

AMBLER BOROUGH COUNCIL MINUTES

March 20, 2012

The regular monthly meeting of Ambler Borough Council was held Tuesday, March 20, 2012 at 7:00 p.m. at Borough Council Chambers located at 122 E. Butler Avenue, Ambler, Pennsylvania 19002. President Antonio 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, Mr. S. Pasceri, Mrs. Strus, Ms. Tomlinson, Mr. Curtis and Mr. Zaccone. Mayor Wahl, Solicitor Bresnan, Chief William Foley and Borough Manager Mary Aversa also were in attendance.

A motion was made to approve the Minutes of the February 21, 2012 meeting. Seconded. Carried.

On behalf of Borough Council, Mayor Wahl made a presentation of Resolution 2012-03 In Recognition of Mary Jane Wahl for her years of service and dedication to the Ambler community.

COMMITTEE REPORTS

The Committees of the Ambler Borough Council met on Tuesday, March 6, 2012 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, Mrs. Strus, Ms. Tomlinson and Mr. Zaccone. Mayor Wahl, Chief Foley, Solicitor Bresnan and Borough Manager Mrs. Aversa also were present. Mr. S. Pasceri and Mr. Curtis 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 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 performing field survey work at a cost of \$18,000 and preparing hydraulic modeling at a cost of \$12,600 as required by FEMA for remediation work at the Church Street culvert.
2. Consider the Police Department request to lease/purchase a 2013 Ford Interceptor Utility Vehicle for the total cost of \$27,073.

In New Business:

1. Consider providing assistance as the applicant for a resident at 353 Valley Brook Road seeking to obtain a grant from the National Resources Conservation Service.

Discussion ensued. Mrs. Aversa stated that by law the Borough must apply on behalf of a resident and that a contract would be drawn up by the Borough Solicitor. The resident would agree to pay a 25 percent project cost match and all Borough costs. There would be no cost to the Borough. Code Enforcement Officer Myers explained that the scope of the project was a creek bed stabilization project intended to deter the continued erosion of the property holder's property banks.

2. Mr. Isabella announced the members of Council who will sit on a committee to negotiate the next Police Department contract are Mr. Amento, Mrs. Strus and Ms. Tomlinson.

In other business the following was reviewed this evening:

1. The February 2012 Police Department and Fire Department reports were distributed.
2. The February 2012 Public Works and Code Enforcement reports were received.

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 – Mr. Curtis, Chairperson

Committee members: Mr. Kenney and Ms. Tomlinson

The Parks and Recreation Committee report was given this evening by Mr. Curtis.

The Committee will consider the following actions this evening:

1. Consider adoption of Ordinance 1064 (Planting Ordinance) that amends the list of invasive species to be removed from the ordinance.
2. Considering awarding the contract for 10-foot high fencing at the Knight Park Skate Park to County Line Fence at a quoted cost of \$13,400.

In other business the following was reviewed this evening:

1. Preliminary scheduling for the summer for Movies in the Parks and Band Nights in the Parks were discussed.
2. The Borough is working with the Ambler YMCA to schedule the 2012 YMCA Summer Camp Program.
3. The Borough was contacted by Three Sixteen Skateboarding/Film/Art to hold a skateboarding contest in May at the Knight Park Skate Park.

Mr. Curtis 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 and Mr. Zaccone

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 job of maintenance and repairs on the Digester ET-16 Phase II to Heisey Mechanical LTD at a cost of \$11,700.00.
2. Authorization is requested to enter into a contract with a Curtailment Service Provider (CSP) endorsed by PECO, per Act 129, for the WWTP, contingent upon the Borough Solicitor's review. The contract period is for the remainder of the year and participation in this program will afford the plant additional income along with payments from EnerNOC.
3. Authorization is requested to have the plant engineer prepare RFP's for the removal and replacement of the roof on PS-1.
4. Authorization is requested to purchase a new 2012 GMC 4-wheel drive work truck with plow and power lift gate from Costars for a purchase price of \$33,387.00 to replace Truck #6 (Chevy 2000, 4-wheel drive).

In other business the following was reviewed this evening:

1. The February 2012 WWTP Supervisor's and Engineer's reports were reviewed.

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: Mrs. Strus 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 **FEBRUARY 2012** invoices in the amount of **\$341,324.92** be paid as follows: General (**\$125,488.50**); Street Lights (**\$6,592.09**); Fire (**\$0.00**); Parks & Rec. (**\$3,320.97**); Water (**\$77,758.74**); Sewer (**\$15,349.77**); WWTP (**\$112,600.55**); Rail Corridor (**\$0.00**); Road Overlay (**\$0.00**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$214.3**).
2. Consideration is requested by Peter Penna, owner of 30 S. Bethlehem Pike to amend the hauler requirement in the DCII (Gateway) District.

Discussion ensued. Mr. Penna stated that he was asking for a waiver because the original property design did not consider residential rentals and that he has received a variance to include them in his plan. As such, the original design did not involve the issue of trash removal for residential units. He stated his plan had reduced impervious coverage to 90 percent and allowed room for commercial trash only. Mr. Penna further stated that his second commercial tenant will begin leasing soon (also a food industry business) and that at that time his commercial hauler will pickup two or three times a week.

