

## AMBLER BOROUGH COUNCIL MINUTES

**December 15, 2020**

Ambler Borough Council held their scheduled monthly meeting on Tuesday, December 15, 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. 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, December 14, 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, and Ms. Henderson. 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 November 17, 2020 Zoom Council Meeting and the December 1, 2020 Zoom Committee Meeting. Motion Seconded. All Aye. Carried.

Mr. DeRuosi reviewed ZOOM Meeting procedures for public comment. There will be a Public Comment period regarding agenda items at the end of each Committee report and a Public Comment period regarding non-agenda items after voting.

Mr. DeRuosi stated Council would follow Council's adopted Rules & Procedures, Rule 25 to move forward with selection of a candidate to fill the vacant Ward 1 seat. Mrs. Deininger, chair of the Salary & Personnel Committee announced that two residents had submitted letters of interest requesting consideration for the seat. She stated the candidates are Francine Tomlinson and Karen Sheedy. A Roll Call vote was held. Mrs. Siskind and Ms. Endicott voted for Ms. Tomlinson. Ms. Henderson, Ms. Welch, Ms. DiPietro, Mrs. Deininger, Ms. Hertz and Mr. DeRuosi voted for Ms. Sheedy. Ms. Sheedy received the majority vote. Mayor Sorg administered to her the Oath of Office.

### **COMMITTEE REPORTS**

The Committees of Ambler Borough Council met via Internet vehicle ZOOM on Tuesday, December 1, 2020 at 7:00 p.m. Present: Mr. DeRuosi, Ms. Hertz, Mrs. Deininger, Ms. DiPietro, Ms. Endicott, Mrs. Siskind, Ms. Henderson, and Ms. Welch. Mayor Sorg, Chief Hoffman, Borough Manager Aversa and Solicitor Joe Bresnan were in attendance. Finance Manager Gail Gordon, Code Enforcement Officer Glenn Kucher and Assistant Secretary Elizabeth Russell also were in attendance.

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.

**The Committee will consider no actions this evening.**

**Approved at Committee Meeting:**

1. Consider adoption of the Emergency Declaration for COVID-19 for the month of December 2020. Seconded. (8-Aye). Carried.

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

1. The Police, Fire Department and Community Ambulance reports were received.
2. The Public Works and Code Enforcement reports were received.
3. The Borough's next Red Cross Blood Drive is scheduled for Tuesday, December 22 from 2-7 p.m. in the Gymnasium.

Ms. Endicott asked if there were further 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 – Mrs. Glynnis Siskind, Chairperson**

Committee members: Ms. Welch, Ms. Henderson

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

**The Committee will consider no actions this evening.**

**Approved at Committee Meeting:**

1. Consider award to Eastern Environmental Contractors for the Digester Conversion project at WWTP for the low bid of \$844,400.00. Motion to approve. Motion Seconded. (8-Aye). Carried.
2. Consider purchase of Renewable Energy Certificates (RECs) for the WWTP to make the WWTP's electricity usage 100% carbon neutral with a 24-month agreement quoted at \$13,160.40 per year. Motion to approve. Motion Seconded. (8-Aye). Carried.

3. Consider authorization to contract with Allied Controls at an estimated cost of \$38,000 for SCADA System Upgrades to include software, hardware, licensing and engineering services. Motion to approve. Motion Seconded. (8-Aye). Carried.

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

1. The WWTP engineer's report was provided.
2. 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 were received. An update was provided.

Discussion ensued. Solicitor Bresnan stated that our Harrisburg Attorney Adeolu Bakare, Borough Manager Mary Aversa and he had held a telephone discussion on this matter. Ms. Welsh asked when an Executive Session could be held. It was agreed by Council that an Executive Session on the status of the Authority will be scheduled before the January 5, 2021 meeting.

3. The Borough Solicitor had considered preparing an Ordinance to use Eminent Domain with PennDOT regarding the Butler Main Water Main Project. A permit was granted so the Ordinance will not be required.

Mrs. Siskind asked if there were further 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. Nellie DiPietro, Chairperson**

Committee Members: Ms. Endicott, Ms. Welch

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 **November 2020** invoices in the amount of **\$621,392.54** be paid as follows: General (**\$157,565.05**); Street Lights (**\$515.27**); Fire (**\$0.00**); Refuse (**\$55,873.79**); Parks & Rec. (**\$3,745.37**); Water (**\$108,929.11**); Sewer (**\$10,923.49**); WWTP (**\$283,840.46**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$0.00**).
2. Consider adoption of Ordinance 1118 Fixing the Real Estate Tax Rate for the Year 2021. A Public Hearing was scheduled for this evening.

