

NARBERTH BOROUGH COUNCIL BUSINESS MEETING

October 17, 2016 –7:30pm

Minutes

Call to Order - The business meeting of the Narberth Borough Council was called to order in the Municipal Building, 100 Conway Avenue, Narberth, PA on Monday, October 17, 2016 at 7:30PM by Council President Aaron Muderick.

Roll Call & Pledge of Allegiance

Aaron Muderick, President (present)

Gigi Tevlin-Moffat, Vice President (present)

Barbara Fortner (present)

Marlene Richmond (absent)

Charles Silio (present)

Bob Wegbreit (present)

Bob Weisbord (present)

Tom Grady, Mayor (present)

Sean Metrick, Borough Manager (present)

John Walko, Solicitor (present)

Aaron Muderick: Thank you. Well the only comments I have, are regarding the facilitation. It looks like November 19 works for all of Council. I've heard from everybody except for Mayor Grady. You're going to look at your calendar?

Tom Grady: It depends Aaron, my daughter plays basketball and I don't know what the schedule is. Are we talking morning or afternoon?

Aaron Muderick: I think morning. When do you think we might find out?

Tom Grady: When they list the schedule, they haven't scheduled it yet.

Aaron Muderick: Is that MLGBA?

Tom Grady: No it's Harriton.

Aaron Muderick: Harriton, okay. That's all I have, Mr. Mayor do you have a report?

Tom Grady: I have no report.

Aaron Muderick: Okay, thank you. I would like to ask someone to make a motion to amend the agenda to add a presentation from Narberth Ambulance.

Gigi Tevlin-Moffat: I move to add Narberth Ambulance to the agenda.

Aaron Muderick: Is there a second?

Bob Wegbreit: Second.

Aaron Muderick: All right, all in favor.

Group: Aye.

Aaron Muderick: Aye, all right Narberth Ambulance presentation is so added. Gentlemen

depending, we can put you first or we can put you second. I don't know how ready you might be.

**Presentation:
Narberth
Ambulance** Chris Flanagan, Chief of Narberth Ambulance, and Al Davies, Executive Director of Narberth Ambulance provided an update on their organization. Mr. Flanagan and Mr. Davies provided a brief history of Narberth Ambulance, how the organization is organized, and also explained several of the costs associated with their operations.

Aaron Muderick: Thank you.

Gigi Tevlin-Moffat: Chief may I ask a question? I'm chair of the Public Safety Committee. We wanted to have you here and one of our meetings to answer some questions so good that you are here but we might ask you to come back and answer some specifics if that's okay.

Chris Flanagan: We would love to and we would have an ambulance on tour so that people can take it. We'll do blood pressure screenings when we have a little bit of time as well.

Gigi Moffat: Okay, that would be great.

Aaron Muderick: Thank you very much, thank you. All right. We have another presentation on historic preservation and I'll let Bob Weisbord make the introductions.

Bob Weisbord: We are fortunate to have with us tonight Cory Kegerise from the PA Historical and Museum Commission. He'll be giving his presentation on some best practices what we might consider for taking care of our architecture and historic resources in the borough. Also with Cory is Kathleen Abplanalp from the Lower Merion Conservancy. We're glad to have her with us too.

**Presentation:
Historic
Preservation** Cory Kegerise, PA Historical and Museum Commission, and Kathleen Abplanalp, Lower Merion Conservancy provided Council with details regarding how their two organizations would work with the Borough to craft more preservation sensitive policies.

Aaron Muderick: All right thank you very much for coming. I will open public comment. Please state your name and address for the record.

Resident: Carol Perloff, 108 Woodside Avenue: I'm very much in favor of trying to make something happen in the preservation effort in this community.

Aaron Muderick: Great thank you so much. Mr. Cornwall?

Resident: Jim Cornwall, 115 Wynnedale Road: I like the planning commission to know that I would just like to say like where the form based zoning code started was here in

1990. The preservation ordinance efforts was mounted by a dedicated group of people and a few others. It failed at that time but the essence of it is what brought us to the code that we now have. I think that the present zoning code lacks, it has a tooth missing and that tooth is historic preservation. Which doesn't maybe work universally applied across the borough. That was the thing that we wrestled with back in the days when I have more hair on my head and it ultimately led I think to the downfall of that effort but clearly the current zoning code lacks.

Aaron Muderick: Okay I will close public comment, moving on to action items.

Charles Silio: I move that the Borough Council approve the minutes of the September 19 meeting of Borough Council.

Gigi Tevlin-Moffat: I second.

Aaron Muderick: All in favor.

Group: Aye.

Aaron Muderick: Any opposed? It's unanimous. Next.

Charles Silio: I move that Borough Council approve the September 2016 schedule of bills and authorize the Treasurer to issue checks and pay all bills.

Aaron Muderick: Is there a second?

Gigi Tevlin-Moffat: I second.

Aaron Muderick: Any question on the scheduled bills?

Gigi Tevlin-Moffat: I will say that Ms. Marshall is on vacation this week and Mr. Metrick has been kind enough to point us in the direction. I know that under the previous administration some of these items listed and I'll just grab my own category, Public Safety, or a Property, actually belong in other categories like Public Works so they're sort of all over. We're doing our best to make our way through it page after page. Barbara I know we talked about something today, now I forget.

Barbara Fortner: The big question that I had well first off I forgot that there are three pay periods for the month of September and I made myself a big note here now, hopefully I remember that from time to time. What threw me, I think, why that didn't come into my head was that there is a payment to IBC for group hospitalization that was about \$35,000. Usually it's in the Property category which Gigi pointed out that's what it's always been but that's not there for this month and Sean said he'd have to check with Leslie on that to see why. This made me think that maybe something funny had happened with salaries, something was reallocated, but no.

There was an extra pay period but it is strange that the IBC group hospitalization is not there.

Charles Silio: The other big item that is for public knowledge, the other big kind of one-time chunky payment this month was North Narberth Avenue bridge design here in the second page, we made a payment on that and schematic designs it became due in a total of about \$90,000 altogether.

Sean Metrick: The Borough will put in for reimbursement of about 95% of that cost.

Charles Silio: We are fronting it and then we getting reimbursed.

Barbara Fortner: The reimbursement comes from?

Sean Metrick: PennDOT.

Bob Wegbreit: How long do we expect that like the, the 60-day payment?

Sean Metrick: I can't quote you the exact turn around it depends on how quickly we put it in. I'd like to put it in right away.

Gigi Tevlin-Moffat: I know that we are asking number twelve on the agenda for an executive session to discuss personnel matters and we certainly in accordance to some of these bills would like to have that conversation regarding personnel.

Charles Silio: That's more forward-looking. Forward-looking management both this year and how we manage over time. Next what we're considering personnel costs in the budget. With the executive session for is for that. It affects people's salaries and management, and that's what will be talked about in executive session.

Aaron Muderick: Okay, any other questions on the bills? All in favor of passing the schedule of bills say aye.

Group: Aye.

Aaron Muderick: Any opposed, it's unanimous. Building and Zoning.

Bob Weisbord: I move that the Council adopt the resolution of 2016 – 31 Appointing Yerkes Associates as the Zoning Officer.

Aaron Muderick: Is there a second?

Gigi Tevlin-Moffat: I'll second.

Aaron Muderick: Looks like some discussion.

Bob Weisbord: I think it would be useful for the Council to hear from the back on and some reason why we are considering this motion from our Borough Manager Mr. Metrick can we do that before we have a discussion?

Sean Metrick: Let me explain a little bit about why this resolution is before council by starting with what the Zoning Officer does for the Borough. The Zoning Officer execute official reviews, major reviews of changes of use of a property, building permits that have to do with additions and new structures, the Zoning Officer also does reviews of all subdivisions and land developments. The Zoning Officer also weighs in on minor reviews, these are reviews of shed permit applications, fence permits, sign permits, and driveway permits. Also a Zoning Officer provides ad-hoc consultation with members of the community and developers that come into the office and have questions about what can I do on my property? Something that I've heard asked of me several times on several occasions. Zoning Officers also appear at the zoning hearing board and testify as to the reviews and rulings they have made in their interpretations of the zoning code.

