

BOROUGH OF NORTH WALES  
 300 SCHOOL STREET  
 NORTH WALES, PENNSYLVANIA

MEETING: April 11, 2017 7:05 PM, EST

CALL TO ORDER made by President McDonald.

ROLL CALL:	Salvatore Amato	Present
	James Cherry	Present
	John Davis	Present
	Michael McDonald	Present
	Sally Neiderhiser	Present
	Daniel O'Connell	Present
	Paula Scott	Present
	Mark Tarlecki	Present
	James Sando	Present
	Mayor Gregory D'Angelo	Present

Also in attendance was Gregory Gifford, Borough solicitor, Alan Guzzardo, Assistant Manager and Chief Fantry.

President McDonald led the Pledge of Allegiance.

### **Public Comment**

Linda McAdoo, 412 Shearer Street, spoke about redistricting reform in Pennsylvania regarding changes to Congressional and State districts. Mrs. McAdoo presented a detailed presentation expressing a need for redistricting reform. She asked Council to pass a resolution supporting redistricting reform within the Commonwealth. President McDonald thanked Mrs. McAdoo for her presentation and advised her Council would take her recommendations into consideration.

Member Amato asked that if there were a problem with district boundaries, could someone file a lawsuit with the PA Supreme Court? Linda McAdoo replied, yes, people can file suit with the PA Supreme Court, however, it places a financial burden on the plaintiff. Member Sando spoke about a private music teacher from the Allentown area that filed suit against the State for the district boundaries and won. However, the lines were moved so slightly that it did not make a difference. Member Amato explained that the 7<sup>th</sup> Congressional District is a perfect example of an unfairly drawn district. He supported Council looking into the matter and adopting a resolution in support of redistricting reform. Linda McAdoo explained that not only is a resolution necessary, citizen input is necessary especially at this time while the district boundaries are being redrawn. Member Davis asked how often redistricting efforts are completed. Mrs. McAdoo stated they are revisited every ten years.

Austin Armstrong, 517 E. Prospect Avenue, also opposes the current district lines. He stated that, "politicians choose their voters, instead of voters choosing their politicians". He referenced a current court case that could offer a mathematical model for testing the fairness of district lines.

Andrew Berenson, 439 Washington Avenue, asked Mrs. McAdoo about a possible independent commission, specifically how long would they serve, and how would members be chosen. Linda McAdoo explained that members could serve for ten years and must be chosen at random.

Solicitor Gifford explained someone did file a suit in the State, but there has been little change. Gifford stated that there is currently a bi-partisan federal committee dealing with this issue. They pick 11 names out of 11,000 people at random. It was created to ensure that minorities have fair representation. He also stated that no one has appealed our county's district map because both political parties are satisfied with it. Linda McAdoo explained that both parties have extensive amount of funding to deal with redistricting reform.

Rebecca Clift, 252 N. Third Street, asked if there is anything that can be done to change the 7<sup>th</sup> Congressional District boundaries. Solicitor Gifford explained that nothing can be currently done to change those boundaries because the time to appeal the lines has already passed. He explained that nothing can be done until 2020, the next time the district boundaries are reconsidered. President McDonald encouraged people to reach out to their State Representatives to express their concerns about political district lines.

Brian Clift, 252 N. Third Street, received a letter from Chief Fantry regarding parking in the Borough parking lot. He asked why people are no longer able to park in the Borough parking lot and would people be able to sign a liability waiver, or pay a monthly fee to use the Borough parking lot. Solicitor Gifford explained that he will look into the issue and report back at a later time. Mr. Clift thanked the Chief for helping to get a disabled parking space for his wife. Manager Hart asked that anyone in the audience who has the same concern as Mr. Clift to put their name and contact information on a list, located on top of the podium. She explained that the Borough would reach out to those people at a later date to discuss the issue.

### **Consideration: Appoint Zoning Officer**

Member Tarlecki made a motion to replace David Jones of Boucher and James, the current Zoning Officer and appoint Assistant Manager Alan Guzzardo as Zoning Officer. Member Scott seconded the motion. Motion passed 9 yes, 0 no.

