

AMBLER BOROUGH COUNCIL MINUTES

June 20, 2023

The regular meeting of Ambler Borough Council was held Tuesday June 20, 2023, at 7:00PM at Borough Council Chambers located at 131 Rosemary Avenue Ambler, Pennsylvania 19002.

Council President Siskind called the meeting to order at 7:00 p.m.

Present: Ms. Siskind, Ms. Welch, Ms. Endicott, Ms. Sheedy, Ms. Henderson, Ms. Hughes, Ms. Roecker Coates, Police Chief Jeff Borkowski, Solicitor Joe Bresnan, and Borough Manager Mary Aversa were also in attendance. Mayor Sorg, Ms. Auerbach, and Ms. Forst were absent.

Approval of Minutes: Ms. Siskind made a motion to approve the Minutes of May 17, 2023, Council meeting. Seconded. **7 -Aye.** Carried.

COMMITTEE REPORTS

The Committee of Ambler Borough Council met Tuesday June 6, 2023, at 7:00 p.p. at Borough Council Chambers located at 131 Rosemary Avenue Ambler, PA 19002. Present: Ms. Siskind, Ms. Welch, Ms. Forst, Ms. Sheedy, Ms. Hughes, Ms. Henderson, Ms. Auerbach, Ms. Roecker Coates Ms. Endicott and Mayor Sorg were absent.

The Following Business was discussed:

Finance and Planning Committee – Ms. Nellie Forst Chairperson, Committee Members: Ms. Karen Sheedy, Ms. Lisa Auerbach Ms. Nancy Roecker Coates

The Committee will consider the following recommendations:

1. That the June 2023 bills be paid in the amount of \$2,236,830.30 as follows: General (\$394,080.84); Street lights (\$3,746.48), Fire (\$1,128.75), Refuse (\$60,266.03); Parks & Rec (\$5,515.76); Water (\$1,149,407.87); Sewer (\$17,766.65); WWTP (\$387,031.63), liquid Fuels (417,886.29); Water Capital (\$0.0); Voided checks (\$0.0).
2. **Attached** for consideration was an Ordinance for a residential inspection program for resale properties. The Committee will consider the ordinance for adoption.
3. **Attached** were the bid results for the Edgewood Drive Storm Pipe Grant. A recommendation was requested for a contract reward.
4. The public hearing for Ambler Lakeview Development LP at 9 Maple Avenue Conditional use application was postponed.

Ms. Siskind opened the meeting with #2 on the Finance and planning agenda.

Ms. Welch explained guidelines for discussion.

Ms. Welch recommended that #11207 exterior maintenance #1 be removed from the Ordinance. Ms. Sheedy requested an affidavit for retaining the house number recommendation.

Public Comment

A question was asked regarding inspection, Mr. Bresnan clarified. Ms. Welch explained there would be no vote tonight.

Steve Yavorsky Mattison Avenue asked a voting question.

Ms. Welch moved the discussion to the Lateral and Backflow section of the ordinance.

Ms. Aversa explained details regarding exactly what a lateral inspection is, and that the requirements are not Borough requirements, they are DEP and EPA requirements.

Mr. Bresnan gave an I & I explanation and legal opinion. Ms. Aversa, it is a critical problem. Mr. Bresnan there is no disclosure in the agreement of sale.

Ms. Siskind gave a brief explanation of the wastewater and water systems in the Borough.

Mr. Bresnan explanation of the requirements of the legality in an agreement of sale. Ms. Siskind - the Borough is in the minority in comparison to surrounding municipalities' inspection practices.

Ms. Welch question regarding life term expectancy of new lateral line.

Ms. Aversa and Mr. Bresnan explained the estimate. Ms. Roecker Coates asked a question regarding lateral insurance. Ms. Aversa explained.

Ms. Henderson asked a question regarding an insurance possibility. Ms. Roecker Coates asked a question regarding the state of local repair needs. Ms. Aversa responded. Ms. Siskind commented regarding the time frame for inspections. Mr. Bresnan commented that the Borough cannot stop a settlement. Discussion ensued.

Matt Edgar, School Street asked a sewer lateral question. Mr. Bresnan responded explaining the inspection processes in place. Mr. Edgar made a backflow preventer statement and expresses 4th Amendment concerns.

Christina Pension, North Street expressed concern with the ordinance regarding home sale.

Meghan Briggs North Spring Garden St. Questioned burden on homeowners and not developers. Questioned evaluation process, other communities' ordinances. Ms. Aversa answered Commercial properties are currently inspected every other year.

Christin Decembrino Mattison Ave. voiced that questions and concerns need to be addressed before the ordinance is advertised.

Steve Yavorsky Mattison Ave. Expressed concern that the ordinance poses an undue burden on the property owner. Ms. Aversa explained that inspections need to be done to comply with DEP. Discussion ensued regarding galvanized vs lead pipes, shared sewer lines.

Vince Bevivino Rosemary Ave. made a statement regarding the number of homes in the Borough and the number of homes sold last year. Mr. Bresnan gave comments on the DEP standpoint – the Borough has to prove that it is improving its process. Mr. Bevivino questioned obligation Mr.

