

AMBLER BOROUGH COUNCIL MINUTES

September 15, 2009

The regular monthly meeting of Ambler Borough Council was held Tuesday, September 15, 2009 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue, Ambler, Pennsylvania 19002. 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. Kenney, Mr. G. Pasceri, Mrs. Pieri, Mrs. Baigis, Mr. Amento, Ms. Maxion and Mrs. Strus. Mayor Wahl, Chief Foley, Solicitor Bresnan and Mrs. Aversa also were present. Absent: Mr. S. Pasceri.

A motion was made to approve the August 18, 2009 Minutes with suggested revisions. Seconded. Carried.

COMMITTEE REPORTS

Public Safety Committee – Ms. Maxion, Chairman

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

The Committee met on Tuesday, September 1, 2009 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Kenney, Mr. G. Pasceri, Mrs. Pieri, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento, Ms. Maxion and Mrs. Strus. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

The Public Safety Committee report was given this evening by Ms. Maxion.

The Committee will make no recommendations.

In other business the following was discussed:

1. The Police Department and Fire Company reports for August 2009 were enclosed.
2. The August 2009 Public Works and Code Enforcement reports were reviewed.

In New Business:

1. The Wissahickon Fire Company recently placed into service 16 new Class V Personal Flotation Vests for Water Rescues. They previously had an inventory of 20, but due to recent flooding events they decided to update some of their

equipment. They are now equipped so that any fire apparatus will have some sort of water rescue equipment on it in the event the units get deployed to different townships. The concern was that the units being deployed may not have enough resources to warrant a rescue in the Borough or along the Wissahickon. The fire company should be in good shape now. They recently performed a drill on the Wissahickon Creek. Next year the fire company has made a commitment to pursue a concentration of training on water safety and water rescue to ensure they have the proper training for firefighters.

Mr. Isabella asked if there were comments or questions from Council or the public. There being none, it was moved the report be accepted as filed. Seconded, carried.

Parks and Recreation Committee – Mrs. Pieri, Chairman

Committee members: Mrs. Pieri, Ms. Maxion, Mrs. Strus

The Committee met on Tuesday, September 1, 2009 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Kenney, Mr. G. Pasceri, Mrs. Pieri, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento, Ms. Maxion and Mrs. Strus. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

The Parks and Recreation Committee report was given this evening by Ms. Pieri. A presentation was made by Al Key describing the Silva Cell System which will aid in tree growth issues inhibited by limited space along sidewalks.

The Committee will recommend the following:

1. Recommend approval of action items for a Downtown Tree Management Policy as follows:
 - a. ACTION PLAN 1: Instruct Public Works to read and refer to sections of the Tree Management Report binder on issues of tree planting, mulching, watering, pruning and knowing when to consult with a Certified Arborist.
 - b. ACTION PLAN 2: Instruct Public works to schedule an annual free training session with DCNR or Penn State urban forester, or to register for a local training session with Morris Arboretum on when to mulch and prune.
 - c. ACTION PLAN 3: Budget for FY2010+ to hire a Certified Arborist to provide oversight for first year's mulching and yearly pruning.
 - d. ACTION PLAN 4: Budget for FY2010+ to hire a Certified Arborist to accomplish certain pruning needs per the Assessment Report.
 - e. ACTION PLAN 5: Budget for FY2010+ to hire a Certified Arborist to assess tree health and growth and to make recommendations for prescriptive care or removal.
 - f. ACTION PLAN 6: Require a minimum tree pit size of 48 square feet for future tree plantings, which will mandate that sidewalks will need to be cut and/or replaced to accommodate new plantings.

