

MINUTES

May 21, 2007

The regular monthly meeting of Ambler Borough Council was held Monday, May 21, 2007 in Borough Council Chambers located at 122 E. Butler Avenue. President Anita O'Hara Pieri presided. The meeting was preceded by public hearings recorded by the Mike Manjardi, Court Reporter. A **public hearing** was held at 7:30 p.m. at which time public comments were received in reference to adopting **Ordinance 1008**, the proposed Redevelopment Overlay District Zoning Amendment. A Roll Call Vote was held (8-Aye; 1-Nay (Mrs. Baigis)) in favor of the amendment. A **Conditional Use Hearing** then commenced to consider the application submitted by Ambler Square Associates for project "Station Square" at 200 South Main Street. This was followed by a **public hearing** at which time public comments were received in reference to adopting **Ordinance 1007** amending the Borough Sign Ordinance. The regular monthly meeting of Ambler Borough Council proceeded at approximately 9:45 p.m.

The Boy Scouts led the public in the Pledge of Allegiance and a moment of silence.

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

Mrs. O'Hara Pieri moved that the April 16, 2007 Minutes, as submitted, be approved. Seconded, carried.

Regarding proposed **Ordinance 1008**, the proposed Redevelopment Overlay District Zoning Amendment, public comment was made by Louis Silverblank of Ambler inquiring as to the content of the ordinance. Scott Miller of 84 S. Bethlehem Pike inquired as to boundaries. Councilperson Baigis inquired regarding frontage and maximum impervious coverage. Upon approval of the Ordinance, a presentation by Ambler Square Associates attorney Rob Gundlach was made during the Conditional Use Hearing wherein Kevin Reilly (civil engineer, Langan Engineering) and Jennifer Walsh (transportation engineer, McMahan Associates) were sworn in as experts to testify as to how Station Square was satisfying conditions of the ordinance. Public comment was made by Barb Cassidy of 23 Rosemary Avenue regarding whether the new development would have stop signs and receive school bus service. Jim Dougherty (Borough engineer, Gilmore Associates) commented that his letter regarding a review of the traffic study would be submitted later in the week. Time allotted for public comment was closed by Mrs. O'Hara Pieri. It was moved to recommend conditional use approval on the application submitted by Station Square (200 S. Main Street). Seconded, carried.

Regarding proposed **Ordinance 1007**, amending the Borough Sign Ordinance, a presentation was made by William Smillie and Bud Reed of Reed Sign Company to answer negative public comment regarding the size, height, set back and back lighting of

the proposed Gateway signs (East Gateway/West Gateway). Chief Wack stated that driving visibility (sight line) had been considered. Code Enforcement Officer Chuck Baily stated that the proposed ordinance would be a freestanding ordinance, removing all signage from the zoning ordinance. Planning Commission Secretary George Benigno reviewed the history of the requested ordinance change. Councilperson Orehek asked several questions regarding height and clearance of the sign, set back, square footage, and hours of operation by Ambler Savings Bank. Councilperson Baigis, a member of the Planning Commission, stated her objection to back lighting, and noted that as originally conceived, the sign was to have been a “monument type” sign.

Public comment included: Elizabeth Zeleznik of Rosemary Avenue inquiring as to the background of the proposed ordinance; Isabella Beach of Ambler asking to view a photo of the proposed sign; Louis Silverblank of 348 Lindenwold Avenue dismayed at the character of the sign and asking for the Borough to delay deciding on this issue until input from the County was available and presenting a petition of 150 signatures against the sign ordinance change. Elaine Cooper of Ambler regarding the effect of lighting of the sign late at night; Josh Kanaplue of 118 Glen Mawr Drive regarding the scale of the sign for walkers and inquiring as to the number of directions of the sign; Candace Kanaplue regarding the setback and endorsing banners as appropriately “small town”; Stephanie Underwood of 326 Lindenwold Avenue regarding limitation on the content of the message board and who would control the message board (reply, Ambler Savings Bank); Scott Miller of 84 S. Bethlehem Pike with concerns of public safety, also stating that the sign was highway and commercial in orientation, and inquiring as to where the ordinance hearing was advertised; Marilyn Fraiser of 152 Greenwood Avenue commenting that the sign was too large and the wrong image for the town; Mary Maxion of Ambler regarding height/size and conformity; Donna Cogan of 314 Euclid Avenue regarding “ugly” aesthetics; Elaine Cooper of 148 Walnut Lane regarding brightness of the sign and character of the sign; Judith Hill of 348 Lindenwold noting that banners are not obstructive and that Upper Dublin has more restrictive rules on signage; Bill Baker of 134 Forest Avenue presenting a petition with 25 signatures against the sign; Rob Cardillo of 300 Park Avenue asking that with the set back, why the sign could not be lower; and Matt Cooley of Fulling Mill Lane who opposed the large sign and also presented a petition with 20 signatures against the sign. (Note: neither Mr. Silverblank’s, Mr. Bakers’ nor Mr. Cooley’s petitions were distributed to Council or the Borough Manager.)