**Public Hearing** - An inquiry was made by Madge Monser of 372 Forest Avenue. She sought to ascertain whether the Environmental Advisory Council revised budget would be

considered in the 2021 budget. Manager Aversa stated the Finance Department had increased the EAC budget.

3. Consider adoption of Resolution 2020-10 Authorizing Appropriating Specific Funds for Purposes of the Municipality in 2021.
4. Consider adoption of Resolution 2020-11 for Univest authorizing Finance Manager Gordon to make contributions and authorize disbursements for the Pension Plans.
5. Consider Crown Castle Fiber LLC request for renewal of the Right-of-Way Agreement for an additional term of five years.
6. Consider advertising for adoption an Ordinance purposed to define ‘mural’ language.

Discussion ensued. Ms. DiPietro questioned the wording of proposed § 27-2011, 2d. Specifically she asked Solicitor Bresnan whether the wording was sufficiently strongly stated. Mr. Bresnan stated he could not use the language “no curse words” even though this thought is implied in the language.

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

1. The Borough Engineer’s report was received.
2. The EAC 2021 Budget request was received.
3. Council discussed stormwater requirements, specifically the area calculations that triggers stormwater requirements.

Discussion ensued. The Committee reviewed the issues involved with changing the trigger requirements from 1,000 sqft to either 750 or 500 sqft. Ms. DiPietro polled her Committee. Ms. Endicott stated her preference for 500 sqft and Ms. DiPietro and Ms. Welsh stated their preference for 750 sqft. It was noted that in the last two years only two projects involved less than 1,000 sqft. A review of probable burden to homeowners was discussed. Mr. DeRuosi pointed out that any change in square footage would help the situation and would trigger installation of rain barrels or downspouts. Ms. Endicott asked whether new requirements could be phased in or whether initially fees could be waved. Code Officer Kucher stated there is a cost factor for the Borough considering permitting and review requirements. Mrs. Siskind stated her preference for 500 sqft.

**Public Comment:**

Brian Quinn of 323 Valley Brook Road requested that due to the fact that so many properties would be impacted Council delay consideration of stormwater amendments until a time when they could re-engage at public meetings at Borough Hall.

Madge Monser of 372 Forest Avenue highlighted the failure of the recently installed riparian buffer along the Green Ribbon Trail due to runoff upstream at the Rose Valley Creek. She stated the Borough needs a stronger ordinance and stated that the current ordinance must consistently be enforced. She stated that rain gardens are effective measures for stormwater management.

The Committee agreed to continue discussion on this matter and would take no action for consideration this evening.

4. The Solicitor will prepare an Ordinance regarding 2-hour parking limitations on Race Street and possible additional parking limitations/restrictions in the Borough.

Discussion ensued. The Committee will consider enforcement of 2-hour parking limitations and possible additional 2-hour parking limitations for other streets in the Borough as enumerated in the Code of Ordinances Chapter 15, Part 4. Establishment of a residential street parking permit process with distribution of free parking permits will be considered. Ms. Endicott stated that the Committee was in no hurry to make a determination and that they were doing their homework on the issue.

5. Preliminary/Final Land Development Plans to redevelop the existing gas station with a bank at 90 W. Butler Avenue have been reviewed by the Planning Commission. Revised plans will be submitted by the applicant to reflect the Commission's recommendations as well as the Borough engineer and Montgomery County Planning Commission comments.
6. The 2021 Meeting Schedule will be advertised.

Ms. DiPietro asked if there were further 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, Ms. DiPietro

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

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

1. Consider contracting with Red Tail Restoration & Land Management, LLC for 2021 services.

**Approved at Committee Meeting:**

1. Consider adoption of Resolution 2020-09 for grant application from PECO's Green Region Open Space Grant Program for improvements to be made at Ambler Square. Motion to Approve. Seconded. (8-Aye). Carried.

