

BOROUGH OF NORTH WALES
 300 SCHOOL STREET
 NORTH WALES, PENNSYLVANIA

MEETING: July 23, 2019 7:00 PM, EST

CALL TO ORDER made by President Sando.

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| ROLL CALL: | Salvatore Amato | Present |
| | James Cherry | Present |
| | Ronald S. Little, Jr. | Present |
| | Wendy McClure | Present |
| | Sally Neiderhiser | Present |
| | Daniel O'Connell | Present |
| | Eion O'Neill | Present |
| | Paula Scott | Present |
| | James Sando | Present |
| | Mayor Gregory D'Angelo | Present |

Also in attendance were John Filice, Borough Solicitor and Michael Eves, Chief of Police. Alan Guzzardo, Assistant Borough Manager, was absent.

President Sando led the Pledge of Allegiance.

Public Comment

There was no public comment.

Discussion: Non-Discrimination Ordinance

President Sando stated that Solicitor Gifford has provided Council with Lansdale Borough's Human Relations Ordinance to use as an example for passing a similar ordinance in the Borough. President Sando then introduced Todd Snovel, the Director of the Pennsylvania Commission on LGBTQ Affairs. Mr. Snovel provided an overview of the issue and how North Wales Borough can take action by passing an ordinance to establish a Human Relations Committee to help resolve acts of discrimination within the Borough.

Member Scott stated the list of protected types of classes within Lansdale Borough's Ordinance is not comprehensive enough because it leaves out other types of classes such as political affiliation, physical characteristics, etc. Solicitor Filice stated Pennsylvania hasn't yet included sexual orientation or preference as a protected class. He then stated the Borough can pass an ordinance that includes these classes. Member Scott asked Solicitor Filice if the list of protected classes could be expanded to include political affiliation and any other classes that aren't protected. Solicitor Filice confirmed it can and Member Scott asked that other classes be included.

Member Amato noted that Council can modify and expand Lansdale Borough's Ordinance as they see fit for the Borough. He then expressed his support for moving forward with drafting an ordinance. Member O'Neill also expressed his support also for drafting an ordinance. Member O'Connell expressed his concerns with enforcement of such an ordinance, rather he proposed the

Borough pass a resolution condemning discriminatory actions. Solicitor Filice stated that a resolution wouldn't be enforceable, but an ordinance would be.

Andrew Berenson, 439 Washington Avenue, asked what enforcement action Lansdale Borough can take if someone were to commit a discriminatory act under their Ordinance. Solicitor Filice stated they have a Human Relations Commission to handle complaints related to discriminatory acts. Mr. Berenson asked if the commission would be comprised of local residents and what training is required for serving on the commission. He also expressed concerns with the legal liability aspect of enforcing an ordinance. Mr. Snovel stated Council would appoint residents to serve on the commission and the Pennsylvania Human Relations Commission would provide ongoing training for commission members.

Member McClure expressed her support for moving forward with drafting an ordinance. She then thanked Mr. Snovel for being at the meeting to provide more information and answer questions. Vice President Cherry stated that discrimination is not an issue in the Borough. Therefore, he does not agree with passing an ordinance for an issue that he feels is not evident. Member Neiderhiser disagreed with Vice President Cherry and stated that discrimination does occur. Therefore, she said an ordinance is necessary. Member O'Connell stated North Wales Borough is a welcoming community and passing an ordinance would only cause more harm than good. Member Little also expressed his support for passing an ordinance. Member Scott requested that Council wait to discuss the details after an ordinance draft has been created. Member Amato asked Solicitor Filice to provide further clarification on enforcement. Solicitor Filice explained that if someone were to be found guilty of violating the ordinance, they would be subject to penalties under the Pennsylvania Human Relations Act.

Mike Allebach, owner of Allebach Photography, located at 405 E. Walnut Street, stated many of his clients are part of the LGBTQ community and they are discriminated against. He then expressed his support for passing an ordinance to protect these individuals. Sherwin Collins, 121 Shearer Street, stated that acts of discrimination are not always apparent. He then recounted incidents where he and his family have been discriminated against in the Borough. Kelly Welch, 113 S. Tenth Street, stated she and her partner do face discriminatory behavior everywhere, including the Borough. She then said it would mean a lot to her and other members of the LGBTQ community if North Wales Borough were to pass an ordinance.

Manager Hart expressed her concerns with labeling and classifying individuals. She then stated that passing an ordinance would not solve the root cause of the issue, but would lend an outlet and education to those who utilized the process.

Richard Buttacavoli, Lansdale Borough resident and former resident of North Wales Borough, stated one of the reasons he moved out of North Wales Borough is he was mistreated by a neighbor and he then said he feels protected in Lansdale Borough. He then stated that passing an ordinance would also help to support young individuals who are bullied for who they are.