### **Consideration: Montgomery County Tax Collection Committee Appointments**

Manager Hart explained since Act 32 was passed, each County within Pennsylvania must have a Tax Collection Committee comprised of representatives from each municipality. Currently, Nate Dysard is listed as the primary voting delegate, she was listed as the second member and Council Member Tarlecki is listed as the third member. She explained that herself and Assistant Manager Guzzardo should be listed as the first and second members, followed by the Council President as the alternate or third member, since Member Tarlecki is not seeking re-election this year.

Member Scott made a motion to approve Manager Hart's recommendations regarding the Montgomery County Tax Collection Committee appointments. Member Neiderhiser seconded the motion. Motion passed 9 yes, 0 no.

**Consideration: On-Street Handicap Parking Spot – 252 N. Third Street**

Barbara Clift, 252 N. Third Street, applied for a handicap parking space due to her hip replacement surgery which has made it difficult for her to walk short distances. President McDonald asked if Chief Fantry has looked into the proposal to determine if it is possible. Chief Fantry stated he had no issues with Council approving the space. President McDonald reminded Mrs. Clift that the parking space would not be exclusively for her.

Lisa Hager, 250 N. Third Street, commented that parking in this area is already so limited. She explained that she already has to park several blocks away and this handicap parking space would eliminate a potential parking space for her family and others in the area. Council explained that the space is temporary and would be available for other handicap people to use. Member Tarlecki suggested that a feasibility study be done to see if parking in the Borough parking lot could alleviate parking issues in the area. Member Scott asked if that area requires parking permits and whether all those vehicles have permits. Chief Fantry confirmed it is an area that requires parking permits and all those vehicles have permits. Member Davis asked if the Borough could look into allowing parking on Beaver Street.

Rebecca Flannery, 405 School Street, expressed her concern about cars speeding on Beaver Street because there is a bus stop. She asked if there was anything the Borough could do to reduce speeding and improve safety. Chief Fantry stated the police already perform speed checks on Beaver Street. He stated that it has made a difference and the police are limited in how often they can monitor the area. Mrs. Flannery asked if a stop sign could be installed at Beaver Street and 4<sup>th</sup> Street. Chief Fantry explained that it would require a PennDOT study and their approval. President McDonald suggested that she contact the school district to change the bus stop location. Member Amato asked if speed bumps could be placed on Beaver Street to reduce speeding. Manager Hart explained that two crosswalks have already been installed on Beaver Street. She explained that perhaps we could improve those crosswalks through flashing signals and other traffic calming measures to help reduce speeding even further.

Member Neiderhiser made a motion to approve an on-street handicap parking space at 252 N. 3<sup>rd</sup> Street. Vice President Cherry seconded the motion. Motion passed 9 yes, 0 no.

**Consideration: Approval of Minutes, September 13, 2016 and December 13, 2016**

Member Scott made a motion to approve the minutes of September 13, 2016 and December 13, 2016. Member Neiderhiser seconded the motion. Motion passed 9 yes, 0 no.

**Consideration: Release of Escrow – 715 E. Walnut Street Sub-Division, #1**

Manager Hart requested that escrow in the amount of \$24,315.75 be released for Lot 1 of the 715 E. Walnut Street Subdivision, which is ready to be occupied. President McDonald asked why the Borough has not yet received the \$4,000 amount that has been set aside for tree plantings. Manager Hart explained that those funds are not transferred over to the Borough until the project has been completed to ensure that the improvements have been made. Vice President Cherry explained that funds are still owed to the Borough for a newly built house on E. Prospect Avenue. Manager Hart explained that the funds are received, but are placed in a different

account. Member Sando asked if the Borough is in a position to demand funding up front for plantings. Manager Hart stated the Borough can do that, but she cautioned that it has to be done properly. Solicitor Gifford explained that municipalities will take escrow funds at different times during the subdivision and land development process. Manager Hart suggested that the Council be cognizant of escrow funds in the Borough's financial statements. Manager Hart explained that escrow funds need to be accounted for monthly. Borough staff is working very hard to streamline the escrow account process.

