

BOROUGH OF NORTH WALES
 300 SCHOOL STREET
 NORTH WALES, PENNSYLVANIA

MEETING: January 13, 2015 7:00 PM, EST

CALL TO ORDER made by President McDonald.

ROLL CALL:	Jim Cherry	Absent
	Michael McDonald	Present
	Sally Neiderhiser	Present
	Daniel O'Connell	Present
	Ed Redstreak	Present
	Christine Hart	Present
	Paula Scott	Present
	Mark Tarlecki	Present
	Jim Sando	Present
	Mayor Greg D'Angelo	Present

Also in attendance was Gregory Gifford, Borough solicitor.

President McDonald led the Pledge of Allegiance.

Public Comment

Rosemary Schlegel, 301 W. Montgomery Avenue, said she was talking to Jayne Blackledge at the library today and she asked Mrs. Schlegel to mention at the Council meeting that someone had shot a BB through the library window again. Mrs. Blackledge said this had happened before and she was pleased with the police. Mrs. Schlegel said as a member of the library and a resident of the neighborhood she thought the public should be aware and watch for someone with a BB gun. Interim Manager Levy said the police are aware of it and have canvassed the neighborhood with negative results.

Herb Kavash, 516 Summit Street, said he was here to support Donna Mengel's reappointment to the North Wales Water Authority Board. She is a valuable member of the board. She is an astute business woman and a great asset to the board.

Frank Kreider, 602 Spruce Street, wanted to know what is happening with the water problem he has. President McDonald said we don't have anything to report. Member Hart said maybe when the chief meets with public works tomorrow; he can check with them and report back.

Acceptance of Resignations from Boards and Commissions

Member Hart said a letter of resignation was submitted by Herb Schlegel. He has served on the History Commission for ten years and he hopes the vacancy will create a position for a younger

person to be appointed. She said it has been a pleasure serving with Mr. Schlegel. He is like a Boy Scout. He always comes prepared.

Member Hart made a motion to accept the resignation of Mr. Herbert Schlegel from the History Commission. Member Tarlecki seconded the motion. Motion passed 8 yes, 0 no.

Member Hart said Mr. Vincent submitted a letter of resignation from the Civil Service Commission. He has served on the commission for six years. He was a very valuable and steady person on the commission.

Member Hart made a motion to accept the resignation of Robert Vincent from the Civil Service Commission. Member Redstreak seconded the motion. Motion passed 8 yes, 0 no.

President McDonald read Michael Greco's resignation letter. Member O'Connell said he was sorry to see these resignations. We are losing valuable resources.

Member Hart made a motion to accept Michael Greco's resignation letter from the Zoning Hearing Board. Member Scott seconded the motion. Motion passed 8 yes, 0 no.

Consideration: Appointments to Boards and Commissions

President McDonald said we will do the mandated appointments and the other appointments will be done at the next meeting. This will give people an opportunity to submit their letter of interest.

Sal Amato, 201 S. Tenth Street, asked where the list of vacancies was. Member Hart said it is on the web site.

Member Hart said Mr. Schlegel has served as alternate on the Civil Service Commission and with Mr. Vincent's resignation, it seems appropriate to appoint Mr. Schlegel. Mr. Vincent said he would serve as alternate. He did not send a letter.

Member Hart made a motion to appoint Herbert Schlegel to the Civil Service Commission. Member Redstreak seconded the motion. Motion passed 8 yes, 0 no.

Old Business/Committee Reports/Zoning Applications

There was no old business.

Solicitor Gifford reported that the attorney for 501 E. Walnut Street had sent a request for a continuance.

Interim Manager Levy said the zoning application for E. Prospect Avenue has been approved. It permits a two lot subdivision of the property with each lot having 7,900 square feet. The second one on Fairview Avenue was granted permission to turn a garage into an in-law suite with deed restrictions.

President McDonald said the Personnel Committee met and January 15 is the deadline for applications for Borough Manager. The interview process will begin next week. At this point we have some excellent candidates.

Member Hart said the North Wales Pharmacy is closing on January 24th. She thinks this will be a detriment to the community to see them go. She did not know if we could write a letter to keep it open. Member Redstreak said he spoke to the manager. It is not a matter of sales but the liability as far as renovations and repairs to the building. Member Hart said it is important to keep the pharmacy in this community. A discussion ensued regarding contact with Giant's corporate office. Solicitor Gifford said Council should make a formal motion to draft a letter to Giant.

Member Hart made a motion to draft a letter of support for keeping the pharmacy open in North Wales Borough. Member Tarlecki seconded the motion. Motion passed 8 yes, 0 no.

Discussion: Extension of Safe Routes to School Project

Solicitor Gifford said they have basically requested an extension of the contract. He said the acting manager should send a letter granting the extension, contingent on the fact it will not impact or cause loss of the grant. President McDonald asked if this would cause a hardship for the residents. Solicitor Gifford said the closing of St. Rose has changed the scope and dimension of the Safe Routes to School plan. He thinks it is a reasonable request. Interim Manager Levy was asked to send a letter.