Speaking in favor of the sign: Jack Coop of Community Ambulance Association of Ambler regarding the number of simultaneous events that could be advertised on the sign, the cost savings not having to print banners and LED readability; and Martin Brown of Walnut Lane (president of Ambler Savings Bank) who stated the sign could be dimmed or turned off at night.

Mrs. O’Hara Pieri moved to adopt Ordinance 1007, seconded. Roll Call Vote: 7-Aye; 2-Nay (Mrs. Baigis, Mr. Orehek). Carried.

Report of the Finance and Planning Committee continued after the Court Reporter was excused.

COMMITTEE REPORTS

Finance and Planning Committee - Mr. Kenney, Chairman

The Committee met on Monday, May 7, 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. O'Hara Pieri, Mr. Pugliese, Mr. Isabella, Mr. Orehek 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 April 2007 invoices in the amount of \$864,499.87 be paid.

Discussion ensued. Mrs. Baigis noted that she had spent five hours reviewing invoices and that she had not known that invoices were available to all Councilmembers for review. She stated she had been denied access. Chief Wack countered that Mrs. Baigis had never been denied access, that a meeting she had scheduled a year earlier with the Finance Manager had had to be cancelled and that Mrs. Baigis had never persuaded rescheduling the meeting. He further stated that he personally had never denied Mrs. Baigis access to invoices.

2. Recommend approval for Final Land Development for the Boiler House Project submitted by Summit Realty subject to Borough Engineer review and Montgomery County Planning Commission review letters.
3. Recommend adopting Resolution 2007-5 for Skip Wilson, Temple baseball coach and Ambler Resident.
4. Recommend approval of a Proclamation for Adam Jeffrey Bossert for becoming an Eagle Scout.
5. Recommend approval of a Proclamation for Ben Morgan for becoming an Eagle Scout.
6. Recommend approval of a Proclamation for Will Hope for becoming an Eagle Scout.
7. Recommend approval of the Artman Home Land Development Plan, subject to its meeting all the requirements set forth by the Borough Engineer and Montgomery County Planning Commission review letters and with the granting of a waiver to accept an aerial photograph of the site.

8. Recommend appointing a candidate to fill the vacant seat on the Zoning Hearing Board (with resumes having been received from Ms. AnnaLee Lapinski and Mr. Nicholas Boccuti).
9. Recommend sending the zoning change request for the property specifically at 267-269 East Butler Avenue to the Planning Commission and to expand the downtown commercial district along Butler Avenue from Hendricks to Locust and to include Butler Avenue and Race Street.
10. Recommend that stonecrushing be added as a prohibited use in the Industrial District.

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

Public Safety Committee – Mr. Pugliese, Chairman

The Committee met on Monday, May 7, 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. O'Hara Pieri, Mr. S. Pasceri, Mr. Dooley, Mr. Kenney, Mr. Orehek and Mrs. Baigis. 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 recommend the following:

1. Recommend adoption of the Montgomery County Intermunicipal Agreement and Recycling Ordinance 1006.

Mrs. O'Hara Pieri asked if there were comments or questions from 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, May 7, 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. O'Hara Pieri, Mr. S. Pasceri, Mr. Pugliese, Mr. Kenney, Mr. Orehek and Mrs. Baigis. 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 made no recommendations and had no further business.