Member Amato made a motion to approve an escrow release in the amount of \$24,315.75 for Lot 1 of the 715 E. Walnut Street Subdivision. Member Scott seconded the motion. Motion passed 9 yes, 0 no.

### **Discussion: Animal Ordinance, Chapter #90 – Amendments/Revisions**

Manager Hart introduced the topic and the status of the animal ordinance update. She mentioned that the Borough is in favor of removing the restriction of people owning chickens in the Borough and the provision that deems the Borough Manager as Animal Control Officer. She recommended that the Council discuss whether or not to adopt provisions from several different animal ordinances.

Member Amato asked about the concern of wild dogs roaming the Borough. Manager Hart explained that the State Dog Warden has jurisdiction over controlling dogs. Manager Hart explained that there are two primary issues that need to be addressed through the animal ordinance update; feral cats and whether the Borough can enforce the provisions mandated by the ordinance. Member Amato asked if the Borough could be held liable if an owner's animal gets loose and attacks an individual. Solicitor Gifford replied, No, the Borough could not be held responsible. A discussion ensued regarding the sample animal ordinances.

Andrew Berenson, 439 Washington Avenue, asked what the standard would be for not disturbing other people. Solicitor Gifford explained that it would be similar to disturbing the peace, meaning the noise has to be "unreasonable."

Linda McAdoo, 412 Shearer Street, explained that people living in denser areas may have a problem with people owning chickens because they live in close proximity to each other. Manager Hart explained that restrictions would need to be put in place to handle those types of issues. A lengthy discussion ensued regarding restrictions for owning chickens.

Member Sando made a motion to approve the Animal Ordinance, Chapter 90 revisions and advertisement. Member Tarlecki seconded the motion. Motion passed 9 yes, 0 no.

### **Old Business/Committee & Board Reports/Zoning Applications**

Manager Hart announced that two HARB applications were filed and will be consideration items for the next Council meeting.

### **Solicitor/Mayor/Council/Manager**

Mayor D'Angelo announced that a system is being established to allow for elderly citizens to request assistance as needed for things such as snow removal, landscaping, and other miscellaneous tasks that they are unable to complete.

President McDonald read a letter that explained the background of the Cecil K. Leberknight Award, which Member Tarlecki was awarded at this year's PSAB's conference. Member Amato requested that Borough Boards and Commissions provide updates on their actions. Manager Hart explained she has already requested that the Boards and Commissions provide updates on their actions and will send reminders. Member Sando requested that the Borough move forward with beautification efforts on Main Street and Walnut Street. Vice President Cherry recommended that trees along Main Street be trimmed or be removed and new trees be planted, he indicated that he would reach out to both the Parks and Recreation Board and Shade Tree Commission for assistance.

Manager Hart announced that the Borough is stepping up efforts in Code Enforcement and Property Maintenance. She presented a sample door hanger notice that will be utilized by the Borough to help improve these areas. She explained that the Borough is going to be focusing more on improving sidewalks through both resale and rental inspections. Member Davis agreed that sidewalks are indeed an issue, but also stated that rentals are a problem as well. Manager Hart commented that beautification efforts are part of the Comprehensive Plan update. She also noted that property owners on Main Street can trim trees that have been planted by the Borough. She also announced the local Girl Scout Troop is going to be planting corner planters, which businesses along Main and Walnut Streets have agreed to water as needed. She also explained that the Borough is considering selling old, outdated public works equipment that is no longer being utilized on Municibid.

Solicitor Gifford announced that there is a personnel item for executive session, which will require action. He stated Council will reconvene after the session.

Member Scott made a motion to adjourn. Member Amato seconded the motion. Motion passed 9 yes, 0 no. Meeting adjourned at 8:53 P.M.

### **Council Reconvenes**

Council reconvened at 9:37 P.M. Council announced that the personnel item discussed in executive session required a vote by Council. Member Scott made a motion to approve the hiring of Robert Seville and Abdenour Fahem as part-time police officers for the Borough. Member Neiderhiser seconded the motion. Motion passed 9 yes, 0 no.

Council adjourned at 9:40 P.M.

Attest: \_\_\_\_\_

Christine A. Hart  
Borough Manager