote as to whom to hire. Ms. Hughes asked for confirmation that all officers, both within and not within the Ambler PD, would have an equal shot at being interviewed and considered for hiring, stating her assumption that an 'insider' would have an edge. Mr. DeRuosi confirmed her that all candidates would be fairly considered. A question was brought up about inclusion and attendance at the process meetings. It was stated that Chief Foley attended the first but not the second process meeting.

A business owner at 275 E. Butler Avenue stated it looked suspicious for the Borough to use an outside consultant and he asked how qualified Council would be to evaluate their criteria. He asked why Council would destroy the moral of the force and stated that it would be a mistake for Council to work with an outside consultant. Mr. Pat Clifford of 254 E. Park Avenue stated that if Council did not hire from within, they stood a chance of losing some good sergeants in the process. Mr. Tom Homan of 136 E. Park Avenue stated that department moral would be devastated and that there would be a big consequence bringing someone in from the outside. He added that promotion opportunities such as this are few and without exception, in his experience, every time someone is hired from the outside it is because the interviewers thought no one was qualified or there was a defect in the culture inside.

Non-resident Joanne Serrao asked Council to respect Ambler's police officers, stating that Council should have made sure that the Chief was aware of the timing of the second process meeting. Mr. DeRuosi stated the Chief should have been aware of the meeting, however he had apologized to the Chief for not tracking him down.

Mr. Donato Coppolella of 400 Park Avenue asked Council to give Ambler's officers a chance, that they can bring fresh ideas to the table and that starting over with a new Police Chief from the outside take a lot of time. Councilperson Siskind stated she was keenly

aware that selection of a new Police Chief was potentially the most important decision she would make while on Council. Ms. Patty Higgins of 121 Reiffs Mill Road states she 'goes to sleep safe' knowing that the Ambler PD are there.

Mr. DeRuosi concluded the discussion by suggesting that residents consult more resources than Facebook to obtain information, offering that Council is available for discussion of many issues and they should be contacted. He stated that contact information for all Councilmembers and the Mayor is available on the Borough website.

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

Respectfully submitted,

Elizabeth Russell  
Assistant Secretary  
Borough of Ambler