Zoning Officers also are responsible for zoning enforcement actions, notifying property owners that they are in violation of the zoning code and requesting remediation of those conditions and then forwarding those enforcement actions to the district Justice. That's what a Zoning Officer does, the reason that this proposal goes before council is that the Zoning Officer and the Borough Manager currently are the same person and organizationally speaking it would be better for the borough if those duties were separate. If the Council had a problem with the Borough Manager it would be a problem Council could address with the Borough Manager if Council had a problem with the Zoning Officer, they could address that with the Zoning Officer with the separation of those duties. It would also free up on average between four to eight hours a week of my time. Currently the borough taxpayers pay for a full-time Borough Manager but you're only getting about 85-90% of a Borough Manager right now.

Also by having a third-party act as the Borough Zoning Officer we can generate revenue for services the Borough did not previously collect any fees for. These are fees for services much like any fees generated for building permits. In the resolution there is a proposal for \$175 fee for a major zoning review, those are the change of use, building permits and the addition of new structures within land development, a \$50 fee for any resubmission for review. There will be no fee for zoning reviews of the minor types that I included in the earlier part of my discussion. Those we already baked into those costs. We're also proposing that for longer-term consultation with the Zoning Officer that the applicant would pay the Zoning Officer their hourly rate to do so. The one thing that we want to do in this transference of Zoning Officer duties to a third party is maintain and improve the level of service that the community presently enjoys.

The instances where the developer or property owners want to come in and have a conversation about what can I do on my property, those questions will still be

answered, you still have someone in the office, myself, with a lot of experience with this particular zoning code to answer these questions however, when action and work and additional duties need to take place will have the opportunity to forward that to a third-party Zoning Officer who will assist us in those duties and make the Borough Manager more productive. Our future plans are that we think that it's wise for the same professional firm to serve the Borough and pass the plan review, building inspections, code enforcement, zoning reviews, and enforcements, sort of have a one-stop shop third-party service the Borough with these professional services.

As this going to be the case with every professional service that the Borough currently contracts with we will periodically go out to bid for these services on a regular basis. This is not a tremendously long-term commitment, we're not locked into any one firm to do one thing, we will revisit this relationship in every relationship the Borough currently contracts with. I just want to comment direct to Nick's Cirilli and Frank Newhams who are here this evening. Nick Cirilli is deputy director, Frank Newhams they can speak for themselves if you wish to ask him questions of them but I've been very pleased with the service the Borough has gotten in terms of building and plan reviews, building inspections, and have helped the Borough become more efficient in issuing building permits program. We made great strides this year and you've been really good partners with us so far and I very much appreciate it.

Aaron Muderick: Right now is Council discussion, go ahead Bob.

Bob Wegbreit: I have a question. I just want to get the fees straight. If we vote to pass this, those the fees go into effect tomorrow or whenever they start. Do we need to do anything legally?

John Walko: You need to have a motion to, or preferably a resolution that was set those fees.

Bob Weisbord: It is in a resolution. The resolution has the resolution language with a whereas in the whereas. The important whereas is the fees for service should be \$150 for major zoning pending application review. Is what Mr. Metrick said \$50 for resubmission of the major zoning pendant outcome of review. No fee for minor zoning permit application review and an hourly rate for consultation on zoning matters.

Aaron Muderick: What is the current hourly rate?

Nick Cirilli: \$115.75 for commercial and I believe it's \$75.50 for any residential consultation.

Aaron Muderick: Per hour?

Nick Cirilli: Per hour yes.

Aaron Muderick: Thank you.

Bob Wegbreit: These are more just questions about what this would be. What would be the availability of the Zoning Officer of them in this role? Would they be available in certain office hours or anything like that?

Sean Metrick: The building inspector, they're currently physically in the borough two days a week but available by phone five days a week.

Gigi Tevlin-Moffat: Would that change with this?

Sean Metrick: No.

Charles Silio: For walk-in questions about zoning possibilities, people could still come to the office for those?

Sean Metrick: Correct.

Aaron Muderick: And they could also come to the office and be directed to a phone call that they could have in the office? So everybody can know what the answer is.

Charles Silio: Okay this addresses something I worried about for a long time, which is having the Borough Manager be the Zoning Officer. In the event of a mistake in the interpretation of process or something like that what you going to do? I mean you got a Borough Manager doing everything else for the Borough are you going to try to make a claim against your Borough Manager. This is the situation we've been in forever since I knew, but is not a great place to be from a management standpoint at all so this addresses that. The other thing that it does is we are currently paying a basic salary and eating all the costs of processing where before like building inspections and permits is fee-for-service and is a pass-through to whoever's using the service and this would be the same thing so I'm curious what the \$150 for a major zoning review, how many of those do we have a year in the borough or the magnitude? A couple of hundred?

Sean Metrick: Know it's not a couple of hundred, is between 30 and 50.

Charles Silio: It's not huge, we're not talking like \$50,000 of fees that are going to be going out people, is almost 30 to 50 projects versed in building additions and things like that or redevelopment of the property. It seems like a fairly small number for any of those kind of projects.

Bob Wegbreit: How do we know this will cover, we're doing a flat fee, they're charging an hourly rate. Why would we might have either of a flat fee for the first hour and a half and that anything beyond that I'm just trying to figure out how we came across this, you know this structured pricing.

Sean Metrick: The structure of pricing for the zoning permit, I looked at other surrounded municipalities and chose a fee that was commensurate with what's around us.

Bob Wegbreit: Are you folks doing what other mature municipalities are around?

Nick Cirilli: Yes we are. I'm Nick and Frank is the Zoning Officer in several municipalities he can speak. We've been Zoning Officers and plan reviewers for oh my gosh, right now are doing some work in Lewistown Township, a little bit of work in East Brandywine Township-

Bob Wegbreit: Do they have a flat fee? Do they have a flat fee structure also?

Nick Cirilli: Everyone is different.

Frank Newhams: It's an hourly rate for the Township but a price break for the applicant. We review every six months to a year depending on how the Township Supervisors look at it to try to make sure we balance those numbers. We don't want it to be money accumulating in the fund nor do we want to be exhausted the fund and using from the general tax base. We want to make it a no cost to the Township and that's what we've been doing now for ten years and that's how we do it.

Bob Weisbord: I'm basically in favor of this motion but I want to walk through aloud some scenarios just to see how these would work. I'm particularly thinking about an instance where an applicant applies for variance because they've been denied zoning approval by our authority. They go to the Zoning Hearing Board and in that instance the Council might choose to either be neutral on the ruling of the Zoning Officer. We might choose to back the ruling of the Zoning Officer and say that we feel it aligns with our zoning ordinance or we might decide that actually we feel that the applicant's, that were in favor of the applicant's interpretation of our own zoning ordinance even if it's a difference with the zoning authority. I wonder and then how the will fees work in that kind of instance.

Actually Charlie you're right, in the past is been a little uncomfortable to be a Councilperson when not backing the Borough Manager's interpretation of the zoning code and then agreeing to go to the zoning hearing board if the Council was in favor of the applicant's application. It gets us out of that dynamic, but how do the fees work in an instant like that? Does the Borough then pay out-of-pocket to have the Zoning Officer for us to represent the Borough at the hearing and then does that fee go to the applicant. Does it come out of the fee that they pay for the variance. Just wondering how it washes out.

We might send our solicitor, we might just send our Zoning Officer to represent the Borough at the hearing and in this case I would imagine that the third-party, they want an hourly rate for their services to represent the Borough at the hearing and that would then be paid by whom?

John Walko: Not to say that it covers exactly cost but again there's the fee for the review, then there's the fee to file an appeal for the zoning hearing boards, I'm not sure what that fee is,-

Sean Metrick: \$700.

John Walko: It's for those reasons.

Bob Weisbord: This might happen once every three years, we might be talking about \$300 right now but I just wanted to sort of nowhere how it's in the budget.

Aaron Muderick: Frank Newhams had a thought also, go ahead sir.

Frank Newhams: I can give you an answer to your scenario.

First of all let me put your mind at ease because of there's one thing that is absolute, what I do is a Zoning Officer and I will master planning professional, is I'm only allowed to interpret the literal terms of the code. To make sure I do, I coincidentally have a degree in English writing. I know what words mean and I know what they mean in context. When the words say no, I have to say no, I can't say yes. Even though I might feel yes is the appropriate answer emotionally, I can't because is not the literal terms of the code. When we go to a hearing I can only respond that way, most hearings I don't even speak. I'm there to respond with the solicitor has a question are the other side has a question. And to answer why my decision was the way it was. It's simply this way, is five proofs that you must provide for variance taking the time to read the administration section of your new code and they virtually mirror every other zoning code I work with.

