

## AMBLER BOROUGH COUNCIL MINUTES

**December 17, 2007**

The regular monthly meeting of Ambler Borough Council was held Monday, December 17, 2007. An Executive Session began at 7:00 p.m. followed by a public hearing at 8:00 p.m. to consider adopting an ordinance recommending a change in the TOD Zoning District to modify the parking requirements. Upon a motion to adopt the ordinance, Council voted as follows: 8-Aye; 1-Nay (Mrs. Baigis). The regular Council Meeting began at approximately 8:25 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. President Anita Pieri presided.

Mayor Bud Wahl led the public in the Pledge of Allegiance and a moment of silence.

**Roll Call** – Present: Mrs. Pieri, Mr. G. Pasceri, Mr. Isabella, Mr. Kenney, Mrs. Baigis, Mr. Orehek, Mr. Pugliese, Mr. Dooley and Mr. S. Pasceri. Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Aversa also were present. Absent: Mr. Rocco Wack.

Mrs. Pieri noted that minor changes to the Minutes had been suggested by Mrs. Baigis. A few of these changes were discussed and then Mrs. Pieri moved that the Minutes of the November 19, 2007 Council Meeting be accepted. Seconded, carried.

Mrs. Pieri announced that an Executive Session had been held that evening prior to the Council Meeting wherein a policy discussion was held, a salary and personnel issue was discussed and authorization to file an appeal to the DEP (November 29, 2007 letter) was given to Solicitor Joe Bresnan. Mrs. Pieri then announced that Mr. Rocco Wack would no longer serve as Borough Manager due to health and personal reasons. She stated that he would continue on in his position as Police Chief.

### **COMMITTEE REPORTS**

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

Committee Members: Mr. Kenney, Mr. G. Pasceri, Mr. Dooley and Mr. S. Pasceri

The Committee met on Monday, December 3, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mrs. Pieri, Mr. G. Pasceri, Mr. Orehek, Mr. Pugliese, Mr. Kenney, Mr. Dooley, Mr. Isabella and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. S. Pasceri, Mayor Wahl and Mr. Rocco Wack.

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

**The Committee will recommend the following:**

1. Recommend adopting **Resolution 2007-12** recognizing Councilman Lou Orehek for his dedication and service to the Borough of Ambler.
2. Recommend adopting **Resolution 2007-13** recognizing Councilman John Pugliese for his dedication and service to the Borough of Ambler.
3. Recommend adopting **Resolution 2007-14** recognizing Bernadette Dougherty for her revitalization efforts as Main Street Manager.

A presentation followed. Mayor Wahl presented Councilman Orehek, Councilman Pugliese and Ms. Dougherty each with a framed copy of their resolutions and with a plaque. Mr. Wahl read into the record a letter of commendation to Ms. Dougherty from Congresswoman Allyson Schwartz.

4. Recommend that the November 2007 invoices in the amount of **\$788,445.34** be paid as follows: General (\$125,110.09); Street Lights (\$1,128.13); Fire (\$0); Parks & Rec. (\$3,290.93); Water (\$58,693.04); Sewer (\$124,174.36); WWTP (\$135,578.77); Rail Corridor (\$0); Road Overlay (\$0); Debt Fund (\$0); Water Capital (\$18,625.42); Liquid Fuels (\$659.34); with end of month cycle totaling \$321,185.26 and November cycle bills totaling \$467,260.08.
5. Recommend scheduling a public hearing on January 22, 2008 at 7:00 p.m. to consider adopting an ordinance recommending a Zoning Map change for portions of Butler Avenue and Race Street.
6. Recommend adopting **Ordinance 1012** Fixing the Real Estate Tax Rate for the year 2008.
7. Recommend adopting **Resolution 2007-10** appropriating specific sums estimated per the 2008 Budget to be required for the specific purpose of the Municipal Government.
8. Recommend adopting **Ordinance 1013** making further revisions to the Local Tax Enabling Act, mandating certain revisions to previously adopted EMS ordinances (Ordinance 994), and a Local Service Tax in accordance with the Local Tax Enabling Act.

Discussion ensued. Mrs. Baigis inquired as to the Borough's obligation to emergency services (police, fire and ambulance) so as to ensure that they receive their funds due. Mr. Bresnan stated that a municipality now is required to dedicate at least 25 percent of tax collected to these services.

