

AMBLER BOROUGH COUNCIL MINUTES

November 20, 2018

The regular monthly meeting of Ambler Borough Council was held Tuesday, November 20, 2018 at 7:00 p.m. at Borough Council Chambers located at 131 Rosemary Avenue, Ambler, Pennsylvania, 19002. The meeting was preceded by a Public 2019 Budget Meeting held at 6:00 p.m.

Council President DeRuosi called the Council Meeting to order. Mayor Sorg led the public in the Pledge of Allegiance. Mayor Sorg then presented Ambler Main Street Manager Elizabeth Kunzier with a Proclamation on Small Business Saturday (November 24, 2018).

Roll Call – Present: Mr. DeRuosi, Mr. Pasceri, Ms. Tomlinson, Ms. Hertz, Mrs. Deininger (arrived 7:35 p.m.), Ms. DiPietro, Ms. Endicott and Mrs. Siskind. Mayor Sorg, Solicitor Joe Bresnan of Dischell, Bartle & Dooley, Chief Robert Hoffman and Borough Manager Aversa were present. Mr. Zaccone was absent.

Approval of Minutes: Mr. DeRuosi made a motion to approve the Minutes of the October 16, 2018 Council Meeting. A revision was offered. Mr. DeRuosi made a second motion to approve the Minutes as revised. Seconded. Carried.

COMMITTEE REPORTS

The Committees of Ambler Borough Council met Tuesday, November 7, 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 Robert Hoffman 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 Mrs. Siskind.

The Committee will consider the following action this evening:

1. Consider award of contract for replacement of steps in the Lindenwold Lot.

Discussion ensued. The two quotes were reviewed with a discussion on the cost differential between galvanized versus stainless steel hand railings. The lowest quote to include galvanized steel and concrete pan stairs was offered by Anderson Welding & Sons LLC. at a cost of \$29,250.00.

In other business the following was reviewed:

1. The Police Department, Fire Department and Community Ambulance Association reports were received.

Discussion ensued. Mrs. Siskind inquired as to the Police Department's increase in 'disorderly conduct.' Chief Hoffman responded that these number vary and there is no rhyme or reason to the number of incidents in any given month.

2. The Public Works and Code Enforcement reports were received.
3. Ambler Borough has submitted a letter to PennDOT with documentation in support of a traffic signal, given future construction of the St. Mary's Villa project. The Borough has requested that PennDOT reconsider having the signal located at Bethlehem Pike and Lindenwold Avenue as part of the contractor's Highway Occupancy Permit process.
4. A discussion was held addressing speeding issues and traffic calming options. Chief Hoffman outlined options and steps he is taking within the Police Department.
5. A Red Cross Blood Drive is scheduled for Thursday, December 27th from 2-7 p.m. at the Ambler Borough Hall Gymnasium. Appointments may be made at www.redcrossblood.org (sponsor keyword: ambler) or by calling 1-800-Red-Cross.

Mrs. Siskind asked if there were comments or questions from Council or the public. Ms. Endicott asked about the status of the Maple Street traffic light. Borough Engineer Jim Dougherty stated the light was bagged and awaiting action by SEPTA. There was much discussion about the "don't block the box" signal on Main Street at Butler Avenue. Chief Hoffman stated this was a tricky intersection and that the police department was determining how well this would work and also how to enforce this once the lighting sequence is initiated. 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 the following action this evening:

1. Consider adoption of **Resolution 2018-18** amending the Intergovernmental Agreement for the Borough and the Wastewater Treatment Plant to allow for continued participation in the Water Quality Improvement Plan (WQIP) for the Wissahickon Creek.

Discussion ensued. Borough Manager Aversa stated Council had approved the funds at their August 21, 2018 meeting and that this Resolution was required to continue participation.

In other business the following was reviewed:

1. The WWTP Engineer's report was received.
2. Solicitor is preparing a notice of action regarding forming a Water Authority to be sent on to the Pennsylvania Public Utilities Commission.

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 **October 2018** invoices in the amount of **\$807,432.10** be paid as follows: General (**\$179,552.71**); Street Lights (**\$8,349.13**); Fire (**\$9,762.05**); Refuse (**\$42,955.61**); Parks & Rec. (**\$11,984.15**); Water (**\$101,748.17.**); Sewer (**156,341.44**); WWTP (**\$268,814.50**); Debt Fund (**\$0.00**); Water Capital (**\$22,473.10**); Liquid Fuels (**\$5,451.24**).
2. Consider having the Ambler Planning Commission review and recommend language to address short term rental requirements and green improvement options when replacing Borough sidewalks or driveways.