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

Public Utilities Committee – Mr. Orehek, Chairman

The Committee met on Monday, May 7, 2007 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. G. Pasceri, Mr. Kenney, Mr. Isabella, Mr. S. Pasceri, 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 awarding the Loch Alsh Well #2 100 KW diesel generator bid to the low bidder Penn Power Systems in the amount of \$35,850.00, pending Solicitor's review.
2. Recommend awarding the Loch Alsh Well #2 electrical service improvement and generator installation bid to the low bidder G. A. Vietri in the amount of \$24,000.00, pending Solicitor's review.
3. Recommend adopting Ordinance 1009, amending the Sewer Use Ordinance 902, by adopting the new discharge limitations imposed in accordance with the National Pretreatment Program.

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

Salary and Personnel Committee – Mr. Isabella, Chairman

The Committee met on Monday, April 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. O'Hara Pieri, Mr. Pugliese, Mr. S. Pasceri, Mr. Dooley, Mr. Kenney, Mr. Orehek and Mrs. Baigis. Also present: Mayor Wahl, Mr. Rocco Wack and Mrs. Mary Aversa. Absent: Solicitor Bresnan.

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

The Committee made no recommendations and had no further business.

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

OLD BUSINESS/NEW BUSINESS

Mrs. O'Hara 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:

ADOPTING the Montgomery County Intermunicipal Agreement and Recycling Ordinance 1006. Seconded. Roll Call Vote: All Aye. Carried.

Parks and Recreation Committee - The Committee will offer no recommendations.

Public Utilities Committee

The Committee recommends and Mr. Orehek moves:

AWARDING the Loch Alsh Well #2 100 KW diesel generator bid to the low bidder Penn Power Systems in the amount of \$35,850.00, pending Solicitor's review. Seconded, carried.

AWARDING the Loch Alsh Well #2 electrical service improvement and generator installation bid to the low bidder G. A. Vietri in the amount of \$24,000.00, pending Solicitor's review. Seconded, carried.

Recommend adopting Ordinance 1009, amending the Sewer Use Ordinance 902, by adopting the new discharge limitations imposed in accordance with the National Pretreatment Program. Seconded. Roll Call Vote. All Aye. Carried.

Finance and Planning Committee

The Committee recommends and Mr. Kenney moves:

THAT the April 2007 invoices in the amount of \$864,499.87 be paid. Seconded, carried.

THAT Ordinance 1008, the Redevelopment Overlay District Zoning Amendment, be adopted. Seconded. Roll Call Vote: 8-Aye; 1-Nay (Mrs. Baigis). Carried.

THAT Conditional Use Approval be granted on the application submitted by Station Square, 200 S. Main Street. Seconded, carried.

THAT Ordinance 1007, amending the Borough Sign Ordinance, be adopted. Seconded. Roll Call Vote: 7-Aye; 2-Nay (Mrs. Baigis, Mr. Orehek). Carried.

THAT approval be granted for Final Land Development for the Boiler House Project submitted by Summit Realty subject to Borough Engineer review and Montgomery County Planning Commission review letters. Seconded, carried.

ADOPTING Resolution 2007-5 for Skip Wilson, Temple baseball coach and Ambler Resident. Seconded, carried. (Mr. Wilson attended the meeting and personally accepted the signed and framed resolution from Mayor Wahl.)

APPROVAL of a Proclamation for Adam Jeffrey Bossert for becoming an Eagle Scout. Seconded, carried. (Mr. Bossert attended the meeting and personally accepted the signed and framed resolution from Mr. Orehek.)

APPROVAL of a Proclamation for Ben Morgan for becoming an Eagle Scout. Seconded, carried.

APPROVAL of a Proclamation for Will Hope for becoming an Eagle Scout. Seconded, carried.

APPROVAL of the Artman Home Land Development Plan, subject to its meeting all the requirements set forth by the Borough Engineer and Montgomery County Planning Commission review letters and with the granting of a waiver to accept an aerial photograph of the site. Seconded, carried.

APPOINTING Candidate Lapinski to fill the vacant seat on the Zoning Hearing Board. Seconded, motion denied. APPOINTING Candidate Boccuti to fill the vacant seat on the Zoning Hearing Board. Seconded, motion carried.

SENDING the zoning change request for the property specifically at 267-269 East Butler Avenue to the Planning Commission and to expand the downtown commercial district along Butler Avenue from Hendricks to Locust and to include Butler Avenue and Race Street. Seconded, carried.

INCLUDING stonecrushing as a prohibited use in the Industrial District. Seconded, carried.

Salary and Personnel Committee - The Committee will offer no recommendations.

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

Respectfully submitted,

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