

AMBLER BOROUGH COUNCIL MINUTES

August 17, 2010

The regular monthly meeting of Ambler Borough Council was held Tuesday, August 17, 2010 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. Amento, Mr. G. Pasceri, Mr. Kenney, Ms. Maxion, Mrs. Strus, Ms. Tomlinson and Mr. Curtis. Mayor Wahl, Sgt. Keefer, Solicitor Bresnan and Mrs. Aversa also were present. Mr. S. Pasceri was absent.

A motion was made to approve the July 20, 2010 Minutes as submitted. Seconded. Carried.

COMMITTEE REPORTS

The Committees of the Ambler Borough Council met on Tuesday, August 3, 2010 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. G. Pasceri, Mr. Kenney, Mr. Amento, Mr S. Pasceri, Ms. Maxion, Mrs. Strus, Ms. Tomlinson and Mr. Curtis. Chief Foley, Solicitor Bresnan and Mrs. Aversa also were present.

At the Council Meeting this evening, the Committees conducted business as follows:

Public Safety Committee – Mrs. Strus, Chairperson

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

The Public Safety Committee report was given this evening by Mrs. Strus.

The Committee will consider the following actions this evening:

1. Consider adoption of **Ordinance 1048**, adopting the 2009 International Fire Code, as recommended by the Fire Marshall.

The following action was recommended at the August 3, 2010 Committee Meeting:

1. Consider adoption of **Resolution 2010-06** authorizing the Borough Manager to proceed with the application process for FEMA funding for the 2010 Snow Event. Seconded. Carried. (9-Aye).

In other business the following was reviewed this evening:

1. The Police Department and Fire Department July 2010 reports were received.
2. The July 2010 Public Works, Safety Minutes and Code Enforcement reports were reviewed.
3. Due to work being performed at the Kane Core Site, an inspection was undertaken at the Maple Avenue culvert to determine whether it can withstand the weight limit of construction vehicles.

Discussion ensued. Ms. Maxion asked whether any determination had been made as to the adequacy of the culvert. Ms. Aversa responded that due to heavy truck traffic at Mt. Pleasant Avenue, the culvert under Maple Avenue will require some bridge repairs.

4. A draft letter outlining the Borough's position on remediation work being performed at the Kane Core Site will be prepared.

Discussion ensued. Ms. Tomlinson inquired as to when the draft letter would be available for review. Ms. Aversa stated that her office was still waiting to hear from EPA solicitors.

Mrs. Strus asked if there were comments or questions from Council or the public. There being nothing further, it was moved the report be accepted as filed. Seconded, carried.

Parks and Recreation Committee – Ms. Maxion, Chairperson

Committee members: Mr. Amento, Mrs. Strus, Ms. Tomlinson

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

The Committee will consider no actions this evening:

In other business the following was reviewed this evening:

1. The Planning Commission is reviewing a proposed Wetlands Ordinance.
2. The Committee's next Friday night family movie is August 27th (*Over the Hedge*) at Ricciardi Park.

Discussion ensued. It was requested by Ms. Maxion that a fourth family film viewing event be scheduled for the fall, with the film selected to appeal to older children.

3. Staff is working with and will meet with Franklin's Paine Skate Park Fund to create a skate park at Knight Park.

Discussion ensued. Ms. Aversa stated that she was working on construction and design considerations with budget available totaling \$47,000 from grant monies.

Ms. Maxion asked if there were comments or questions from Council or the public. Ms. Maxion asked when the soccer nets would be placed at the ball fields. Ms. Aversa stated they would be going up soon. There being nothing further, it was moved the report be accepted as filed. Seconded, carried.

Public Utilities Committee – Mr. Amento, Chairperson

Committee members: Mr. S. Pasceri, Mr. Kenney, and Mr. Curtis.

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

The Committee will consider the following actions this evening:

1. Authorization to award the bid for the Grit Chamber Pump Relocation/Additional Pump project to Eastern Environmental Contractors, Inc. at a bid cost of \$62,620.00.
2. Authorization is requested to continue our participation in the coalition with law firm Hall & Associates, at an estimated annual cost of approximately \$5,000.00.

In other business the following was reviewed this evening:

1. The July 2010 WWTP Supervisor's and Engineer's reports were received.
2. The Borough Solicitor currently is reviewing Borough Code Chapter 20 (Solid Waste) and Ordinances on Solid Waste, Recycling, Leaf Waste Collection and Burn Ordinances to determine whether the Borough is in full compliance with Act 101 and Act 140. DEP states municipalities must be in full compliance by the end of 2010 or will be ineligible to receive 904 Recycling Performance Grant money.
3. The Borough Manager has communicated with the DEP, on behalf of the Water Department and Borough Engineer, that it consider scheduling as a high priority the review of the Borough's rehabilitation plans for Loch Alsh Reservoir, which was listed by the DEP as a high hazard dam.

Mr. Amento 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, Chairperson

Committee Members: Mr. S. Pasceri, Ms. Maxion, and Ms. Tomlinson.

