

AMBLER BOROUGH COUNCIL MINUTES

August 20, 2013

The regular monthly meeting of Ambler Borough Council was held Tuesday, August 20, 2013 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 by a Conditional Use Hearing (6:00 pm) for the property located at 132-136 Poplar Street. After hearing applicant's presentation, Council granted Conditional Use (9-Aye).

The meeting also was preceded by a special Public Meeting (6:30 pm) on a proposed plan to purchase and convert the old Mattison Avenue Elementary School into the new Ambler Borough Municipal Building. This new facility would contain Ambler Borough Offices, Police Department and Community Center. The facility would be designated for use as a Disaster Emergency Shelter. Finance Chairman Kenney began the public meeting with an overview of projected cost: \$1.9 million purchase; \$1.7 million renovations. Mrs. Aversa estimated that sale of the present Borough building and use of a fixed amount of reserves capital would result in the Borough holding a \$2.5 million mortgage. She stated a 30 year mortgage at four percent would result in a monthly payment of \$12,000. This amount, she summarized, would be comparable to the amount the Borough received in Business Privilege Taxes. She added that if it was calculated to include a Water & Sewer contribution to the mortgage payment, the result would be a lower monthly payment from the General Fund.

Mr. Kenney noted the reasons to consider obtaining the Mattison Avenue facility were due to flooding issues in the Police Department and the need for a Disaster Emergency Shelter on the south side of Butler Avenue for Borough residents. He noted the new facility would allow 6,500 sqft for a Community Center, 2,635 sqft additional office space for the Borough and 6,900 sqft for tenant space. He stated he anticipated questions regarding the Borough's need for the building and concerns about indebtedness. He stated Borough plans to build a parking garage had been put on hold while Council considered this proposed purchase. He stated his reservation about supporting the project based on the Feasibility Study because the Study did not consider soft costs associated with the conversion. He stated that more details were needed, that the Study was limited because the School District had not produced original blue prints and was based on a visual inspection. He noted that if the playground was removed to allow for an additional 20 parking spaces, the Borough would lose a playground. He suggested Council consider asking the School District for an extension of the 90-day consideration to consider purchasing Mattison Avenue so that Council would have time to receive additional information about the project.

Mr. Kenney then opened the meeting to the public for questions and comments. Bernadette Dougherty of 338 Tennis Avenue questioned the Borough's need for a new building and stated that her understanding of the Business Privilege Tax (BPT) was that funds would be

earmarked for projects whereby businesses would benefit, such as a parking garage. Solicitor Bresnan stated the BPT was created in 2011 to fill a gap in the General Fund budget, and was not an allocated tax. Additionally, she stated she had contact several churches in the Borough which stated their facilities could be used for Emergency Shelter purposes.

Councilperson Tomlinson questioned use of County grant money to enlarge and resurface parking at Mattison Avenue. She stated that at a minimum the Lindenwold lot was in need of milling and repaving. Additionally, she asked Borough Manager Aversa to provide Council was a breakdown of moving and operating costs.

Councilwoman Strus noted residents' need for a Community Center to house the YMCA, HeadStart and Basketball programs. She asked whether the flooding problems in the Police Department could be corrected. Chief Foley responded that correct would be a major undertaking, requiring tearing up of the surrounding drainage.

Councilman Dooley noted that the limited "Institutional" zoning of the facility might, if the Borough did not act and purchase the property, might result in the building being unoccupied for years, resulting in blight in the neighborhood. He noted that in the aggregate the Borough would spend \$1 million less by taking on the Mattison Avenue project and not the parking garage project.

Council President Isabella noted that the parking capacity benefit to the Borough at the Mattison Avenue facility would result in a better value than spending \$3.5 million to build a parking garage.

Christine DeLaurentis of 239 E. Park Avenue stated the School District's detailed list of electrical costs was available on the District's website. She stated the District costs to upgrade the facility had been inflated. She stated that Mattison Avenue was an important community resource, but added that it would be a tragedy to lose the playground. Mrs. Aversa responded that the Borough could relocate the equipment to the Rosemary Avenue side of the building.

Mr. Konzier of 360 Mattison Avenue stated the District publicly-released assessment called for \$4-5 million to upgrade the facility, but that internally the more realistic assessment was \$400,000. He stated that Mattison Avenue was a unique facility and that use of the building would set Ambler Borough in a positive growth direction. He thought this would be an interesting investment for the Borough and stated there was value in located municipal and community departments in one facility.

Sal Boccuti of 300 Rosemary Avenue stated he would like to see the Borough purchase the school. He asked for confirmation that grant money had not been guaranteed or used to calculate the cost of acquisition. Anna Lipinski of 136 Rosemary Avenue asked whether the Borough could consider both the Lindenwold Parking Deck Project and the Municipal Building Project. It was stated the Borough could consider only one project. She noted that the building's zoning district could always be changed by act of Council.

Councilman Pasceri comment that the citizens of Ambler would benefit more from the Ambler Borough Municipal Building Project than from the Lindenwold Parking Deck Project.

Bill Wert of 326 Forest Avenue comment that the Borough would be doing the School District a favor by purchasing the property. He commented that the Borough had very little taxable property and suggested changing the zoning to allow the lot to go up for sale for the possible development by a contractor of townhomes. This, he stated, would improve the Borough's tax base. He stated that community programs currently exist in nearby communities and that the Borough should let the opportunity to purchase Mattison Avenue "slide."

Bob Kramer of 149 Race Street spoke on behalf of the North Penn Valley Boys & Girls Club. He stated the Club would like to be a partner with the Borough, and that the Club could utilize every square foot of the building.

Susan Johnsson of 347 Valley Brook stated that she appreciated the Borough's viable business district and would like to see the trend continue. She sought assurance that if the Mattison project went forward, the Borough would see to it that playground equipment was relocated for the benefit of area children.

Joan Patten of 342 Mattison Avenue sought assurances that if Water and Sewer funds contributed to the project that raising existing taxes would be a last remedy. She questioned whether the neighborhood would favor the relocation of the Police Department because of the need for installation of bright security lighting.

Mr. Kenney closed the public meeting stating the Finance & Planning Committee would ask the Borough Manager to communicate with the School District that Council would need more time to consider making a purchase offer to the District. Mrs. Aversa asked all Council members to communicate with her directly on additional information she should obtain for Council. The Public Meeting was concluded.

Council President Isabella called the regularly scheduled Council Meeting to order. Council Vice President Amento led the public in the Pledge of Allegiance and a moment of silence.

Roll Call – Present: Mr. Isabella, Mr. Amento, Mr. Kenney, Mrs. Strus, Mr. Pasceri, Ms. Tomlinson, Mr. Curtis, Mr. Zaccone and Mr. Dooley. Solicitor Bresnan, Chief William Foley and Borough Manager Mary Aversa also were in attendance. Mayor Wahl was absent.

A motion was made to approve the Minutes of the July 16, 2013 Meeting. Seconded. Carried.

COMMITTEE REPORTS

The Committees of Ambler Borough Council met Tuesday, August 6, 2013 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Ave. Present: Mr. Isabella, Mr. Amento, Mr. Kenney, Ms. Tomlinson, Mr. Curtis, Mr. Zaccone and Mr. Dooley. Mayor Wahl, Solicitor Bresnan and Borough Manager Mrs. Aversa also were present. Mr. Pasceri, Mrs. Strus and Chief Foley were absent.

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

Public Safety Committee – Mrs. Strus, Chairperson

Committee members: Mr. Curtis, