

Borough of North Wales
300 School Street
North Wales, Pennsylvania, 19454

MEETING: July 14, 2015 7:00 P.M. EST

CALL TO ORDER made by President Michael McDonald

ROLL CALL:	Michael McDonald, President	Present
	Christine Hart, Vice President	Present
	James Cherry	Absent
	Sally Neiderhiser	Present
	Daniel O'Connell	Present
	Ed Redstreake	Present
	James Sando	Present
	Paula Scott	Present
	Mark Tarlecki	Absent
	Greg D'Angelo, Mayor	Present

Also in attendance were Gregory Gifford, Borough Solicitor, and Chief Alex Levy.

President McDonald led the Pledge of Allegiance.

Public Comment

Linda McAdoo, 412 Shearer Street, said she sent Member Hart an e-mail, requesting that in the future the neighbors be notified when there are proposed plans for development and sub-division. President McDonald said things related to the Zoning Hearing Board should be brought up with them. Mrs. McAdoo responded this is for a sub-division and development, not zoning. President McDonald said Council would take under advisement anything they can to make the process work quicker. Member Hart said she will address it at Council Comments.

Discussion: SLDO Waivers for 912 E. Prospect Ave

David Caracausa said the proposed sub-division is at the corner of E. Prospect Avenue and Tenth Street. The property is currently zoned A-Residential. The lot size is about 15,000 square feet. He said he is proposing to sub-divide the property in half. All existing structures on the property will be demolished and two new single family dwellings will be constructed. The lot sizes would be approximately 7,500 square feet and currently in A-residential 9,000 square feet is required. Across the street is zoned B-residential, that requires only 7,000 square feet. He said they meet all the setback requirements, for front, side and rear yards. The waivers he is requesting are for the sidewalk on East Prospect Avenue; a waiver of six trees; the 400 foot existing features; and a driveway depression waiver on E. Prospect Avenue. Member Redstreake asked if the front of the properties would be on E. Prospect Avenue. Mr. Caracausa replied that is

correct. He said he has the County and Borough's Planning Commission recommendation for approval.

President McDonald asked Amy Montgomery, the Borough engineer, to weigh in on the proposal. Amy Montgomery said in the past when a tree waiver has been granted, the Borough has asked that the additional trees be planted somewhere else in the Borough. As far as the sidewalks and the driveway aprons, Ms. Montgomery said there was a deferral across the street. It will be Council's prerogative as to how they want to proceed; whether to require that sidewalk now, or permit it as a deferral. She said she would recommend the waiver for the existing features within 400 feet.

President McDonald said that currently there is no sidewalk on that side of E. Prospect Avenue until you go further down.

Chief Levy said he felt that from a public safety perspective, any new construction should be required to have sidewalks. Even though it will be a sidewalk that leads to nowhere, it is a start.

President McDonald said as a point of clarity, the plans have been approved by the North Wales Zoning Board, the Montgomery County Planning Commission and the North Wales Planning Commission. President McDonald asked that Council require the remaining trees be placed in the parks. Member Hart said in the past, if the Borough could not plant the trees, a monetary amount was put aside for future plantings. She said she would be willing to do that.

Member Hart made a motion to approve waivers Items 4 (nine trees be planted on the property and six trees allotted to the Borough) and Item 5 as stated. Member Scott seconded the motion. Member Hart said her motion does not include Items 2 or 3, which will require the builder to install sidewalks. Motion passed 7 yes, 0 no.

President McDonald asked if there was a motion to approve Items 2 and 3. A discussion ensued regarding the sidewalk waiver. No one made a motion to waive the sidewalk requirement.

Solicitor Gifford asked Ms. Montgomery to go over the sub-division plan review letter that she e-mailed to Manager DeMeno earlier today. It was determined that Council did not have a copy of her letter. The meeting was paused while Manager DeMeno retrieved the letter from his office. Once Council had a copy of the letter in front of them, Ms. Montgomery went over the items she had listed in her review.

Mr. Caracausa said that he agreed to comply with all of the recommendations. Member Hart asked Ms. Montgomery if she had reviewed the storm water management. Ms. Montgomery said it was in compliance with the Borough Ordinance.

