

AMBLER BOROUGH COUNCIL MINUTES

August 18, 2020

Ambler Borough Council held their scheduled monthly meeting on Tuesday, August 18, 2020 at 7:00 p.m. via ZOOM Software Program. Consistent with Council President's and the Mayor's Declaration of Disaster Emergency, this action was taken to ensure the health, safety and welfare of our community and to promote our commitment to maintain social distancing in our community. As such, the meeting was not held at Borough Hall. A public copy of the meeting agenda was posted on the Borough website on Monday, August 17, 2020. The public was invited to access the ZOOM Meeting and offer questions or comments.

Roll Call – Present: Mr. DeRuosi, Ms. Hertz, Mrs. Deininger, Ms. DiPietro, Mrs. Siskind, Ms. Endicott, Ms. Welch, Ms. Henderson and Ms. Marshall. Mayor Sorg, Chief Hoffman, Solicitor Joe Bresnan and Borough Manager Aversa also were in attendance. Finance Manager Gail Gordon, Code Enforcement Officer Glenn Kucher and Assistant Secretary Elizabeth Russell also were in attendance.

Approval of Minutes: Mr. DeRuosi made a motion to approve the Minutes of the July 14, 2020 Council Meeting and the August 4, 2020 Committee Meeting. Motion to Approve. Seconded. All Aye. Carried.

Mr. DeRuosi announced to attendees that public comment on agenda items would be solicited before voting on recommendations yet after all Committee reports were complete. He stated additional public comment would be welcome at the end of the meeting on issues not listed on the agenda.

COMMITTEE REPORTS

The Committees of Ambler Borough Council met via Internet vehicle ZOOM on Tuesday, August 4, 2020 at 7:00 p.m. Present: Mr. DeRuosi, Ms. Hertz, Mrs. Deininger, Ms. DiPietro, Ms. Endicott, Mrs. Siskind, Ms. Henderson, Ms. Welch and Ms. Marshall. Mayor Sorg, Chief Hoffman and Solicitor Joe Bresnan were in attendance. Finance Manager Gordon, Code Enforcement Officer Glenn Kucher and Assistant Secretary Elizabeth Russell also were in attendance. Borough Manager Aversa was absent.

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

Public Safety Committee – Ms. Erin Endicott, Chairperson
Committee members: Ms. Hertz, Mrs. Deininger, Mrs. Siskind

The Public Safety Committee report was given this evening by Ms. Endicott.

Approved at Committee Meeting:

1. A recommendation for adoption of the Emergency Declaration for COVID-19 for the month of August. Seconded. (9-Aye). Carried.

In other business the following was reviewed:

1. The Police, Community Ambulance Association and Fire Department reports were received.
2. The Public Works and Code Enforcement reports were received.
3. The next Red Cross Blood Drive will be held Friday, August 28th from 2-7 p.m. in the Borough Hall Gym.
4. New street parking meters and signage have recently been installed in the Borough. The new meters are now operational. The new parking rate is \$1 per hour. Payment may be made with coins or by installing the Flowbird Mobile Parking APP. The APP may also be used for parking in the lots. Parking regulations were enforced beginning August 14 and tickets were issued.

Discussion ensued. It was stated that if a ticket had inadvertently been received the week prior to August 14 it would not be processed.

5. The Borough closed down Butler Avenue for Restaurant Weekend and has received very good feedback on the event. Another event was held the weekend of August 14.

Discussion ensued. Chief Hoffman stated the event went well however there were several traffic issues with drivers ignoring one-way signs due to Main Street being shut down. Ms. Aversa suggested it be considered that Butler Avenue be routed as one-way out-of-town with Short Street the in-to-town route. Chief Hoffman stated he would consider this option. Ms. Hertz stated the event was very successful for restaurant owners. She noted they wanted to have more Restaurant Weekend events. Ms. Endicott stated the next scheduled Restaurant Weekend will be held the second weekend in September.

