

AMBLER BOROUGH COUNCIL MINUTES

September 17, 2007

The regular monthly meeting of Ambler Borough Council was held Monday, September 17, 2007 at 8:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. President Anita Pieri presided.

Mr. Paul Dooley 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, Mr. Dooley, Mr. Orehek and Mr. S. Pasceri. Mayor Wahl, Solicitor Bresnan and Mrs. Aversa also were present. Absent: Mr. Rocco Wack.

Mrs. Pieri moved that the August 20, 2007 with submitted revisions be accepted. Mr. Kenney asked that the Minutes reflect the following change: Page 5, Lines 1 & 2 should read “Discussion ensued. Mr. Kenney stated that the Borough cost was not to exceed \$25,000 with a DVRPC TRID grant in the amount of \$75,000, totaling \$100,000.” Mrs. Pieri again moved that the August 20, 2007 with all suggested revisions be accepted. Seconded. Carried.

COMMITTEE REPORTS

Public Safety Committee – Mr. Pugliese, Chairman

The Committee met on Monday, September 4, 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. Kenney, Mr. Orehek, and Mrs. Baigis. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Dooley, Mr. S. Pasceri and Mr. Rocco Wack.

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

The Committee will recommend the following:

1. Recommend installing a handicap parking sign on Center Street.

In other business the following was discussed:

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

Discussion ensued. Mrs. Baigis asked whether an enumerated sex offense had involved children. Mr. Wahl stated that he would look into the matter.

2. A committee of residents and Borough representatives was formed to address concerns regarding property maintenance and Borough codes.

Discussion ensued. Mrs. Baigis expressed disappointment that the group which would focus on rental properties had been formed without, to the knowledge of Ward 1 Councilpersons, inclusion of Ward 1 representatives. Mrs. Pieri stated that Pete Amento and Bob LaGreca, both residents of Ward 1, were on the committee.

3. The Ridge Avenue Stream Bank Restoration is complete.
4. The next edition of the Hometown News is being prepared.

Discussion ensued. Mrs. Baigis asked about the cutoff date for submissions to Hometown News. David Morgan stated that he would be completing the fall 2007 edition in about a week and a half.

Mrs. Pieri asked if there were questions or comments from Council or the public. Mr. Jim Dougherty of Gilmore Engineers stated that he was working with Artman Home at the request of residents to find a solution to the flow problem at that site. Under consideration is extension of the berm, adding curbing and installing a yard drain pipe system on the residential side of the berm. Mrs. Pieri stated that Council is awaiting a response from the Artman attorney.

Mrs. Pieri asked Solicitor Bresnan whether the Borough could require social security numbers on residential rental registration forms. Additionally, she asked whether the Borough could consider the operation of a rental property as a business, thereby requiring the landlord to provide parking spaces and register the vehicles of renters with the Borough. Mr. Bresnan considered the questions and stated he would get back to Council.

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, September 4, 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. Pugliese, Mr. Kenney, Mr. Orehek, and Mrs. Baigis. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Dooley, Mr. S. Pasceri and Mr. Rocco Wack.

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

The Committee will recommend the following:

1. Recommend granting Ambler Junior Baseball/Ambler CYO field use for the Spring-Summer 2008 season.

In other business the following was discussed:

1. Family Movie Night will be held Saturday, September 22 (rain date September 29) at Pickering Field with a 7:45 p.m. start time.
2. A quote was received for the backstop replacement at Knight Park. Additional quotes will be forthcoming.

Mrs. Pieri asked if there were questions or comments from Council or the public. Mr. Mark Wenckus of Lindenwold Avenue stated that he would be submitting field drawings at the next Council meeting.

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, September 4, 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 and Mrs. Baigis. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Dooley, Mr. S. Pasceri and Mr. Rocco Wack.

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

The Committee will make no recommendation as this time.

In other business the following was discussed:

1. The August 2007 WWTP and Engineer's Report was reviewed.
2. The Water Department's request for a rate increase from the PUC has been negotiated and a recommendation will be forthcoming after final documentation is provided by Solicitor Bresnan.
3. Annual inspection of the Loch Alsh Dam by the DEP is scheduled for Tuesday, October 16, 2007.

4. Gilmore engineers and the Water Superintendent attended the Whitpain Township Planning Commission Meeting on September 11th regarding township approval to proceed with establishing Well 15 (Brookfield Lane). Approval was granted and a letter stating the conditions of approval is forthcoming from the township.
5. Evaluation of the report and video of Houston Road Tank and Broad Axe Tank is being reviewed by Borough Engineers.
6. The plant engineer continues the process of preparing the specs and bid documents for installing necessary equipment to meet the 2 mg/L limit by December 1, 2007.

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, September 4, 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: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Dooley, Mr. S. Pasceri and Mr. Rocco Wack.

