

AMBLER BOROUGH COUNCIL MINUTES

December 16, 2008

The regular monthly meeting of Ambler Borough Council was held Tuesday, December 16, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue, Ambler, Pennsylvania 19002. President Tony Isabella presided.

Mayor 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, Chief Foley, Solicitor Bresnan and Mrs. Aversa also were present. Ms. Maxion was absent.

A motion was made to approve the November 18, 2008 Minutes with recommended revisions. A clarification was made by Mr. Isabella that an Executive Session had been held to discuss the police contract and salaried employee performance and salary reviews. Motion 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, December 2, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mrs. Pieri.

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

The Committee will recommend the following:

1. Recommend approval of a handicap parking space for the 100 block of South Spring Garden Street, all requirements having been met.
2. Direction is requested in placing parking meters on Race, Poplar and North Maple Streets. The Borough Planning Commission is reviewing the parking study.

Discussion ensued. It was agreed to table this issue for a future Public Safety Committee meeting.

3. Recommend executing the Compost Agreement with the Northern Montgomery County Recycling Commission designating an official PADEP-permitted compost facility.

In other business the following was discussed:

1. The Police Department and Fire Company reports for November 2008 were received.
2. The November 2008 Public Works and Code Enforcement reports were reviewed.
3. The Fire Department report was distributed.
4. Chief Foley is researching a possible ordinance amendment relative to parking regulations including vehicle weight.
5. The Borough is compiling information in reference to the train whistle and Quiet Zone requirements during early morning hours.
6. Council discussed the use of stone crushing equipment during the demolition process of current development.

In New Business:

1. The Wissahickon Fire Company has secured a grant of \$104,737.00 through the U.S. Department of Homeland Security FEMA 2008 Firefighter Assistance Grant Program. This Federal grant will enable them to purchase 21 new Self-Contained Breathing Apparatuses.
2. Borough staff currently is exploring the use of solar energy by the Borough to operate the WWTP. The Borough is researching the cost of installing solar panels.

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, Ms. Maxion

The Committee met on Tuesday, December 2, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mrs. Pieri.

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

The Committee will make no recommendations at this time.

In other business the following was discussed:

1. The Borough has submitted a grant application for a “green building” to be constructed at Knight Park and to include a trail to connect to the County’s Green Ribbon Trail and the Wissahickon Valley Watershed Trail.
2. Public comment was received in consideration of hiring a Park and Recreation Program Administrator.
3. A draft Parks & Recreation Rules Ordinance was sent to the Ambler Planning Commission. The Commission returned the Ordinance to Council with a few comments and approved of the remainder of the proposed Ordinance.

Discussion ensued. Mr. Sal Boccuti of the Planning Commission stated that members of the Commission were concerned about the use of the word “annoying” as being ambiguous. Solicitor Bresnan clarified that such language is standard in the State’s Crimes Code and is not a vague and arbitrary term. Mr. Boccuti questioned listing the current names of Borough parks in the Ordinance, which, if parks are renamed or additional parks are created, would require amending the Ordinance. Solicitor Bresnan was asked to research the issue of banning smoking in all public parks.

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, December 2, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mrs. Pieri.

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

The Committee will recommend the following:

1. Recommend adopting **Ordinance 1030** amending Part 3, Chapter 18 – Sewers and Sewage Disposal – of the Borough Code to incorporate revisions made to Federal Part 403 Regulations.
2. Recommend that Princeton Energy Systems perform a study to determine the benefit of use of digester gas at a cost of \$3,560.00.

In other business the following was discussed:

1. The November 2008 WWTP Supervisor's and Engineer's reports were reviewed.
2. Repair to the carbon tanks at Whitmarsh Pumping Station is complete. Staff is preparing to bring Whitmarsh on line.

Discussion ensued. Mr. Amento expressed his appreciation to Mr. Frank Scalfaro, Assistant Water Supervisor, and to Water Department employees for their diligence in pursuing repair at Whitmarsh. Mrs. Baigis also expressed her appreciation.

3. Due to pump failure, emergency pump replacement was necessary at Well 7 (Loch Alsh cluster). Well 7 had been scheduled for routine pump replacement in 2009.
4. Drought Emergency conditions currently exist in the Ambler Water franchise area. It is anticipated the conditions will continue through December.

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, December 2, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mrs. Pieri.

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

The Committee will recommend the following:

1. Recommend that the **November** invoices in the amount of **\$546,689.46** be paid as follows: General (\$106,612.49); Street Lights (\$335.70); Fire (\$115.76); Parks & Rec. (\$3,351.82); Water (\$92,924.80); Sewer (\$8,952.22); WWTP (\$250,090.03); Rail Corridor (\$0); Road Overlay (\$2,546.91); Debt Fund (\$0.00); Water Capital

(\$0.00); Liquid Fuels (\$7,227.33); with end of month cycle totaling \$74,532.40, voided checks totaling \$0.00 and **November** cycle bills totaling \$472,157.06.

2. Recommend adopting the **FY 2009 Budget**.

Discussion ensued. Mr. Kenney stated that the Committee had received a letter from Mr. J. Mastromatteo of 216 Rosemary Avenue detailing an eight to ten year comparative highlight of Borough taxes. Mr. Kenney stated that the letter was to be incorporated and made part of the Minutes of the evening's Council Meeting. Mr. Wojciechowski, Borough Finance Manager, stated that items listed in Mr. Mastromatteo's letter concurred with Borough records for the most part and that he was reviewing Item 3 in the budget.