Review and Release of Payment to Reamstown Excavating

Member Hart said we had approved payment in December, and then we held it back. She had asked the manager to get a complete account history and make sure all the bills were in order. Interim Manager Levy then drove around to check that the work was done. This is one complete payment. A discussion ensued regarding payment and the amount of retainage. Solicitor Gifford said the engineer has reviewed and recommended the amount to be released. Under the contract, the Borough could be penalized if payment is not made.

Member Hart made a motion to release the payment to Reamstown Excavating in the amount of \$149,787.46. Member Redstreak seconded the motion. Motion passed 8 yes, 0 no.

Discussion: Deputy Tax Collector

Solicitor Gifford said there is a new house bill that all municipal tax collectors are obligated by law to appoint a deputy tax collector. This is to ensure that taxes are collected, if the tax collector is incapacitated due to illness or other reasons. Because the tax collector has to be certified, most municipalities are appointing each other's local tax collector as a deputy so that there is someone in place. Our tax collector decided to appoint Jane Murray, who is the tax collector for Upper Gwynedd Township. Her appointment must be approved by the Borough.

Member Tarlecki asked what the term of the deputy tax collector is. Member Hart said that was not addressed. A discussion ensued about the deputy tax collector bill. Solicitor Gifford said there was an incident several years ago where a tax collector was ill and taxes were not being collected; that is why they implemented the bill.

Andrew Berenson, 439 Washington Avenue, asked if the deputy had to accept the appointment. Member Hart responded yes, there is a form they have to sign and Jane Murray did sign the form.

Member Scott made a motion to approve the appointment of Jane Murray as Deputy Tax Collector. Member Hart seconded the motion. Motion passed 8 yes, 0 no.

Consideration: Continuance for 501 E. Walnut Street

Solicitor Gifford wanted to point out that this was continued. At the last meeting, the property owner came in and presented a plan to Council and Council gave them feedback. They are looking for any additional comments that Council may have. He had thought that Council basically told them there were too many units and more parking was needed. Also, they should consider doing some shops or reduce it in size and scope. Is there anything specific Council would like him to convey to the property owner? President McDonald said we would advise them to listen to what the public had said. Member Hart asked do we have to grant a continuance. If this continues, the building will continue to deteriorate. At what point can the zoning laws be enforced. Solicitor Gifford said they can be enforced at any time. President McDonald said that is more of a property maintenance issue.

Member Sando said the entire community has stated their position. The community is not looking for something with a lot of units. Member Scott said that it was incorrect to say the entire community because there were only a few people present.

Beth Ann Sinotte, 703 Church Street, said isn't what they are proposing based on the TOD zoning being passed. Shouldn't they wait until it is passed? Solicitor Gifford said a zoning hearing has nothing to do with TOD. Their application before the Zoning Hearing Board is for variances. Council is dealing with land development.

Donna Mengel, 427 S. Main Street, asked how many variances and special reliefs are they requesting. Member Hart said there were seven variances and two special exceptions. Andrew Berenson said the condition of the property is not something that comes under the Zoning Board's purview. Member Hart said she spoke out of context. Ms. Mengel asked if SEPTA had subcontracted parking with them because that lot is full of cars. Member Hart said not that we are aware of. A discussion ensued regarding the request for a continuance of the hearing. Solicitor Gifford said he needs direction of what Council wants to do. Member Scott said to tell them to refer to the minutes.

Perry Francis, 125 W. Walnut Street, said he has been reading the zoning ordinance. There is a section about density. In the TOD District, for one acre you can have thirty units. They have .6 of an acre which allows 19.8. They knew it was a residential district.

Herb Schlegel, 301 W. Montgomery Avenue, said he thinks Council should give them a couple of options. He asked if the developer could sue the town for not granting what he wants. Member Hart said anyone can sue. We cannot stop them. Everyone has a legal opinion. She said they are asking for a lot. Mr. Schlegel said you could give them some options. Member Hart explained the problem with options; we may be putting ourselves up against the wall. They should go before the Zoning Hearing Board.

Tiffany Maclean, 517 Summit Street, said while she does not like the idea of apartments in a high traffic area, she hates vacant properties just as much. She said the public needs to be informed. This is the first time she has heard about this and wanted to know how to find out about other things that are happening in the Borough. The Borough needs to get information out to the residents.

Mrs. Sinotte said to the solicitor that it is her understanding that they are applying for a variance. When other people are asking for a variance, a letter goes out to the people in the neighborhood. They pay for a hearing and people get to voice their opinion. That is what should be done here. We gave our opinion; they should do what everyone else does. Solicitor Gifford said there are two parts to this: one is the Zoning Hearing Board and the other is land development, which is currently before Council. Council has to make a decision on the land development plan. Zoning is separate. There is a separate land development plan pending in front of Council that they need to address. By the next meeting, Council has to make a decision to deny the plans or tell them to come back with new plans.

Greg Lord, 327 S. Fifth Street, asked if he understood correctly, that Council was not going to give this corporation other options. How did it get this far? President McDonald said they are denying the plans that were submitted and if they want they can submit another plan. Everyone has the right to submit a plan.

