

## MINUTES

**October 16, 2006**

The regular monthly meeting of Ambler Borough Council was held Monday, October 16, 2006 at 8:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. President Anita O'Hara Pieri presided.

Mrs. Baigis led the public in the Pledge of Allegiance and a moment of prayer.

**Roll Call** – Present: Mrs. O'Hara Pieri, Mr. G. Pasceri, Mr. Taylor, Mr. Isabella, Mr. Kenney, Mr. Orehek, Mr Pugliese, Mrs. Baigis and Mr. Dooley. Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Aversa also were present.

Mrs. O'Hara Pieri moved that the September 18<sup>th</sup> Minutes be approved. Seconded, carried.

A PRESENTATION WAS MADE by Susan Menno of Westrum Development Co. delineating certain changes that had been made regarding the proposed development of the “**Crossings at Ambler.**” Ms. Menno directed her comments to the culvert that runs through the Crossings. Specifically, Buildings 1 and 5 were flipped on the site plan and Building 2 was shifted to allow for the existing culvert, which has been videotaped, to remain undisturbed. The culvert is designed for a 100-year storm and will have a backflow prevention system. Westrum intends to employ Tri-State Grouting for grouting touch-up. Additionally, the retaining wall at Chestnut, a 12-foot wall, will be reduced in height as it rounds a sharper curve entering the Crossings than originally planned. Westrum will accommodate fire lane requirements. Further, Westrum intends to reroute the water main schematic to run the width of the property, u-turn and double back and then to run north to south on the property.

IT WAS AGREED by Borough engineer Jim Dougherty of Gilmore & Associates that his firm will videocheck the culvert construction after completion of Westrum's construction project. Borough Manager Wack emphasized that Gilmore & Associates will need to examine the road over the culvert carefully. Mr. Kenney inquired as to whose responsibility it would be if changes are required and was informed that all changes (and costs) would be the responsibility of Westrum.

IT WAS AGREED BY COUNCIL that with this update, Westrum could proceed to final plan submission on Tuesday, October 17, 2006. Further, engineering plans would be filed with Gilmore & Associates and the required supplemental materials previously requested would follow.

## **COMMITTEE REPORTS**

### **Finance and Planning Committee - Mr. Kenney, Chairman**

The Committee met on Monday, October 2, 2006 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Kenney, Mr. Pasceri, Mr. Dooley and Mr. Taylor. Also present: Mrs. O'Hara Pieri, Mr. Pugliese, Mr. Orehek, Mr. Isabella and Mrs. Baigis. Also present: Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Mary Aversa.

The Finance and Planning Committee report was given by Mr. Kenney.

#### **The Committee will recommend the following:**

1. Recommend that the September 2006 invoices totaling \$575,073.97 be paid.
2. Recommend denying a waiver from a sidewalk requirement along Park Avenue to the owner of the property at 300 Highland Avenue.

Discussion ensued. The property owner Vince Bevivino stated he sought the waiver to preserve the trees and natural border along the roadway. He also sought the waiver due to the slope of the property. Solicitor Bresnan stated that regarding corner lot frontages, an existing fence can remain, however, vegetation is meaningless and sidewalk width must conform to ADA requirements. Ms. Baigis endorsed 'walkable communities' and stressed the importance of safety given the parking situation in that area, recommending that a sidewalk be required. Mr. Pugliese also expressed a concern for public safety should the waiver be granted and cited ADA requirements that are in line with the Borough's ordinance. He advised that the sidewalk requirement be enforced by way of the established ordinance.

3. Recommend advertising for adoption of a Zoning Ordinance amendment in reference to Flag Lots.
4. Recommend advertising for adopting of a Zoning Ordinance amendment in reference to the parking requirement in the Transit-Oriented Development area.

Discussion ensued. It was stated that the Planning Commission had voted to reduce TOD parking. Mrs. Baigis expressed her concern that parking already is inadequate, especially for existing residents who frequently park several blocks away from their residences, and that if new development is added, the problem will only be exacerbated.

5. Recommend advertising that the Public Budget Meeting be held Monday, November 6, 2006 at 7:00 P.M., for subsequent adoption of the 2007 Budget on Monday, November 20, 2006.

**In other business the following was discussed:**

Bernadette Dougherty, Manager of Ambler Main Street announced that a one hour Ghost Walking Tour will be sponsored jointly by the Wissahickon Valley Historical Society and Ambler Main Street. Further, she announced that she had attended a meeting of Main Street Managers and was looking to additional new sources of funding. Finally, she expressed her thanks to the community and to the work efforts of the Borough's road crew in enabling a successful Octoberfest.

Mrs. O'Hara Pieri asked if the public had further comments or questions. None received.

Mr. Pasceri moved the report be accepted and filed. Seconded, carried.