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

The Committee will consider the following actions this evening:

1. Consideration that **JULY** invoices in the amount of **\$509,615.04** be paid as follows: General (**\$139,678.12**); Street Lights (**\$6,690.78**); Fire (**\$3,719.34**); Parks & Rec. (**\$11,238.12**); Water (**\$87,925.41**); Sewer (**\$10,716.20**); WWTP (**\$247,962.37**); Rail Corridor (\$0.00); Road Overlay (\$0.00); Debt Fund (\$0.00); Water Capital (\$0.00); Liquid Fuels (**\$1,684.70**).
2. Consider discussion and preparation of an ordinance which would prohibit outdoor vending machines.

Discussion ensued. Mr. Bresnan clarified that statute allows for the complete ban of outdoor vending machines, yet, because this is not a health and safety issue, Council could not require immediate removal, but would have to consider length of lease or age of the vending machine. Mr. Kenney stated the Committee would table this request.

3. Authorization for staff to prepare an inspection policy for residential properties being sold requiring verification that sidewalk, curb, sump pump, electrical and address signage requirements are up to code.
4. Recommend adopting **Resolution 2010-07** authorizing a contract between the Borough and the Commonwealth of Pennsylvania wherein the Borough will perform snow and ice removal services on certain state highways within the Borough.
5. Consider approval of land development for 30 S. Bethlehem Pike for a two-story commercial building with second floor apartments as recommended by the Planning Commission after its Special Meeting held August 16, 2010, letter dated same, subject to meeting the requirements in the Engineer's letter of July 23, 2010 and the County Planning Commission's letter of July 27, 2010 including requirements of elevation of the building's façade in this DC-2 district.

Discussion ensued. Applicant Peter Penna was present, stating that every issue had been addressed. He stated the lot would have a pass thru and drive thru lane at the back of the building and that entrances and egress would be further from the intersection itself, but accessible from both Bethlehem and Butler Pikes. He stated the gateway sign would be constructed of wood and would be lit.

In other business the following was reviewed this evening:

1. The Borough Engineer's July 2010 report was reviewed.

2. The Planning Commission is reviewing the Sign Ordinance for possible amendments to building setback, sign height and neon or florescent lighting. A draft proposed Downtown Commercial ordinance amendment was received from the Solicitor providing language for an ordinance prohibiting in all zoning districts a building from having an unusual appearance such as that of an object or product that might be sold in the building. The Planning Commission review will be completed in September.
3. A request was received recommending that the Zoning Ordinance for MR-Mixed Residential Dwelling Units be changed to include a maximum impervious coverage per dwelling type.
4. The Planning Commission will review the Parking Ordinance to identify a need for possible amendments to be drafted which would allow inclusion of metered parking in parking calculations for businesses in the Downtown Commercial District.
5. The Borough is looking for a resident interested in serving on a committee to evaluate and make recommendations on the Borough's current pension plan.

Discussion ensued. Mr. Kenney stated one resident had submitted credentials. He stated he would hold the appointment until the September meeting in the hope that a few more residents would come forward.

6. Staff is reviewing options for the preparation of design plans for the proposed parking deck at Lindenwold Avenue and Race Street.

Mr. Kenney 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, Chairperson

Committee members: Mr. G. Pasceri, Mr. Kenney, and Mrs. Strus

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

The Committee will consider no actions this evening:

In other business the following was reviewed this evening:

1. Staff will be meeting over the next few months to determine the impact new Health Care Reform requirements will have on the Borough's health insurance policies. DVIT will send an information packet.

Mr. G. Pasceri 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 Mrs. Strus moves:

Recommend adoption of **Ordinance 1048**, adopting the 2009 International Fire Code, as recommended by the Fire Marshall. Seconded. Poll Council (8-Aye). Carried.

The following action was recommended at the August 3, 2010 Committee Meeting:
Recommend adoption of **Resolution 2010-06** authorizing the Borough Manager to proceed with the application process for FEMA funding for the 2010 Snow Event. Seconded. Carried. (9-Aye).

Parks & Recreation Committee – The Committee will make no recommendations this evening states Ms. Maxion.

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

Recommend awarding the bid for the Grit Chamber Pump Relocation/Additional Pump project to Eastern Environmental Contractors, Inc. at a bid cost of \$62,620.00. Seconded. Carried.

Recommend continued participation in the coalition with law firm Hall & Associates, at an estimated annual cost of approximately \$5,000.00. Seconded. Carried.

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

Recommend that **JULY** invoices in the amount of **\$509,615.04** be paid. Seconded. Carried.

Recommend authorizing staff to prepare an inspection policy for residential properties being sold requiring verification that sidewalk, curb, sump pump, electrical and address signage requirements are up to code. Seconded. Carried.

Recommend adopting **Resolution 2010-07** authorizing a contract between the Borough and the Commonwealth of Pennsylvania wherein the Borough will perform snow and ice removal services on certain state highways within the Borough. Seconded. Carried.

Recommend approval of land development for 30 S. Bethlehem Pike for a two-story commercial building with second floor apartments as recommended by the Planning

Commission after its Special Meeting held August 16, 2010, letter dated same, subject to meeting the requirements in the Engineer's letter of July 23, 2010 and the County Planning Commission's letter of July 27, 2010 including requirements of elevation of the building's façade in this DC-2 district. Seconded. Carried.

Salary & Personnel Committee – The Committee will make no recommendations this evening states Mr. G. Pasceri:

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

Respectfully submitted,

Elizabeth Russell
Administrative Assistant
Borough of Ambler