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

Public Utilities Committee – Mrs. Glynnis Siskind, Chairperson

Committee members: Ms. Welch, Ms. Henderson, Ms. Marshall

The Public Utilities Committee report was given this evening by Mrs. Siskind.

The Committee will consider the following actions this evening:

1. Consider award for the rebuild of WWTP Clarifier ER-8 to Blooming Glen in the low bid amount of \$24,696.
2. Since the DEP is satisfied with the timing change of the sampler and the amount of sample for BOD (Biological Oxygen Demand) testing and has stated that no organic overload exists, consider rescinding Council's prior vote to request an increase in the permit.

Discussion ensued. Borough Manager stated she would review whether Council had taken an actual vote to request an increase so that Council could determine whether a vote to rescind was needed.

In other business the following was reviewed:

1. The WWTP engineer's report was provided.
2. The Butler Pike Water Main Replacement Project at Prophecy Creek bridge will be advertised and is scheduled to go to PennBid September 1st. Bid opening and award are scheduled for October.
3. An application of the Borough of Ambler for approval of the abandonment of public water service to the public in Pennsylvania has been filed and a notice has been advertised. Formal protests and petitions to intervene must be filed with the PA PUC by August 24, 2020.

Discussion ensued. Mrs. Siskind stated this was a legally-worded technicality which is part of the Authority-formation process. She requested Water Dept. prepare a letter to all water customers explaining the Authority process.

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

Finance and Planning Committee – Ms. Nellie DiPietro, Chairperson

Committee Members: Ms. Endicott, Ms. Welch, Ms. Marshall

The Finance and Planning Committee report was given this evening by Ms. DiPietro:

The Committee will consider the following actions this evening:

1. Consider that **June 2020 (second run) and July 2020** invoices in the amount of **\$869,847.24** be paid as follows: General (**\$243,404.47**); Street Lights (**\$5,665.80**); Fire (**\$691.36**); Refuse (**\$70,604.25**); Parks & Rec. (**\$10,424.43**); Water (**\$285,467.01.**); Sewer (**\$26,805.65**); WWTP (**\$226,413.25**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$371.02**).

2. Consider award of the hauler contract to the lowest responsive bidder J.P. Mascaro & Sons for either a 3 year/3month contract of \$1,710,300 or a 5 year/3 month contract of \$2,807,772.

Discussion ensued. Ms. Marshall stated her preference for award of the 3-year contract so that Council could focus on a fair-share payment solution in the future. Ms. Welch stated the proposed trash rate increase is intended to cover the contract cost and that the Borough would not be making money on trash. She stated her preference for award of the 5-year contract so the Borough could lock-in the price and realize long-term savings. She added that Council should continue to discuss sustainable options for the future. Borough Manager Aversa noted that the 2010 Ordinance had set the trash rate at \$300 and that in subsequent years the Borough had been able to pass on savings at a reduced rate. Ms. Hertz stated Council should work with residents to incentivize less trash. She noted that residents bear several 'shared costs' including the cost of the Police Department. Mr. DeRuosi stated his preference for a 5-year lock in to a price we know. Manager Aversa stated that during this time should recyclables recover, the Borough could once again pass on savings to the residents. Ms. DiPietro stated her preference for award of the 5-year contract, adding that Council could put new measures into place during the conduct of the contract. Ms. Endicott noted that pricing may be unstable due to the pandemic. She stated she was okay with a 5-year contract award.

3. Consider advertisement of **Ordinance 1116** authorizing an increase in the annual charge for residential refuse collection from \$300 per year to \$440 per year.
4. Consider adoption of **Resolution 2020-05** granting a temporary reduction to \$120 inn 2020 in the collection of the Business Privilege Tax in consideration of the economic hardships resulting from the COVID-19 pandemic.