9. Recommend applying for the 2008 Revitalization Grant (applications are due January 15, 2008) requiring the production of a list of recommended projects from the revitalization plan.

Discussion ensued. Mrs. Aversa stated that she felt that lights, Main Street and Act II projects should be listed and that due to scheduled paving on Butler Avenue, projects involving traffic calming and crosswalks should be excluded.

10. Recommend the Reorganizational Meeting be held Monday, January 7, 2008.

Discussion ensued. It was agreed that the 2008 meeting calendar be set as follows: January Council on Tuesday, January 22 at 7:00 p.m. due to holiday; February, March, April, September, October, November and December all meetings on Tuesdays at 7:00 p.m.; May, June, July & August all meetings on Mondays at 7:00 p.m.

11. Recommend approving a proclamation for Eagle Scout Ryan McDonough.

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

1. The Borough Engineer's November 2007 report was reviewed.
2. The Main Street Manager's report was reviewed.
3. The SALDO Ordinance setting buffering requirements has been sent to the Planning Commissions for review.
4. The Borough is working to address the complaints of property owners surrounding Artman Home.

Discussion ensued. Ms. Kathleen Butler of 228 Bethlehem Pike spoke of her concern about an excessive number of parking spaces at Bethlehem Pike, making driving off her property nearly impossible. Mrs. Pieri asked for her to register her address and phone number with Mrs. Aversa so that the Borough could send a representative to look over the situation.

5. Council received a letter for review in reference to the Borough securing CBDG Grant funds for Sanitary Sewer Rehabilitation in the Borough.
6. Council is asked by the developer of 200 S. Main Street to submit a list of street names for the project.

Discussion ensued. Mrs. Aversa stated that the developer is in need of street names so that they can provide them to PECO for their utilities planning. Both Mr. Kenney and Mrs. Pieri had offered names for the new streets. Mayor Wahl asked that a name be considered in recognition of Ambler's minority communities. He suggested that of Mr.

Rose (“Rose Way”). It was agreed that Council members should each submit a list of suggested names to Mr. Kenney for his tabulation.

Mrs. Pieri asked if there were questions or comments from Council or the public. There being none, it was moved the report be accepted and filed. Seconded, carried.

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

Committee members: Mr. Pugliese, Mr. G. Pasceri and Mr. Isabella

The Committee met on Monday, December 3, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mrs. Pieri, Mr. G. Pasceri, Mr. Orehek, Mr. Pugliese, Mr. Kenney, Mr. Dooley, Mr. Isabella and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. S. Pasceri, Mayor Wahl and Mr. Rocco Wack.

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

**The Committee will recommend the following:**

1. Recommend appointing Ms. Susan Johnsson to a seat on the EAC.

Discussion ensued. Mrs. Pieri commented that resumes are currently being collected for vacancies on EAC, Planning Commission and Zoning Board and she urged acceptance of Ms. Johnsson to the EAC due to several vacancies on that committee.

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

1. The Police Department report for November 2007 was received.
2. The November 2007 Public Works report and Code Enforcement report were reviewed.
3. A sample complaint and Use & Occupancy form were presented to Council for review and consideration.
4. Street sweeping has been discontinued for the season, yet voluntary car parking restrictions will continue through December 21 so that the Borough may complete leaf pickup on streets and at storm drains.
5. An additional leaf pickup date of December 18, 2007 was added.

Mrs. Pieri asked if there were comments or questions from Council or the public. There being none, it was moved the report be accepted and filed. Seconded, carried.

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

Committee members: Mr. Dooley, Mr. G. Pasceri and Mr. Isabella

The Committee met on Monday, December 3, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mrs. Pieri, Mr. G. Pasceri, Mr. Orehek, Mr. Pugliese, Mr. Kenney, Mr. Dooley, Mr. Isabella and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. S. Pasceri, Mayor Wahl and Mr. Rocco Wack.

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

**The Committee will recommend the following:**

1. Recommend allowing the family of Jay B. Fox, Jr. (deceased) to purchase and plant a tree in a Borough park in his memory.

Discussion ensued. Mrs. Aversa stated that a proclamation in recognition of Jay B. Fox, Jr. would be on the January 2008 agenda.