Andrew Berenson, 439 Washington Avenue, asked if the intent of the ordinance is to only protect LGBTQ individuals. President Sando stated an ordinance would expand the list of protected classes. Mr. Berenson then asked if the Human Relations Commission would handle complaints related to all the protected classes. President Sando stated it would. He again expressed his concerns with training and the legal liability of a commission.

Solicitor Filice stated again that commission members will be subject to mandatory training and commission positions would be filled similar to a zoning hearing board.

Mayor D'Angelo stated he was sorry that Ms. Welch had been discriminated against in the Borough. He then said he hoped it was not a resident and cautioned people to not assume that people who are discriminating against others in the Borough are a part of the Borough.

Member O'Neill made a motion to authorize the Solicitor to draft a non-discrimination ordinance for Council's consideration. Member Little seconded the motion. Motion passed 9 yes, 0 no.

Consideration: Appointment NWWA Board, Term Expiring 12/31/2020

Member Amato nominated Sally Neiderhiser to fulfil a vacancy on the North Wales Water Authority Board, term expiring 12/31/2020. Member McClure seconded the nomination.

Vice President Cherry then nominated Gregory D'Angelo to fulfill the vacancy. Member Amato seconded the nomination.

Council then took a roll call vote on appointing Sally Neiderhiser to fulfill the vacancy. Motion passed 9 yes, 0 no.

Council then took a roll call vote on appointing Gregory D'Angelo to fulfill the vacancy. Motion failed, 3 yes, 6 no. President Sando, Member McClure, Member Little, Member O'Neill, Member Neiderhiser and Member O'Connell voted no.

Consideration: Certificate of Appropriateness, 413 E. Montgomery Ave. & 112 School St.

Member McClure made a motion to approve a Certificate of Appropriateness as presented for 413 E. Montgomery Avenue. Member Little seconded the motion. Motion passed 9 yes, 0 no.

Member Little made a motion to approve a Certificate of Appropriateness as presented for 112 School Street. Member McClure seconded the motion. Motion passed 9 yes, 0 no.

Consideration: Approval to Advertise Volunteer Fire Service Tax Credit Ordinance

Member Scott made a motion to approve advertisement of the Volunteer Fire Service Tax Credit Ordinance. Member McClure seconded the motion. Motion passed 9 yes, 0 no.

Consideration: Disbursements: \$158,121.14

Manager Hart stated the disbursement amount is higher than usual because it includes a payment for the Safe Routes to School Program. She then reviewed the rest of the bills.

Member Scott made a motion to approve payment of the bills in the amount of \$158,121.14. Member McClure seconded the motion. Motion passed 9 yes, 0 no.

Old Business/Committee & Board Reports/Zoning Applications

Manager Hart stated the Borough has a pending land development application regarding a 6-unit apartment building proposal at 690 E. Walnut Street. She then stated the intent is to have the Planning Commission review the application at their next meeting on August 7.

Solicitor / Mayor / Council / Chief of Police / Manager

Member McClure stated she attended a seminar on the Spotted Lanternfly. She then encouraged everyone to educate themselves on this invasive species and help take part in solving this issue.

Member Neiderhiser thanked Council for her appointment to the North Wales Water Authority Board.

Patricia Graham, 324 S. Fourth Street, stated that two trees behind the Verizon building on South Fourth Street were covered in the Spotted Lanternfly and it does not appear that Verizon is doing anything about it. She then encouraged businesses to help address the issue.

Member O'Neill thanked everyone for coming out to the meeting. He then asked for an update on the Streetlight Procurement Program. Manager Hart stated the Program is currently in Phase 2 and the Borough is waiting for a finance bid to be completed so the project can move forward.

Mayor D'Angelo congratulated Member Neiderhiser for her appointment. He then announced he got to attend the groundbreaking ceremony for the Korean War Memorial being constructed in Montgomery Township.

Chief Eves provided an update on the Police Department's activities. Mayor D'Angelo added Chief Eves has instituted a more effective traffic enforcement program.

Manager Hart provided more information on the Spotted Lanternfly quarantine and its impact on the Borough. She then announced that pertinent information has been uploaded on the Borough website. She then announced the following events: Movies in the Park showing on August 15, Incorporation Day on August 20 and the Grand Parade on September 14.

Mayor D'Angelo then thanked Liz McNaney, Upper Gwynedd Township Commissioner, for attending the Council meeting.

Member Neiderhiser made a motion to adjourn. Member McClure seconded the motion. Motion passed 9 yes, 0 no.

Meeting adjourned at 8:33 P.M.

Attest: _____
Christine A. Hart
Borough Manager