

AMBLER BOROUGH COUNCIL MINUTES

April 15, 2008

The regular monthly meeting of Ambler Borough Council was held Tuesday, April 15, 2008 in Borough Council Chambers located at 122 E. Butler Avenue, Ambler, Pennsylvania 19002. A public hearing began at 6:30 p.m. to consider the inter-municipal transfer application for liquor license by 129 East LLC for a proposed new restaurant at 129 East Butler Avenue. The regular Council Meeting began at 7:00 a.m. President Tony Isabella presided.

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

Roll Call – Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri and Mr. Amento. Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Aversa also were present. Absent: Ms. Maxion.

Mr. Isabella motioned for approval of the Minutes of the March 18, 2008 Council Meeting with suggested corrections. Seconded, carried.

COMMITTEE REPORTS

Public Safety Committee – Mr. G. Pasceri, Chairman

Committee members: Mr. G. Pasceri, Mr. Dooley, Mr. Kenney and Ms. Maxion

The Committee met on Tuesday, April 1, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Aversa.

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

The Committee will recommend the following:

1. Recommend scheduling a meeting for public input in reference to residential property issues for May 19, 2008 at 6:30 p.m.

In new business:

1. Recommend advertising for adoption an Ordinance for road overlay requirements.

Discussion ensued. Mrs. Baigis stated she could understand the Borough's reasoning in considering for adoption an ordinance setting forth road overlay requirements but stressed that she was concerned about Borough standards for curb and sidewalk restoration. Code Enforcement Officer Myers stated that the Borough has a relatively new curb and sidewalk ordinance which deals with the issue of curb and sidewalk restoration requirements.

In other business the following was discussed:

1. The Police Department report for March 2008 was received.
2. The March 2008 Public Works and Code Enforcement reports were reviewed.
3. The Borough is looking for interested residents to participate in a steering committee for the Ambler Ambulance Association.
4. A presentation was made for consideration of a smoking ban in all public buildings in the Borough.
5. A proclamation was prepared for Raymond Simonis and will be presented at the May Council meeting.
6. The March 2008 Fire Department report was received.
7. A memorandum from the EAC meeting had been distributed.

Mr. Isabella 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 – Mrs. Pieri, Chairman

Committee members: Mrs. Pieri, Mr. Dooley, Mr. G. Pasceri

The Committee met on Tuesday, April 1, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs Aversa.

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

The Committee will recommend the following:

While the Committee reported no recommendations, Mrs. Baigis requested that the Committee recommend utilizing the talents of Ms. Sigi Koko during the Borough's design phase for a "green building" to be constructed at Knight Park. Mr. Isabella stated

that consideration of Ms. Koko's request to be appointed to the EAC would be made during the Finance and Planning Committee Report.

In other business the following was discussed:

1. The Borough has begun to compile construction costs and prepare the grant application for the "green building" to be constructed at Knight Park.
2. Construction of the batting cage and fencing at Knight Park is nearing completion.

Mr. Isabella 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. Amento, Chairman

Committee members: Mr. Amento, Mrs. Judy Baigis, Mr. S. Pasceri

The Committee met on Tuesday, April 1, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs Aversa.

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

The Committee will recommend the following:

1. Recommend authorization to enter into a lease agreement with Cricket Communications for their telecommunications equipment pad site at Broad Axe Tank, with site rental set at \$1,750 per month. (Site plans had been approved by Gilmore Engineers and Lease Agreement by Solicitor Bresnan.)

In other business the following was discussed:

1. The March 2008 WWTP and Engineer's Report was reviewed.
2. Whitmarsh Pump Station is nearing upgrade completion. The air scrubber is being rebuilt. PADEP will be contacted to conduct a mandatory one-month study for permit approval.
3. Proposed Well 15 (Brookfield Lane-The Ridings) has received DRBC approval pending DEP technical review. A DRBC public hearing to be held in New Jersey is scheduled regarding the application.