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

1. The Committee is moving forward with plans for creation of a Community Garden next spring. Questions may be directed to Councilperson Jen Henderson at [jhenderson@borough.ambler.pa.us](mailto:jhenderson@borough.ambler.pa.us) .
2. Ambler Borough Planning Commission currently is working on a Parks Plan outlining the future of the Borough Parks System. They will hold several ZOOM workshops in the coming months for each of the parks to solicit resident input and participation in the process. The next workshop will be held December 22 at 6:00 p.m. to discuss Pickering Field.
3. The EAC provided an update on their activities at the December 1 Committee Meeting.

Ms. Hertz asked if there were further 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. Nancy Deininger, Chairperson**

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

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

**Approved at Committee Meeting:**

1. Consider re-appointment of Kia Connelly-Baker to a 3-year term to the Board of Trustees of the Wissahickon Valley Public Library representing Ambler Borough. The Board is comprised of nine trustees and Ambler Borough appoints two of these trustees. Motion to approve. Seconded. (8-Aye)

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

1. Several volunteer committee positions expire at the end of the year. Appointments will be made by Council at the January Meeting for Committee positions with expiring terms which include:

Appeals Board (2 seats – 3 year term); Civil Service Commission Alternate (current vacancy – 4 year term balance); Environmental Advisory Council (2 seats – 3 year term); Human Relations Commission ( 1 seat vacancy – 2 year term balance; 1 alternate seat – 2 year term balance); Planning Commission (1 seat – 4 year term); Vacancy Board (1 seat – 1 year term); and Zoning Hearing Board (1 seat – 3 year term; 1 seat Alternate – 3 year term; 1 seat Alternate – 2 year term balance). Interested candidates

are asked to send a letter of interest and resume to the Borough Manager at [manager@borough.ambler.pa.us](mailto:manager@borough.ambler.pa.us) or by mail to the Borough Manager.

2. Ambler Borough has organized a municipal water authority under the provisions of the Pennsylvania Municipal Authorities Act. Terms for the 9-member Ambler Water Authority Board expiring the first Monday in January 2021 include: one seat from Ambler Borough and one seat from Whitpain Township. Interested candidates are asked to send a letter of interest and resume to the Borough Manager at [manager@borough.ambler.pa.us](mailto:manager@borough.ambler.pa.us) or by mail to the Borough Manager.
3. Interviews have been scheduled for the vacant Public Works Laborer position.
4. An Executive Session was held December 14 to discuss an employee matter.

Mrs. Deininger asked if there were further comments or questions from Council. Ms. Welch asked Solicitor Bresnan whether she should recuse herself in January since her husband's has requested consideration for re-appointment to the Planning Commission. Solicitor Bresnan agreed she should recuse and not vote. There being nothing further, it was moved the Committee's report be accepted as filed. Seconded. Carried.

### **RECOMMENDATIONS**

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

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

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

Consider that **November 2020** invoices in the amount of **\$621,392.54** be paid. Seconded. (9-Aye). Carried.

Consider adoption of Ordinance 1118 Fixing the Real Estate Tax Rate for the Year 2021. A Public Hearing was scheduled for this evening. Seconded. (9-Aye). Carried.

Consider adoption of Resolution 2020-10 Authorizing Appropriating Specific Funds for Purposes of the Municipality in 2021. Seconded. (9-Aye). Carried.

Consider adoption of Resolution 2020-11 for Uninvest authorizing Finance Manager Gordon to make contributions and authorize disbursements for the Pension Plans. Seconded. (9-Aye). Carried.

Consider Crown Castle Fiber LLC request for renewal of the Right-of-Way Agreement for an additional term of five years. Seconded. (9-Aye). Carried.

Consider advertising for adoption an Ordinance purposed to define ‘mural’ language. Seconded. (9-Aye). Carried.

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

Consider contracting with Red Tail Restoration & Land Management, LLC for 2021 services. Seconded. (9-Aye). Carried.

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

Consider appointment of Karen Sheedy to fill the Ward 1 Council seat. Seconded. (8-Aye). Carried.

Consider, as discussed at the prior Executive Session, termination of employment of a Borough employee. Seconded. (8-Aye). Carried. [Ms. Sheedy did not vote since she had not attended the Executive Session the prior day.]

Consider promoting Steven Smallberger to the position of Interim Water Superintendent. Seconded. (9-Aye). Carried.

## **PUBLIC COMMENT**

No further public comment was received.

**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