

AMBLER BOROUGH COUNCIL MINUTES

September 18, 2018

The regular monthly meeting of Ambler Borough Council was held Tuesday, September 18, 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. Mayor Sorg announced that September 25, 2018 is National Voter Registration Day with a focus on encouraging youths and college-aged citizens to register to vote. The Mayor introduced Wissahickon High School Senior Grace Soleberger. Ms. Soleberger had involved with civic engagement among her peers at the high school by assisting seniors eligible to vote to register to vote.

Roll Call – Present: Mr. De Ruosi, Mr. Pasceri, Mr. Zaccone, Ms. Tomlinson, Ms. Hertz, Mrs. Deininger, Ms. DiPietro, Ms. Endicott and Mrs. Siskind. Mayor Sorg, Solicitor Joe Bresnan of Dischell, Bartle & Dooley, Interim Chief Robert Hoffman and Borough Manager Aversa were present.

Approval of Minutes: Mr. DeRuosi made a motion to approve the Minutes of the August 21, 2018 Council Meeting. Seconded. Carried.

Mr. DeRuosi and Mayor Sorg made a presentation in honor of Plant Ambler volunteers with a reading of **Resolution 2018-13** Recognizing Plant Ambler Volunteers for 45 Years of Service to the Community.

COMMITTEE REPORTS

The Committees of Ambler Borough Council met Tuesday, September 4, 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, Interim 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 Mr. Zaccone.

The Committee will consider the following action this evening:

1. Consider adoption of **Resolution 2018-14** Suspending Enforcement of Ordinance 748 for Persons Attending Oktoberfest Festival events.

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. 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 have the signal located at Bethlehem Pike and Lindenwold Avenue as part of the contractor's Highway Occupancy Permit process.
4. Maura McCarthy, Executive Director of Friends of the Wissahickon, presented Ambler with an award in appreciation of the Borough's work to improve the water quality of the Wissahickon Creek.
5. The Hendricks Street Bridge weight restrictions have been posted. The police department will make the public aware of the new weight limits. The Borough will be preparing new weight restrictions for the Maple Avenue Bridge.

Discussion ensued. Ms. Endicott inquired about progress on the study of the Maple Avenue Bridge. Borough Manager Aversa stated the engineers need one more piece of information to determine weight limitations. She added that regarding the Hendricks Street Bridge, a structural reader will be used to determine the internal make-up of the bridge which will help engineers determine needed supports and method of repair. Interim Chief Hoffman stated that the police department has been stopping large vehicles to inform them of the weight restrictions on the Hendricks Street Bridge. He noted that operators of heavy equipment usually are aware of the weight of their vehicles.

Mr. Zaccone asked if there were comments or questions from Council or the public. There being nothing further, it was moved the Committee's report be accepted as filed. Seconded. Carried.

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 approval for WWTP to have Tower 1 & 2 (chlorine canopy) painted by AFN-USA at their low quote of \$67,200.00. (Wenrich bid - \$192,792.00; SP Smith bid - \$209,350.00). It has been 30-35 years since the towers were last painted.

Discussion ensued. Ms. Siskind, noting the range of quotes received, assured that the low quote contractor had been fully vetted and is qualified for the project.

2. Consider awarding Associated Paving Contractors, Inc. a contract to blacktop the area by the Grit Building for their low quote of \$13,289.00. (B.F. Brown quote - \$14,995.00; SJM Construction quote - \$24,700.00)
3. Consider adoption of **Resolution 2018-15** Encouraging the U.S. EPA to Move Forward on Making an Assessment on the Lifetime Health Advisory for PFAS.

In other business the following was reviewed:

1. The WWTP Engineer's report was received.
2. Council's PUC Committee and staff will meet with the Harrisburg attorney working on our PUC-related matters and with the Borough Solicitor later this month to discuss operations options and the logistics of forming a Water Authority. This will be an information-gathering meeting.

Discussion ensued. PUC Committee Chairman Pasceri stated that the meeting would be open to all of Council. Solicitor Bresnan, noting the Sunshine Act, stated Council could not deliberate among themselves during the meeting.

3. Voluntary PFAS (polyfluoroalkyl substances) testing of the distribution system took place August 16, 2018. Lab results for PFOS+PFOA from Eurofins demonstrate that the highest total result is less than 25 percent of the 70 parts per trillion (ppt) U.S. EPA health advisory. An updated Notice has been posted on the Borough website.

Discussion ensued. Ms. Endicott stated that an acceptable standard is an evolving science. She noted that the water does test below the state of New Jersey's stringent new limits and is acceptable by California standards.