4. A Purchase Order has been issued to Aquatic Laboratory Services, Inc. to conduct a Water Effects Ratio (WER) for aluminum in the plant.
5. The plant engineer continues the design and bid documents for increasing the capacity of the EPS-3 Wet Well.
6. The plant engineer was authorized at the November meeting to conduct a study based on PA DEP'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 total maximum daily load (TMDL) is revised. The project is in process.
7. The plant engineer continues preparing bid documents and specs for the new control panel and chemical feed system for the belt filter press. Bid advertisement is anticipated March 2008.
8. An ordinance establishing guidelines and fees for regulating grease traps is being considered.
9. Loch Alsh Booster Station generator loss is still being reviewed by DVIT. Upper Dublin High School engineers have expressed an interest in financing an upgrade at this facility.
10. A review of telecommunications companies that lease space on Broad Axe and Houston Road water towers was made. The County 911 system is to deliver blueprints of their antenna specs to the Borough engineer.

Mr. Isabella 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

Committee Members: Mr. Kenney, Mrs. Pieri and Mrs. Baigis

The Committee met on Tuesday, April 1, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs Aversa.

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

The Committee will recommend the following:

1. Recommend that the March 2008 invoices in the amount of **\$439,528.73** be paid as follows: General (\$178,334.28); Street Lights (\$657.08); Fire (\$12,493.45); Parks & Rec. (\$1,464.19); Water (\$67,825.70); Sewer (\$16,786.11); WWTP

(\$116,085.82); Rail Corridor (\$0); Road Overlay (\$0); Debt Fund (\$0); Water Capital (\$2,303.38); Liquid Fuels (\$0); with end of month cycle totaling \$43,578.72, voided checks totaling \$0.00 and March cycle bills totaling \$395,950.73.

2. Recommend, after hearing public input on the Ambler Borough Revitalization/Vision Plan, adopting **Resolution 2008-6** "Adoption of the Ambler Borough Vision Plan Amendment."

Discussion ensued. Mrs. Baigis noted that she has found two sections of sidewalk that do not comply with ADA requirements because streetlights installed at the sidewalk were set too close to buildings, therefore not allowing for the sidewalk width required by ADA. She asked the Borough to look into this matter and to ensure that future streetlights installed under the Vision Plan be compliant. She stated her support for technical assistance for the business district. There was no public comment.

3. Recommend adoption of proposed Bylaws and Rules & Procedures for all Borough Council and Borough Committee Meetings, with clarification regarding the ex officio portion of the proposed policies.

Discussion ensued regarding membership of Council President on any or all committees. Solicitor Bresnan stated that the term ex officio could mean whatever Council desires it to mean. He further stated that Council might elect to have its President sit as a non-voting member on all Committees and that the Rules & Procedures could stipulate the order of comment made by members of Council after a Committee presentation was made. Solicitor Bresnan also pointed out that Council still needed to determine whether "seconding" a motion would be a requirement. Regarding other Rules & Procedures, Elizabeth Russell of 326 Valley Brook Road asked that a sheet be included in the Agenda packet distributed to the public that sets forth how and when members of the public could make comments.

4. Recommend appointing Sigi Koko to the EAC.

In new business:

1. Recommend adopting **Resolution 2008-7** in support of a natural hazard mitigation plan prepared by the Montgomery County Planning Commission, such plan qualifying the Borough to receive FEMA funds in the event of a disaster.

Discussion ensued. Mrs. Aversa stated that by adopting this Resolution, monies would be available to residents in flood areas for buy-outs. Without passage, Borough residents would lose this opportunity.

2. Recommend adopting **Resolution 2008-8** "Resolution for Plan Revision for new Land Development" that supports the Sewage Facilities Planning Module for

Station Square. (Upon adoption, the Borough will submit the plan to DEP for approval.)

3. Recommend adopting **Resolution 2008-9** to support Borough participation in the DVRPC program called "Classic Towns."
4. Recommend adopting **Resolution 2008-10** amending certain fee schedules for residential rental units.

In other business the following was discussed:

1. The Borough Engineer's March 2008 report was reviewed.
2. A memo recommending changes to the Borough lighting standard was received.
3. A memo recommending the creation of a Home Occupation Ordinance was received.
4. A memo setting standards for the use of PODS in the Borough was received.
5. Resumes are being accepted for the vacant Borough seats on the EAC.
6. The Borough is working to address the complaints of property owners surrounding Artman Home.

Discussion ensued. Code Enforcement Officer Myers stated that Borough Engineer Jim Dougherty had met with three home owners and it appeared as though Artman Home had agreed to put shields on lighting, lower lighting wattage and plant new hedges.