Those five proofs, the hardship is not self-imposed and frequently the desire to do something is that is not appropriate on your property is the self-imposition of a hardship if you follow my language. What I'm saying is it doesn't put me in a burden of proof, it puts the appellate on the burden of proof because they have to prove those prop five proofs in the hearing. If they can't they shouldn't get the variance. It's rather cut and dry and I'm never emotional about the whole thing the matter how I feel. There is nothing personal about what I do.

John Walko: I think again there's the variance request which often times is very clear that you're not tied to something so you seek a variance and then is often times an appeal of an interpretation of the Zoning Officer. Usually in those situations, the way it usually works is the Zoning Officer and I would have a conversation beforehand and I'll be in conversations with Council about how we would like something to be interpreted. If there is a gray area there. When it is just a simple black and white, a variance is needed, you apply for a variance and he goes before the hearing board.

Frank Newhams: If there is a clear difference in the code of two elements that but heads, the right

decision always goes to the appellate. It doesn't go to the Borough.

Bob Weisbord: At the risk of spending too much time on this, I just want to know where it comes from in the budget line, let's say the solicitors fee for the hearing?

Sean Metrick: There is a line item for the zoning hearing fee cost and that includes court reporter and the solicitors, the zoning hearing board solicitors fee.

Bob Weisbord: We prepare for that every year in our budget and we either spend it or not.

Barbara Fortner: I had a question about how we decide what's a major review versus a minor review and then maybe the resolution goes into detail on that, but I don't know if Bob read all the words. I'm just wondering does it need to be enunciated?

Sean Metrick: Is the type of permit that the applicant files with the Borough office so if it's a shed, fence, sign, or driveway that's a minor review and there's no fee associated with that and that probably would take someone 15 or 20 minutes to review that. We probably could still get billed for that but that cost is baked into those minor reviews.

Barbara Fortner: If we look at this resolution and someone looks at this and says well I don't know what is a minor review, you say is the permit [crosstalk 00:59:41] I'm just wondering should those words be in there are is it more that no when you look at our fee structure for permits there is no fee for those permits and those are the ones that-

Barbara Fortner: That's what I wasn't sure I was following. Is that where you are saying is that those permits-

Sean Metrick: A zoning permit fee would only be charged for the major reviews and that will be given to the applicant at the time that they request a zoning permit.

Barbara Fortner: Okay so there's a fee schedule that they would see.

Sean Metrick: Yeah.

Barbara Fortner: I don't know how to distinguish a major review from a minor review without you saying the words you just said, a shed, etc. etc. I'm just wondering does that need to be in the resolution or how would someone know that?

John Walko: That structure already exists.

Barbara Fortner: That's what I wasn't clear on.

John Walko: That doesn't need to be in the resolution.

Barbara Fortner: You're saying that structure already exists. Okay, is part of fee schedule except we really don't have a fee schedule.

Sean Metrick: No fee schedule yet.

Barbara Fortner: Okay so it's in there thank you.

Aaron Muderick: Charlie maybe?

Charles Silio: No I was actually wondering where that was and it's defined in the code.

Aaron Muderick: Gigi?

Gigi Tevlin-Moffat: No.

Aaron Muderick: Bob yet one more question?

Bob Wegbreit: I know I have my questions answered, I just, I'm in absolute agreement that we should have an outside Zoning Officer for all reasons stated, I do have a concern that the Zoning Officer and the Building Permit Officer or Building Inspector are one and the same. I like the idea separate, I mean I can see that one-stop-shop for one person knows all the community but one feeds into the other and there's no check and balance in my opinion so I'm uncomfortable with having the same group do both aspects. I'm also very uncomfortable that we didn't at least have a second group before we built this come into say this is what we do. These guys have been terrific as far as building permits, everybody then very happy with them so is difficult to be opposed to them but process wise I would have liked to have a second company come in and say this is what we do, this is how we do it and then make a decision from there which is better to get started. I know we're going to review it down the road but I don't feel comfortable having one group coming tell us they're thoughts without any further background on what others are doing for something that is new to our community and new to our processes.

Bob Weisbord: I don't see the conflict of interest, is it my turn? I just like to say I really good with this motion, I think this is the right time for us to appoint a third-party zoning authority. I don't see the conflict of interest between the Zoning Officer and the Building Inspector basically is what we're talking about. I think zoning is one thing, building inspection is a separate thing. There is no kind of reward, there would be no kind of incentive for a Zoning Officer to approve or deny a zoning permit based on whether or not they're going to get to the inspection are not. They're going to do the inspections whenever there's construction taking place anyway, it's not like balance of powers.

You know it's not like it's a balance of power among them. I would also say we have a track what record with Yerkes, it's been improving over the years. It's been good and is getting better don't just take my word for it, ask any contractor

working in the borough today and ask any architect working in the borough if they'd rather have, I'm sorry I saying this in front of the Yerkes, but if they like to have an organization from another municipality do the inspections within the borough. Actually the contractors and home owners feel that Yerkes has been very fair in good so I'm good with this motion.

Aaron Muderick: Anyone else have a thought?

Charles Silio: Just to Bob's point, this isn't a fixed term appointment.

Bob Wegbreit: I'm not worried about price and competitive bids, by the way I feel like [crosstalk 01:04:20]

Gigi Tevlin-Moffat: I see both points. I really do you both like really good points. Yeah I see it, because we don't want to be back where so I see what you're saying [crosstalk 01:04:33]

Bob Wegbreit: A lot of the conflicts I've seen over the years is where the Zoning Officer said one thing and then when he got to construction it became another issue and so in one sense that get rid of that issue.

Well, [crosstalk 01:04:50] That's why I'm not ready, if we were just voting yes do we want an outside loan officer boom but if is combined with a single bit I'm just not ready to do that. I want to relieve Sean of as much work as soon as we can. I don't know if we had the somebody coming in in a month, it might take long for some people to come in the knowledge that they better because they wouldn't have any experience and I don't think it's looking at the rates and knowing their integrity, I don't think that's going to be an issue. But I still like to check and balance concept.

Aaron Muderick: Mr. Newhams?

Frank Newhams: Yes.

Aaron Muderick: I know that our new form-based code is something that is different and I was wondering as a code professional you could speak to, is it different to you in a material way compared other municipalities? Is it just a different code with different rules, what is your perspective on it?

Frank Newhams: Well like I said I have already looked at the administrative sections of the code and find it pretty much the same so the substance of the code that's different is the direct missing municipality that would interpret the neighborhood buildings, which are basing the code decisions upon. I don't find any difference just I have studied, read it and the first thing I do whenever we are appointing Zoning Officers is tell them to come and read it. I can't do my job adequately if I don't know what the cynicism and the clauses are.

Aaron Muderick: All right thank you.

Bob Wegbreit: One last question, would you be the only one doing this or is there others in your firm?

Frank Newhams: Danielle Stoltzfus is our planning coordinator and she has been working with zoning with me for eight years.

Bob Wegbreit: Does she have a credential like you have?

Frank Newhams: She's working on achieving it now.

Bob Wegbreit: She does not have that credential?

Frank Newhams: No, she would be doing the minor reviews and I would be checking her work. I thought she was the building code official, she is a BCO.

Aaron Muderick: She is a building code official yes.

Nick Cirilli: She's not a Master Code Professional in the sense of the certifications to inspect a residential or commercial building.

Aaron Muderick: Councilor Fortner.

Barbara Fortner: Only thing I wanted to say is that I do, like Gigi, I hear both things here but the thing is overriding for me is because my concerns about how we didn't bring someone else in our way overwritten by the four to eight hours that we could free-up in Sean's time every week. I think there's so many things that we need to be doing both short and long term, given the office the time to do. I think because were not locked into anything here and this is a firm that we have experience with here, that it does make sense to go ahead and do this sooner rather than later. That's my thought.

Gigi Tevlin-Moffat: Also the number of projects that we currently have, I would not want to delay in the sense that we have projects that need to be handled and again Mr. Metrick's office needs to be freed up so I agree with you on that.

Bob Weisbord: I guess I want to ask our manager, if we pass this motion tonight and the Building and Zoning Committee would want to interview two other firms in addition for future consideration, do you have the names of other organizations that do this kind of work?

