

## AMBLER BOROUGH COUNCIL MINUTES

**November 19, 2007**

The regular monthly meeting of Ambler Borough Council was held Monday, November 19, 2007 at 8:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. President Anita Pieri presided.

Mrs. Anita Pieri 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 and Mr. S. Pasceri. Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Aversa also were present. Absent: Mr. Pugliese, Mr. Dooley and Mr. Rocco Wack.

Mrs. Pieri moved that the Minutes of the October 15, 2007 Council Meeting be accepted. Seconded, carried.

### **COMMITTEE REPORTS**

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

The Committee met on Monday, November 5, 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. Present: Mr. G. Pasceri, Mr. S. Pasceri, Mr. Pugliese, Mr. Isabella, Mrs. Baigis, Mr. Orehek, and Mr. Dooley. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mrs. Pieri, Mr. Kenney, 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 2007-11** in appreciation to the Downs Amey Post #125. Seconded. All Ayes. Carried.

A presentation followed. Mayor Wahl presented members of the Post with a plaque which he read into the record acknowledging the Post for providing the Police Department vehicles with new computers. The Mayor gave the Post members a Key to the Borough. Sergeant Foley expressed his sincere thanks to members present on behalf of the Police Department.

2. Recommend that the October 2007 invoices in the amount of **\$629,723.55** be paid as follows: General (\$121,923.24); Street Lights (\$1,149.70); Fire (\$109.25); Parks & Rec. (\$2,197.65); Water (\$80,008.99); Sewer (\$8,572.16); WWTP (\$92,178.86); Rail Corridor (\$0.00); Road Overlay (\$0.00); Debt Fund (\$1,000.00); Water Capital (\$7,123.34); Liquid Fuels (\$737.39); with end of month cycle totaling \$314,805.27 less a voided check in the amount of \$82.30 and October cycle bills totaling \$315,000.58.

Discussion ensued. Mrs. Baigis, having reviewed the bills, stated her objection to paying a specific invoice for purchasing a copy of the Sign Ordinance transcript. Mr. Isabella stated that at a prior Council meeting Mrs. Baigis had asked to review the transcript, and therefore a copy of the transcript had been ordered.

3. Recommend advertising the **DC Zoning Ordinance** for adoption and scheduling a hearing.
4. Recommend incorporating the County Planning Commission's recommendations for changes to the **SALDO Ordinance** and forwarding same back to the Planning Commission to incorporate these changes and grant final approval.
5. Recommend advertising for the adoption of **Ordinance 1013** making further revisions to the Local Tax Enabling Act, mandating certain revisions to previously adopted EMS ordinances and an Emergency and Municipal Services Tax in accordance with the Local Tax Enabling Act.
6. Recommend advertising for adoption of **Ordinance 1012** fixing the Real Estate Tax Rate for the year 2008.
7. Recommend executing the LCB Parking Lot agreement.

Discussion ensued. Mrs. Baigis asked for the names of the LLP principals with whom the Borough would be executing an agreement. Mrs. Baigis additionally asked for whom the additional Borough parking spaces were intended. Mr. Bresnan stated that the agreement for the land was a completely separate issue from a determination as to the use of the lot. Mr. Kenney agreed.

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

1. The Borough Engineer's October 2007 report was reviewed.
2. The Main Street Manager's report was reviewed.
3. **Ordinance 1011** allowing low intensity office use in the R-3 district was advertised for adoption and a Conditional Use Hearing was held November 5, 2007 at 7:00 p.m. The Ordinance and the Conditional Use were approved.

4. The Borough is working to address the complaints of property owners surrounding Artman Home.

Discussion ensued. Mrs. Baigis asked if there would be any removal of trees in the Overlook Drive area. It was stated by Mr. Jim Dougherty (Gilmore engineer) that one or two trees and some shrubs might be removed on the Artman site so that a berm might be extended towards Mt. Pleasant Avenue.