President McDonald asked if there were any other comments. Member Sando stated he was not happy having all of this thrown on them all at once and not having any prior review.

Member O'Connell made the motion to approve SLDO for 912 E. Prospect Avenue. Member Scott seconded the motion. Motion passed 6 yes, 1 no.

Discussion: Permission to Advertise Bamboo Ordinance

Manager DeMeno said there were multiple residents complaining of bamboo growing on their property, which is originating from a neighbor's property. He said he took it upon himself to look at other Boroughs that are having similar issues. An ordinance would allow us to insist that anyone who plants bamboo or has an existing plant on their property within ten feet of their property line, remove it at their cost. Furthermore, any new planting of bamboo would be prohibited. Manager DeMeno said bamboo causes a lot of damage and is very costly and difficult to remove.

Member O'Connell asked if the ordinance is based on other municipalities; which one is it drawn from. Manager DeMeno said it is from a number of them, he used what was useful for us and tailored it for North Wales. A discussion ensued about the ordinance and bamboo being invasive and very difficult and expensive to remove. Manager DeMeno said the ordinance is not perfect but the other option is to allow bamboo to continue to grow.

Solicitor Gifford said Manager DeMeno had contacted him about the neighbor complaints. We went and looked at one property and it had spread through 4-5 properties. The neighbors were complaining and saying that the Borough needed to take care of it. He said rather than start citing people for allowing bamboo to run wild, it was better to have a bamboo ordinance. He suggested everyone take the ordinance home, read it and decide if this is something you want to do in North Wales.

Rosemary Schlegel, 301 W. Montgomery Avenue, said do I understand correctly that you are assuming that the property owner planted bamboo; that's what it sounds like to me. She said she knows of someone who did not plant the bamboo. When they bought the property, the bamboo was already there. She believes that the wording in the ordinance would have to be changed. President McDonald stated that as per manager DeMeno, the source of the bamboo can be traced. When you buy a property and there is a violation you would be responsible, whether you planted it or not.

Donna Mengel, 427 S. Main Street, asked if the Borough could compile a list of targeted areas and make a list of where it is throughout the Borough. She said Member Redstreak is right, there is bamboo growing in Weingartner Park and it is starting to move pretty fast to the property line. She thinks there should be education about bamboo. If you cut it down it grows faster. Manager DeMeno stated there are companies that all they do is bamboo removal. He said to remove bamboo you have to take the

entire top level of soil off and expose the root system and poison it. Manager DeMeno stated he already has a partial list of bamboo areas.

Sal Amato, 201 S. Tenth Street, asked if there was a process in place where residents can review up-coming ordinances. President McDonald said the process is the ordinance is brought up in public and then there is a review period. Member Hart explained that the proposed ordinance is discussed in a public forum and then changes can be made if necessary. If Council votes to advertise, there is an advertisement period before Council actually votes on the ordinance. The public would again have another chance to provide their comments before the ordinance is voted on. Mr. Amato asked if the public can actually look over the document. President McDonald said the public can look at the ordinance in the advertisement. Member Hart stated that the ordinance was on tonight's agenda. Mr. Amato said the ordinance was not on line in the attachments. President McDonald said in the future these attachments would be available to the public.

Andrew Berenson, 439 Washington Avenue, said he agreed with Member O'Connell that you really cannot penalize the victims. A discussion ensued regarding property owners who did not plant the bamboo but have it in their yard. Member Hart said some very valid points have been brought up and need to be considered.

Herb Schlegel, 301 W. Montgomery Avenue, said on a lighter note, a solution to the problem may be to bring in pandas.

President McDonald said they would review this matter and bring the matter up again at another meeting.

Discussion: Authorization to Pay Invoice for New Police Handguns in the Amount of \$2,940.00 to Firing Line, Inc.

Donna Mengel asked what will happen to the old guns. Chief Levy said they were traded in.

Member Hart made a motion to pay the invoice out of our regular bill cycle in the amount of \$2,940.00 to Firing Line Inc. to purchase new hand guns for the police department. Member Redstreak seconded the motion. Motion passed 7 yes, 0 no.