Sean Metrick: We have the box in which all of the proposals were put in, it is out of date, it was nine years ago I believe when Yerkes came to the borough of the other firms but it would be a process to go through and identify several firms, have those conversations on the phone, feel them out, created a list, and write the proposals.

Bob Wegbreit: Wouldn't it be simple just calling like Ambler, Swarthmore, Jenkintown, municipalities and see who they're using and how they're doing it. I would assume they all have outside zoning offices.

That's what I'm saying, good quality municipalities of similar size, it would be a pretty easy process to make three calls, who do you use and then have those firms put their presentations out and see what's out there. All we have right now is somebody we know. I don't think I would make a purchase like this for my house if I had a builder come in, I might like them somebody else's use them but I would have a second and third builder come in and ask them their credentials, their background of thoughts and we have not done that at all of this process I don't think it's a healthy process.

Bob Weisbord: It's a dynamic process. I'd love to move, yeah can we vote?

Aaron Muderick: I think everybody has said what they have to say. All in favor of appointing Yerkes Associates as Narberth Borough's Zoning Officer say aye.

Group: Aye.

Aaron Muderick: Any opposed.

Bob Wegbreit: Nay.

Aaron Muderick: That's five to one in favor motion passes.

Aaron Muderick: Now we are going make a motion to amend the agenda to add a resolution to set fees.

Bob Weisbord: I second that first, I mean I-

Aaron Muderick: You first it.

Gigi Tevlin-Moffat: I'll second it.

Aaron Muderick: It has been added to the agenda. Now you can go ahead and make that motion.

Bob Weisbord: I move that the Council resolve to appoint Yerkes Associates as Narberth Borough Zoning Officer, whereas the Borough has been duly organized [inaudible 01:11:11] Where has the fees for the service should be \$150 for a major permit application, \$50 [inaudible 01:11:18] Of permit application, no fee and hourly consultation for all zoning matters.

Aaron Muderick: Is there a second to that, are you already seconded I'm sorry you read it. All in favor.

Group: Aye.

Aaron Muderick: Opposed.

Bob Wegbreit: Nay.

Aaron Muderick: Five to one. Thank you. I would just like to, I got this letter a couple of months ago but it just came to my desk. Mr. Newhams I would like to thank you for the work you do in your community. I understand as a master code professional there are only 800 individuals in the United States who have achieved this which is the maximum level of certification in building and zoning codes, that's correct?

Frank Newhams: Yes.

Aaron Muderick: I think we have someone quite skilled work for us, thank you very much. Moving on, I would like to note during public comment I missed the letter from Terry Fox which was sent to Council and will be into the into the public record. That was one of the letters that should have been on the table then.

Gigi Tevlin-Moffat: Sorry, it came in during the meeting. Do you want me to read this?

Aaron Muderick: No, I'll just put it into the record.

Moving on to informational items under number eight, Solicitor's report.

John Walko: A couple of minor things I've been working with the manager on the packages and reviewing the submission from Yerkes. Two items that are somewhat related to Yerkes, first is we spoke at the last meeting about the Cornell Narberth Fire sprinkler matter, how we succeeded on summary judgment. They actually did file an appeal of that matter on the 20th day. That was something where you had the Borough Manager/Zoning Officer provide one opinion and then during the inspection a second opinion was rendered because of that conflict and litigation both Yerkes and Narberth were sued because they proceeded on both. I think that's why it's an example of why it's good to not have a manager be the Zoning Officer. Again this is being covered by our insurance company, and they feel very confident in our position and at this point is essentially a law firm that is responsible in filing the appeal. All the damages are just their legal fees, so I think they're going to try to just track down as much as possible but again that matter is still open on appeal. The second, earlier this month we did receive a reimbursement payment for a lien that we had. What was the property with falling down front porch?

We had liened that property for the review fees from Yerkes that were taken for those costs and some legal fees. That property did exchange hands but we had liened the property prior to that time and we received our reimbursement for

that. Just because we are taking action but trying to enforce the code for property maintenance, it may seem like we're spending money but the idea is we will get that back at the end of the day. That was successful. Continuing to work, often working with Pennoni specifically on review of the SALDO and zoning code now that we have a new Zoning Officer who I've been working with more of the UCC fire code issues. I'll bring them into the fold more with the actual zoning code as you've heard Mr. Newhams state. He's gone through that code so I think it would be useful going through that process to have them involved in that review is well. A couple of traditions interview to the list of changes came up and some civic issues that came up that Mr. Metrick review. That's my report hopefully we'll have another good month this month.

Aaron Muderick: Thank you. Mr. Metrick as you begin your report, do you have any update on the property that was liened and whether it may come into new ownership about it, is there any new information about it been repaired are brought back to-

Gigi Tevlin-Moffat: Today I walked by, is under construction, they were there today.

Sean Metrick: Is that on North Narberth Avenue.

Sean Metrick: Yes there are new owners, there is an active building permit for an interior renovation and a restoration.

Aaron Muderick: That's good news. We don't have a lot of blighted properties in the borough, that was a fairly visible one. Thank you.

John Walko: I think that was a property it was owned by a trust that was based out of Florida that Mr. Metrick and Yerkes really pushed to try to get responses to and ultimately we had to file a complaint again them in district court and that's what really brought this to the table and be successful.

Bob Weisbord: Interestingly six years ago there were at least three vacant properties, blighted properties in the borough, now they're no longer blighted.

Aaron Muderick: They've been restored?

Bob Weisbord: Yep. Forest avenue was restored, Grayling Avenue is now occupied by a tenant and it had been empty for ten years [inaudible 01:16:42]

Aaron Muderick: That's good to hear. Mr. Metrick your report.

Sean Metrick: Thank you very much. Tonight is the unveiling to Council and not for distribution to the public yet, the preliminary 2017 budget for the Borough of Narberth. I'm very pleased to have reached this really important milestone in the transfer and transformation and reorganization of the borrow accounting systems and the Borough's budget in the hopes that we can present to the public a more legible

budget that describes exactly where revenues come from and expenditures are going. I'd like to start, I'll be speaking probably for about 15 or 20 minutes this evening about the budget. Introducing Council to a few major themes. This is the first opportunity Council has had to see this document so I don't expect there, I expect there to be a steep learning curve that you all are going to have to go off in the next few weeks.

The presentation is taking place tonight. There'll be a discussion at the next Council Caucus meeting on November's second about budget items. The next Finance and Administration Committee meeting takes place November 21st so that's another milestone along this development process where we'll get some feedback from Council members. I invite Council members all to send your questions to me, call me, this is your opportunity to familiarize yourself with this budget. This is your opportunity to educate yourself about this budget and ask any question you want to of the office so that when we get to the point that were considering introduction of the preliminary budget and final adoption, you fully understand what it is that's contained in the budget. At the next Borough business meeting on November 21st, I will give a presentation to the public of the draft and there will be a resolution for Council to adopt the preliminary budget which would then be published on the website.

We'll have an opportunity then to discuss the budget again December 7 Council Caucus meeting with final adoption of the 2017 budget plan for the Council Business meeting December 19th. Developing the 2017 budget is really more about the process of this development. I want you all to, I want members of Council to understand the process that went into creating this budget. There is a major reorganization of the Borough budget into the departmental categories. Administration, public works, police, fire, appropriations, library, debt service, and sewer and solid waste departments. We applied the DCE methodology that has been enforced to create an we've also updated the labels to many of these accounts so you can more easily understand what the particular line items are. We had to inactivate lots of, there will be some inactive accounts that have been inactivated and at least for this year's comparison of the budget to prior year's comparison we're going to suffer a little bit in the year-over-year comparisons because of these organizations.

It's like we have two gears that are speaking of the same thing but they're not cut at the same ratio, they're not going to mesh completely well right away but as we move forward in outward years, the year-over-year comparisons runs become more salient and accurate. In developing the line items in your expenditures we use actual expense pictures in 2016 to inform with those numbers should be in 2017. Where we had to create new accounts we had to go through our list of vendors to find out what we were spending for instance on landscape maintenance and consolidate that into a new landscape maintenance account. I want to stress the fact that the development of this budget is a very important milestone. I feel a very big sense of relief for having gotten to this point, but it is

the first step along the process that will continue to support other Borough functions.

