

## AMBLER BOROUGH COUNCIL MINUTES

**July 16, 2007**

The regular monthly meeting of Ambler Borough Council was held Monday, July 16, 2007 at 8:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. President Anita Pieri presided.

Mr. Tom Kenney led the public in the Pledge of Allegiance and a moment of silence.

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

Mrs. Pieri reviewed line item recommendations by Mrs. Baigis to amend the Minutes of the June 18, 2007 Meeting. The recommendations focused on paragraphs dealing with Ordinance 1007. A lengthy discussion ensued. Mrs. Baigis invited Mr. Louis Silverblank who was seated in public seating to speak to the issue of “declined” petitions. Mrs. Pieri insisted that Mrs. Baigis herself address this specific issue, as it was Mrs. Baigis who sought revision of the Minutes. Solicitor Bresnan stated that he had ordered a transcript of the public hearing on Ordinance 1007 from the Court Reporter so that Council would have an accurate record of those proceedings. Solicitor Bresnan clarified that proposing revisions to the Minutes is for the purpose of reflecting accuracy and not for revising and extending remarks.

Mr. Louis Silverblank, of 348 Lindenwold Avenue, stated that at the June 18<sup>th</sup> meeting he had the impression that Council and Solicitor Bresnan were not interested in receiving his signed petitions against Ordinance 1007 and that if offered, they would be rejected. Mr. Silverblank stated that he had misspoken when he said that the Planning Commission had been worn down by Council. He then presented signed petitions against Ordinance 1007 to Council, who received them.

Mr. Kenney then moved that the June 18, 2007 Minutes, with recommended spelling and technical revisions, be approved. Seconded. Vote: 6-Aye; 1-Nay (Mrs. Baigis). Carried.

### **COMMITTEE REPORTS**

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

The Committee met on Monday, July 2, 2007 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. Pieri, Mr. S. Pasceri, Mr. Kenney, Mr. Orehek, Mr.

Dooley and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Rocco Wack, Mayor Wahl.

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

**The Committee will recommend the following:**

1. Recommend awarding the Ridge Avenue Stream Bank Restoration Grant to Eastern Highway Specialists, Inc., in the amount of \$99,500.00.

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

The traffic study on Park Avenue was discussed, with data on the speed survey conducted by the Police Department having been distributed.

Mr. Pugliese asked that the start date for construction at the SEPTA Crossing at Mt. Pleasant Avenue be ascertained.

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.

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

The Committee met on Monday, July 2, 2007 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. Pieri, Mr. S. Pasceri, Mr. Pugliese, Mr. Kenney, Mr. Orehek, and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Rocco Wack, Mayor Wahl.

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

**The Committee will recommend the following:**

1. Recommend holding Family Movie Night on Saturday, September 22 (raindate September 29) at 7:45 p.m. at Pickering Field. (A-Z Rental has a contract with a company that has the equipment and does setup/teardown of the projector, screen and sound system at a cost of \$425. The Borough will supply the movie.)

Mrs. Pieri asked if there were questions or comments from Council or the public. Mrs. Baigis made inquiry as to how the Borough would make notification if it were necessary to reschedule for the raindate. It was stated that any precipitation would compel rescheduling the event. There being no further questions or comments it was moved the report be accepted and filed. Seconded, carried.

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

The Committee met on Monday, July 2, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Orehek, Mr. Pugliese, Mrs. Pieri. Also present: Mr. G. Pasceri, Mr. Kenney, Mr. Isabella, Mr. S. Pasceri, Mr. Dooley and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Rocco Wack, Mayor Wahl.

The Public Utilities Committee report was given by Mrs. Pieri.

**The Committee will recommend:**

1. Recommend contracting with AQUA to remove silt and debris from the Loch Alsh Reservoir Tower at a cost of \$175/hour (portal to portal) with a 4-hour minimum, a \$70 per confined space man hour, and disposal fee.
2. Recommend awarding the WWTP Meggar Testing Project to Brendan Stanton, Inc. in the amount of \$4,700.00.

**In other business, the Committee called for an Executive Session**

The Executive Session was held regarding a litigation matter. 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.

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

The Committee met on Monday, July 2, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Kenney, Mr. G. Pasceri, Mr. Dooley and Mr. S. Pasceri. Also present: Mrs. Pieri, Mr. Pugliese, Mr. Isabella, Mr. Orehek, and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Rocco Wack, Mayor Wahl.

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

**The Committee will recommend the following:**

1. Recommend that the June 2007 invoices in the amount of \$541,669.49 be paid.
2. Recommend implementing the upgrade to the Borough file server, at a cost not to exceed \$19,000.00.
3. Recommend sending a draft ordinance, [amending Ordinance 963 (setting forth changes to the official zoning map) to expand the eastern and western boundaries of the downtown commercial district; change certain residences on Race Street from Office District to R-1 Residential; change certain non-residential properties

on Race Street from Office District to Downtown Commercial; and, by amending Ordinance 922 by deleting Article X, providing for mid-rise apartments, all consistent with the Borough Comprehensive Plan, leaving the remainder of the ordinance in full force and effect, with the addition of language to include as Commercial certain properties on Butler Avenue currently zoned Mid-Rise] including the Borough Planning Commission's recommended changes, to the Borough and County Planning Commission for review.

