

## AMBLER BOROUGH COUNCIL MINUTES

January 22, 2008

The regular monthly meeting of Ambler Borough Council was held Tuesday, January 22, 2008. A public hearing began at 7:00 p.m. to consider adopting an ordinance recommending a Zoning Map change for portions of Butler Avenue and Race Street. The regular Council Meeting began at approximately 7:35 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. 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, Mrs. Pieri, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Aversa also were present.

Mr. Isabella noted that minor changes to the Minutes had been suggested by Mrs. Baigis. Mrs. Pieri and Mayor Wahl had also submitted changes to the Minutes. After a review by Council, Mr. Isabella moved that the Minutes of the December 17, 2007 Council Meeting be accepted. Seconded, carried. Mr. Isabella moved that the submitted Minutes of the January 7, 2008 Reorganizational Meeting be accepted. Seconded, carried.

### COMMITTEE REPORTS

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

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

The Committee met on Monday, January 7, 2008 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mrs. Pieri, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa.

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

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

1. Recommend that the December 2007 invoices in the amount of **\$979,753.16** be paid as follows: General (\$107,743.84); Street Lights (\$413.72); Fire (\$536.85); Parks & Rec. (\$453.76); Water (\$60,694.33); Sewer (\$8,037.84); WWTP (\$264,714.72); Rail Corridor (\$0); Road Overlay (\$0); Debt Fund (\$0); Water Capital (\$9,536.47); Liquid Fuels (\$0); with end of month cycle totaling

\$530,259.22, voided checks totaling \$2,637.59 and December cycle bills totaling \$452,131.53.

2. Recommend adopting **Resolution 2008-1** supporting House Resolution 418, a bipartisan resolution which calls on Congress to take emergency action to protect homeowners, and state and federal chartered banks – prohibiting any bailout of the speculators and hedge funds – by enacting a Homeowners and Bank Protection Act.

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

1. The Borough Engineer's December 2007 report was reviewed.
2. Pete Watson, owner of the old Mobil Station at Bethlehem & Butler Pikes, was scheduled to address Council.

Mr. Watson stated that the vacant Mobil Station was proving impossible to lease because of the zoning restriction, deed restriction and non-conforming use restriction. The property currently is zoned Institutional. He acknowledged that the old station is an "ugly blister in the Gateway," and sought remedy from Council, either by going before the zoning hearing board for a variance or by applying for a zoning change. Solicitor Bresnan stated that the lot currently is in the Comprehensive Plan as zoned institutional. He further stated that a zoning change would eliminate all concerns as to non-conforming status. Council agreed to have Mr. Watson's request placed on the Planning Commission agenda.

3. The SALDO Ordinance setting buffering requirements will be sent to the various Planning Commissions for review.

Discussion ensued. There was confusion over a letter from the Planning Commission regarding placement of fencing and trees in the buffering zone and whether the fence should be considered as the outside border or should be set in from the property line. Mrs. Baigis offered that there was an error by the County in its allowance for the spread of trees, noted that the trees were intended to soften the hardscaping and noise, and stated that evergreen trees should be specified. Solicitor Bresnan stated that Council should ask the Planning Commission to further refine its plans. Steve Ware, Planning Commission Chairman, stated he would place this issue on their next agenda.

4. Resumes are being accepted for vacant Borough seats on the Environmental Action Committee.
5. The Borough is working to address the complaints of property owners surrounding Artman Home.

6. Borough Council selected street names for the new development at 200 S. Main Street. Selected names are Mary Ambler Way and Maida Way.

Discussion ensued. Council indicated its desire to name the third street after Ebony Dorsey, who was tragically murdered last month. Ms. Maxion suggested that the family be contacted to ascertain whether they wanted her to be remembered in this way. Mrs. Aversa agreed to contact the father.

7. Revitalization grant applications were due January 15, 2008.

Discussion ensued regarding the kiosk on Cavalier Drive. D.M. Kenney, President of Ambler Main Street, stated it was his understanding from the architect, who had not been paid, that the owner of Paul Mitchell was renegeing on restoration of the kiosk, benches and shrubbery. Mr. Kenney offered that with a grant, Act II Playhouse could cleanup the eye sore and add to the garden beds.

Mr. Isabella asked if there were questions or comments from Council or the public. D. M. Kenney provided Council with a list of officers and committee co-chairs as elected at the December 2007 meeting of Ambler Main Street Board of Directors. Working with Ambler Main Street President Kenney will be Vice President Berne Siergiej, Esq. (Jenkins, Siergiej & Smith Law Firm), Treasurer Nancy Balkit, CPA (Breznick & Associates) and Secretary Donna Kreamer (Indian Valley Boys & Girls Club). He reported that Ambler Main Street would be seeking a candidate to fill the vacant position of Main Street Manager, and that this would be a part-time position.

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

#### **Public Safety Committee – Mr. G. Pasceri, Chairman**

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

The Committee met on Monday, January 7, 2008 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mrs. Pieri, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa.

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

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

1. Recommend advertising for adoption an amendment to the Borough Traffic Ordinance for stop signs at the intersection of Hendricks Street & Belmont Avenue, and at the intersection of Euclid Avenue & Park Avenue.