Discussion ensued regarding short term rental requirements. Ms. Tomlinson stated she was unsure as to whether Council would need an ordinance or not. Solicitor Bresnan stated the Courts do not allow municipalities to 'shoehorn' the control of Airbnb's into existing ordinances. He stated Council must determine if they are desirous of taking action and if so, that an ordinance would need to be constructed. He stated Council must decide how big of a problem they believe they have. Ms. Endicott asked whether existing Airbnb's would be grandfathered if Council delayed in taking any action. Mr. Bresnan replied that the 'use' would be grandfathered, but not the 'conduct.' Mr. DeRuosi asked how Council

determines whether this is a business and whether a short term rental would be subject to landlord requirements such as inspections or payment of the Business Privilege Tax. He stated his preference that the Planning Commission do some research on how other communities are dealing with this. Mr. Bresnan agreed, stated that the Planning Commission could look at what is out there in the world, and that he was not ready to draft an Ordinance. He stated that a specific definition of 'short term rental' was needed.

Ms. Endicott stated that the Airbnb website allows for a municipality to indicate whether a permit is required by the municipality and that that was one way the Borough could enforce registration of an Airbnb in the Borough. She stated she would like Council to consider regulating the maximum number of nights per year, that the location must be the owner's primary residence, that a maximum occupancy be determined and that no signage be allowed.

Several residents spoke in support of allowing Airbnb's, stating they provide a service to the community, are good for the economy and are cottage industries that put the best light on Ambler. Council replied that no one was suggesting an outright ban on Airbnb's, but rather that the Borough should know of their existence and should consider some sort of regulation.

Ms. Tomlinson stated that the Committee would take no further action on this topic this evening, but would continue discussions on short term rentals at the next monthly meeting.

3. Qualifications from professional services including Solicitor, Municipal Engineer, WWTP Engineer and Auditor have been received. Council is asked to consider selection of these professions to provide services to the Borough.

Discussion ensued. Ms. Tomlinson stated that there was no compelling reason to switch the Municipal and WWTP Engineers and that she felt the current engineers should be retained. Ms. DiPietro and Ms. Endicott, both on the Finance & Planning Committee, agreed. Ms. Tomlinson stated that while she had some hesitation on the Auditors their billing structure was competitive, she felt that Finance Manager Gordon could work well with them and as such, she felt the current Auditors should be retained. Ms. DiPietro and Ms. Endicott agreed.

Discussion continued regarding selection of the Borough Solicitor. Ms. Tomlinson initially stated she would like to hold off on making that selection. Ms. DiPietro stated she would like to meet with one of the attorneys from High Swartz who could not make the initial round of interviews. Mrs. Deininger stated that a private meeting between Ms. DiPietro and that attorney was not acceptable. Solicitor Bresnan, who had interviewed to continue his position as Borough Solicitor, asked that a straw poll be conducted to see if Council could make a determination this evening. He stated that Council had discussed his billing structure with him at his interview meeting, and that he was comfortable billing either a flat fee or hourly, whichever Council preferred. A straw poll was taken with the result as follows: Dischell, Bartle & Dooley: Mr. DeRuosi, Mr. Pasceri, Ms. Hertz, Mrs. Deininger, Ms. Endicott and Mrs. Siskind. High Swartz: Ms. Tomlinson. Undecided: Ms. DiPietro.

It was agreed not to hold off on a recommendation this evening and rather to make a recommendation to retain the current Borough Solicitor.

4. The Ambler Branch of the Wissahickon Valley Public Library has proposed renting space at Borough Hall during their year-long renovations to begin next spring. They are requesting temporary use of space at a cost of \$400.00 per month.
5. The Wissahickon Valley Historical Society has asked for a donation of \$750.00 to help them with their operating budget due to the cost of renovations at their headquarters.

In other business the following was reviewed:

1. The Borough Engineer's report was received.
2. The new parking meters will be installed in the Cavalier and Short Street lots in the coming weeks.
3. The Borough has receiving a Zoning Hearing Board application for Rosemary Avenue-Garage for Vehicle Storage. The Hearing has been continued to December 11, 2018 at 7:00 p.m.
4. Public 2019 Budget Meetings are scheduled for November 20th (6:00 p.m.), November 27th (11:00 a.m.) and December 4th (6:00 p.m.) The Budget is available for public inspection at Borough Hall, the Ambler Public Library and online at www.boroughofambler.com.
5. Staff will published the proposed 2019 Public Meeting Calendar.

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 no actions this evening.

In other business the following was reviewed:

1. The Committee's resident *Friends of Borough Parks* will meet at Borough Hall on Thursday, November 29th, 2018 at 6:30 p.m. The pilot parks for the program are Ricciardi Park and Wahl Playground.

2. The Committee is continuing to research and is considering preparing a Single Use Plastics Ordinance which would limit or ban the use of single use plastics in the Borough.

Discussion ensued. Ms. Hertz stated she would like to work with Ambler Main Street businesses for their input on a proposed ordinance or initiative which she stated must be sustainable for businesses. She stated the Committee would consider single use plastics such as straws and plastic bags as well as other plastics.

Student Connie Liu of Upper Dublin High School made a presentation on the use of plastics. She noted that Starbucks is phasing out plastic straws, and that plastic straws could be an option only if asked for. She noted that Narberth has recently banned plastic straws and has placed a surcharge on plastic bags.