5. Information was received on Addapave tree pit system. Samples of Addapave product were on display. It was recommended this be used instead of iron grate tree pits along Race Street using the current Revitalization Grant. Mr. Dougherty stated he would compile a list of towns that currently use Addapave.
6. A letter was received from the County in reference to improvements awarded in a Revitalization Grant application for the Cavalier Drive Parking Lot.
7. The Committee will recommend adopting **Resolution 2007-10** (in December along with the Budget Real Estate Ordinance) appropriating specific sums estimated per the 2008 Budget to be required for the specific purpose of the Municipal Government.
8. Station Square has met with PECO and has been advised that underground electric service for the project along its frontage is not possible. They wanted to advise Borough Council of the change to their existing plans. Infrasource determined it was not feasible in the Pre-Application Meeting with PECO and Station Square. Additionally, it was noted that Council is asked to review a list of recommended street names and addresses for the project.

Discussion ensued. Mrs. Pieri asked about project construction and its potential impact on the nearby neighborhood, specifically S. Main Street. Mrs. Aversa replied that it was anticipated that the street would be impacted for about one week and that construction was to begin in the spring. Mayor Wahl asked that the EAC be contacted to work with the developer on trees to be planted.

Mrs. Pieri asked if there were questions or comments from Council or the public. Bernadette Dougherty of Ambler Main Street announced that the Borough had received a 2007 Revitalization Achievement Award from the State and she thanked Ambler Main Street, Council, Highway Department, Police Department and Borough residents for their collective support.

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

The Committee met on Monday, November 5, 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: Mr. Pugliese, Mr. G. Pasceri, Mr. Isabella, Mr.

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

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

**The Committee will recommend the following:**

1. Recommend advertising for the adoption of an ordinance recommending a change in the TOD Zoning District to modify the parking requirements.
2. Recommend installing a disability parking sign on South Chestnut Street.

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

1. The Police Department report for October 2007 was received.

Discussion ensued. Mrs. Baigis asked regarding abandoned vehicles why vehicles appeared to be being “dumped” in Ambler. Sergeant Foley stated that was not the case, that vehicles not in compliance “on the street” were being removed. Mrs. Baigis asked whether vandalism under investigation involved adults or children. Sergeant Foley stated the Police Department does not discuss cases currently under investigation at Public Council meetings.

2. The October 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. Mr. Bresnan stated he has been gathering ordinances from around the State and would have input in this matter in time for the December or January Council Meeting.
4. Street sweeping will end November 30, 2007.

Discussion ensued. Sargeant Foley noted that while “no parking” hours would not be enforced once street sweeping was discontinued for the winter, the Highway Department would time and coordinate snow removal efforts on streets by the days/times listed on these signs. He advised therefore that residents heed the no parking signs on snow days. It was suggested the Gateway Sign highlight this issue on snow days.

5. Leaf pickup dates are November 6, 13, 20 and December 4, 2007.

Mr. Orehek noted that leaves were dropping later this season and asked that an additional leaf pickup be scheduled the week of December 10<sup>th</sup>. Council agreed that an additional pickup was warranted.

Mrs. Pieri asked if there were comments or questions from Council or the public. David Morgan of the EAC announced the Borough “tree tenders” had received the Green Futures of America Award. Mrs. Pieri announced that George Hayeck of Ambler Ambulance Association is seeking residents to serve on their Board and that interested residents should notify her. She hopes to submit two to four names.

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

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

The Committee met on Monday, November 5, 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. Present: Mr. Dooley, Mr. G. Pasceri, Mr. Isabella, Mr. Pugliese, Mrs. Baigis, Mr. Orehek, and Mr. S. Pasceri. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mrs. Pieri, Mr. Kenney, Mayor Wahl and Mr. Rocco Wack.

The Parks and Recreation Committee report was given this evening by Mrs. Pieri.

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

1. Recommend preparing an RFP and advertising for bid for the replacement of the backstop at Knight Park.

Discussion ensued. Mrs. Pieri commented that Mrs. Amento had given \$3,300 towards the purchase of a backstop. Mrs. Pieri stated she would like the Borough to have a marker placed in memory of Mrs. Amento’s late husband at the park, in appreciation of their donation.

