

AMBLER BOROUGH COUNCIL MINUTES

October 18, 2011

The regular monthly meeting of Ambler Borough Council was held Tuesday, October 18, 2011 at 7:00 p.m. at Borough Council Chambers located at 122 E. Butler Avenue, Ambler, Pennsylvania 19002. President Tony Isabella presided.

The meeting was preceded by a presentation by Scott Miller, president of Ambler Junior Baseball, to the community on proposed improvements to Pickering Field. Public notice of the meeting, held at 6:00 p.m., had been delivered to Pickering Field neighbors. Mr. Miller stated that AJB is a not-for-profit group that uses Borough fields and facilities for baseball. He noted that AJB volunteers tend to the baseball fields. Mr. Miller outlined a plan to improve dugouts, drainage and fencing at the fields and to create batting decks. He displayed an architect's rendering of a proposed new blockhouse/snack stand, which he stated AJB hoped to have completed by opening day 2012.

Mr. Miller outlined a cost proposal of \$70,000 for the blockhouse/snack stand and \$15,800 for fencing. Mr. Miller stated that the Joseph Amento Trust had \$33,000 remaining (specifically designated for field improvement), AJB could contribute \$20,000 and that AJB was asking the Borough's Parks & Recreation Committee to provide matching funds of \$32,612 for field and blockhouse/snack stand improvements.

Several neighbors expressed concern about unsafe or insufficient sidewalks, dust and illegal parking. Additionally, concerns were stated about the field potentially looking jarringly commercial. Mr. Miller responded that proposed mesh to be installed at the dugouts would be temporary and seasonal. Mrs. Strus noted that fundraising efforts and donated materials which at previous discussions had been included were not listed in Mr. Miller's proposed budget. Noting the increased capacity of the proposed blockhouse/snack stand, a resident suggested the Borough contact the Board of Health regarding any requirements to have a certified food handler on site at all times. A question was posed regarding the height of the proposed blockhouse snack stand. Mr. Miller responded the structure would be seven feet taller than the existing structure. Regarding the increased number of restrooms, Mr. Miller noted that they would be ADA accessible.

Ms. Maxion suggested that the Borough Manager meet with two residents and two representatives of AJB to discuss planned improvements. Ms. Maxion stated the Committee would offer a recommendation to proceed with proposed Pickering Field improvements with Borough matching funds to be capped at \$30,000.

The presentation was concluded at 7:00 p.m. and Mr. Isabella called for the regular monthly meeting of Council to come to order. Mr. Isabella 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, Mr. S. Pasceri, Mrs. Strus, Ms. Tomlinson and Mr. Curtis. Mayor Wahl, Solicitor Bresnan, Sgt. Keefer and Borough Manager Mrs. Aversa also were present.

A motion was made to approve Minutes of the September 20, 2011 meeting. Seconded. Carried.

COMMITTEE REPORTS

The Committees of the Ambler Borough Council met on Tuesday, October 4, 2011 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Amento, 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. Mr. G. Pasceri and Mr. Kenney were absent.

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 September 2011 were received.
2. The September 2011 Public Works and Code Enforcement reports 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.

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 approval of preliminary plans proposed by Ambler Junior Baseball for Pickering Field, such proposal being made at the public meeting held October 18th prior to commencement of the Council Meeting, with preliminary discussions to be held between the Borough Manager, two residents and two representatives of AJB, with special attention being given to use of ‘color’ in permanent and temporary structures, and with a recommended matching funds contribution by the Borough to be capped at \$30,000.

Discussion ensued. Mr. Curtis stated he would like more information on the handicap accessibility of the proposed new blockhouse/snack stand. Additionally, he suggested that a public address system be installed or modified at the park to notify those attending games at the field if they are illegally parked. He further wanted assurances that other groups or organizations could use Pickering Field for other purposes and an assurance that insurance papers or waivers also would be required of these groups or organizations. Finally, he asked for an assurance from AJB that mesh screening would be taken down and packed away at the end of each baseball season.

In other business the following was reviewed this evening:

1. A list of invasive species to be removed from the Planting Ordinance was sent to the Borough and County Planning Commissions. A modified list was offered by the Borough’s Environmental Advisory Council with a request that this list be reviewed at the November Committee meeting.
2. Grading of the Knight Park Skate Park will be completed when the rainy season subsides and landscaping is in process. A formal opening of the skate park will be held when all work is complete.

Discussion ensued. Mr. S. Pasceri stated his concern that safety helmets and safety equipment are not always being worn. Mr. Curtis stated that the ‘rules’ sign is not sufficient and agreed that better enforcement of the rules by the police and code enforcement departments is needed. Mr. Isabella asked whether fines should be levied on skaters who do not wear safety equipment and on bikers who are using the skate park. Ms. Tomlinson stated she did not want to encourage over-regulation by issuing fines or citations. Mrs. Aversa stated that letters might be sent to the families of repeat offenders. Solicitor Bresnan stated there is implied danger in skateboarding and reiterated that the posted park rules require protective gear.