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

The Committee will recommend the following:

1. Recommend that the August 2007 invoices in the amount of **\$489,317.68** be paid as follows: General (\$93,760.27); Street Lights (\$495.36); Fire (\$759.83); Parks & Rec. (\$4,432.16); Water (\$93,062.46); Sewer (\$7,287.38); WWTP (\$100,105.78); Rail Corridor (\$0.00); Road Overlay (\$0.00); Debt Fund (\$0.00); Water Capital (\$7,273.29); Liquid Fuels (\$0.00); with end of month cycle totaling \$182,141.15 and August cycle bills totaling \$307,176.53.
2. Recommend having Gilmore engineers proceed with a survey of the proposed area of sidewalk and curb replacement (at an approximate cost of \$12,000) as is required by the DVRPC for grant funds received for Traffic Signal Upgrades and Sidewalk Improvements.

Discussion ensued. Mrs. Baigis inquired as to the need for the survey and it was explained by Gilmore Engineer Jim Dougherty that PennDOT requires a topographical survey and that Gilmore will perform an aerial survey, generate the topography and then send field surveyors out to document underground utilities.

3. Recommend awarding the North Main Streetscapes Project to Lenni Electric in the amount of \$67,677.
4. Recommend granting Preliminary/Final Land Development approval to Station Square with the following waivers and subject to the following conditions: **Waivers:** **Section 310.4** (Request that the intersections at Main Street & Butler Avenue and at Bannockburn Avenue & Bethlehem Pike not be included in the traffic study; **Section 310.5.C** (Request that a sight distance analysis at Main Street & Bannockburn Avenue not be required); and **Section 310.5.E** (Request that roadway capacity analysis not be required). **Conditions:** Satisfy the Borough Engineer's comments presented in the Gilmore letter dated July 24, 2007. Including the lower watt streetlights with downward lighting shields. Satisfy the Sanitary Sewer Engineer's comments presented in the Gilmore letter dated July 9, 2007. The applicant has agreed to replace the 12-inch sewer main along their Main Street frontage including a full road overlay in-lieu of providing the sewer connection fee to the Borough for nine of the additional 18 EDU fees needed (total of 58 needed with Station Square already having 40) for this project in the amount of \$22,572 (note: this is a correction from a previous calculation as the fee is \$2,508 per EDU). Satisfy the Water Engineer's comments presented in the Langan Meeting Report of August 15, 2007. The Fire Chief will verify the proposed hydrant locations on the final plan.

Discussion ensued. Mr. Rob Gundlach, representing Station Square, noted that the project's bankers wanted to be certain of the wording of the status of the approval, noting that 'Preliminary/Final Approval' would satisfy the bank.

5. Recommend that the Zoning & Map Change Ordinance be sent back to the Borough Planning Commission with consideration being given to the residents' letter received by Council before consideration of adoption by Borough Council.

Discussion ensued. Mr. George Benigno, Interim Code Enforcement Officer discussed the buffers to be required at front and side yards for O Office and DC Downtown Commercial where an office abuts a residential district. Ms. Heather McKay of 19 Hendricks Street presented a letter with 30 signatures from neighbors who wanted the Borough to carefully consider its zoning decisions at the Butler Avenue and Hendricks Street, noting that the Borough would be setting precedent in its decision. It was decided after an amount of time spent by Council and Solicitor Bresnan discussing this issue that the Zoning & Map Change Ordinance was not ready to be considered for adoption or advertised.

6. Recommend proceeding with the proposal for Alley of the Arts by Act II Playhouse, authorizing the removal of a tree on Cavalier Drive, and noting that a \$2,500 in kind contribution requested of the Borough will be considered at the Council 2008 budget review meeting.

Discussion ensued. Mrs. Baigis asked if Act II could apply for grant monies. Mr. D.M. Kenney of Act II stated that Act II is a non-profit, not a private venture, and that as such Act II was receptive to applying for grants, but also sought a contribution from the Borough. Councilman Kenney stated that this should be considered as a revitalization project with the requested funds going towards mural realization.

7. Recommend, at recommendation of the Borough Planning Commission, authorization for the Paul Mitchell/Ambler Beauty Academy as part of its proposed building improvements to remove two trees along the site closest to the building.
8. Recommend adopting **Resolution 2007-6** approving the Sewer Planning Module application for the residential subdivision at 237 Trinity Avenue.
9. Recommend adopting **Resolution 2007-7** approving and adopting the Comcast Franchise Agreement.

Discussion ensued. Solicitor Bresnan stated that he had spoken with Dan Cohen, Special Counsel in Pittsburgh wherein it was stated that the agreement merited certain technical changes that would provide the best current technical language for the agreement. Further, Solicitor Bresnan noted the Borough will receive five percent collection from the agreement which is for a term of 10 years.

10. Recommend authorizing a \$6,200 increased contribution by the Borough to Ambler Main Street for FY 2008. The Committee had received and reviewed a revised Ambler Main Street 2008 budget.

Discussion ensued. Mr. Kenney stated that the original funds request was for \$20,000. Mrs. Pieri noted that in-kind services such as trash removal by Borough employees were not included in the \$6,200 budget increase request. Mrs. Aversa stated that Borough man-hours (comprised of police and public works) that benefit Ambler Main Street cost the Borough approximately \$12,000 per year.