Discussion ensued. Ms. Endicott stated she would recuse herself from casting a vote since she is a small business owner in the Borough. She encouraged Council, however, to consider adoption of the Resolution cutting the tax to \$120 since business owners are frequently the last to pay themselves. Mr. DeRuosi, Ms. Hertz and Ms. Welch all stated that it would be poor timing and that Council should not raise the trash rate for residents yet decrease the BPT rate for businesses at the same time. Ms. Marshall stated BPT rate reduction was a small thing to do to help businesses out. Ms. Henderson stated that residents are suffering along with the businesses. Ms. DiPietro stated her preference not the reduce the BPT rate for 2020. Borough Manager Aversa stated the tax due date would be extended until December.

5. Consider advertising a Public Hearing to be held on the proposed zoning map change for 24 N. Ridge Avenue from Institutional to R-3 Residential.

In other business the following was reviewed:

1. The Borough Engineer's report was received.
2. The Borough Planning Commission has completed the preliminary energy transition plan in line with the Ambler Borough Ready for 100 Renewable Energy Resolution adopted by Borough Council March 2019.

Discussion ensued. Ms. DiPietro stated the Plan had been distributed to Council and would be discussed at the September meeting. She noted the word “Preliminary” should be removed from the document title since the Borough probably would not require the services of a consultant. She added the Borough had not spent any money for a joint consultant since there was little inter-municipal interest.

Ms. DiPietro asked if there were comments or questions from Council. 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, Ms. DiPietro

The Parks and Recreation Committee report was given this evening by Mrs. Deininger.

The Committee will consider the following action this evening:

1. Consider requesting a grant extension for the Growing Greener Grant.

In other business the following was reviewed:

1. The creation of a Community Garden next spring is being researched.
2. Family Movie Nights have been cancelled for the remainder of the year.

Mrs. Deininger asked if there were comments or questions from Council. Ms. Endicott stated she was aware there had been some bad behavior exhibited at Knights Park. She visited the park recently and noted it was nice to have the increased police presence. Chief Hoffman encouraged residents to call the PD if they experience a situation such as bullying. He encouraged callers to remain at the scene and made a statement to the police. He added that anonymous 911 calls do not help remedy the situation. There being nothing further, it was moved the Committee’s report be accepted as filed. Seconded. Carried.

Salary and Personnel Committee – Mrs. Nancy Deininger, Chairperson

Committee members: Mrs. Siskind, Ms. DiPietro, Ms. Henderson

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

The Committee will consider no actions this evening.

In other business the following was reviewed:

1. Resumes are being accepted for the Water Dept. Superintendent position.
2. Interviews have been scheduled for the vacant Equipment Operator position.

3. Vacancies exist (1 commissioner and 1 alternate) on the Ambler Human Relations Commission. Michele Brooker Lee is moving out of the Borough and has resigned. Residents interested in being considered for appointment should contact the Borough Manager at manager@borough.ambler.pa.us.

Discussion ensued. Solicitor Bresnan stated that a number of communities in the area are establishing HRC's. He stated one long-range goal is for local municipalities which consider sexual identity in local law to put pressure on the state to recognize sexual identity as well.

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

PUBLIC COMMENT

Email Comments:

Dan Theveny of 206 Maida Court emailed Mr. DeRuosi regarding a question on Water Dept. "abandonment." He inquired about whether the water company would be privatized or deregulated. He wanted assurance of clean and safe water. Mr. DeRuosi stated he had responded to Mr. Theveny by email that this was part of the process of forming a Water Authority.

Mr. Anthony Giannetti of 16 Center Street emailed Mr. DeRuosi regarding recent flooding at Locust Street. He asked for more engineering controls and stated that area took on a disproportionate amount of flooding. Additionally, he noted with dismay the massive proposed increase for trash fees.

"Raise Your Hand" Comments:

Mr. Giannetti of 16 Center Street inquired as to the small number of trash bids received. Manager Aversa stated bid documents had been sent to 5 contractors per their request. Solicitor Bresnan stated that in the eyes of the law – state law – two bids is sufficient. This is a formal process. Mr. Giannetti stated it is a 'sticker shock' issue. He stated he receives great service from Mascaro. He stated his preference for a 3-year contract award.