There being no further business, Mrs. Pieri asked if there were comments or questions from Council or the public. There being none it was moved the report be accepted and filed. Seconded, carried.

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

Committee members: Mr. Orehek, Mr. Pugliese, Mrs. Pieri

The Committee met on Monday, December 3, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mrs. Pieri, Mr. G. Pasceri, Mr. Orehek, Mr. Pugliese, Mr. Kenney, Mr. Dooley, Mr. Isabella and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. S. Pasceri, Mayor Wahl and Mr. Rocco Wack.

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

**The Committee will recommend the following:**

1. Recommend authorization to contract engineering services with O'Brien & Gere at a fee of \$3,500 to perform "Task 1" relative to Loch Alsh Dam and DEP's requirements. If it is determined that a next step is recommended the Committee will return to Council for authorization.
2. Recommend authorization to contract with Fluid Conservation Technologies to perform the 2008 Leak Detection Survey of the water distribution system at a lump sum fee of \$9,100.

3. Recommend authorization to employ Kelter & Gilligo at a total project cost of \$9,500 to provide engineering services and prepare bid specs for a proposed emergency generator to the remaining Wells No. 6 & 7 (Loch Alsh cluster wells).
4. Recommend approval of the water rate increase by setting the customer rate for customers outside the Borough (who are under PUC jurisdiction) to include litigation and settlement fees and to not include those fees in the customer rate for customers within the Borough (who are not under PUC jurisdiction).

Discussion ensued. Mr. Bresnan explained that a 29% increase will be realized for customers outside the Borough, with the meter rate increasing incrementally from \$11.11 to \$11.28 to \$11.45. He stated the rate for the Borough would be set at the third tier rate of \$9.93.

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

1. The November 2007 WWTP and Engineer's Report was reviewed.
2. The plant engineer has begun the design and bid documents for increasing the capacity of the EPS-3 Wet Well.
3. The plant engineer was authorized at the November meeting to conduct a study based on PADEP's verbal indication that Ambler should expect to see a total nitrogen limit of 3 mg/l and a total phosphorus limit of 0.1 mg/l after the TMDL is revised.
4. The plant engineer has begun preparing the bid documents and specs for the new control panel and chemical feed system for the belt filter press.
5. G.A. Vietri, Inc. was awarded the bid for the secondary feeder replacement at a low bid of \$174,825. Staff awaits the return of Borough Purchase Order, Performance and Labor & Material Payment Bond before the plant engineer issues a Notice to Proceed.

Mrs. Pieri asked if there were questions or comments from Council or the public. There being none, it was moved the report be accepted and filed. Seconded, carried.

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

Committee members: Mr. Isabella, Mr. G. Pasceri and Mr. Orehek

The Committee met on Monday, December 3, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mrs. Pieri, Mr. G. Pasceri, Mr. Orehek, Mr. Pugliese, Mr. Kenney, Mr. Dooley, Mr. Isabella and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. S. Pasceri, Mayor Wahl and Mr. Rocco Wack.

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

**The Committee will recommend the following:**

1. Recommendation to accept the resignation of Rocco Wack as Borough Manager and to recognize Mrs. Mary Aversa as Acting Borough Manager.

**An Executive Session was requested:**

Mr. Isabella stated that Council had met on a Salary and Personnel issue and would make the following recommendation:

1. Recommendation to authorize salary increases for 2008 as submitted.

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

1. The monthly Employee Safety Committee Minutes for December 2007 were distributed.

Mrs. Pieri asked if there were questions or comments from Council or the public. There being none, it was moved the report be accepted and filed. Seconded, carried.

**OLD BUSINESS/NEW BUSINESS**

Mrs. Pieri asked Council and the public if there was further business to discuss or if there were further comments or questions. Mayor Wahl announced that Community Action Group (CAG) will hold a BoRit site discussion at SAAC on December 19, 2007 at 6:30 p.m. Mary Maxion of 265 N. Spring Garden Street stated that CAG would make a recommendation on slab coverings re flood impervious surfaces.

**RECOMMENDATIONS**

**Finance & Planning Committee** – The Committee recommends and Mr. Kenney moves:

Recommend adopting **Resolution 2007-12** recognizing Councilman Lou Orehek for his dedication and service to the Borough of Ambler. Seconded, carried.