**Public Safety Committee – Mr. Pugliese, Chairman**

The Committee met on Monday, October 2, 2006 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Pugliese, Mr. G. Pasceri and Mr. Isabella. Also present: Mrs. O'Hara Pieri, Mr. Orehek, Mr. Kenney, Mrs. Baigis, Mr. Dooley and Mr. Taylor. Also present: Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Mary Aversa.

The Public Safety Committee report was given by Mr. Pugliese.

**The Committee will make no recommendations at this time.**

**In other business the following was discussed:**

1. Solicitor Bresnan stated that upon his examination of National Institute for Management Safety (NIMS) requirements, only individuals who are part of the emergency chain of command legally are required to enroll in a NIMS training class. Therefore, specifically, the Borough Manager/Chief of Police, the Mayor, Council President and Chairman of Public Safety Committee are required to participate. Currently, NIMS class dates being considered are November 1 and 2, 2006. Mr. Taylor stated a concern that if not everyone on Council attended the class, the Borough might lose FEMA funds. Mr. Bresnan stated that this was not the case.
2. Bernadette Dougherty expressed concern as to the lack of visibility of the money box at the parking lot behind Ambler Savings. She noted that several tree branches need to be trimmed back away from the box.

Mrs. O'Hara Pieri asked if there were questions from the public. None were asked.

Mr. Pasceri moved the report be accepted and filed. Seconded, carried.

### **Parks and Recreation Committee – Mr. Dooley, Chairman**

The Committee met on Monday, October 2, 2006 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Dooley, Mr. G. Pasceri and Mr. Isabella. Also present: Mrs. O'Hara Pieri, Mr. Orehek, Mr. Pugliese, Mr. Kenney, Mrs. Baigis and Mr. Taylor. Also present: Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Mary Aversa.

The Parks and Recreation Committee report was given by Mr. Dooley.

#### **The Committee will recommend the following:**

1. Recommend proceeding with Open Space Grant implementation by preparing a sketch plan and cost estimate for a permanent building to be erected at Knights Park.

Discussion ensued. Borough Manager Wack stated that a County recommendation of a proposed structure will be forthcoming from Mike Narcowich of the Montgomery County Planning Commission.

#### **In other business the following was discussed:**

1. It was stated that Ambler Junior Baseball will be meeting Thursday, October 19, 2006 to discuss improvements to Pickering Field and to discuss a backstop at Knights Park.
2. Borough Manager Wack asked to be contacted regarding a request for swings at Ricciardi Park.

Mrs. O'Hara Pieri asked if there were questions from the public. None were asked.

Mr. Pasceri moved the report be accepted and filed. Seconded, carried.

### **Public Utilities Committee – Mr. Orehek, Chairman**

The Committee met on Monday, October 2, 2006 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Orehek, Mr. Pugliese, Mrs. O'Hara Pieri. Also present: Mr. Pasceri, Mr. Kenney, Mr. Isabella, Mr. Taylor, Mr. Dooley and Mrs. Baigis. Also present: Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Mary Aversa.

The Public Utilities Committee report was given by Mr. Orehek.

**The Committee will recommend the following:**

1. Recommend advertisement for bid for Ambler Borough Water Department's Well #15 for the purpose of conducting a 72-hour pump test.
2. Recommend advertisement for bid for the removal of the failed WWTP generator set and installation of the new unit along with replacing the phase sensing devise in the switch gear.
3. Recommend advertisement for bid for a disposal site for the WWTP's sludge cake, grits and screenings. (It was stressed by Borough Manager Wack that transport to the site was being considered by the WWTP itself.)
4. Recommend advertising for bid for the removal and replacement of additional B-2 conductors at the WWTP.
5. Recommend awarding an installation contract for the 7.5 KW generator located at the Maintenance Garage to Schneider Electric, at a cost not to exceed \$9,500.00.
6. Recommend advertising for bid for gabion installation and placement of rip-rap at the bottom of the Loch Alsh Reservoir spillway.

**In other business the following was discussed:**

Mrs. Baigis inquired at to the Gannett-Fleming Pilot Study currently underway at the Whitmarsh Pumping Station. It was explained that the study will help determine what additional remedies are necessary to put this facility back on line.

Mrs. O'Hara Pieri asked if the public had any questions. No questions received.

Mr. Pasceri moved the report be accepted and filed. Seconded, carried.

**EXECUTIVE SESSION**

At the request of the Borough Solicitor, Borough Council and Rocco Wack (Manager) dismissed from chambers to hold an Executive Session. Upon the Council's return to public meeting, Mrs. O'Hara Pieri stated that the reason for their Executive Session was to discuss a personnel issue.

**Salary and Personnel Committee – Mr. Isabella, Chairman**

The Committee met on Monday, October 2, 2006 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Isabella, Mr. G. Pasceri and Mr. Orehek. Also present: Mrs. O'Hara Pieri, Mr. Pugliese, Mr. Kenney,

Mrs. Baigis, Mr. Dooley and Mr. Taylor. Also present: Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Mary Aversa.

The Salary and Personnel Committee report was given by Mr. Isabella.