Al DeGennaro, Deputy General Counsel of J.P. Mascaro & Sons stated that for Rockledge and Whitemarsh, Mascaro had been the sole bidder. He emphasized that if a contract award were for only 3 years and then the contract was bid, the 4th and 5th year prices would be higher.

Madge Monser of 372 Forest Avenue encouraged Council to investigate 'pay as you throw' refuse charges. She encouraged Council to 'incentivize trash.' She asked Council to consider carbon-free solutions, she encouraged composting and other actions to achieve a

more sustainable future. Mr. DeRuosi stated Council intends to establish a sub-committee in the future to study these issues and other methods of trash collection and hauling.

Madge Monser of 372 Forest Avenue stated enthusiasm for establishing a Community Garden. She stated it would engage our community and bring our residents together. She suggested using a consultant from “Connect the Dots” to put this all together. Ms. Henderson stated that the Committee did not need to employ an outside consultant, that she would be gathering community input, and that she was an avid gardener.

Wes Pipitone of 149 Rosemary Avenue stated his preference for pay as you throw trash fees and his preference for Council to award 3-year contract. He stated that recycling might be a better financial option in three years.

Aleah Conlin of 203 Locust Street spoke about the flooding at Locust and Center Streets. She asked Council to keep looking for options to alleviate the flooding. Manager Aversa stated there are four or five areas in the Borough that sustain flooding. The recent flood caused the Wissahickon Creek to rise to such a high level that storm drains were ineffective. She stated the Fire Department has conducted boat rescues in this area. Ms. Endicott noted that Council would undertake a Stormwater Management Ordinance review in the fall.

RECOMMENDATIONS

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

Approved at Committee Meeting: A recommendation for adoption of the Emergency Declaration for COVID-19 for the month of August. Seconded. (9-Aye). Carried.

Public Utilities Committee – The Committee recommends and Mrs. Siskind moves:

Consider award for the rebuild of WWTP Clarifier ER-8 to Blooming Glen in the low bid amount of \$24,696. Seconded. All Aye. Carried.

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

Consider that **June 2020 (second run) and July 2020** invoices in the amount of **\$869,847.24** be paid. Seconded. All Aye. Carried.

Consider award of the hauler contract to the lowest responsive bidder J.P. Mascaro & Sons for a 5 year/3 month contract of \$2,807,772. Seconded. 6 Aye-3 Nay. (Nay: Mrs. Siskind, Ms. Marshall and Ms. Endicott). Carried.

Consider advertisement of **Ordinance 1116** authorizing an increase in the annual charge for residential refuse collection from \$300 per year to \$440 per year. Seconded. All Aye. Carried.

DO NOT RECOMMEND adoption of **Resolution 2020-05** granting a temporary reduction to \$120 inn 2020 in the collection of the Business Privilege Tax in consideration of the economic hardships resulting from the COVID-19 pandemic. Seconded. 6 Aye; 1 Nay; 2 Recusals. (Nay: Ms. Marshall. Recusal: Ms. Endicott and Ms. Hertz). Carried.

Consider advertising a Public Hearing to be held on the proposed Zoning Map change for 24 N. Ridge Avenue from Institutional to R-3 Residential. Seconded. All Aye. Carried.

Parks & Recreation Committee – The Committee recommends and Mrs. Deininger moves:

Recommend preparing an Application for a grant extension for the EAC Growing Greener Grant. Seconded. All Aye. Carried.

Salary & Personnel Committee – The Committee will make no recommendations this evening.

PUBLIC COMMENT

Mr. Anthony Giannetti again addressed flooding issues in the Borough. He stated that South Ambler has been ignored and is not a Borough priority. He stated additional engineering controls are needed and that he would like to Borough to take action on this matter.

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

Respectfully submitted,

Elizabeth Russell
Assistant Secretary
Borough of Ambler