Bresnan answered obligation falls on the Seller. Discussion ensued regarding inspection, and sale process. Ms. Aversa explained the process for Borough involvement of repair.

Tim Degnin Church St request for more clarity from Ordinance i.e., public safety. Ms. Aversa explained resident inspection request procedure.

Rachael McGinn N. Spring Garden question regarding lead water main. Opinion was given on Ordinance overreach Ms. Aversa explained insurance coverage.

Frank Dunsmore S. Main St. Agree with some provisions, feels overreach is relevant. Feels flood water and laterals are 2 separate issues.

John Luskin Butler Ave. Clarified backflow needs and requirements and sewer inspection. Opinion on age of Borough sewer infrastructure. Opinion on time frame for inspections. Opinion on water runoff, DEP and EPA – it's necessary for Borough to do something.

Allison Wolf Rosemary Ave. Statement on clean out vent cap and vent. Sewer lateral insurance question.

Jason Ostrowsky Valley Brook Rd. Comment on aging infrastructure. Concern regarding burden on seller and cost. Norristown comparison wants the Borough to be conservative.

John Luskin Butler Ave. explained clean out question posed by Ms. Wolf

Ms. Siskind suggested clarifying sewer lateral verbiage.

Mr. Luskin sewer lateral needs to go further than curb.

Matt Chandler N. Main St. In favor of camera inspection. Experience with sewer brakes.

Mr. Luskin PA 1 call clarification for emergency calls.

Mr. Bresnan clarified storm water capture and municipalities' changing responsibilities. Explained West Chester court ruling on funding impact on municipalities.

David Newdeck Walker Rd. Storm water question. Ms. Aversa explanation of Borough procedure.

Ms. Endicott explained the Watershed is assisting us in meeting EPA and DEP requirements.

Ms. Hughes questioned timing and recourse if the repairs are not made at time of sale – option for a third party? What is the cost? What will the cost be to the Borough if we do not adopt the ordinance?

Ms. Aversa explained the cost will be a minimum of 1/2 million dollars to make necessary repairs. The Borough is trying to mediate the problem with the ordinance at time of sale which will be no tax burden to residents.

Next portion of Council Discussion of Ordinance

Ms. Welch discussion of electrical requirement in ordinance. Her suggestion is to remove panel requirement and change it to an affidavit to require carbon monoxide and smoke detectors.

- Committee agrees.

Ms. Henderson wants to keep the electrical inspection requirement.

Ms. Siskind, the electrical is a public safety issue, but so many more variables are in play that could set homes on fire besides the electrical box.

Ms. Aversa, there is always something we can do, maybe look at rental inspections.

Ms. Hughes, the electrical may be an overreach, remove it and add addendum for smoke detectors and carbon monoxide.

Public Comment

Rosa Chiavecci Walker Rd. agrees with electrical inspections.

Matt Edgar School St. questioned Borough liability?

Public safety discussion ensued.

Mr. Bresnan corrected Health, Safety and Welfare is the correct verbiage, not just Public Safety.

Allison Wolf Rosemary is not in favor of electrical inspection.

Meeting Continues

Ms. Welch continued the discussion of curb requirements.

Ms. Sheedy questioned verbiage.

Ms. Aversa explained the timeline for recommendation and repair and gave reasons why point of sale is the ideal time to inspect and recommend repair.

Ms. Siskind, surrounding municipalities already have the inspection requirement.

Ms. Sheedy posed a question regarding repair timeline.

Mr. Bresnan interjected that the verbiage needs to be changed.

Ms. Roecker Coates interjected approval of Hatfield ordinance verbiage.

Mr. Bresnan clarified the criteria.

Ms. Siskind wants clear language in the ordinance.

Ms. Hughes wants clear concise language to include liability.

Ms. Aversa explained registered complaint and Borough response.

Discussion of liability and complaint ensued.

Ms. Siskind and Mr. Bresnan discussed alleys and inclusion or exclusion in the ordinance.

Public Comment

Bob Epply Forest Ave and Glen Mawr Dr. posed a question regarding trees.

Christine Antonucci Church St. questioned what defines damage.

Ms. Aversa explained repair responsibility, and Borough involvement and payment responsibility.

Discussion of repair and responsibility ensued.

Tim Degnan Church St. questioned need for new ordinance when there is one in place for curb and sidewalk inspection.

Discussion of existing ordinance and responsibility, and location of sidewalks in need of repair in the Borough ensued.

Rachael McGinn Spring Garden Street questioned re-sale certifications, and water company issues.

Ms. Aversa explained the storm water runoff situation.

Discussion ensued regarding the re-sale certification, lead pipes in the Borough and sidewalks. Mr. Bresnan explained the necessity of a property lien of the Borough makes sidewalk repairs.

Dottie Cataldi Belmont Avenue gave opinion on responsibility and ordinance enforcement.

Christina Pension North Street ordinance question.

Ms. Hughes gave her opinion and Ms. Aversa clarified responsibility.