- g. ACTION PLAN 7: Schedule a Silva Cell representative to make a presentation on Silva Cells, including installation and cost.
- h. ACTION PLAN 8: Authorize a Committee to include Susan Curry, members of EAC, and Public Works Supervisor Jim Wack to investigate alternatives to Silva Cell and to review the Assessment Report and create a timeline.
- i. ACTION PLAN 9: Adopt the recommended tree species list for street tree replacement.
- j. ACTION PLAN 13: Plan to hire professionals for critical tree removals, mature tree pruning and annual assessments, and to follow report recommendations for selection of professions, budgeting \$2,500 in the annual budget for the services of an Arborist or from tree companies.
- k. ACTION PLAN 15: Contact neighboring municipalities to investigate cost sharing possibility when hiring a Certified Arborist.
- l. ACTION PLAN 16: When consideration is given to hire a Parks & Recreation Director consider, should this occur, having the Director consider the hiring of a part-time Certified Arborist.

[Note: ACTION PLAN 10, stating the Borough should consider assuming responsibility for trees in right-of-way did not need to be acted upon because the Borough already assumes such responsibility. ACTION PLAN 11, which considered a Tree Preservation Ordinance was TABLED because such determinations currently are made by the Borough Manager, staff and Council. ACTION PLAN 12, requiring a formal incorporate review by the EAC of development plans submitted to the Borough was not considered upon the recommendation of Solicitor Bresnan. ACTION PLAN 14, which considered the formation of a Shade Tree Commission was TABLED.

In other business the following was discussed:

- 1. Quotes are being solicited for the purchase of skate ramps at Ricciardi Park.
- 2. Quotes are being solicited for the installation of a storage fence at Ricciardi Park.
- 3. Staff is planning the Family Movie Night to be held October 3rd at Pickering Field.

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, September 1, 2009 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Kenney, Mr. G.

Pasceri, Mrs. Pieri, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento, Ms. Maxion and Mrs. Strus. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

The Public Utilities Committee report was given this evening by Mr. Amento.

The Committee will recommend the following:

1. Recommend the WWTP participate in EnerNOC, an Emergency load response program that would pay the plant for using our generator if needed during the months of June through September.
2. Recommend that amendments to the Sprint Tower Lease agreements for Houston Road Tank and Broad Axe Tank be approved.

Discussion ensued. Committee member, Mrs. Baigis, objected to the Sprint Tower Lease agreements being received only presently at meeting, without adequate time for review of the provisions before the expected vote. Mr. Amento sought input about the new agreements from Solicitor Bresnan who said little had changed from previous agreements. Committee stalemate then went to full Council, their decision being to move forward with a vote.

In other business the following was discussed:

1. The August WWTP Supervisor's and Engineer's reports were reviewed.
2. Broad Axe Tank has been draining and work is underway to recoat the tank.

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, September 1, 2009 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Kenney, Mr. G. Pasceri, Mrs. Pieri, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento, Ms. Maxion and Mrs. Strus. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

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

The Committee will recommend the following:

1. Recommend that the **August** invoices in the amount of **\$334,610.97** be paid as follows: General (\$30,970.43); Street Lights (\$4,699.73); Fire (\$0.00); Parks & Rec. (\$7,380.23); Water (\$5,674.58); Sewer (\$1,723.15); WWTP (\$18,145.33);

Rail Corridor (\$0.00); Road Overlay (\$190.00); Debt Fund (\$0.00); Water Capital (\$0.00); Liquid Fuels (\$0.00); with end of month cycle totaling \$68,783.45, voided checks totaling \$0.00 and **August** bills totaling \$265,827.52.

2. Recommend preparing an Ordinance on Design Standards for Downtown Commercial Properties.

In New Business:

1. Joe Duda will address Borough Council on October 6th at 6:30 p.m. prior to the 7:00 Committee Meeting. He will discuss the MMO and the implications of the new FASB 45 on retirement health care and its effect on future MMO's.
2. Recommend adopting **Ordinance 1043** regarding the 2009 Bond project which authorizes staff to execute bond documents when savings exceed \$95,000. [The Ordinance previously was adopted but the advertisement was not published by financial institution so that the Ordinance needs to be adopted again.]

Discussion ensued. Mrs. Baigis asked for clarification on this item because advertisement in The Times Herald appeared at least twice prior to Ordinance 1043 adoption. Mrs. Aversa and Solicitor Bresnan explained that post-adoption advertising by the financial institution was not carried out. Mrs. Baigis further asked if the current document (Ordinance 1043) as received in September packet differed in any way from previous versions. Mrs. Aversa said the bond institution stated to her that the versions were the same.