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 Electric Actuator T-3 contract to SBI for the low bid of \$27,400.
2. Authorization is requested to prepare bid documents and advertise for the purchase of an E-Z Valve Complete Service Kit with 4"-12" capability for use in replacing valves in the water distribution system. [Funds allocated in 2011 06444-Distribution budget.]

In other business the following was reviewed this evening:

1. The September 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. Staff was told to expect a two week turnaround for the final review process.

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 **SEPTEMBER 2011** invoices in the amount of **\$771,038.82** be paid as follows: General (**\$255,692.65**); Street Lights (**\$6,275.19**); Fire (**\$78,582.42**); Parks & Rec. (**\$2,216.31**); Water (**\$91,082.37**); Sewer (**\$119,367.08**); WWTP (**\$204,177.80**); Rail Corridor (**\$0.00**); Road Overlay (**\$0.00**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$13,645.00**).

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. [Mr. Kenney stated that the Committee will table this agenda item, to be continued at a future meeting.]
3. Consider advertising for adoption 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 adopting **Resolution 2011-18** recognizing the actuarial condition of the Borough's Police Employee Pension Plan.
5. Recommend adopting **Resolution 2011-19** recognizing the actuarial condition of the Borough's Municipal Employee Pension Plan.
6. Recommend assigning as **Resolution 2011-20** the new County Planning Assistance Contract.

In other business the following was reviewed this evening:

1. The Borough Engineer's September 2011 report was received.
2. Joe Duda made a presentation on the pension plan at the Committee Meeting.
3. Several local business owners discussed alternatives to the Business Privilege Tax, a list of suggestions was received. The Solicitor has responded.

Additional business before the Committee:

1. A list of 2012 Committee Vacancies was received.
2. Public budget meetings to review the FY2012 budget need to be scheduled.
3. Alliance Bernstein will make a presentation at the November Council meeting.

Mr. Kenney asked if there were questions or comments from Council or the public. Mr. Bresnan informed Council that he had been in court for the Mascaro Trash Appeal. He stated all went well and that he is awaiting a written decision in the next two months.

Ms. Bernadette Dougherty spoke against the Business Privilege Tax. She suggested the Borough revisit the issue, return collected monies and determine not to impose the tax in 2012. Additionally, she suggested the tax should be imposed on business owners in the

Borough only, and not on rentals or contractors. She also suggested imposing a frontage tax in place of the BPT. She noted that Mr. Amento had been the dissenting vote on imposing the tax. Mr. Bresnan responded that a frontage tax presumes that a larger property likely has a greater income and that it would contradict the Borough's only taxing option, which is a flat tax. Mr. Kenney stated that while the flat tax is the Borough's only avenue, his committee would consider whether a give-back was warranted. 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 no actions this evening:

In other business the following was reviewed this evening:

1. The Solicitor is preparing a Drug & Alcohol Policy for Borough employees.
2. The part-time Deputy Assistant Code Enforcement position has been filled.

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 approval of preliminary plans proposed by Ambler Junior Baseball for Pickering Field, such proposal being made at the public meeting held October 18th prior to commencement of the Council Meeting, with preliminary discussions to be held between the Borough Manager, two residents and two representatives of AJB, with special attention being given to use of 'color' in permanent and temporary structures, and with a recommended matching funds contribution by the Borough to be capped at \$30,000. Seconded. Carried.

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

Recommend awarding the Electric Actuator T-3 contract to SBI for the low bid of \$27,400. Seconded. Carried.

Recommend authorization to prepare bid documents and advertise for the purchase of an E-Z Valve Complete Service Kit with 4”-12” capability for use in replacing valves in the water distribution system. Seconded. Carried.

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

Recommend that **SEPTEMBER 2011** invoices in the amount of **\$771,038.82** be paid. Seconded. Carried.

Provide a response to the draft ordinance for Downtown Commercial Zoning District Parking requirements. TABLED

Recommend advertising for adoption 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. Carried.

Recommend adopting **Resolution 2011-18** recognizing the actuarial condition of the Borough’s Police Employee Pension Plan. Seconded. Carried.

Recommend adopting **Resolution 2011-19** recognizing the actuarial condition of the Borough’s Municipal Employee Pension Plan. Seconded. Carried.

Recommend assigning as **Resolution 2011-20** the new County Planning Assistance Contract. Seconded. Carried.

Approved at the October 4, 2011 Committee Meeting: Recommend purchase of a 2011 Ford Crown Victoria for the Police Department through Costars for \$23,786.00 (7-Aye)

Salary & Personnel Committee – The Committee will make no recommendations this evening stated Mr. S. 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