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**

The Committee met on Monday, November 5, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Orehek, Mr. Pugliese, Mrs. Pieri. Present: Mr. Orehek, Mr. Pugliese, Mr. G. Pasceri, Mr. Isabella, Mrs. Baigis, Mr. Dooley and Mr. S. Pasceri. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mrs. Pieri, Mr. Kenney, 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 bid the new control panel and chemical feed system for the belt filter press (\$320,000 in Capital is budgeted for 2008).
2. Recommend granting funds not to exceed \$25,000 at the request of the engineer to perform an initial study to identify process alternatives to meet DEP limits expected to be imposed with a total nitrogen limit of 3 mg/l and a total phosphorus limit of 0.1 mg/l after the TMDL is revised.

Discussion ensued. Mr. Orehek stated the cost for the five municipalities was expected to reach \$60 million, with Ambler responsible for 19 percent of the cost. Sharon McCormick of 130 Tennis Avenue stated that the Wissahickon Creek was a protected landmark and that the Borough should look for grant monies.

3. Recommend granting funds not to exceed \$10,000 at the request of the engineer to design and bid increasing the capacity of the EPS-3 Wet Well. (By raising the wall to match adjacent structures and by creating an overflow into the supernatant aeration tank, EPS-3 will be protected from a dry weather spill in the event of a power failure.) Estimated construction cost is \$50,000.
4. Recommend Packer Redevelopment of Well 14 (Butler Manor) to be performed by A. C. Schultes at a cost less than \$10,000.
5. Recommend authorizing EPA-approved Underwriters Laboratories at a professional fee not to exceed \$11,000 for a maximum of 24 months of samples, to perform samples analysis as part of the EPA's Long Term-2 Enhanced Surface Water Treatment Rule requirement.
6. Recommend sending a response to the DEP regarding Loch Alsh Reservoir and the requirement to install \$150,000-\$250,000 worth of upgrades to sustain PMF (probable maximum flood), with a response deadline of November 30, 2007.

Discussion ensued. Elizabeth Russell of the Water Department clarified that the Reservoir undergoes annual DEP inspection for dam safety and that that inspection was positively reviewed. Additionally, the Dam is rated for flood capacity by DEP, and that DEP has determined that the Dam cannot withstand a catastrophic flood (pmf) and must be upgraded.

7. Recommend awarding the Secondary Feed Bid Project to G.A. Vietri in the bid amount of \$174,825.00.

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

1. The October 2007 WWTP and Engineer's Report was reviewed.

2. Annual inspection of Loch Alsh Reservoir was performed October 16. Overall, the dam was found to be well maintained and in good shape.
3. Well 15 (Brookfield Lane) received plans approval from Whitpain Township with their passage of Resolution 827. Permit applications to the DRBC and DEP are in process.

Well 2 (Loch Alsh Avenue) emergency generator electrical work and installation is nearing completion.

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**

The Committee met on Monday, November 5, 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. Present: Mr. Isabella, Mr. G. Pasceri, Mr. Orehek, Mr. Pugliese, Mrs. Baigis, Mr. Dooley and Mr. S. Pasceri. Also present: Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mrs. Pieri, Mr. Kenney, Mayor Wahl and Mr. Rocco Wack.

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

#### **The Committee made no recommendations:**

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

1. The monthly Employee Safety Committee Minutes for October 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. Bernadette Dougherty noted that Jay Fox of 147 Park Avenue had passed away and that the family would like to plant a tree in his memory of service on the shade tree committee in one of the Borough Parks.

Mr. Bernie Wojciechowski (Borough Finance Manager) made a presentation to Council regarding his desire to discontinue using Citizens Bank due to the disappearance of

\$2,487 in cash received by the bank. Mr. Wojciechowski stated he proposed two bank candidates, Commerce Bank and Ambler Savings Bank. He profiled Commerce Bank: a floating interest rate currently averaging 4.2%, armored car pickup, lengthy banking hours, ADP payroll processing and with experience with 200 municipal accounts. He profiled Ambler Savings Bank: a fixed 4% interest rate, the ability to walk-in deposits and he noted this would be their only municipal account. Mr. Wojciechowski stated he recommend Council select Commerce Bank. Mr. Martin Brown, president of Ambler Savings Bank and a Borough resident residing at 204 Walnut Lane stated he would look into ADP payroll processing for the Borough. Mayor Wahl stated that Commerce Bank was being purchased by TD Bank North, a Canadian bank. Mr. Kenney stated he would like a few days review before making a banking decision. Mrs. Pieri made a **motion** to bank with Ambler Savings Bank. Seconded, 4-Ayes (Mrs. Pieri, Mr. G. Pasceri, Mr. Isabella, Mr. S. Pasceri); 3-Nay (Mr. Kenney, Mr. Orehek, Mrs. Baigis). Motion carried.