Tiffany Maclean asked for clarification about whether all land development plans are denied. President McDonald said land development has to go through the proper channels. He said we want development that will enhance the Borough.

Joanne Matthews, 421 Shearer Street, said it was said earlier this evening that this was not solicited enough. It has been in the paper numerous times and on the website. People just need to look at those options.

Andrew Berenson, 439 Washington Avenue, asked the solicitor if they complied with all aspects of the demolition permit. Solicitor Gifford responded they have not.

Member Sando made a motion to deny the land development plans as submitted to the Borough and if they chose, they may submit a new plan. Member Tarlecki seconded the motion. Motion passed 8 yes, 0 no.

Consideration: Authorize Advertisement of Meeting Dates for Council, Boards and Commissions

President McDonald said in front of us we have a list of the 2015 Council meeting dates. Member Hart said we had discussed this when Mr. Dysard was here but it was not advertised. We do need to do one publication of all meetings. She said the History Commission is requesting to change their meeting from the 3rd Monday to the 3rd Tuesday. Mr. Berenson pointed out that in December it would conflict with the Council meeting. Ms. Matthews said they usually tour a house in December and depending on the availability of the host is what night it is.

Member Tarlecki made a motion to advertise the meeting dates for Council, Boards and Commissions with a change in the meeting day of the History Commission from the 3rd Monday to the 3rd Tuesday. Member Redstreak seconded the motion. Motion passed 8 yes, 0 no.

Consideration: Inter-Governmental SWAT Agreement

Interim Manager Levy said the first order of business is to dissolve the former regional SWAT team, the North Penn Area SWAT Team, which was made up of eleven municipalities in this area. Then approve joining the Central Montgomery County SWAT team, which is made up of 25 communities. We do not have any SWAT operators. Our fee will go from \$4,000.00 to \$2,500.00 a year.

Ms. Mengel asked what happens to the assets. Chief Levy said we do not own anything. The money will be retained to offset future annual fees of the original North Penn Tactical Team members.

Member Hart made a motion to dissolve the North Penn Regional Tactical Response Team in order to join the new Central Montgomery SWAT Team by an Inter-Governmental SWAT Agreement. Member Scott seconded the motion. Motion passed 8 yes, 0 no.

Member Hart made a motion to approve the mutual aid agreement for Central Montgomery County SWAT Team and authorize the chief to sign the mutual aid agreement. Member Scott seconded the motion. Motion passed 8 yes, 0 no.

Solicitor/Mayor/Council/Manager

Solicitor Gifford said he had two matters for executive session with no vote required.

Mayor D'Angelo said he wanted to clarify Herb Schlegel's comment in his resignation letter about resigning so that a younger person could take over. He didn't say a young person. The fact remains that Mr. Schlegel is a young person.

Member Tarlecki said a resident, who lives at Fourth and Summit Streets, approached him about the warning tickets. She often parks on Summit during the school day. She was parked the right

way but when it changes to one way during school hours she got a ticket for parking the wrong way. He wanted to know if this has been addressed. Chief Levy responded yes.

Member Scott said she has a high regard for the NYPD and what they have been going through made her think that our department needed a pat on the back. She thanked them for their work. She said she feels safe, secure, and well taken care of.

Member Hart said she received a thank you from the North Wales Area Library regarding the \$20,000.00 they received. It is really to all the residents because it is tax millage. She also said that Council was notified by the water authority of the appointment of Bradley Fischer as Director of Engineering and Operations. She thanked the authority for informing Council.

Member Sando thanked the History Commission members for stopping by in December.

Member Redstreak said when he started 3 ½ years ago, he was told appointments to the boards and commissions were highly political. When Bob Bender was told we were not doing them tonight, he commented it does not matter whether you are a Republican or a Democrat as long as you are doing a good job.

President McDonald said a lifelong resident of the Borough, Horace Madtes, has passed away. He was a true member of the community. He was a tremendous contributor to the fire department and the town. Remember to keep him and his family in your thoughts and prayers.

Ms. Matthews said it is impressive what the fire company does when one of their members passes. They took Horace away in Bertha past the firehouse and everyone saluted, with the siren blowing as a last call. Member Hart said Horace served the fire company for 68 years. He walked everywhere and he knew where all the hangouts were. He would tell you if you were doing something right or wrong. Mayor D'Angelo said when he had the pleasure of meeting Horace; he told me his wife was from Norristown. Back in the day a trolley ran from North Wales to Norristown, on Saturday night sometimes the trolley operator waited for him. If he missed the trolley, he would walk down DeKalb Pike back to North Wales. Ms. Mengel said we should honor people before they die. She felt bad that Dallas Hartman was acknowledged after he died. It means more to their family before than after their death. So many people have made a difference.

Interim Manager Levy said he gave Council the December report for 2013 and 2014. He said there is not a lot of serious crime in North Wales Borough.

Member Hart made a motion to adjourn. Member Scott seconded the motion. Motion passed 8 yes, 0 no. Meeting adjourned at 8:40 PM.

Attest: _____
Alex H. Levy
Interim Borough Manager