In other business the following was discussed:

1. The Borough Engineer's August 2009 report was reviewed.
2. Staff is preparing the FY2010 Draft Budget. Committee meeting dates will need to be set for hold budget work sessions.

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, Mrs. Strus

The Committee met on Tuesday, September 1, 2009 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Kenney, Mr. G. Pasceri, Mrs. Pieri, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento, Ms. Macion and Mrs. Strus. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

The Salary and Personnel Committee report was given this evening by Mrs. Strus.

The Committee will make no recommendations at this time.

In other business the following was discussed:

1. Minutes from the August 2009 Safety Meeting were received.
2. Status of the seasonal employees was discussed. The Committee will discuss budgeting and staffing needs for next year.

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 – Ms. Maxion states the Committee will make no recommendation at this time:

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

Recommend approval of action items for a Downtown Tree Management Policy as follows: **Action Plans 1-9, 13, 15 and 16 Seconded. Carried.**

- a. ACTION PLAN 1: Instruct Public Works to read and refer to sections of the Tree Management Report binder on issues of tree planting, mulching, watering, pruning and knowing when to consult with a Certified Arborist.
- b. ACTION PLAN 2: Instruct Public works to schedule an annual free training session with DCNR or Penn State urban forester, or to register for a local training session with Morris Arboretum on when to mulch and prune.
- c. ACTION PLAN 3: Budget for FY2010+ to hire a Certified Arborist to provide oversight for first year's mulching and yearly pruning.
- d. ACTION PLAN 4: Budget for FY2010+ to hire a Certified Arborist to accomplish certain pruning needs per the Assessment Report.
- e. ACTION PLAN 5: Budget for FY2010+ to hire a Certified Arborist to assess tree health and growth and to make recommendations for prescriptive care or removal.
- f. ACTION PLAN 6: Require a minimum tree pit size of 48 square feet for future tree plantings, which will mandate that sidewalks will need to be cut and/or replaced to accommodate new plantings.
- g. ACTION PLAN 7: Schedule a Silva Cell representative to make a presentation on Silva Cells, including installation and cost.
- h. ACTION PLAN 8: Authorize a Committee to include Susan Curry, members of EAC, and Public Works Supervisor Jim Wack to investigate alternatives to Silva Cell and to review the Assessment Report and create a timeline.

- i. ACTION PLAN 9: Adopt the recommended tree species list for street tree replacement.
- j. ACTION PLAN 13: Plan to hire professionals for critical tree removals, mature tree pruning and annual assessments, and to follow report recommendations for selection of professions, budgeting \$2,500 in the annual budget for the services of an Arborist or from tree companies.
- k. ACTION PLAN 15: Contact neighboring municipalities to investigate cost sharing possibility when hiring a Certified Arborist.
- l. ACTION PLAN 16: When consideration is given to hire a Parks & Recreation Director consider, should this occur, having the Director consider the hiring of a part-time Certified Arborist.

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

Recommend the WWTP participate in EnerNOC, an Emergency load response program that would pay the plant for using our generator if needed during the months of June through September. Seconded. Carried.

Recommend that amendments to the Sprint Tower Lease agreements for Houston Road Tank and Broad Axe Tank be approved. Seconded. 7-Aye; 1-Nay (Mrs. Baigis). Carried.

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

Recommend **August** invoices in the amount of **\$334,610.97** be paid. Seconded. Carried.

Recommend preparing an Ordinance on Design Standards for Downtown Commercial Properties. Seconded. Carried.

Recommend adopting **Ordinance 1043** regarding the 2009 Bond project which authorizes staff to execute bond documents when savings exceed \$95,000. [The Ordinance previously was adopted but the advertisement was not published by financial institution so that the Ordinance needs to be adopted again.] Seconded. Carried.

Salary & Personnel Committee – States Mrs. Strus, the Committee will make no recommendations at this time.

Respectfully submitted,
Elizabeth Russell
Administrative Assistant
Borough of Ambler