

AMBLER BOROUGH COUNCIL MINUTES

November 15, 2011

A Special Public Budget Meeting was held by Ambler Borough Council on Tuesday, November 15, 2011 at 6:00 p.m. Mr. Kenney presented the budget, which he called a 'solid' budget. He noted that 100 percent of the general fund real estate tax is used to fund the costs of the Police Department.

Ms. Bernadette Dougherty, Tax Collector, requested an increase in the allocation for office supplies. Mr. Kenney requested that she put a specific request in writing for the committee to review. Mrs. Judy Baigis of 338 Tennis Avenue asked for clarification on the costs of the Police Department. Mr. Kenney stated obligations from the union agreement and overtime were reflected in the 'salaries' column. Mr. S. Pasceri stated that the former traffic officer had left and would not be replaced. Responding to Mrs. Baigis' inquiry on vehicle purchases, Mrs. Aversa replied that the budget reflected the five-year lease of a backhoe to be financed with Water Line Protection Plan monies. Mrs. Aversa also noted that real estate tax collection will be down due to reassessments.

Responding to Ms. Dougherty's questions on the budget presented and on the Business Privilege Tax in particular, Mr. Bernard Wojciechowski, Finance Manager, stated that the budget presented was not a balance sheet and therefore neither assets nor liabilities were noted on the budget. Therefore, he noted, collection from the Business Privilege Tax was not included in the public budget, but rather had been moved into a liability account. He stated that the Borough had used money from the reserve accounts rather than from the BPT.

The Budget Meeting adjourned at 6:45 p.m., whereupon Council called for an Executive Session.

The regular monthly meeting of Ambler Borough Council was held Tuesday, November 15, 2011 at 7:00 p.m. at Borough Council Chambers located at 122 E. Butler Avenue, Ambler, Pennsylvania 19002. President Tony Isabella presided.

Mr. Amento led the public in the Pledge of Allegiance and a moment of silence.

A presentation was made by Scott Repke and Pat Boyle of Alliance Bernstein on the Borough's Pension Plan. The gentlemen stated the pension's asset allocation and performance are both solid and that the plan, which is comprised of bonds and dividend equities has realized an 8.3% annualization since 1986. They noted an investment of 11% in overseas equities (non-governmental) and stressed that while the equity ratios of foreign governments are bad, the equity ratios of foreign companies are good. They stated the Borough could use a little more diversity to 'blend some things out.' It was

noted that the determination of a change of asset allocation is to be made by Council and not by Alliance Bernstein, which has no discretion on allocation.

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

A motion was made to approve Minutes of the October 18, 2011 meeting. Seconded. Carried.

COMMITTEE REPORTS

The Committees of the Ambler Borough Council met on Tuesday, November 1, 2011 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Amento, Mr. G. Pasceri, Mr. Kenney, Ms. Maxion, Mr. S. Pasceri, Mrs. Strus, Ms. Tomlinson and Mr. Curtis. Mayor Wahl, Chief Foley, Solicitor Bresnan and Borough Manager 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 make no recommendations this evening:

In other business the following was reviewed this evening:

1. The Police Department and Fire Department reports for October 2011 were received.
2. The October 2011 Public Works and Code Enforcement reports and October Safety Minutes were received.
3. FEMA Assistance now is available for residents and businesses which sustained damage from Hurricane Irene and/or by Tropical Storm Lee.
4. Mayor Wahl will present a Proclamation to Sergeant Borkowski and Patrolman Rhodes at a future meeting date.
5. Representatives from the Wissahickon Fire Company, Steve Blodgett, John Leadbeater and Jay Leadbeater, made a presentation to Council on the purchase of a fire truck.

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 the following actions this evening:

1. Recommend authorizing the Borough Solicitor to prepare an ordinance regarding listed invasive species to be removed from the Planting Ordinance.
2. Recommend that ‘fencing’ of the Knight Park Skate Park be included in the 2012 budget.