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 **August 2018** invoices in the amount of **\$467,264.97** be paid as follows: General (**\$136,047.31**); Street Lights (**\$5,741.30**); Fire (**\$0.00**); Refuse (**\$38,108.48**); Parks & Rec. (**\$5,173.78**); Water (**\$113,539.87.**); Sewer (**\$11,716.56**); WWTP (**\$147,796.37**); Debt Fund (**\$0.00**); Water Capital (**\$5,401.50**); Liquid Fuels (**\$3,739.80**).
2. Consider adoption of **Resolution 2018-16** Adopting the Montgomery County 2017 Hazard Mitigation Plan.
3. Consider adoption of **Resolution 2018-17** Authorizing the Comcast Cable Franchise Agreement. The agreement will allow Comcast to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Borough.
4. Consider award to L.J. Paoella Construction, Inc. for the Ambler Borough Hall Municipal Building Public Restrooms ABR Project. Low bidder for the project is L.J. Paoella Construction, Inc. of Brookhaven, PA, at a bid cost of \$168,000. The CDBG grant is for \$70,425 for construction, well below the bid. Bid ranges for the three bids received were \$168,000 to \$223,900. Should Council determine to proceed with the project, with increased total project costs based upon bidding and current market conditions, the Borough is to provide a statement to the Office of Housing and Community Development committing to cover the additional construction costs. Finance Dept. notes that Reserve Funds are available for the project.

Discussion ensued. Ms. Tomlinson stated that she could not move forward with a recommendation and that she would prefer the project be rebid. Finance Manager Gail Gordon stated there are reserve funds in all Borough accounts, and that the appropriate reserve funds have been earmarked. Manager's Assistant Elizabeth Russell stated that the Phase II gym renovation project had been scaled back to consider bathroom renovations only, that a low project estimate had been prepared with unit costs used from the prior year's submission and further, that prevailing wage had increased three times during the bidding process and that costs would not be decreasing. She noted that the range of bids probably was more in line with the scope of the project than the Borough's estimation of project costs.

Members of the public spoke on this issue. Mrs. Judy Baigis of 172 Tennis Avenue spoke against the costs for maintaining Borough Hall, likening the building to the Taj Mahal. She stated there are other projects that should be of priority and focused on in the Borough. Ms. Brook Marshall of 157 Edgewood Drive encouraged Council to defer voting on this project since the project does not encompass the entirety of Phase II renovations.

Mrs. Deininger and Ms. Hertz both stated enthusiasm for the project, noting that it was time for the Borough to move forward on its Community Center plans and that it was important for bathrooms to be accessible to all, and that renovation of the bathrooms was the next logical renovation step. Ms. McKenna stated that as a member of the Finance & Planning Committee, she would move that the bid be considered for award by Council.

In other business the following was reviewed:

1. The Borough Engineer's report was received.
2. Qualifications from professional services (Solicitor, Municipal Engineer, WWTP Engineer and Building Inspector) have been received and will be distributed to members of the Finance & Planning Committee. The Request for Proposals for Borough Auditor has been advertised.
3. Borough Departments will be investigate ways for the Borough to include sustainable energy practices and recommend cost savings improvements.

Discussion ensued. Ms. Tomlinson stated she had received responses from Councilmembers who would like to be seated on the newly-forming Sustainability Committee. Councilpersons DiPietro, Siskind, Hertz and DeRuosi will serve on the Committee.

4. The Borough has received Zoning Hearing Board applications regarding Main Street commercial outside storage and regarding a SEPTA driveway entrance.
5. Minimum Municipal Obligations for 2019 have been received from Borough actuary Joe Duda.
6. Bill Sabey gave a presentation on the Sierra Club's "Ready for 100" campaign.

Approved at Committee Meeting Executive Session:

1. A FEMA acquisition grant was discussed with a vote held to approve a \$23,000 grant match per property that will be acquired by the Borough. Seconded. Vote: 7-Aye; 1-Nay (Ms. Tomlinson). Carried.

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 is 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 Ricciardi Park had received the most interest from respondents and that Wahl Playground had a leadership respondent. There were no responses on Jean Thompson Park. She announced that Ricciardi Park and Wahl Playground would serve as the two pilot parks for the first year of the program. She stated the Borough Solicitor would be working with the Committee to define what volunteers may involve with and which activities would require Council approval. Additionally, Ms. Endicott announced new swings have been installed at Ricciardi Park and that a ribbon cutting ceremony would be held September 19, 2018 at 6:00 p.m.

2. A Resolution was presented to Plant Ambler volunteers for their dedication in beautifying Ambler during the last 45 years. A reception had been held.

Ms. Hertz asked if there were comments or questions from Council or the public. There being nothing further, it was moved the Committee's report be accepted as filed. Seconded. Carried.