7. Mr. Watson discussed plans for the property at 30 S. Bethlehem Pike.
8. Ambler Main Street will provide a corrective plan in May.

Discussion ensued. Mr. D.M. Kenney, President of Ambler Main Street, introduced Mr. Bernie Sergei, Vice President of Ambler Main Street, who stated that details of the AMS plan would be submitted to Council in May. Additionally, he stated that AMS had recently learned that the audit of the loan to Ambler Theater was due by June 30th, and not as had been previously thought, at the end of the loan period.

9. The proposed DC-2 Zoning ordinance recommending the Zoning and Map change will be sent to the Planning Commissions for review.

Mr. Isabella 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. S. Paceri, Chairman

Committee members: Mr. S. Pasceri, Mr. Amento, Ms. Maxion

The Committee met on Tuesday, April 1, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs Aversa.

An Executive Session was held on a personnel issue.

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

In new business, the Committee will recommend the following:

1. Recommend promoting Sgt. Bill Foley of Ambler Police Department to the position of Police Chief, effective immediately.

In other business the following was discussed:

1. The resignation of Chief Rocco Wack had been accepted.
2. AFSCME had contacted the Borough to schedule negotiations meetings. Mr. Isabella appointed Mr. S. Pasceri, Mr. Amento, Ms. Maxion and himself to the Borough Negotiations Committee. He appointed Mr. G. Pasceri, Mr. Kenney and himself to the Police Department Negotiations Committee.
3. The Committee met on February 28th to discuss the vacant WWTP position. An additional meeting will be scheduled at a future date.
4. Council had recommended hiring 2 part-time employees for the Parks Department as opposed to hiring 1 full-time employee, yet agreed to reconsider this recommendation upon a motion by Mrs. Pieri.

Mr. Isabella 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.

RECOMMENDATIONS

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

Recommend scheduling a meeting for public input in reference to residential property issues for May 19, 2008 at 6:30 p.m. Seconded. All Ayes. Carried

Recommend advertising for adoption an Ordinance for road overlay requirements. Seconded. All Ayes. Carried.

Parks & Recreation Committee – The Committee will make no recommendations at this time.

Public Utilities Committee – The Committee recommends and Mr. Amento moves:

Recommend authorization to enter into a lease agreement with Cricket Communications for their telecommunications equipment pad site at Broad Axe Tank, with site rental set at \$1,750 per month. Seconded. All Ayes. Carried.

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

Recommend that the March 2008 invoices in the amount of **\$439,528.73** be paid. Seconded. All Ayes. Carried.

Recommend adopting **Resolution 2008-6** “Adoption of the Ambler Borough Vision Plan Amendment” which updates the Revitalization/Vision Plan. Seconded. 7-Ayes; 1-Nay (Mrs. Baigis). Carried.

Recommend adoption of proposed Bylaws and Rules & Procedures for all Borough Council and Borough Committee Meetings, with “seconds” required for all motions (Seconded, All Ayes, Carried), wherein Council President is an ex officio non-voting member of all committees (Seconded, All Ayes, Carried), and wherein procedurally Council President is given the floor immediately after a Committee report is completed to make comment, before a comment period is opened to the remainder of Council and to the public (Seconded, All Ayes, Carried). Motion to adopt Bylaws and Rules & Procedures was subsequently Seconded. All Ayes. Carried.

Recommend appointing Sigi Koko to the EAC. Seconded. All Ayes. Carried.

Recommend adopting **Resolution 2008-7** in support of a natural hazard mitigation plan prepared by the Montgomery County Planning Commission. Seconded. All Ayes. Carried.

Recommend adopting **Resolution 2008-8**, a DEP resolution for the Station Square Planning Module. Seconded. All Ayes. Carried.

Recommend adopting **Resolution 2008-9** to support Borough participation in the DVRPC “Classic Towns” program. Seconded. 7-Ayes; 1-Nay (Mrs. Baigis). Carried.

Recommend adopting **Resolution 2008-10** amending certain fee schedules for residential rental units. Seconded. All Ayes. Carried.

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

Recommend promoting Sgt. Bill Foley of Ambler Police Department to the position of Police Chief. Seconded. 7-Ayes; 1-Nay (Mrs. Baigis). Carried.

There being no further business, Mr. Isabella moved the meeting be adjourned. Seconded, motion carried.

Respectfully submitted,

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