Discussion ensued. Ms. Strus stated that the committee has been studying safety concerns at the skate park. She noted that most skate parks are fenced and that some have seasonal hours or regular hours set. Bike riding, smoking and littered glass bottles have been noted at the park. Additionally, she noted, rarely is safety equipment being used. In response, several members of the public who use the skate park spoke. Michael Maquire of Ambler Skate Park stated that skate parks are usually ‘skate at your own risk.’ He opposed fencing, stating fences are eyesores and can be more dangerous when considering accessibility and egress. He noted that volunteers clean the park daily and that the skater were getting out the work regarding bikes in the park. He stated helmets and pads were a deterrent for use of the facility. David Nudeck stated the skaters would like to work with Council in establishing a skate park association. Tom Martin expressed concern about lockdown of the park and a realistic schedule, should the park be fenced in and locked as to when the skate park would be opened. David Grouse stated young skaters need instruction on how to fall and should not need to be required to use knee pads and helmets. He noted that the facility can help drive the Borough’s economic engine.

In response, Councilman Curtis stated the Borough has posted rules and regulations which must be enforced. He noted the Borough does not require skaters to sign a waiver and that adult supervision is not required. He stated he believed the Borough has given the skaters a lot of leeway and is not placing a burden upon skaters. He stated that fencing would help with monitoring the park. Sergeant Keefer stated the Borough has contacted DVIT and that while insurance does not require fencing, the posted rules and a fence will certainly aid the police force in monitoring the park.

In other business the following was reviewed this evening:

Grading of the Knight Park Skate Park underway and a formal opening to be scheduled.

Ms. Maxion 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.

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 is requested to award the E-Z Valve Service Kit to L/B Water Service for the low bid of \$41,121.
2. Authorization is requested to approve of the water shutoff agreement with Whitpain Township for non-payment of sewer bills.
3. Authorization is requested to prepare and advertise an Ordinance to increase Borough sewer rates from \$5.00 per thousand gallons to \$6.00 per thousand gallons which will pay for the Borough's portion (19.8%) of the two million dollar WWTP capital expenses wherein the projects have been spread out and jointure members are not financing upgrades jointly.

Discussion ensued. Mrs. Aversa stated that the Borough has received \$800,000 in grants. Additionally, she stated that last year several of the participating municipalities had raised their sewer rates.

In other business the following was reviewed this evening:

1. The October 2011 WWTP Supervisor's and Engineer's reports were received.
2. Staff currently is working with the Water Engineer to obtain DEP approval to install a 24-inch drainage pipe at Loch Alsh Reservoir Dam.

Mr. Amento asked if there were questions or comments from Council or the public. There being nothing further, 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 **OCTOBER 2011** invoices in the amount of **\$414,543.09** be paid as follows: General (**\$116,472.61**); Street Lights (**\$5,870.47**); Fire (**\$341.63**); Parks & Rec. (**\$2,904.00**); Water (**\$88,537.16**); Sewer (**\$54,420.68**); WWTP (**\$142,054.45**); Rail Corridor (**\$0.00**); Road Overlay (**\$0.00**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$3,960.79**) with \$118.70 voided checks.
2. Provide a response to the draft ordinance for Downtown Commercial Zoning District Parking requirements. The Solicitor has requested clarification that this is the **only** relief and that for businesses closer to the Borough lots there is to be no credit for proximity to the lots.

Discussion ensued. Mr. Kenney stated that the Committee will defer this agenda item for a future meeting. Ms. Tomlinson asked that the item be considered this evening. Mr. Kenney stated the potential existed for the creation of two districts and that he wanted to move forward with study of parking requirements by meeting with merchants.

3. Consider adoption of an Ordinance to establish a Fund Balance Policy Consistent with the Governmental Accounting Standards Board Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions.
4. Recommend scheduling 2012 meeting nights for Council on the first and third Tuesday of each month so that the meeting schedule can be advertised.
5. Recommend, with the support of CAG, having an environmental assessment made on at the BoRit site as part of the Redevelopment Authority Grant application to the EPA for new funding for environmental issues such as site assessments through the Revolving Loan Fund. The County has retained an environmental engineer to prepare paperwork which is due November 28, 2011.
6. Recommend leasing a new Case 580N Backhoe for the total price of \$83,181 (less \$12,000 trade-in) for the term of a 5-year or 6-year lease. The 2001 Backhoe is damaged and the cost of repair exceeds the trade-in value.