Discussion on time frame to make repairs ensued, Matt Chandler North Main, Jason Ostrowsky Valley Brook.

Kathy Disque Butler Ave. expressed concern over lack of curb at Grisfai Music School on the corner of Butler Ave and Woodland Ave. Questioned responsibility of needed repairs.

Dottie Cataldi Belmont Ave. Voiced opinion regarding July 18th vote possibility.

Ms. Welch gave clarification on the next steps.

Discussion ensued regarding time frame for ordinance, verbiage, and inspection responsibility.

Recommendations

1. That the June 2023 bills be paid in the amount of \$2,036,830.30 be paid. **All aye – 7 carried.**
2. Consideration of a requested residential inspection program for resale properties. The Committee considered advertising for the ordinance. Ms. Siskind called for a 2-minute break.
3. A recommendation was requested for the Edgewood Drive Storm Pipe Grant. **All aye – 7 carried.**

Ms. Welch asked a question regarding the Grant. Ms. Aversa explained the grant vs. the money the Borough has in reserve earmarked for the project. Mr. Yaghooty explained cost average. Discussion ensued. Ms. Aversa clarified the necessity of the project. Mr. Dougherty (Gilmore and Associates Engineers) explained the process for redirection of flood water.

Public Comment

Megan Briggs N. Spring Garden question regarding impact on Rose Valley creek

Mr. Dougherty explained.

Allison Wolf Rosemary Ave question regarding storm water and new apartment units' impact on the system. Ms. Aversa explained that the untreated water is the problem.

4. The Public hearing for Ambler Lakeview Development LP at 9 N. Maple Street for Conditional use approval was rescheduled for July 18, 2023.

Public Safety Committee: Ms. Jennifer Henderson – Chair, Nancy Roecker Coates, Erin McKenna Endicott, and Amy Hughes

The Committee made no recommendations.

The following business was discussed:

1. The police department report was reviewed.
2. The Community Ambulance report was reviewed.
3. The Fire Department report was reviewed.
4. The Public Works and Code Enforcement reports were reviewed.
5. The Amber Borough Police Department received steering wheel locks for Hyundai and Kia vehicles and invited Borough residents to the police station to obtain one.

Ms. Hughes questioned the uptick in police reports. Chief Borkowski gave an explanation.

Public Utilities Committee: Committee Members: Haley Welch - Chair, Erin McKenna Endicott, Amy Hughes, and Karen Sheedy

The Committee made no recommendations.

The following business was discussed:

1. The WWTP Engineers report was reviewed.
2. The Solicitor is working on the lease for T-Mobile on Houston Road.

Parks and Recreation Committee: Ms. Erin McKenna Endicott – Chair, Jen Henderson, Haley Welch, and Lisa Auerbach

The Committee made no recommendations.

The following business was discussed:

1. A presentation from Bird Town PA was made by Tom Voter from Wissahickon Watershed. Ms. Endicott tabled discussion for the next meeting.

Ms. Sheedy requested revisiting the dog leash rule for the parks. Ms. Siskind and Ms. Aversa outlined the time frame for inclusion on the agenda.

Salary & Personnel Committee: Committee members Ms. Karen Sheedy – Chair, Haley Welch, Nellie Forst, and Jen Henderson.

The Committee will make no recommendations.

The following business was discussed:

1. Below is a list of vacancies for the following appointed positions:
 - **Appeals Board** (3-yr term) 1- seat.
 - **Environmental Advisory Council** (3-yr term) 2 seats.
 - **Human Relations Committee** (3-yr term) 1 seat.
 - **Civil Service Commission (Alternante)** 1 seat.
 - **Zoning Hearing Board (Alternates)** 2 seats.
2. The vacant Water Department Operator positions have been accepted by Michael Aristoklis, Daniel Fantini and Stephen Welsh.
3. The vacant Wastewater Mechanic Position will be advertised. Resumes are being accepted.

Ms. Siskind gave a public thank you to all involved in the Art and Music Fest on June 16th and 17th.

Public Comment

John Luskin Butler Ave brought up a parking problem at the Laundromat and CVS Pharmacy entrance.

Chief Borkowski gave explanation of Ambler PD possible enforcement.

John Luskin also commented on need for no parking signs on Hendricks St.

Katie Kirszenblat Butler Ave. gave testimony to accidents and parking issues on Hendricks St. and parking at CVS.

Discussion ensued.

Megan Briggs N. Spring Garden complained of exceptional speeding on her street.

Chief Borkowski will investigate.

Allison Wolf Rosemary asked for clarification on the discussed ordinance and questioned draft timing. Ms. Siskind replied - at the next meeting we can possibly expect revisions with request to advertise.

Matt Edgar School Street expressed concern regarding public safety at events.

Liz Wahl Kunzier AMS replied that processes are in place.

Terri Williams Ambler PD gave thanks for the Juneteenth event.

There being no further public comment or other business, Ms. Siskind moved the meeting adjourned. 7-**AYE**

Respectfully submitted,

Elizabeth Wahl Kunzier

Assistant Secretary

Borough of Ambler