Discussion: Authorization to Replace Fire Alarm System in the Amount of \$5,195.00 with Hollicong Security (TENTATIVE)

Manager DeMeno said when he took his position with the Borough; he was told by the staff that there is not a working fire alarm system in the Borough building. It has taken some time to figure out what the issue was and to get estimates. It was found that the main panel itself is not working and cannot be repaired. Hollicong Security has been recommended by other managers and was the cheapest estimate. He said our current system is outdated.

Member Scott asked what is their guarantee or warranty. Manager DeMeno said their labor is two years and their parts are five years. He said he would like to see if we can get onto a maintenance plan with them. We did not have a maintenance plan before. Member Scott said fire and safety security in any building is paramount. She said cheapest is not always the best.

Manager DeMeno said the security system works but not the fire alarm system. A discussion ensued regarding the inspection, monitoring of the fire alarm system and security system and fees. Manager DeMeno said we have been paying monitoring fees while the fire system was not working. He is attempting to get some of the fees refunded.

President McDonald said now that we have been made aware that there is no fire alarm system in the building; it must be remedied immediately because we are leaving ourselves open to liability. President McDonald told the manager to have someone from the fire department come tomorrow and test the system.

Donna Mengel, 427 S. Main Street, said the insurance company should be notified because if something were to happen and you know about the faulty system, it makes it even worse for you.

Member Scott requested to see the other proposals that were received from Tyco and the other company.

President McDonald instructed Manager DeMeno to have someone from fire company inspect the system, advise the Borough's insurance company of the faulty system and provide copies of all the proposals to replace the system to Council members before the next Council meeting.

Resolution: Authorizing Participation in the Pennsylvania State Association of Boroughs Junior Council Person Program

Manager DeMeno provided a copy of the resolution recommended by PSAB. The program allows a junior or senior in high school, who is a resident of the Borough, to become a proxy member of Council, in order to gain a working knowledge of local government. Member Hart asked how many students would be allowed to participate as Junior Council Members. Manager DeMeno said he believed it was meant to be one student per academic year. Member O'Connell said Council attempted to initiate this program before, but choosing a student became very political and the program was shut down. Member Hart said she thinks Council should put together a protocol of how the selection will be made, prior to starting the program. A discussion ensued regarding the criteria for selection. Manager DeMeno said he would check with other Boroughs that have the program in place to see what guidelines they have implemented.

Chief Levy inquired whether Council would be required to get background checks. Solicitor Gifford responded yes, anyone involved with youth must get a background check.

Member Cherry arrived at 8:33 P.M.

Member Redstreak made a motion to authorize participation in the PSAB Junior Council Person program. Member Scott seconded the motion. The motion was withdrawn and tabled for later discussion of standards and protocols for the program.

Discussion: Adoption of New By-Laws for Nor-Gwyn Pool

Solicitor Gifford said this will be tabled, as it is still a work in progress. The discussion will be at a future meeting.

Zoning Applications – No New Applications

Old Business/Committee Reports

FINANCE COMMITTEE - Member Hart said she knows that a CD has come due and she is deferring to the manager on how we are going to reinvest the funds. Manager DeMeno said the CD that came due last week was cashed in from Trumark. Manager DeMeno stated he will invest the money with Citadel at 2% APY for 24 months. Member O'Connell questioned Manager DeMeno's statement about the CD being cashed in. Manager DeMeno said it is currently in a form of a cashier check and it is in the safe. Member O'Connell asked, with the state of the fire alarm system, if it was wise to have the cashier check here in the building. Manager DeMeno stated that if something happened to the check, it could be replaced. Member Hart stated that in order to have a paper trail, the check should be deposited into the Borough's General Fund. Manager DeMeno said he will have to do that first anyway. He said he would deposit the check this week.

Tiffany MacLean, 517 Summit Street, asked if Manager DeMeno checked with other companies to see what interest rate they are offering. Manager DeMeno stated that he did. Ms. MacLean also asked if this money was exempt from Federal and State taxes. Manager DeMeno responded yes.