Discussion ensued. Solicitor Bresnan stated that zoning must be consistent with the Comprehensive Plan for Downtown Commercial. He distinguished that Downtown Commercial districts allow for residences to be on the upper floors of businesses. Regarding the north side of Butler Pike from Hendricks Street to Bethlehem Pike, he stated that the Borough would need to make a change in the zoning ordinance as well as in the Comprehensive Plan. Mr. George Benigno, Secretary of the Ambler Planning Commission, stated that in the 1970's zoning was designated to fit into the redevelopment (revitalization) overlay. He reiterated that the Comprehensive Plan might need to be amended to be in conformity with proposed zoning changes.

Mrs. Pieri asked if there were questions or comments from Council or the public. Mr. Kenney stated he would look closely, on a lot-by-lot basis, at any changes to the block on Butler Avenue between Race and Hendricks Streets. Ms. Danele Herron of 10 Hendricks Street spoke at length about her concerns about the impact of any proposed zoning change to Commercial or Business Commercial for that section. She sought clarification that Council would, in fact, address this issue on a lot-by-lot basis because she stated the corner residence at Hendricks Street provided buffering to the residences on Hendricks Street. Mr. George Benigno outlined the procedures that Council would undertake in this regard, noting that ample time would be allowed at a future date to address her specific concerns. Ms. Kathy Christiana of 157 Race Street stated her concern for potential zoning changes on Race Street, including increased traffic and parking requirements.

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

Ambler Main Street's request for a \$20,000 increase in the Borough's annual contribution to the program in 2008 was tabled, awaiting further 2008 budget information from Ambler Main Street.

There being no further questions or comments, it was moved the report be accepted and filed. Seconded, carried.

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

The Committee met on Monday, July 2, 2007 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. Pieri, Mr. Pugliese, Mr. S. Pasceri, Mr. Kenney, Mr.

Dooley and Mrs. Baigis. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Rocco Wack, Mayor Wahl.

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

**The Committee made no recommendations and had no further business.**

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**

Mr. Sal Boccuti of 300 Rosemary Avenue expressed his concern about tree and shrub growth in the Borough that covers Stop signs. It was stated that the Borough maintains Butler Avenue and that property owners are responsible for pruning back growth that impedes visibility.

Mrs. Baigis stated that once the transcript from the Ordinance 1007 public meeting was available for review, she reserved the right to revisit that issue at a future Council meeting.

Mrs. Pieri addressed Mr. Pugliese, Chairman of the Public Safety Committee, and asked that he place on his agenda for the August meeting the need to discuss rental properties being used as boarding houses, with overcrowding of units a primary concern. Mrs. Pieri suggested reviewing relevant ordinances for adequacy.

Mrs. Pieri asked Council and the public if there was further business to discuss or if there were further comments or questions. None received.

### **RECOMMENDATIONS**

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

AWARDING the Ridge Avenue Stream Bank Restoration Grant to Eastern Highway Specialists, Inc., in the amount of \$99,500.00. Seconded, carried.

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

HOLDING Family Movie Night on Saturday, September 22 (raindate September 29) at 7:45 p.m. at Pickering Field. (A-Z Rental has a contract with a company that has the equipment and does setup/teardown of the projector, screen and sound system at a cost of \$425. The Borough will supply the movie.) Seconded, carried.

**Public Utilities Committee** - The Committee recommends and Mrs. Pieri moves:

CONTRACTING with AQUA to remove silt and debris from the Loch Alsh Reservoir Tower at a cost of \$175/hour (portal to portal) with a 4-hour minimum, a \$70 per confined space man hour, and disposal fee. Seconded, carried.

AWARDING the WWTP Meggar Testing Project to Brendan Stanton, Inc. in the amount of \$4,700.00. Seconded, carried.

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

THAT the June 2007 invoices in the amount of \$541,669.49 be paid. Seconded, carried.

IMPLEMENTING the upgrade to the Borough file server, at a cost not to exceed \$19,000.00. Seconded, carried.

SENDING a draft ordinance, [amending Ordinance 963 (setting forth changes to the official zoning map) to expand the eastern and western boundaries of the downtown commercial district; change certain residences on Race Street from Office District to R-1 Residential; change certain non-residential properties on Race Street from Office District to Downtown Commercial; and, by amending Ordinance 922 by deleting Article X, providing for mid-rise apartments, all consistent with the Borough Comprehensive Plan, leaving the remainder of the ordinance in full force and effect, with the addition of language to include as Commercial certain properties on Butler Avenue currently zoned Mid-Rise] including the Borough Planning Commission's recommended changes, to the Borough and County Planning Commission for review. Seconded, carried.

**Salary & Personnel Committee** – The Committee will offer no recommendations.

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

Respectfully submitted,

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