In New Business This Evening:

1. Recommend including the paving of Lindenwold Lot at a construction and engineering cost of \$241,176.25 for reconstruction or \$133,926.53 for mill and overlay in the 2012 Budget (amended).
2. Recommend passage of **Resolution 2011-23** invalidating the Sign Ordinance for its prohibition of offsite advertising.

Approved at Committee Meeting:

1. **Resolutions 2011-21 and 2011-22** for agent authorization to apply for disaster relief and emergency assistance for Hurricane Irene and Tropical Storm Lee were approved. (9-Aye)

In other business the following was reviewed this evening:

1. The Borough Engineer's October 2011 report was received.
2. A list of 2012 Committee vacancies was provided.
3. Alternatives to the Business Privilege Tax were discussed at the request of Ms. Bernadette Dougherty who has asked that the BPT tax collected by returned and that the tax be eliminated from the 2012 budget. The Committee reviewed and denied the request.
4. An Ordinance Fixing the Real Estate Tax Rate for FY2012 will be prepared and advertised for adoption in December.
5. The 2012 draft budget is available and was advertised for public inspection. Public meetings, in addition to November 15th are scheduled for November 29th (10:00 am) and December 6th (6:00 pm).
6. A draft codification of the Borough Code was received and staff is reviewing the document.
7. A memorandum from the Planning Commission regarding the Borough's Comprehensive Plan and a sample flyer were provided.
8. Dedication documents are being prepared to convey utilities at Station Square to the Borough of Ambler.

Mr. Kenney asked if there were questions or comments from Council or the public. There being nothing 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.

The Committee will consider the following actions this evening:

1. Recommend accepting MetLife as the Borough's dental carrier at an annual premium cost of \$44,247.

In other business the following was reviewed this evening:

1. The Solicitor is preparing a Drug & Alcohol Policy for Borough employees.

Mr. S. Pasceri asked if there were questions or comments from Council or the public. There being nothing further, it was moved the report be accepted and filed. Seconded, carried.

RECOMMENDATIONS

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

Parks & Recreation Committee – The Committee recommends and Ms. Maxion moves:

Recommend authorizing the Borough Solicitor to prepare an ordinance regarding listed invasive species to be removed from the Planting Ordinance. Seconded. Carried.

Recommend that 'fencing' of the Knight Park Skate Park be included in the 2012 budget. Seconded. Carried.

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

Recommend awarding the E-Z Valve Service Kit to L/B Water Service for the low bid of \$41,121. Seconded. Carried.

Recommend approving the water shutoff agreement with Whippain Township for non-payment of sewer bills. Seconded. Carried.

Recommend preparing and advertising an Ordinance to increase Borough sewer rates from \$5.00 per thousand gallons to \$6.00 per thousand gallons. Seconded. Carried.

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

Recommend that **OCTOBER 2011** invoices in the amount of **\$414,543.09** be paid. Seconded. Carried.

Recommend continued discussion of Downtown Commercial Zoning District Parking requirements with merchants. Seconded. (7-Aye; 2-Nay). Carried.

Recommend adoption of an Ordinance to establish a Fund Balance Policy Consistent with the Governmental Accounting Standards Board Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions. Seconded. Poll Council: 9-Aye. Carried.

Recommend scheduling 2012 meeting nights for Council on the first and third Tuesday of each month so that the meeting schedule can be advertised. Seconded. Carried.

Recommend, with the support of CAG, having an environmental assessment made on at the BoRit site as support of the Redevelopment Authority Grant application to the EPA for new funding for environmental issues such as site assessments. Seconded. Carried.

Recommend leasing a new Case 580N Backhoe for the total price of \$83,181 (less \$12,000 trade-in) for the term of a 5-year or 6-year lease. Seconded. Carried.

Recommend including the paving of Lindenwold Lot at a construction and engineering cost of \$241,176.25 for reconstruction in the 2012 Budget (amended). Seconded. Carried.

Recommend passage of **Resolution 2011-23** invalidating the Sign Ordinance for its prohibition of offsite advertising. Seconded. Carried.

Approved at Committee Meeting:

Resolutions 2011-21 and 2011-22 for agent authorization to apply for disaster relief and emergency assistance for Hurricane Irene and Tropical Storm Lee were approved. (9-Aye).

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

Recommend accepting MetLife as the Borough's dental carrier at an annual premium cost of \$44,247. 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