Our bookkeeping systems, our financial reporting, and future budgeting. The budget will continue to be refined, contains more accurate representations where revenues are coming in and expenditures are going out. We create a more reliable document for Council and for the public. Some major things from the budget so far is that our expenses are exceeding revenue in the range of anything from \$50,000 - \$200,000. In past year's budget, cash has been put forward in order to balance the budget and that's not sustainable budgetary practice. Is good budgetary practice for the Borough to keep its cash in an operating account and then in subsequent years, and then following years account all of the revenue, all the expenses that are coming in and out. Another major thing that's different about this budget is the departmental costs, like insurance payroll tax, utilities, maintenance and repair are now spread apart the actual Borough departments for those dollars are expended in.

You see a healthcare line. I don't for instance in the police department for all active and retired police employees receiving health benefits for instance. This budget also includes dollars for the hiring of a new police officer at the probationary level of the new hire. That officer salary would escalate on annual basis according to the police contract. There are pretty significant increases in costs for Worker's Compensation insurance. For general liability and property insurance that are baked into the budget as well that are little harder to see based on the new style of budgeting that we've been proposed. In the old budget where we had one line item with workers compensation insurance it was easiest looking at 2 values but here you look across several values. I want to inform Council that your workers compensation insurance went up significantly in the order of about 35 to 40% and that's based mostly on claims.

It will go up again because there is a two year running average of claims that affect the multiplier on your worker's compensation insurance. Expect that to happen again in 2018. Like most years in Narberth there is a slight growth in the assessed value of properties in Narberth. There is a slight amount of expansion, a slight amount of new property growth but as Mr. Silio explained last month the assessed value of Narbeth is pretty much static. It did lead to an increase of about \$7,000 in revenue. The other major theme I want everyone to be aware of is that what is baked into this preliminary budget is a flat tax rate. However, I did mention the gap that we had before of \$50,000 to \$100,000 between projected revenue and projected expenditures. To close that gap Council will have to consider a reduction in expenditures, raising taxes, or using cash reserves to fill those gaps or a combination of all 3.

I'd like to dive into the budget and go through with members of the table line by line, review it, maybe spend about 10 minutes to walk you through the budget and then have some concluding remarks if everyone's all ready to go from here?

Aaron Muderick: Mm-hmm (affirmative). Go ahead.

Sean Metrick: Okay. We'll just do this and page order, will start at page 1 which is our revenue source. You can see that in the 2016 budget there was \$440,538 in cash that was put forward to this year's operating budget. Now that the budget is put together and we know about what's coming in, and more accurately what's going out, the administrative office is going to focus more closely on our cash flow, our present cash position. We are going to be looking hard at our treasurers report in our balances of invested funds and were going to come to Council at the December business meeting with a real accurate position of how many dollars the Borough is going to finish the year with. So the Borough Council can make an informed decision whether or not it wants to use any of those cash reserves to bridge the gap between revenue and expenditures. For now, we have 0 in that field. Real estate taxes, I'm pausing a little bit on. Every item in the line item as you go through here that shaded, I will pause briefly on and just discuss.

The ones that are not shaded I'm not going to discuss. If the line item has a value in the 2016 budget and the value in 2017 budget obviously that's an instance where we didn't change the chart of accounts number that we were able to base next year's budget on actual receipts or expenditures in that particular category. We don't see a value in the 2016 column, either 0 was budgeted in 2016, or it's a new account. Real estate taxes as I mentioned are projected in this budget to remain flat and generate \$2.717 million dollars. Sewer fees and solid waste fees are shaded because those are proprietary funds, the dollars that will be charged and levied against borough property will equal whatever the expenditure of costs for those services that we figure out will be. When we decide who the next solid waste provider will be and we know that annual fee that will get baked into your annual waste fee charged to taxpayers as its own separate fund. That will not affect the tax rate, you can think of solid waste and sewers as their own separate entities that have costs and expenditures and revenues in the 2 are always going to balance.

I don't have much to say about fees and fines other than those are pretty accurate numbers on most. Of note is that most revenue generated from parking tickets is going to go down next year in revenue for parking meters is going up. This because of the new electronic enforcement system which seems to be changing behaviors.

Charles Silio: What about street opening permits?

Sean Metrick: Street operating permits, that's a good eye Charlie. Is up quite a bit, six times what it is this year. That's because we are anticipating a major project in the borough next year for continuing PECO gas main replacements. It'd be on the order of magnitude of the street opening permits that were filed this year that generated somewhere just south of \$30,000 in revenue. Knowing that the PECO

project is coming next year and planned that's why you see that larger number there.

Barbara Fortner: May I ask a question? I'm assuming street opening means we allow somebody to dig into the street and open it up.

Sean Metrick: Correct.

Aaron Muderick: It's a dramatic increase on building permits.

Sean Metrick: That is what we are bringing in in building permits.

Aaron Muderick: Okay.

Sean Metrick: We roughly average about \$10,000 a month over the course of the year that we bring in a building permit fees. We brought \$18,000 and last month in building permit fees.

Okay page 2, this is a continuation of revenue. I want to pause for a second Narberth Avenue bridge federal and state grants. For now, this is my best guess. You'll see an expenditure in the capital category when we look through expenditures. Whatever that number is going to be, this number on the revenue side is going to be 95% of it.

I have requested from Pennoni Engineering a report of expectations of 2017 design and engineering fees to close that out.

The inter-fund transfers, I want to draw your attention to that. It's something that you may not have seen in previous budgets spelled out this way but this is basically going into the piggy banks pulling out funds from these various funds to pay for something that to pay for a cause that we occurring this year. Those two cost are the cost of the changeover to the digital radio system for the Fire Company and for the police. That's an annual no-interest loan through Montgomery County. This would be our second year on a five year note payment of that so you can do some math and figure out how much those radios cost.

Employee healthcare contributions and retiree healthcare reimbursements are both highlighted because we need to do some more investigation and make sure that we have an accurate number there. Also anywhere you see a healthcare cost in this budget it's going to be highlighted because we don't have renewal rates yet from Independence Blue Cross.

Traditionally those costs go up 7-8% a year and the payroll reimbursement is 5% of cost from active Borough employees. That wraps up the revenue.

Moving on to expenditures I'd like to pause for a second on the first line item in

the capital transfer from general fund to Fire Company fund. There is a sheet in your packet that is stapled together that summarizes the four different long-term debt obligations that the Borough's general fund has for the Fire Company fund for equipment purchases and other capital improvements. It looks like this.

There are four different, you can call them loans, but they're really inter-fund transfer agreements with the Fire Company. The total owed from the general fund to Fire Company fund in 2017 is \$79,000, that liability reduces to around \$49,000 and then \$39,000 in 2019 and then ceases in 2020. I don't see any reason for the Borough to continue borrowing from the Fire Company fund to fund capital improvements. So this will retire that obligation but it will take 3 years to get there.

We should notice about the capital fund categories is that there is not a lot of money in that. There are no capital projects, save for 100 Conway Avenue improvements. And what I'm suggesting there is that Council consider spending money next year to fix the bathrooms on this floor, to replace the carpet in here, paint the walls, to do some work downstairs to improve just the appearance of the office and this meeting space up here.

- Charles Silio: The key point here though for all of us to take away is any additional capital projects want to do, whether it's parks and rec, repairs to Sabine Avenue, literally anything that we have on that laundry list of potential projects is incrementally additional to this budget. At least in the amount that we have to find that service in the first year.
- Aaron Muderick: 201 Sabine has his own operating budget so there are monies in that operating budget which are preserved for capital purposes that are returned to the Borough every year.
- Charles Silio: There's some sidewalk repair that is outside of it that shows up in a Property Committee but just everybody know that I think that's going to be one area where going to need to collectively come to gather and introduce a policy guidance because that's not exclusively included in here.
- Sean Metrick: Good, okay. All right I'm about to throw a lot of more information at you. Maybe another 5 or 6 minutes of going through the expenditures. I won't talk about any salary issues, I request we do that in executive session so those of those first two items. Management consulting services is something that I've spoken a lot with Matt West about and what I'm proposing here is assistance for Borough administration to hire a third-party consultant to assist the Borough Manager and Director of Civic Technology with an analysis of the Borough workforce, review of the job descriptions that have been started, a review of the employee manual that will be distributed to employees in the next month and recommendations for employee review and HR policies.

I would like that to become a major milestone for Borough administration to accomplish and I think that having some outside help to assist the Manager and Dir. Of Civic Technology with that is a good investment.