Donna Mengel asked Manager DeMeno how much the paper check was. Manager DeMeno said it was for approximately \$255,000.00. Ms. Mengel asked why he pulled a check instead of transferring it to the General Fund. Manager DeMeno said the Borough did not have any other accounts at that institution. She then asked why it was not deposited right away into another bank, rather than being brought back here to sit in a safe. Manager DeMeno said it could have been, absolutely, but his thought on the matter, through his bank experience, is that it is just as safe because it is in a bank account where it is. It is in a cashier account and therefore we are still insured under that bank's \$250,000.00 FDIC coverage limit. He further stated that it is a moot point, as these banks are not going to go under tomorrow. Member Hart said the moral of the story is that the check will be deposited tomorrow morning into the General Fund.

Member Hart did a followed up for Ms. MacLean stating that the Borough and all government agencies have an investment policy because the money is not our money, it is taxpayer money and we are restricted as to where we can invest. Also, our funds need to be collateralized and as members of Council we need to insure that we are investing in the best possible investment meeting all the standards at that time.

Solicitor/Mayor/Council/Manager

Mayor D'Angelo thanked the committee that worked on the 4th of July celebration. He also wanted to make sure the minutes reflect the fact that two of our esteemed Council people, Jim Sando and Mark Tarlecki, were designated as prominent educators in this area by Donna Mengel.

Member Scott said she wanted to reiterate that she too enjoyed the 4th of July parade. She said having State Representative Kate Harper there was an exciting thing for this small town; this was the parade she chose.

Member Hart said as she mentioned earlier, Mrs. McAdoo had sent her a letter via e-mail with her opinion regarding notification by the Borough to home owners that are affected for zoning applications. She had asked if the Borough would consider a policy that when a sub-division/land development is on the Planning Commission agenda, that there is some type of mechanism in place. Member Hart said she was going to recommend that Council pass this onto the Planning Commission, because the Planning Commission is actually the first notified and then they set their agenda for their members; and if that is something they are willing to take on. She said Mayor D'Angelo and Member Tarlecki are members of the Planning Commission and she was hoping this was something that could be discussed tonight, but Member Tarlecki is not here tonight. By law, the Borough is required to notify homeowners for zoning, where notification by the Planning Commission would be a courtesy and she would like to know if that would be feasible for them to do. Mayor D'Angelo asked is that was something the Borough Manager could do.

Solicitor Gifford said once the Planning Commission was notified of a sub-division/land development, they could ask the manager to send out a letter to the residents in that area, advising them of the date of the Planning Commission meeting where the plan application would be reviewed. Mrs. McAdoo requested that when Borough Council is reviewing plans, that they too notify the homeowners. Mayor D'Angelo said when residents attend a Planning Commission meeting; they will learn when the plans will go before Council. He said he would bring it to the attention of the Planning Commission that letters go out to the affected property owners, telling them when the meeting will be held.

President McDonald instructed Manager DeMeno to generate a list of affected property owners when he receives an application for the Planning Commission and send notification letters out. He was further instructed to notify Council members when an

application is received for the Planning Commission. Then Council members can make the determination to attend that Planning meeting.

President McDonald said he wanted to echo his sentiments about the 4th of July Parade. It was a great time, a great slice of Americana.

Manager DeMeno announced that Community Day is going to be on October 3 from 11:00 to 4:00 this year. He said they are looking for sponsors and volunteers. If you are interested let him know and he will pass along your information to the Community Day Committee. Manager DeMeno reported that there are still five people in the Borough who are not compliant with the property inspections.

Manager DeMeno said Girl Scout Troop 762 requested permission to prune the evergreen tree used in the Tree Lighting Ceremony. The pruning would be supervised by responsible adults. Member Hart said the pruning has already taken place. She said she had been contacted by the Girl Scout. Peter Sinotte of Sinotte Landscaping and a couple of parents from the troop assisted in the pruning. She said it now looks very nice. Member Hart asked Manager DeMeno to prepare a certificate for the Girl Scout that suggested the tree pruning. It can be presented to her at a Council meeting.

Manager DeMeno reported the Zoning Hearing Board at its July 7th meeting approved the applications submitted by 501 E. Walnut Street and 309 S. Main Street.

Member Redstreak made a motion to adjourn. Member Scott seconded the motion. Motion passed 8 yes, 0 no.