

AMBLER BOROUGH COUNCIL MINUTES

December 21, 2010

The regular monthly meeting of Ambler Borough Council was held Tuesday, December 21, 2010 at 7:00 p.m. at Borough Council Chambers located at 122 E. Butler Avenue, Ambler, Pennsylvania 19002. President Antonio Isabella presided.

The meeting was preceded at 6:00 p.m. by the final of three public meetings scheduled on the FY2011 budget. Finance and Planning Committee Chairman Kenney stated that the Borough budget is one-half million dollars less than 2010, yet cost cutting measures alone are not sufficient due to a substantial decrease in revenues from the earned income tax, interest income and transfer and permit fees. He announced that as in 2010, there will be no salary increases for salaried employees, where there is no contractual commitment. He stated that costs for professional services were either decreased or maintained at the 2009/2010 levels: Gillette fees will decrease by 5% to the 2009 rate, the solicitor, whose fees have not changed in five years, will lower fees and the legal solicitor for the Zoning Hearing Board has lowered his fees.

Mr. Kenney further reviewed the proposed property tax increase, which is 6.3 mil up from 5.54 mil, and will cost the taxpayer an additional \$6 per month based on \$100,000 of assessed value. Increased property taxes will generate an additional \$235,000 in revenues. Mr. Kenney reviewed the Business Flat Tax of \$240 per year that was approved at the December 7 Committee Meeting. He clarified when questioned by Sal Boccuti of 300 Rosemary Avenue that income will be based on the nature of a business and that a flat tax will be levied on each type of business owned. Suppliers to Ambler businesses are not considered to be doing business in the Borough. Solicitor Bresnan once again reviewed the difference between a Flat Tax and a business tax based on earnings. Judy Baigis of 172 Tennis Avenue decried the inequity of landlords who own one rental unit paying the same flat tax rate as landlords of larger apartment rental complexes. Regarding the Borough's contractual commitments to its union employees, Mrs. Baigis asked Finance Manager Bernie Wojciechowski for a percentage and cost breakdown of compensation increases that are part of their contract. [Municipal workers: \$21,000 increase over 2010; Police: \$42,000 over 2010]

At the conclusion of the FY2011 budget meeting, Mr. Isabella called the regular monthly meeting to order. Mr. Kenney led the public in the Pledge of Allegiance and a moment of silence. The meeting proceeded.

Roll Call – Present: Mr. Isabella, Mr. Amento, Mr. G. Pasceri, Mr. Kenney, Mr. S. Pasceri, Ms. Maxion, Mrs. Strus, Ms. Tomlinson and Mr. Curtis. Solicitor Bresnan, Chief Foley and Mrs. Aversa also were present. Mayor Wahl was absent.

A motion was made to approve Minutes of the November 16, 2010 meeting as submitted. Seconded. Carried. Mr. Isabella stated that Council had held an Executive Session prior to the beginning of the meeting to discuss a salary and personnel issue.

A presentation to prize winners of the Second Annual Holiday Window Display Contest (sponsors Nancy Algeo and Robert B. Royal of Royal Interior Decorating) was made by Robert Royal. First Prize (\$1,000) was awarded to Jojo's Java Joint; Second Prize (\$500) was awarded to Pure Spa and Third Prize (\$250) was awarded to Shear Supreme Hair Salon.

COMMITTEE REPORTS

The Committees of the Ambler Borough Council met on Tuesday, December 7, 2010 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Amento, Mr. Kenney, Mr. G. Pasceri, Mr. S. Pasceri, Ms. Maxion, Mrs. Strus, Ms. Tomlinson and Mr. Curtis. Mayor Wahl, 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 no actions this evening:

In other business the following was reviewed this evening:

1. The Police Department and Fire Department November 2010 reports were received.
2. The October 2010 Public Works, Safety Minutes and Code Enforcement reports will be provided.
3. The November Safety Minutes, Public Works Report and Code Enforcement Report were reviewed.

Mrs. Strus 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 – 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:

The Borough has been contacted by Lisa Capero of Caldwell Banker Realty regarding the availability for acquisition of a 1.114 acre lot near Hendricks Street adjacent to Rose Valley Creek. The engineer will provide an opinion on the feasibility of use of this site as a storm water basin.

Ms. Maxion 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.

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. A recommendation to award the load interrupter switchgear/primary liquid filled transformer job to G.A. Vietri, Inc. in the award amount of \$112,750.
2. A recommendation by Mr. S. Pasceri to award a three-year trash hauler contract to BFI Waste Services of PA, LLC in the amount of \$876,270.