The audit and financial services line item includes amounts for the renewal of our contract to perform the annual audit and also additional monies in the neighborhood of \$8,000 to \$9,000 for a third-party financial consultant who has been very instrumental in helping me prepare this year's budget.

Aaron Muderick: That the reduction from the previously budgeted amount.

Sean Metrick: That is a reduction.

Aaron Muderick: Something that was split out of that or is just more accurately represented.

Sean Metrick: I think so, it is a more accurate representation of what we'll spend next year on these things.

Aaron Muderick: Okay.

Sean Metrick: Planning services, you see a big jump there because this is connected to all capital planning discussion. These are dollars to be allocated to a third party to assist the Borough in assessing conditions of property, imposing the capital plan, and managing that process so that Council can make better decisions next year about capital planning.

Going on to page 2 of expenditures, it starts with Treasurer's salary at the top, that's unchanged. Borough engineer service fees, we aren't spending eight times the amount of money on our Borough engineer than we did last year, we just haven't accounted for those costs properly in our budget until now. These are unreimbursable Borough engineering fees. This is when I for instance call of Joann Ma from Pennoni Engineering and say, "I think we have some issues at 201 Sabine Ave., can you investigate and let us know what you and your associate's professional opinion with what the Borough should be doing about it". Those dollars would be coming out of this. This is a reduction in what we will have spent in these Borough engineering fees this year.

The reason the dollar amounts are higher is that we have a lot of active capital projects right now for a borough this size and so we get hit with some of those expenditures. Repairs and maintenance of 201 Sabine Ave., that's mostly to cover the landscape contract and services, the snow removal, and sundry repairs that we can do out-of-pocket for things holes in the parking lot, new sidewalks, and those kind of things.

Aaron Muderick: Is there reason to put it here vs. put it inside of the 201 Sabine Ave. budget. It's just basically reducing the amount that's returned to the Borough. I'm just curious

Sean Metrick: There's not a functional difference, but there is an administrative difference in that these types of services the Borough contracts. The Borough office interacts directly with the contractors and the other types of service provisions, and the property manager interacts with the service provider.

Aaron Muderick: That makes good sense.

Sean Metrick: I just want to pause again on the parking study, this might be an opportunity for the projected budget number to go down depending on how much we spend this year. On this parking study. When you add up these 2 columns is that we project to spend in total for the parking study so the more we spend this year, the more that 2017 budget number goes down.

Moving down, we do not have the MMO for non-uniform contributions. That's an increase from last year and my best estimate at this point. I'll pause to say that we do have good news having to do with health insurance. Our dental premiums will remain unchanged in 2017. So anywhere you see administration and dental on our different departmental categories, that number is going to remain the same. It should be unshaded.

The health insurance premiums that you're looking at on page 2 of the expenditures are just the health insurance premiums incurred by active and retired administrative employees. That's all I have left for administration to discuss. I can't remember pardon me what I was going to say about life insurance

Charles Silio: I was just going to ask about your allocation mechanism for Worker's Comp.

Sean Metrick: It is all by departmental category in our quote.

Appropriations. You have the information from Narberth ambulance in your packet explaining why they have requested additional appropriation. I have not received any request from any other of these organizations. These are just appropriation forwards from last year. You'll see some new names on here that had not previously been listed as appropriations because they were never communicated that way in the prior budgets. So expenditures, for instance, incurred by and through the Narberth 4th of July Committee now appears in appropriations, and that sums up the cost that the Borough incurs to help with the fireworks celebration.

Aaron Muderick: Is that police overtime?

Sean Metrick: It is not police overtime. It is just out-of-pocket expenses for carts, barricades, and those sorts of things. Extra port-a-potties.

Moving on to the Fire Company. There's a lot of different items in here and this is

probably the one that looks the most different. We have not received an estimate of operating income from the Fire Company as of yet. So there is no line item in this budget for Fire Company operating expenses. Things like fuel, sundry repairs to vehicles, and so forth. All you see here are the salaries of the housemen, the insurance paid to the same, and the other expenditures the Borough occurs in support of the Fire Company. I want to draw attention to two numbers that are shaded near the bottom, which are the expenditures from the revenue side for the radios of \$18,000. The Volunteer Fire Relief Association again is another pass-through situation. Dollars are received from the state for the support of volunteer fire companies, and that's reflected on the revenue side. The same dollar amount is going right back out on the expenditures side, but we need to show that in our budgets.

Aaron Muderick: The worker's compensation for the volunteer is not in the Fire Company budget, is paid by the Borough?

Sean Metrick: It is paid by the Borough.

Charles Silio: Your point that you are making about other contributions to the Fire Company, it sounds like historically we've made a direct contribution to the budget, and paid some invoices directly from the office. What's your thought about how we handle that this year, in 2017, if I'm making any sense?

Sean Metrick: I think there's two kinds of distributions that the Borough makes. It's paying its bills, and its appropriating dollars. And the one requires an invoice and the other one doesn't.

Aaron Muderick: You're saying that the annual contribution to the Fire Company is not in here because you have not yet received a request?

Sean Metrick: I have requested that we receive an estimate of the operating expenses incurred by the Fire Company, and have not received one. I'm estimating. And those would be things for repairs, diesel fuel, those kind of things that the Fire Company needs assistance with to operate during the year.

Aaron Muderick: That could be a significant amount of money.

Sean Metrick: It could be.

Aaron Muderick: And previous budgets it was a significant amount.

Sean Metrick: We don't know what the actual expense was in previous budgets.

Aaron Muderick: I understand that, but in previous budgets there was a significant amount of money allocated.

Sean Metrick: Yes.

Barbara Fortner: When you say that the operating budget from these expenses, are those the things that are paid through invoices? Is that what Charlie's question is?

Sean Metrick: They had not been in the he past, no.

Barbara Fortner: They had not been paid by an invoice in the past. It was just by some contribution that we made.

Aaron Muderick: They made a request for an amount of dollars.

Barbara Fortner: Okay, so now we're saying that instead of just giving you this general amount of money, we'd like you to be more clear, and what you're using it for. It's not like we're going get two buckets to get added to this. It's just one.

Aaron Muderick: One bucket.

Barbara Fortner: Okay, thank you.

Gigi Tevlin-Moffat: No maybe not.

Aaron Muderick: It could be 2 buckets.

Gigi Tevlin-Moffat: It could be 2 buckets right.

Barbara Fortner: No, but I meant it's not going to be things that we're going to pay for an invoice, and then a general contribution that we're making to the Fire Company.

Aaron Muderick: That's up to this Council to decide.

Barbara Fortner: Oh I see what you're saying, got you. Nevermind.

Bob Weisbord: I'm just curious, do they have some other revenue stream for their expenses?

Aaron Muderick: Donations.

Bob Weisbord: Oh the donations.

Gigi Tevlin-Moffat: Donations. They are reimbursed for some expenses and training, and some equipment expenses. It's not hundreds of thousands of dollars, to the best of my estimate.

Bob Weisbord: Do they get state or county?

Gigi Tevlin-Moffat: They do. There is actually a line item in here where they receive almost \$41,000

and I believe that came from the county.

Sean Metrick: State aid.

Gigi Tevlin-Moffat: State aid, so there you are. There it is, it is line 5041100 and it says state aid. So if I had read it, that was my... So there is that. We don't have a clear picture on what's been raised by the firehouse on its own, and contributions from the public. We don't have that number so we're sort of, yeah right okay.

Charles Silio: We're hoping to get some actual financials and a budget?

Aaron Muderick: Just from this budget's perspective, the only impact is to increase the shortfall, there is no upside.

Gigi Tevlin-Moffat: No, no upside. Unless they come back and say, "hey we don't need the money this year. We are covering it".

Aaron Muderick: Okay. Go ahead Sean.

Sean Metrick: Okay. The library departmental budget includes the full allocation requested by the board director this evening at the Finance Committee.

Moving on to the police department. Again, these costs were fairly simple to calculate. It's mostly payroll expenses in the first part of the budget. The police service fee to Lower Merion Township is adjusted by consumer price index. I made my best estimate what that was without looking it up, and that's that number there. The health insurance, I just want to comment that with all health insurance, is we don't know what that rate exactly is yet. That includes active and retired police officers, and also includes an additional, the new hire fees there as well. I have an additional thing I like to talk about an executive section had to do with the police budget. Other than that I don't have anything additional to say right now about the police budget.