Ms. Hertz asked if there were comments or questions from Council or the public. She thanked the Environmental Advisory Council for their dedicated work planting dozens of trees this fall as part of their Tree-vitalize Program. 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 following Recommendation was approved at the Committee Meeting:

1. Motion to consider appointment of Robert Hoffman as Police Chief. Seconded. Carried.

The Committee will consider the following actions this evening:

1. Consider approval of the revised Civil Service Commission Rules and Regulations which have been adopted by the Civil Service Commissions.

Discussion ensued. Ms. DiPietro stated that upon her review of the Rules and Regulations, the Rules looked good, however she would like clarification on Section 4.3 which reads, "The commission shall appoint a written examination administrator, an oral examination administrator, a polygraph examiner, a physical fitness examiner, a medical examiner, and a psychological examiner to conduct the appropriate examination required by these Rules and Regulations." She summarized that while the Commissioners are not experts on these subjects, it was her understanding that they would work in collaboration with the Police Chief to make these decisions together. Solicitor Bresnan agreed, noting that the determinations could be delegated wherein they could approve a panel upon

recommendation of the Police Chief as a usual course of conducting the procedures to search for a new officer. Chief Hoffman stated he wanted to wait until after the holidays to post the position to ensure the largest pool of applicants.

2. Consider retaining Peter Hasson as a consultant on Police Department operations at a rate of \$50.00 per hour.

Discussion ensued. Chief Hoffman stated that Chief Hasson would be an asset to his department, helping to launch Chief Hoffman's ideas, vision and direction for the department. Chief Hoffman stated that in the offer letter for him to become Ambler's Police Chief, the condition was set forth that Council would consider involving a consultant during the transition. It was noted that for several months a police chief-level salary had not been paid out, so that there would be no net increased cost to the department paying the consultant.

In other business the following was reviewed:

1. The Police Department will be accepting applications and will schedule testing to hire a new patrolman.
2. Ambler Main Street is always looking for volunteers. Those interested in volunteering should contact liz@amblermainstreet.org.
3. Vacancies exist on the Environmental Advisory Council. Interested residents should forward a letter of interest/resume to the attention of the Borough Manager.
4. A vacancy exists for an alternate on the Civil Service Commission. Interested residents should forward a letter of interest/resume to the attention of the Borough Manager.
5. The Committee will review various Social Media Policies and make a recommendation to Council.
6. Interviews are scheduled to fill the vacant Water and WWTP positions.
7. Several volunteer committee positions expire at the end of the year. Current appointees are being asked whether they will seek re-appointment. Committees with expiring terms include: Planning Commission (2 seats – 4 year term); Vacancy Board (1 seat – 1 year term); and Zoning Hearing Board (1 seat plus 1 alternate seat – 3 year term). Residents interested in being appointed by Borough Council are asked to send a letter of interest & resume to the Borough Manager at manager@borough.ambler.pa.us or by mail to the Borough Manager.

Mrs. 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 recommend and Mrs. Siskind moves:

Consider award of contract for replacement of steps in the Lindenwold Lot to Anderson Welding & Sons LLC. at a cost of \$29,250.00. Seconded. Carried.

Public Utilities Committee – The Committee will recommend and Mr. Pasceri moves:

Consider adoption of **Resolution 2018-18** amending the Intergovernmental Agreement for the Borough and the Wastewater Treatment Plant to allow for continued participation in the Water Quality Improvement Plan (WQIP) for the Wissahickon Creek. Seconded. Carried.

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

Consideration that **October 2018** invoices in the amount of **\$807,432.10** be paid. Seconded. Carried.

Consider having the Ambler Planning Commission review and recommend language to address green improvement options when replacing Borough sidewalks or driveways. Seconded. Carried.

Consider continuing to retain the current Municipal Engineers (Gilmore & Associates) and WWTP Engineers (EEMA). Seconded. Carried.

Consider continuing to retain the current Borough Auditors (Zelenkofske-Axelrod LLC). Seconded. Carried.

Consider continuing to retain the current Borough Solicitors (Dischell, Bartle & Dooley). Seconded. 6-Aye; 1-Nay [Ms. Tomlinson]; 1-Present [Ms. DiPietro]. Carried.

Consider allowing the Ambler Branch of the Wissahickon Valley Public Library to rent space at Borough Hall during their year-long renovations to begin next spring at a cost of \$400.00 per month. Seconded. Carried.

Consider making a donation of \$750.00 to the Wissahickon Valley Historical Society for their operating budget due to the cost of renovations at their headquarters. Seconded. Carried.

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

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

Consider approval of the revised Civil Service Commission Rules and Regulations which have been adopted by the Civil Service Commissions. Seconded. Carried.

Consider retaining Peter Hasson as a consultant on Police Department operations at a rate of \$50.00 per hour. 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.

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

Respectfully submitted,

Elizabeth Russell
Assistant Secretary
Borough of Ambler