### **RECOMMENDATIONS**

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

Recommend adopting **Resolution 2007-11** in appreciation to the Downs Amey Post #125. Seconded, all Ayes, motion carried.

Recommend that the October 2007 invoices in the amount of **\$629,723.55** be paid as follows: General (\$121,923.24); Street Lights (\$1,149.70); Fire (\$109.25); Parks & Rec. (\$2,197.65); Water (\$80,008.99); Sewer (\$8,572.16); WWTP (\$92,178.86); Rail Corridor (\$0.00); Road Overlay (\$0.00); Debt Fund (\$1,000.00); Water Capital (\$7,123.34); Liquid Fuels (\$737.39); with end of month cycle totaling \$314,805.27 less a voided check in the amount of \$82.30 and October cycle bills totaling \$315,000.58. Seconded, 6-Aye; 1-Nay (Mrs. Baigis), motion carried.

Recommend advertising the **DC Zoning Ordinance** for adoption and scheduling a hearing. Seconded, all Ayes, motion carried.

Recommend incorporating the County Planning Commission's recommendations for changes to the **SALDO Ordinance** and forwarding same back to the Planning Commission, to incorporate these changes and grant final approval. Seconded, all Ayes, motion carried.

Recommend advertising for the adoption of **Ordinance 1013** making further revisions to the Local Tax Enabling Act, mandating certain revisions to previously adopted EMS ordinances and an Emergency and Municipal Services Tax in accordance with the Local Tax Enabling Act. Seconded, all Ayes, motion carried.



Recommend advertising for adoption of **Ordinance 1012** fixing the Real Estate Tax Rate for the year 2008. Seconded, all Ayes, motion carried.

Recommend executing the LCB Parking Lot agreement. Seconded, 6-Ayes; 1-Nay (Mrs. Baigis), motion carried.

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

Recommend advertising for the adoption of an ordinance recommending a change in the TOD Zoning District to modify the parking requirements. Seconded, all Ayes, motion carried.

Recommend installing a disability parking sign on South Chestnut Street. Seconded, all Ayes, motion carried.

**Parks & Recreation Committee** – The Committee recommends and Mrs. Pieri moves:

Recommend preparing an RFP and advertising for bid for the replacement of the backstop at Knight Park. Seconded, all Ayes, motion carried.

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

Recommend authorization to bid the new control panel and chemical feed system for the belt filter press. Seconded, all Ayes, motion carried.

Recommend granting funds not to exceed \$25,000 at the request of the engineer to perform an initial study to identify process alternatives to meet DEP limits expected to be imposed with a total nitrogen limit of 3 mg/l and a total phosphorus limit of 0.1 mg/l after the TMDL is revised. Seconded, all Ayes, motion carried.

Recommend granting funds not to exceed \$10,000 at the request of the engineer to design and bid increasing the capacity of the EPS-3 Wet Well. Estimated construction cost is \$50,000. Seconded, all ayes motion carried.

Recommend Packer Redevelopment of Well 14 (Butler Manor) to be performed by A. C. Schultes at a cost less than \$10,000. Seconded, all Ayes, motion carried.

Recommend authorizing EPA-approved Underwriters Laboratories at a professional fee not to exceed \$11,000 for a maximum of 24 months of samples, to perform samples analysis as part of the EPA's Long Term-2 Enhanced Surface Water Treatment Rule requirement. Seconded, all Ayes, motion carried.

Recommend sending a response to the DEP regarding Loch Alsh Reservoir and the requirement to install \$150,000-\$250,000 worth of upgrades to sustain PMF (probable maximum flood), with a response deadline of November 30, 2007. Seconded. Carried.

Recommend awarding the Secondary Feed Bid Project to G.A. Vietri in the bid amount of \$174,825.00. Seconded, all Ayes motion carried.

**Salary & Personnel Committee** – The Committee made no recommendations.

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