Discussion ensued. Mrs. Baigis noted that these stop signs appeared several months ago, prior to any discussion on an ordinance change, and that therefore the stop signs were not properly ordinances. Sergeant Foley stated that upon Chief Wack's instruction, the stop signs were placed prior to the time for school opening. He stated that now that St. Anthonys has two schools in operation, the density in the school area was believed to have warranted immediate placement. He stated that the Public Safety Chairman may not have been aware of this decision. Solicitor Bresnan noted that since these signs were not properly ordinances, the Borough could not enforce any citations written regarding stopping at these locations. It was generally agreed by Council that these additional stop signs were being well received. Mrs. Aversa stated that the Borough was interested in adding additional school zone speed limit signs in the vicinity.

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

1. The Police Department report for December 2007 and the Annual Report were received.
2. The December 2007 Public Works report and Code Enforcement report were reviewed.
3. The Borough is looking for interested residents to participate in a steering committee for the Ambler Ambulance Association. Mrs. Pieri noted that the Association might consider Borough officials to serve on the committee.
4. The Borough Solicitor is currently reviewing the zoning and code recommendations regarding residential rental issues. A response will be provided in February.
5. A hearing was held January 7, 2008 wherein Council voted to adopt Ordinance 1014 recommending a change in the TOD Zoning District to modify the parking requirements. The Solicitor advises removing the last line of the Ordinance that states "the County Planning commission recommends the change."

Discussion ensued. Mrs. Baigis noted that subsequent to the Ordinance being drafted the County sent a letter on October 26, 2007 discontinuing its recommendation. She asked that the last line remain, with notation. It was agreed by Council to leave the last line of the Ordinance in place and to make a notation to this effect.

Mr. Isabella asked if there were comments or questions from Council or the public. David Morgan, editor of "*Hometown News*" stated that deadline for the Spring 2008 issue is February 15. Mr. G. Pasceri commented on a federal grant for communications and security equipment awarded through Congresswoman Allyson Schwartz's office to the Police Department in the amount of \$126,900. Mayor Wahl commended Mrs. Aversa and Sergeant Foley for their efforts in obtaining this grant.

There being no further comments or questions, 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 Monday, January 7, 2008 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mrs. Pieri, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa.

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

**The Committee made no recommendations at this time.**

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

1. Bid documents for the baseball backstop replacement at Knight Park have been prepared and will be advertised. Borough employees will remove the existing backstop. Bid opening is scheduled for February 15, 2008.
2. A proclamation is being prepared for the late Jay B. Fox, Jr. A presentation will be made in February.
3. The Borough will contact Mattison Avenue Elementary School to schedule the summer camp program.

There being no further business, 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 Monday, January 7, 2008 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mrs. Pieri, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa.

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

**The Committee will recommend the following:**

1. Recommend authorization the release of \$20,000 in WWTP funds, as budgeted for 20008, to continue participation in the TMDL Coalition.

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

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

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 Monday, January 7, 2008 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mrs. Pieri, Mr. G. Pasceri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Sergeant Bill Foley, Solicitor Bresnan and Mrs. Mary Aversa.

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

**An Executive Session was held.**

Mr. S. Pasceri stated that the Executive Session was held regarding a salary issue and regarding the filing of a union grievance.

**The Committee will recommend the following:**

1. Recommendation to grant a salary merit increase for Code Enforcement Officer Ron Myers, Sr., as recommended by Acting Borough Manager.

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

1. An Executive Session had been held in reference to a Nepotism resolution.

Mr. Isabella asked if there were questions or comments from Council or the public. Mrs. Aversa advised that a resolution recognizing the contribution of late firefighter Ray Simonis of E. Mt. Pleasant Avenue be considered by Council. Council agreed that a resolution should be prepared.

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

## RECOMMENDATIONS

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

Recommend that the December 2007 invoices in the amount of **\$979,753.16** be paid as follows: General (\$107,743.84); Street Lights (\$413.72); Fire (\$536.85); Parks & Rec. (\$453.76); Water (\$60,694.33); Sewer (\$8,037.84); WWTP (\$264,714.72); Rail Corridor (\$0); Road Overlay (\$0); Debt Fund (\$0); Water Capital (\$9,536.47); Liquid Fuels (\$0); with end of month cycle totaling \$530,259.22, voided checks totaling \$2,637.59 and December cycle bills totaling \$452,131.53. Seconded, All Aye, Carried.

Recommend adopting **Resolution 2008-1** supporting House Resolution 418, a bipartisan resolution which calls on Congress to take emergency action to protect homeowners, and state and federal chartered banks – prohibiting any bailout of the speculators and hedge funds – by enacting a Homeowners and Bank Protection Act. Seconded, All Aye, Carried.

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

Recommend advertising for adoption an amendment to the Borough Traffic Ordinance for stop signs at the intersection of Hendricks Street & Belmont Avenue, and at the intersection of Euclid Avenue & Park Avenue. Seconded, All Aye, Carried.

**Parks & Recreation Committee** – There are no recommendations at this time.

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

Recommend authorization the release of \$20,000 in WWTP funds, as budgeted for 2008, to continue participation in the TMDL Coalition. Seconded, All Aye, Carried.

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

Recommendation to grant a salary merit increase for Code Enforcement Officer Ron Myers, Sr., as recommended by Acting Borough Manager Aversa. Seconded, All Aye, 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