Discussion ensued. Representatives of bidders J.P. Mascaro & Sons and of BFI Waste Services of PA made brief presentations to Council.

In other business the following was reviewed this evening:

1. The November 2010 WWTP Supervisor's and Engineer's reports were received.
2. Staff is preparing a brochure on a Water Line Protection Program which the Borough will offer to water customers in 2011.

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 **NOVEMBER** invoices in the amount of **\$536,375.83** be paid as follows: General (**\$217,030.80**); Street Lights (**\$6,567.22**); Fire (**\$1,357.24**); Parks & Rec. (**\$2,673.63**); Water (**\$114,562.40**); Sewer (**\$32,924.44**); WWTP (**\$161,224.46**); Rail Corridor (**\$0.00**); Road Overlay (**\$0.00**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$5,779.88**) and one voided check for **\$5,744.24**.
2. Recommend adoption of the FY 2011 Budget.
3. Recommend adoption of **Ordinance 1052** Fixing the Real Estate Tax Rate for fiscal year 2011.
4. Recommend adoption of **Resolution 2010-12** appropriating specific sums estimated per the 2011 budget for the specific purpose of the municipal government.
5. Recommend advertising and setting Council's meeting schedule for the first (Committee) and third (Council) Tuesday of each month.

In other business the following was reviewed this evening:

1. The Borough Engineer's November 2010 report was reviewed.
2. Zoning Ordinance Amendments for Signs, Building Design Standards and for MR-Mixed Dwelling Unit and Garden Apartment District Zoning will be advertised for adoption at the January 18, 2011 meeting to be held at 6:30 p.m.
3. The Planning Commission has reviewed the proposed Parking Ordinance after considering 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. Planning Commission letters have been received and will be distributed for the January 2011 Committee meeting.
4. Staff is researching alternatives for implementation of an inspection process for residential sales.
5. A draft Ordinance for Outdoor Vending machines has been prepared by the Borough Solicitor and sent to the Borough Planning Commission for review.
6. Several term appointments expire December 31, 2010 and as such Committee members have been contacted by staff to determine intentions to seek re-appointment. A listing of committee positions has been posted on the Borough website and on the lobby bulletin board.

7. The Borough has received notice that Ambler BH Development partners L.P. (Ambler Boiler House) will be submitting a Conditional Use Application for shared parking on behalf of Ambler BH Development and LTK.

Adopted December 7, 2010 at Committee Meeting:

1. **Ordinance 1051, the Business Flat Tax Ordinance**, was passed at the Committee Meeting setting the tax rate at \$240 per year per business. (9-Aye).

Mr. S. Pasceri asked if there were questions or comments from Council or the public. There being none further, 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. S. Pasceri.

An Executive Session was held.

Upon return to Council Chambers, Mr. S. Pasceri stated the Executive Session was in regards to a review of compensation of salaried employees and that consideration was being given to providing bonuses to salaried employees.

The Committee will consider the following actions this evening:

1. Recommend the giving of bonuses to salaried employees as discussed at Council's December 21, 2010 Executive Session.

RECOMMENDATIONS

Public Safety Committee – The Committee will make no recommendations this evening states Mrs. Strus.

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

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

A recommendation to award the load interrupter switchgear/primary liquid filled transformer job to G.A. Vietri, Inc. in the award amount of \$112,750. Seconded. Carried.

A recommendation to award a three-year trash hauler contract to BFI Waste Services of PA, LLC in the amount of \$876,270. Seconded. Carried.

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

Recommend that **NOVEMBER** invoices in the amount of **\$536,375.83** be paid. Seconded. Carried.

Recommend adoption of the FY 2011 Budget. Seconded. Carried.

Recommend adoption of **Ordinance 1052** Fixing the Real Estate Tax Rate for fiscal year 2011. Seconded. Carried. (8-Aye; 1-Nay (Mr. Amento))

Recommend adoption of **Resolution 2010-12** appropriating specific sums estimated per the 2011 budget for the specific purpose of the municipal government. Seconded. Carried.

Recommend advertising and setting Council's meeting schedule for the first (Committee) and third (Council) Tuesday of each month. Seconded. Carried.

Adopted December 7, 2010 at Committee Meeting: **Ordinance 1051**, the **Business Flat Tax Ordinance**, was passed at the Committee Meeting setting the tax rate at \$240 per year per business. (9-Aye).

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

Recommend the giving of bonuses to salaried employees as discussed at Council's December 21, 2010 Executive Session. Seconded. 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