3. Recommend adoption of **Ordinance 1029** Fixing the Real Estate Tax Rate for FY 2009.
4. Recommend adopting **Resolution 2008-20** to assure compliance by the Borough with the Pennsylvania Right-to-Know Law, as amended by Act 3.
5. Recommend adopting **Resolution 2008-18** appropriating specific sums estimated per the FY 2009 Budget required for the specific purpose of the Municipal Government.

In new business:

1. **Board/Commission Reappointments/Vacancies (T.E. 12/31/08):**

Vacancy Board Chairman- vacant
BOCA Fire/Building Board of Appeals (4-Yr Term) 2 seats vacating
Zoning Hearing Board (3-Yr Term) 2 re-appointments requested by current members
Electrical Board (3-Yr Term) 1 seat vacating
Planning Commission (4-Yr Term) 2 re-appointments requested by current members

2. **Building Inspections:**

The Borough currently contracts with (Building Inspection Underwriters) and currently pays 60% of the permit fee verses a flat hourly rate. Staff has met with Christopher M. Czop, Dir. of Operations for Czop/Spector.,Inc. A recommendation is made to contract with CZOP/Spector at a flat rate of \$55.00 per hour to perform all plan reviews and inspections. The current demand is approximately eight hours per week.

3 **Police Department**

Chief Foley is researching the feasibility of hiring part-time police officers for overtime purposes exclusively.

In other business the following was discussed:

1. The Borough Engineer's November 2008 report was reviewed.
2. A draft Ordinance setting standards for the use of dumpsters was sent to the Planning Commissions for review. Both the Ambler and County Planning Commission review letters have been received.

Discussion ensued. Solicitor Bresnan, responding to Mrs. Baigis' inquiring, stated that in his opinion the range of the fine assessed "at up to \$300" was reasonable and that fines ultimately would be determined by the magistrate. Additionally, he clarified that the dumpster must be lighted because lighting placed in the roadway might be hazardous.

3. A draft Resolution setting forth a revised Borough Fee Schedule is being prepared.
4. Borough Committee and Council Meetings will be held on the first and third Tuesday of the month, respectively, at 7:00 p.m.

Mr. Isabella asked if there were questions or comments from Council or the public. Mr. Kenney thanked Mr. David Wachs, Main Street Manager, and the Rotary and Kiwanis organizations for their efforts in providing the community with the Ambler Holiday parade. There being no further questions or comments, it was moved the report be accepted and filed. Seconded, carried.

Salary and Personnel Committee – Mr. S. Paceri, Chairman

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

The Committee met on Tuesday, December 2, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Paceri, Mr. Kenney, Mrs. Baigis, Mr. S. Paceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mrs. Pieri.

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

The Committee will recommend the following:

1. Recommend executing the Police Department Contract.

In other business the following was discussed:

1. Minutes from the November Safety Meeting were received.

An Executive Session was held.

The purpose of the Executive Session was to discuss the Police Department Contract and the Salaried Employee performance reviews and proposed salary recommendations.

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 will recommend and Mr. G. Pasceri moves:

Recommend approval of a handicap parking space for the 100 block of South Spring Garden Street, all requirements having been met. Seconded, carried.

Recommend executing the Compost Agreement with the Northern Montgomery County Recycling Commission designating an official PADEP-permitted compost facility. Seconded, carried.

Parks & Recreation Committee – Mrs. Pieri states the Committee will make no recommendations at this time.

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

Recommend adopting **Ordinance 1030** amending Part 3, Chapter 18 – Sewers and Sewage Disposal – of the Borough Code to incorporate revisions made to Federal Part 403 Regulations. Seconded, carried.

Recommend that Princeton Energy Systems perform a study to determine the benefit of use of digester gas at a cost of \$3,560.00. Seconded, carried.

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

Recommend that the **November** invoices in the amount of **\$546,689.46** be paid. Seconded, carried.

Recommend adopting the **FY 2009 Budget**. Seconded. 7-Aye; 1-Nay (Mrs. Pieri); 1-Absent, carried.

Recommend adoption of **Ordinance 1029** Fixing the Real Estate Tax Rate for FY 2009. Seconded. 7-Aye; 1-Nay (Mrs. Pieri); 1-Absent, carried.

Recommend adopting **Resolution 2008-20** to assure compliance by the Borough with the Pennsylvania Right-to-Know Law, as amended by Act 3. Seconded, carried.

Recommend adopting **Resolution 2008-18** appropriating specific sums estimated per the FY 2009 Budget required for the specific purpose of the Municipal Government. Seconded, carried.

Recommend contracting with CZOP/Spector at a flat rate of \$55.00 per hour to perform all plan reviews and inspections. Seconded, carried.

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

Recommend executing Part 1 of the Police Department Contract. Seconded. 7-Aye; 1-Nay (Mrs. Pieri); 1-Absent, carried.

Recommend approving of the proposed salary increase for the Borough Manager. Seconded, carried.

Recommend approving of the proposed salary increase for part-time personnel. Seconded. 5-Aye; 2-Nay (Mr. Kenney, Mrs. Pieri); 1-Abstain (Mr. Isabella, declaring that his spouse is a part-time Borough employee); 1-Absent, carried.

Recommend approving of the proposed salary increases for salaried personnel. Seconded. 6-Aye; 2-Nay (Mr. Kenney, Mrs. Pieri); 1-Absent, carried.

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

Respectfully submitted,

Elizabeth Russell
Administrative Assistant
Borough of Ambler