Moving on to public works. This budget looks a lot different. Because, I think if you look at the first row. Full-time public works wages. We are not paying our employees 50% more, that's not with that line item is communicating to you.

What had been done in the past was that highway aid dollars were being allocated to pay payroll, and we can still continue to do that for certain types of activities that are prescribed by state law. On the revenue side of your budget the full highway aid allocation appears, and on the expenditure side, the full wages for highway crew full and part-time employees appears as well. And we will work to get some more clarity for Council on how those highway aid dollars reimburse costs incurred for wages of full and part-time public works employees. I have additional information to discuss in executive session for the public works in staffing.

Debt service. I am still a little slow on the chart of accounts there. I need to figure out which ones those are going to. I will draw attention to the maturity dates of these notes to Council. And there are two notes that are scheduled to expire at the end of 2017 that total somewhere north of \$76,000 of debt service. Also note the 2002 GO note with biannual payments through 12/21. That has a fairly high interest rate on it. So with the retirement of those two notes, the potential refinancing of the 2002 GO note, and the timing of the same, what Council could be looking at by next Fall, is an opportunity to act upon a capital plan with the ability to go out and do a significant borrowing issue. Refinancing some older debt down to a more favorable rate and using some of that financing power of \$76,000 to acquire more funds and make decisions about what the best length of repayment should be, and so forth, in line with the capital plan.

Sewer and solid waste are pretty self-explanatory. Self-contained proprietary funds, where the revenues chart for this particular service are supposed to balance the cost incurred by the Borough for those services. When you peek back at the total of each of those fund categories, they should always equal your revenue on your taxes and real property. In summary, at the bottom of page 6 of expenditures, are expenditures by department and at the very bottom is what is figured to be right now a \$61,000 shortfall between revenues and expenditures.

Charles Silio: That's with capital appropriations of about \$26,000?

Sean Metrick: Yes. Charlie kind of stole my thunder.

Charles Silio: I'm sorry.

Sean Metrick: In conclusion, I promised 5 minutes. I went for 10. I apologize. The budget has no cash forward presently, and we won't know until later this year it is even a possibility, due to the large amount of active capital projects that are currently underway in the borough. This plan budget has little or no money for capital improvements in it. The office recommends to Council a moratorium on new projects, until we had an opportunity to develop a capital plan, and a financing strategy to pay for the same. I mentioned the other fact before that to close the perceived gap, we would have to consider, Council would have to consider, reducing expenditures, raising taxes, or using those cash reserves to balance the budget.

Aaron Muderick: Mm-hmm (affirmative). Well thank you very much.

Gigi Tevlin-Moffat: Sean this is wonderful, thank you so much.

Sean Metrick: You're welcome.

Bob Weisbord: You can actually read this.

Gigi Tevlin-Moffat: It is comprehensive and it is transparent and we thank you.

Aaron Muderick: I would just like to recognize not only the amount of work you put into it but the amount of work I recognize that extracting a lot of this information required over the past number of months and thank you. Is this an Excel document?

Sean Metrick: Yes.

Aaron Muderick: Do these budgets exist at all in QuickBooks in that budgeting system that are applied to these support accounts are no?

Sean Metrick: QuickBooks allows you to do a budget yes, we have a 2016 budget in QuickBooks and we will do one for 2017-

Aaron Muderick: Once this comes together, understood thank you.

Bob Weisbord: We get to make pie charts.

Aaron Muderick: Then you can make the pie charts. Is there anything else in your report?

Sean Metrick: No. Thank you.

(Applause)

Aaron Muderick: I know are going to have an executive session on the personnel aspects of this budget following this meeting. Are there any other questions on the budget at this point to happen during the public meeting?

Charles Silio: I have a comment on the budget. Just to follow on from what Sean said. There's three categories of things that are not included in the budget that he's going need our feedback on, and one potential line item he's going to need the Fire Company's feedback on. So we definitely need their budget submission but that's one.

This budget contemplates just making the MMO contribution to the pensions including both the nearly funded uniformed pension, and the police pension, where we have about currently as of last year \$2.4 million shortfall. One key policy decision we're going have to make hopefully is for this budget cycle is to review, with some sensitivity analysis feedback, from the actuary who was at the Finance and Administration Committee meeting earlier tonight. Whether and how quickly we'd like to make contributions in excess of the MMO to close that pension funding gap, and we will get better data from them in order to have a better discussion around that.

The second big category is, other than pension employee benefits. Those kind of benefits. That's healthcare primarily, and again the non-uniformed status of that

we tend to find ourselves pretty close to normal year-to-year. But because of retirement ages and healthcare costs etc., the police liability has been growing pretty dramatically and expected to continually do so, with some further actuarial accounting rule changes that are coming down the pike. We have to have a similar discussion there. Other than pension there is not a trust fund set up to support that. And we can get into a deeper discussion of that at next month's meeting. We also will try get some sensitivity analysis and guidance from the actuaries as to what actions we have to do for that. None of that contribution beyond what our annual cash costs are plus retirement benefits is included as well.

The third thing were going to need your guidance on is capital projects. Finance and Administration had a little bit discussion at our meeting tonight. We have to come to the group of you, the mayor, the office with some means of getting everyone's feedback on the very long list of potential capital projects that we have on the table and get some policy guidance from the group as to whether there are specific projects that we will want to do in advance of the proper capital plan, or whether there's just an amount of money that we should be thinking about setting aside next year for both executable projects and the developing that capital plan and anything else that can be executed in the back half of next year because that number is not in here either.

When you read this budget, think of this as a starting point and weigh in your mind those three levers, each of which would cost something above what's here.

Aaron Muderick: Right thank you. I have the monthly reports here which I will submit. Mayor Grady do you have the police report?

Tom Grady: I do.

Aaron Muderick: Did last month's report make it to the file?

Tom Grady: Yes.

Aaron Muderick: Thank you and I do not have a report from the Fire Chief or the Fire Marshal is that correct? Okay. There you go. Any comments for the good of council?

Aaron Muderick: Hearing none, will move to old business. Any old business?

Bob Wegbreit: I had a few items. There's a planning commission meeting this past month and on the agenda unfortunately all it had was a subdivision [inaudible 01:58:42]. And I actually saw the person from the County, that Planning Commission person a few minutes before and I ask is there anything else on the budget, I mean on the agenda and he says you know what I'm not going to go and it turns out that there was a lengthy discussion of what they're having and I would have liked the community to be aware that they were having a lengthy discussion on a follow-up

question from the Committee on the form based code. I know they're going to meet again this month, next month, they haven't made decisions on it but on something like that you really careful with our agendas that we post. We all pretty bad about posting agendas, this is a broad agenda here but these are issues that are pretty prevalent to the community and I don't know if it was miscommunication from or where it happened but the bottom line is I was frustrated, I know of is for frustrated that that was not announced discussion. I just asked office to aware of that and make sure we post that on the website.

Bob Weisbord: Who writes the planning commission agenda?

Bob Wegbreit: I'm assuming is the planning commission but-

Aaron Muderick: I sent a message to Mr. Cornwall about the same and I reiterated what I'd said at the previous Borough meeting that all boards and commissions need to have public agendas and they need to take minutes. I pointed out that the planning commission generally has very high quality minutes and generally a very comprehensive agenda, but that is better to have more on the agenda then less and choose to skip items rather than having a discussion even if no decision was actually made because it damages the transparency of the public process. I mean we're all volunteers I take responsibility, this Narberth Ambulance presentation that was me dropping the ball, it should have been on the agenda will all continue to do better. I wanted to let you know that I addressed that.

Bob Wegbreit: Want to update everybody on the parking study. There was an initial meeting that Charlie and I sat in on, and it was very positive I thought. Charlie agrees that it was very fair, but they are starting to move on it, there's going to work with Matt on different items. Did we come up with a solid date yet, I know they asked to get back to them I think they were targeting the week right after Thanksgiving for a public meeting. I think it was like December 1st or 2nd?

Sean Metrick: Yeah I have to look at my notes, I'm sorry I don't know off the top of my head.

Bob Wegbreit: I was hoping, I don't know if they send it to you, but they sent it to everyone on the call. I was on the call with, the person from Nelson Nygaard could send their minutes or notes from the meeting so we can share with the rest of the Council because I think is things you want to get involved in early on. As much knowledge base as possible. That was very good. I don't know if you have an update on the bids for the swale.

Sean Metrick: They're coming in.