Salary and Personnel Committee – Mrs. Deininger, Chairperson

Committee members: 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 actions this evening:

1. Consider appointment of applicants to fill the vacant Civil Service Committee positions which include one seat and three alternate seats.

Discussion ensued. Solicitor Bresnan clarified that Commission members should not observe testing. They cannot be a witness to testing and neither can alternates observe testing. As such, Ms. DiPietro withdrew her name from consideration as an alternate. Mr. DeRuosi nominated Stephen Frustaci. Ms. DiPietro nominated Cleneth Williams II. Ms. Tomlinson nominated Ms. Bernadette Dougherty. Mrs. Siskind asked the Solicitor is there would be any conflict in considering Mr. Williams since his wife is a Borough employee, working within the Police Department. Mr. Bresnan stated that there would be no conflict. It was agreed to hold Round 1 voting, with low vote candidate withdrawn and a re-vote for the remaining two candidates if a majority vote was not achieved.

Roll Call: In favor of Mr. Frustaci: Ms. Siskind; Ms. Deininger; Mr. DeRuosi. **In favor of Ms. Dougherty:** Ms. Tomlinson; Mr. Zaccone. **In favor of Mr. Williams:** Ms. Endicott; Ms. DiPietro; Ms. Hertz; Mr. Pasceri. No majority. Ms. Dougherty removed from consideration.

2nd Round Roll Call: In favor of Mr. Frustaci: Ms. Siskind; Ms. Deininger; Mr. DeRuosi; Ms. Tomlinson. **In favor of Mr. Williams:** Ms. Endicott; Ms. DiPietro; Ms.

Hertz; Mr. Zaccone; Mr. Pasceri. Mr. Frustaci removed from consideration. Mr. Williams to be recommended. It was further agreed that Mr. Frustaci and Ms. Dougherty would be considered for the Alternate seats. It was noted that one additional Alternate seat was available.

In other business the following was reviewed:

1. The Civil Service Rules will be sent to the Commission for approval.
2. The Police Department will be accepting applications and will schedule testing to hire a new patrolman.
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. Ambler Main Street is always looking for volunteers, if interested contact Liz Kunzier at liz@amblermainstreet.org.
5. An Executive Session is required.

Executive Session:

Mrs. Deininger stated the Executive Session dealt with a personnel matter and that a motion to terminate an employee had been discussed. Council voted 8-Aye; 1-Nay (Mr. Pasceri) to terminate an employee.

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 Mr. Zaccone moves:

Consider adoption of **Resolution 2018-14** Suspending Enforcement of Ordinance 748 for Persons Attending Oktoberfest Festival events. Seconded. Carried.

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

Consider approval for WWTP to have Tower 1 & 2 (chlorine canopy) painted by AFN-USA at their low quote of \$67,200.00. Seconded. Carried.

Consider awarding Associated Paving Contractors, Inc. a contract to blacktop the area by the Grit Building for their low quote of \$13,289.00. Seconded. Carried.

Consider adoption of **Resolution 2018-15** Encouraging the U.S. EPA to Move Forward on Making an Assessment on the Lifetime Health Advisory for PFAS. Seconded. Carried.

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

Consideration that **August 2018** invoices in the amount of **\$467,264.97** be paid. Seconded. Carried.

Consider adoption of **Resolution 2018-16** Adopting the Montgomery County 2017 Hazard Mitigation Plan. Seconded. Carried.

Consider adoption of **Resolution 2018-17** Authorizing the Comcast Cable Franchise Agreement. Seconded. Carried.

Consider award to L.J. Paoella Construction, Inc. for the Ambler Borough Hall Municipal Building Public Restrooms ABR Project at a bid cost of \$168,000. Seconded. Carried.

Approved at Committee Meeting Executive Session: A FEMA acquisition grant was discussed with a vote held to approve a \$23,000 grant match per property that will be acquired by the Borough. Seconded. Vote: 7-Aye; 1-Nay (Ms. Tomlinson). Carried.

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

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

Consider appointment of Cleneth Williams II to the Civil Service Committee. Seconded. Carried.

Consider appointment of Stephen Frustaci and Bernadette Dougherty as Alternates to the Civil Service Committee. Seconded. Carried.

Approved at Committee Meeting: Appointment of Benjamin Sheedy to the Environmental Advisory Council. 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.

Mrs. Judy Baigis of 172 Tennis Avenue commented that the Broad Axe water tower is in need of power washing. She additionally stated she had not been able to find the meeting agenda on the Borough website.

It was announced the October Committee Meeting will be held Wednesday, October 3, 2018 at 7:00 p.m.

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

Respectfully submitted,

Elizabeth Russell
Assistant Secretary
Borough of Ambler