Recommend adopting **Resolution 2007-13** recognizing Councilman John Pugliese for his dedication and service to the Borough of Ambler. Seconded, carried.

Recommend adopting **Resolution 2007-14** recognizing Bernadette Dougherty for her revitalization efforts as Main Street Manager. Seconded, carried.

Recommend that the November 2007 invoices in the amount of **\$788,445.34** be paid as follows: General (\$125,110.09); Street Lights (\$1,128.13); Fire (\$0); Parks & Rec. (\$3,290.93); Water (\$58,693.04); Sewer (\$124,174.36); WWTP (\$135,578.77); Rail Corridor (\$0); Road Overlay (\$0); Debt Fund (\$0); Water Capital (\$18,625.42); Liquid Fuels (\$659.34); with end of month cycle totaling \$321,185.26 and November cycle bills totaling \$467,260.08. Seconded, carried.

Recommend scheduling a public hearing on January 22, 2008 at 7:00 p.m. to consider adopting an ordinance recommending a Zoning Map change for portions of Butler Avenue and Race Street. Seconded. 8-Aye; 1-Nay (Mrs. Baigis). Carried.

Recommend adopting **Ordinance 1012** Fixing the Real Estate Tax Rate for the year 2008. Seconded. Poll Council. All Aye. Carried.

Recommend adopting **Resolution 2007-10** appropriating specific sums estimated per the 2008 Budget to be required for the specific purpose of the Municipal Government. Seconded. Poll Council. All Aye. Carried.

Recommend adopting **Ordinance 1013** making further revisions to the Local Tax Enabling Act, mandating certain revisions to previously adopted EMS ordinances (Ordinance 994), and a Local Services Tax in accordance with the Local Tax Enabling Act. Seconded. Poll Council. All Aye. Carried.

Recommend applying for the 2008 Revitalization Grant (applications are due January 15, 2008) requiring the production of a list of recommended projects from the revitalization plan to include lights, Main Street and Act II projects. Seconded, carried.

Recommend the Reorganizational Meeting be held Monday, January 7, 2008 and that the meeting schedule for 2008 be advertised. Seconded, carried.

Recommend approving a proclamation for Eagle Scout Ryan McDonough. Seconded, carried.

**Public Safety Committee** – The Committee recommends and Mr. Pugliese moves:

Recommend appointing Ms. Susan Johnsson to a seat on the EAC. Seconded, carried.

**Parks & Recreation Committee** – The Committee recommends and Mr Dooley moves:

Recommend allowing the family of Jay B. Fox, Jr. (deceased) to purchase and plant a tree in a Borough park in his memory. Seconded, carried.



**Public Utilities Committee** – The Committee recommends and Mr. Orehek moves:

Recommend authorization to contract engineering services with O'Brien & Gere at a fee of \$3,500 to perform "Task 1" relative to Loch Alsh Dam and DEP's requirements. If it is determined that a next step is recommended the Committee will return to Council for authorization. Seconded, carried.

Recommend authorization to contract with Fluid Conservation Technologies to perform the 2008 Leak Detection Survey of the water distribution system at a lump sum fee of \$9,100. Seconded, carried.

Recommend authorization to employ Kelter & Gilligo at a total project cost of \$9,500 to provide engineering services and prepare bid specs for a proposed emergency generator to the remaining Wells Nos. 6 and 7 (Loch Alsh cluster wells). Seconded, carried.

Recommend approval of the water rate increase by setting the customer rate for customers outside the Borough (who are under PUC jurisdiction) to include litigation and settlement fees and to not include those fees in the customer rate for customers within the Borough (who are not under PUC jurisdiction). Seconded, carried.

**Salary & Personnel Committee** – The Committee recommends and Mr. Isabella moves:

Recommendation to accept the resignation of Rocco Wack as Borough Manager and to recognize Mrs. Mary Aversa as Acting Borough Manager. Seconded, carried.

Recommendation to authorize salary increases for 2008 as submitted. Seconded, carried.

There being no further business, Mrs. Pieri moved the meeting be adjourned. Seconded, motion carried.

Respectfully submitted,

Elizabeth Russell  
Administrative Assistant  
Water Department  
For  
George W. Benigno  
Assistant Borough Secretary