3. Consideration is requested to adopt Resolution 2012-03 Recognizing Mary Jane Wahl for her years of service and dedication to the Ambler Community.
4. Consideration is requested by Bottom Dollar Food LP, which has proposed the construction of a 16,869 sq.ft. supermarket, for Preliminary/Final Land Development approval for all four land parcels, including that of Ambler Beverage as a co-applicant, and the approval of the requested waivers, including a conditional U&O permit in the event a final letter of map revision is granted by FEMA since the area of proposed construction is in a flood plain, subject to meeting all of the Borough's requirements. [Bottom Dollar Food LP Kristen Pianzio was present.]
5. Consider adoption of Resolution 2012-04 "Resolution of the Borough of Ambler Rescinding Resolutions 2011-23 and 2011-24 Which Declared Invalid Those Provisions of the Borough Zoning Ordinance Totally Prohibiting Off Site Advertising Signs, and Directed the Preparation of a Curative Amendment to the Zoning Ordinance to Cure Such Invalidity."

In other business the following was reviewed this evening:

1. The Borough Engineer's February 2012 report was received.
2. An Executive Session was held.
3. Staff has prepared a list of streets for paving in 2012-2013.
4. A draft Codification of the Borough Code was received and staff is reviewing the update.
5. The Ambler Theater submitted an application for Revitalization Funding for Digital Movie Equipment. A resolution will be prepared for the Final Application should funding become available.
6. Staff has met with the surrounding Townships to discuss the possibility of a Boys' and Girls' Club program in our area.

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. Amento and Mr. Zaccone

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 advertising for adoption Ordinance 1065 setting the annual compensation for members of Borough Council and the Mayor.

In other business the following was reviewed this evening:

1. The Solicitor has preparing a Drug & Alcohol Policy for Borough employees. The policy was presented to the Union for approval and the Union has stated it has no issues with the policy.

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 recommends and Mrs. Strus moves:

Recommend performing field survey work at a cost of \$18,000 and preparing hydraulic modeling at a cost of \$12,600 as required by FEMA for remediation work at the Church Street culvert. Seconded. Carried.

Recommend authorizing the Police Department request to lease/purchase a 2013 Ford Interceptor Utility Vehicle for the total cost of \$27,073. Seconded. Carried.

Recommend providing assistance as the applicant for a resident at 353 Valley Brook Road seeking to obtain a grant from the National Resources Conservation Service. Seconded. Carried.

Parks & Recreation Committee – The Committee recommends and Mr. Curtis moves:

Recommend adoption of Ordinance 1064 (Planting Ordinance) that amends the list of invasive species to be removed from the ordinance. Seconded. Carried.

Recommend awarding the contract for 10-foot high fencing at the Knight Park Skate Park to County Line Fence at a quoted cost of \$13,400. Seconded. Carried.

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

Recommend awarding the job of maintenance and repairs on the Digester ET-16 Phase II to Heisey Mechanical LTD at a cost of \$11,700.00. Seconded. Carried

Recommend entering into a contract with a Curtailment Service Provider (CSP) endorsed by PECO, per Act 129, for the WWTP, contingent upon the Borough Solicitor's review. Seconded. Carried.

Recommend having the plant engineer prepare RFP's for the removal and replacement of the roof on PS-1. Seconded. Carried.

Recommend purchase of a new 2012 GMC 4-wheel drive work truck with plow and power lift gate from Costars for a purchase price of \$33,387.00. Seconded. Carried.

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

Recommend the **FEBRUARY 2012** invoices in the amount of **\$341,324.92** be paid. Seconded. Carried.

Recommend granting request by Peter Penna, owner of 30 S. Bethlehem Pike to amend the hauler requirement to allow for the co-mingling of residential and commercial trash

which shall be placed on the currently existing pad, from the five units on the 30 S. Bethlehem Pike property. Seconded. Carried.

Recommend adoption of Resolution 2012-03 Recognizing Mary Jane Wahl for her years of service and dedication to the Ambler Community. Seconded. Carried.

Recommend granting request by Bottom Dollar Food LP, which has proposed the construction of a 16,869 sq.ft. supermarket, for Preliminary/Final Land Development approval for all four land parcels, including that of Ambler Beverage as a co-applicant, and the approval of the requested waivers, including a conditional U&O permit in the event a final letter of map revision is granted by FEMA since the area of proposed construction is in a flood plain, subject to meeting all of the Borough's requirements. Seconded. Carried.

Recommend adoption of Resolution 2012-04 "Resolution of the Borough of Ambler Rescinding Resolutions 2011-23 and 2011-24 Which Declared Invalid Those Provisions of the Borough Zoning Ordinance Totally Prohibiting Off Site Advertising Signs, and Directed the Preparation of a Curative Amendment to the Zoning Ordinance to Cure Such Invalidity." Seconded. Carried.

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

Recommend advertising for adoption Ordinance 1065 setting the annual compensation for members of Borough Council and the Mayor. 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