Bob Wegbreit: So when?

Sean Metrick: The bid opening is Wednesday October the, what date in October is that? 26th.

Bob Wegbreit: Okay. And where are we with the trash hauling bids?

Sean Metrick: The bid opening is Thursday the 27th. Lots of projects going.

Charles Silio: I have a question on that. On the swale, I thought we could only get reimbursed the things that we actually funded through the end of October.

Bob Wegbreit: It got extended.

Charles Silio: It did?

Bob Wegbreit: Yeah.

Charles Silio: Despite the no extensions-

Bob Wegbreit: Where they ask for it and they got it. They were concerned and so I mean is working out [crosstalk 02:02:47]

Aaron Muderick: We put our votes out front, and they want to do this and they want to do this and they made it happen.

Charles Silio: Any ideas of when it is extended to?

Bob Wegbreit: There is, I think it's the beginning of next year are something.

Gigi Tevlin-Moffat: It isn't to the beginning of next year and I think that we actually had a little comment about January-

Bob Wegbreit: Yeah because we are worried about planning-

Gigi Tevlin-Moffat: [crosstalk 02:03:31] those frozen ground [inaudible 02:03:32]

Bob Wegbreit: It's going to happen. I suspect once the bids are in, assuming they're clean, it will be fairly quickly and it be good also because most of the soccer program will be over by then, I think it ends and the T-shirt program there.

Marlene had sent a note today to the Economic Development Committee and she wanted to do a meeting on October 24, a Monday, I believe. I had sent you a note later in the day, does that work for you or you don't know yet?

Sean Metrick: The home schedule is not kept in office I haven't been home since I got that email.

Bob Wegbreit: That's fine, I just want to make sure. I guess that the last thing was, I continuously hear from some of the neighbors that were concerned about the build outs and other questions on the form-based code as it is being reflected by both the planning commission... At this point are we just saying "no" we're not going to

give any type of review, even though we talked about it very much so doing the whole process?

Aaron Muderick: That is where we are and I can tell you, I can read to you an email that I sent, if you give me a moment I can find it. The idea here, I chose my words carefully, so that me see if I can-

Gigi Tevlin-Moffat: In the meantime, can I back up to for the good of council?

Aaron Muderick: Yeah go ahead.

Gigi Tevlin-Moffat: Working with the Lower Merion School District and the Lower Merion Township and Narberth Borough will meet tomorrow evening at 7 o'clock. Those three entities will need to discuss items brought forth by the Township as well as the School District. The agenda has been posted online so if anyone would like to come to that meeting it's at somewhere in the Township building. Sorry I don't even know where it is in the Township building.

Aaron Muderick: If you go to the Township building there will be a sign or something that tells you where to go. [crosstalk 02:05:27]

Gigi Tevlin-Moffat: Boards and commissions. I believe there are nine positions available on various boards and commissions. I think the list of boards and commissions are found on the website, and you will see those expiration dates for 2016 so some of those folks who hold both positions are happy to re-apply if they like and new members of the community can come forward, any member of the community can come forward and apply for those positions would a letter of interest to Mr. Metrick.

Bob Wegbreit: Do have a schedule of when applications?

Yes, because it would be good to do it a little early. I've always been a very late in the year and it's like-

Charles Silio: May be at the November schedule meeting.

Gigi Tevlin-Moffat: There's nine open positions, that's my estimation is about nine, and so that's going to take a minute.

Barbara Fortner: About it one of the last meetings maybe we talked about having something put on the website that said here's the positions that are open and this is what this board or commission does. Do we know that's going to happen are we just sent people should just go look at the list?

Gigi Tevlin-Moffat: At the best of our ability will make those descriptions available. I have like three of them out of nine. We will see what everybody else can pitch in with so yes.

Barbara Fortner: You mean descriptions?

Gigi Tevlin-Moffat: Descriptions of what exactly those positions are and what they do.

Charles Silio: I have volunteer time to pitch in on that it this week if you need help.

Bob Wegbreit: I think would be good to see what our schedules are for here and just kind of pick another Monday. For the people on the interview side it is a lot more emotional than for this side because we've kind of been jaded through it all.

Gigi Tevlin-Moffat: We need to do it in the kindest way possible.

Bob Wegbreit: Well is good to give them the due consideration, I mean last year it was a little rough.

Aaron Muderick: I did find the email, it looks like I sent it to David Berdow and I CC'ed Bob Weisbord just because he was on the original thread. I like to summarize my position on it. I wrote:

“the form based zoning has been one of tremendous complication involving dozens of participants representing thousands of stakeholders. Now that it has passed into law we are looking at how it can be used and discussing potential modifications. The attached document which I think you've all seen passed around which is a lot of those questions that were on the blog, they were unanswered in other things. In my opinion is looking backwards. I will attempt to answer each of those questions below, I'm sure you will have questions based on my answers but at some point we all need to move on. I would not be able to respond to any further questions in regards to these happenings about activities, thoughts, motivations, or histories leading to the vote on the form-based zoning code.”

“I need to dedicate my time and not believe council needs to dedicate its time to what is ahead. Currently council has authorized no funds for any analysis by consultant which would be required to perform a max build out along any street, Elmwood Avenue in particular. It is not a straightforward calculation that leads to a simple answer, it depends on what a developer is looking to do, it is complicated. The form-based code is neutral in regards to zoning when viewed across the entire borough. Of course it allows some areas, blocks zones increase in density while others have more restrictions. The development that occurs is consistent with our community development guidelines. In the old system density could happen scatter shot and under the new system it has certain areas where it is encouraged or restricted. The parking study is moving forward now, they will collect data we expect to have answers by summer. To my knowledge no research was done directly on the financial impacts of the individual properties under the form-based zoning code.”

“It is my understanding that Todd Bressi of the planning commission developed a form based zoning code previously for a municipality in New Jersey, I am not aware of others who had done so. We also did contract with Sandy Sorlien, who is a known expert on this type of code. The goal for the community to post on the blog was a helpful way to share information about stakeholders, no guarantees were ever made that every question would be answered. And as I have indicated previously, some questions that seem simple, are actually quite complex or even unanswerable. It is not an attempt on any Council members part to try and appear likely avoiding a question, we hope that more resources could have been available. Ultimately the limited resources of our County consultant did not allow that and that window is now closed. I'm not sure of any date when the Council indicated that further resources would be applied to answering those blog questions and at some point we must make a decision for a document this complex.”

“We can ask questions and find tune literally into the end of time. Part of leadership is making the call as to when it is time to close discussion and vote. I and other council members made that decision when the form-based zoning code was passed into law. As a community we need to look forward I encourage everyone's attendance at future meetings of the planning commission, Building and Zoning Committee, and Council meetings. I know the everyone's experience and perspective is valuable as we continue to develop and enhance our community.”

I'm sorry for reading that whole thing but I think it's something is been out in the community and it has been bouncing around in the community [crosstalk 02:11:20] Time putting something together. Now everybody got to see it rather than just two people.

Any other old business? New business? Mr. Metrick could you speak to the new traffic light briefly at the traffic control device installation, do you have any information?

Sean Metrick: Yes, the traffic light went live. The Fire Company during the flashing test phase of the signal went out and tested it and when they approach from Windsor Avenue and Wynnewood Avenue it did activate. There was an issue with emergency vehicles approaching from Haverford Avenue, not being able to trigger the signal preemption device until they got the ability to turn onto Wynnewood Avenue and there was a suggestion of a second signal preemption device be placed at the corner of Haverford and Wynnewood Avenues. The Fire Chief and officials from Lower Merion Township agreed that that was probably something we should do, but as of yet that has not been done.

Aaron Muderick: Okay and what will be next steps there?

Sean Metrick: A conversation with the Township.

Aaron Muderick: Okay. Okay, just wanted to bring everyone up to speed since I know is been an area of heated debate over the years.

Aaron Muderick: Any other new business, hearing none, I'll take a motion for adjournment.

Gigi Tevlin-Moffat: I move to adjourn.

Aaron Muderick: Is there a second?

Bob Weisbord: I'll second.

Aaron Muderick: Alright, all in favor?

Charles Silio: Are we adjourning to executive session?

Aaron Muderick: Yes we are. All in favor?

Group: Aye.

Aaron Muderick: Meeting is adjourned. Will take 5 and I mean a strong 5 and they will go right into executive session. [crosstalk 02:13:44]