**The Committee will recommend the following:**

1. Recommend the hiring of Steven Smallberger for the vacant Operator I position in the Water Department.
2. Recommend the hiring of James Wack for the vacant Mechanic II position in the Waste Water Treatment Plant Department.
3. Recommend the hiring of Phillip Barreca for the vacant Highway Laborer position.

Discussion ensued. Mrs. Baigis informed the Council that she had been unsuccessful in obtaining a Borough employee data list. She stated that she had been advised by the Borough Manager that she should submit a letter to the Salary and Personnel Committee regarding whatever information she was requesting, that she had done so, and that no information had been forthcoming. Mr. Orehek stated his belief that an Organizational Chart delineating employee name and department only would be an appropriate document to be made available for review. Mr. Kenney stated his interest in reviewing an organizational chart. Mrs. O'Hara Pieri suggested that the Salary and Personnel Committee was the appropriate committee to have in its sole possession an Organizational Chart, instead of an employee data list. Mr. Taylor agreed with Mrs. O'Hara Pieri, adding that in his professional opinion an organizational chart was an appropriate document to be held by the Salary and Personnel Committee. Mrs. Baigis then addressed the Council, stating that in the environs of the Caucus Room and at other times, she had felt an atmosphere of intimidation. Mrs. O'Hara Pieri asked the other members of Borough Council whether any of them had ever felt intimidated or had an awareness that Mrs. Baigis had ever been intimidated. Council members by appearance and statement communicated that they were not aware of any situation where this had occurred. Mrs. O'Hara Pieri stated her opinion that ample time and consideration always were given at Caucus and at meeting for Mrs. Baigis to state her views or to ask questions.

Mrs. O'Hara Pieri asked if the public had any questions. No questions received.

Mr. Pasceri moved the report be accepted and filed. Seconded, carried.

**OLD BUSINESS/NEW BUSINESS**

There being no further business, Mrs. O'Hara Pieri asked for questions or comments from the public. There were none. Council, therefore, moved on to recommendations.

## RECOMMENDATIONS

### Public Safety Committee

None

### Parks and Recreation Committee

The Committee recommends and Mr. Dooley moves:

TO PROCEED WITH with Open Space Grant implementation by preparing a sketch plan and cost estimate for a permanent building to be erected at Knights Park. Seconded, carried.

### Public Utilities Committee

The Committee recommends and Mr. Orehek moves:

RECOMMEND advertisement for bid for Ambler Borough Water Department's Well #15 for the purpose of conducting a 72-hour pump test. Seconded, carried.

RECOMMEND advertisement for bid for the removal of the failed WWTP generator set and installation of the new unit along with replacing the phase sensing devise in the switch gear. Seconded, carried.

RECOMMEND advertisement for bid for a disposal site for the WWTP's sludge cake, grits and screenings. Seconded, carried.

RECOMMEND advertising for bid for the removal and replacement of additional B-2 conductors at the WWTP. Seconded, carried.

RECOMMEND awarding an installation contract for the 7.5 KW generator located at the Maintenance Garage to Schneider Electric, at a cost not to exceed \$9,500.00. Seconded, carried.

RECOMMEND advertising for bid for gabion installation and placement of rip-rap at the bottom of the Loch Alsh Reservoir spillway. Seconded, carried.

### Finance and Planning Committee

The Committee recommends and Mr. Kenney moves:

THAT the September 2006 invoices totaling \$575,073.97 be paid. Seconded, carried.

THAT a waiver be DENIED the owner of the property at 300 Highland Avenue from a sidewalk requirement along Park Avenue and that the sidewalk ordinance be enforced as the established ordinance. Seconded. Ayes-7, Nays-2 (Mr. Isabella and Mr. Pasceri). Carried.

RECOMMEND advertising for adoption of a Zoning Ordinance amendment in reference to Flag Lots. Seconded, carried.

RECOMMEND advertising for adopting of a Zoning Ordinance amendment in reference to the parking requirement in the Transit-Oriented Development area. Seconded. Ayes-8, Nays-1 (Mrs. Baigis). Carried.

RECOMMEND advertising that the Public Budget Meeting be held Monday, November 6, 2006 at 7:00 P.M., for subsequent adoption of the 2007 Budget on Monday, November 20, 2006. Seconded, carried.

### **Salary and Personnel Committee**

The Committee recommends and Mr. Isabella moves:

THAT Steven Smallberger be hired for the position of Operator I in the Water Department. Seconded, carried.

THAT James Wack be hired for the position of Mechanic II in the Waste Water Treatment Department. Seconded. Ayes-8, Nays-1 (Mrs. Baigis). Carried.

THAT Phillip Barreca be hired for the position of Highway laborer in the Public Works Department. Seconded, carried.

Mrs. O'Hara Pieri moved the meeting be adjourned. Seconded, carried.

Respectfully submitted,

Elizabeth Russell  
Administrative Assistant

For  
George W. Benigno  
Assistant Borough Secretary