In other business the following was discussed:

1. The Borough Engineer's August 2007 report was reviewed.
2. The annual pension presentation will be made by Joe Duda, Actuarial, Scott Repke of Alliance Berstein and Tim Swartley of Univest on September 19, 2007 at 7:00 p.m.
3. The Borough held a meeting to address complaints of property owners surrounding Artman Home on September 4, 2007 at 6:45 p.m. prior to the Committee meeting.

4. The Race Street Streetscape is being prepared for bid. There will be eight streetlights and a decorative fence along the Lindenwold Avenue Parking Lot. Probable cost indicates that approximately \$16,000 may still be available for alternatives with the remaining funds being used for handicap ramps at the intersections. Other suggestions are planters, benches, or crosswalks.

Discussion ensued. Jim Dougherty noted that the cost of a handicap ramp is approximately \$2,000 to \$2,500.

5. The Engineer has been given authorization to proceed with the proposed plans for the Ambler Streetscape Tea-21 Grant. Changes in the selected landscaping using the EAC's recommended trees and plantings and the Victorian clock styling are included in the plan.
6. The Ordinance for 1-3 Reiffs Mill Road was sent to the County for review. A letter from the Borough Planning Commission was also received. This will be advertised for adoption and the Borough will schedule a public hearing.

Mrs. Pieri asked if there were questions or comments from Council or the public. Mr. Sal Pasceri suggested that Ambler Main Street expand its Board of Directors to include the Mayor and Council members. Mr. Ed Egan of Ambler Main Street stated that he would look into the procedure for amending the bylaws.

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, September 4, 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. Kenney, and Mrs. Baigis. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa. Absent: Mr. Dooley, Mr. S. Pasceri and Mr. Rocco Wack.

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

The Committee will recommend the following:

1. Recommend hiring Ron Myers to fill the vacant position of Code Enforcement/Zoning Officer.

Discussion ensued. Mrs. Baigis asked about the interview process. It was stated that seven applicants had responded, four were scheduled or interviews, one declined and therefore three applicants were interviewed. Further, it was stated that the last two

employers were checked as references. The recommendation to hire Ron Myers was a unanimous Committee decision.

In other business the following was discussed:

The monthly Employee Safety Committee Minutes for August 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

Mr. Orehek asked that Heather McKay of 19 Hendricks Street be considered to join the committee to address rental, housing and code issues. Ms. McKay is a resident of Ambler Ward 1. She was welcomed to join the Committee which will hold its next meeting September 26, 2007 at 7:00 p.m. at Borough Hall.

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:

Recommend installing a handicap parking sign on Center Street. Seconded. All Aye. Carried.

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

Recommend granting Ambler Junior Baseball/Ambler CYO field use for the Spring-Summer 2008 season. Seconded. All Aye. Carried.

Public Utilities Committee - No recommendations at this time.

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

Recommend that the August 2007 invoices in the amount of **\$489,317.68** be paid. Seconded. All Aye. Carried.

Recommend having Gilmore engineers proceed with a survey of the proposed area of sidewalk and curb replacement (at an approximate cost of \$12,000) as is required by the DVRPC for grant funds received for Traffic Signal Upgrades and Sidewalk Improvements. Seconded. All Aye. Carried.

Recommend awarding the North Main Streetscapes Project to Lenni Electric in the amount of \$67,677. Seconded. All Aye. Carried.

Recommend granting Preliminary Final Land Development approval to Station Square with the waivers and subject to the conditions as are detailed in the Finance & Planning Committee Report contained in these Minutes. Seconded. All Aye. Carried.

Recommend that the Zoning & Map Change Ordinance be sent back to the Borough Planning Commission with consideration being given to the residents' letter received by Council before consideration of adoption by Borough Council. Seconded. 8-Aye; 1-Nay (Mr. Pugliese). Carried.

Recommend proceeding with the proposal for Alley of the Arts by Act II Playhouse, authorizing the removal of a tree on Cavalier Drive, and noting that a \$2,500 in kind contribution requested of the Borough will be considered at the Council 2008 budget review meeting. Seconded. All Aye. Carried.

Recommend, at recommendation of the Borough Planning Commission, authorization for the Paul Mitchell/Ambler Beauty Academy as part of its proposed building improvements to remove two trees along the site closest to the building. Seconded. All Aye. Carried.

Recommend adopting **Resolution 2007-6** approving the Sewer Planning Module application for the residential subdivision at 237 Trinity Avenue. Seconded. Poll Council. All Aye. Carried.

Recommend adopting **Resolution 2007-7** approving and adopting the Comcast Franchise Agreement. Seconded. Poll Council. All Aye. Carried.

Recommend authorizing a \$6,200 increased contribution by the Borough to Ambler Main Street for FY 2008. The Committee had received and reviewed a revised Ambler Main Street 2008 budget. Seconded. All Aye. Carried.

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

Recommend hiring Ron Myers to fill the vacant position of Code Enforcement/Zoning Officer. Seconded. 8-Aye; 1-Nay (Mrs. Pieri). Carried.

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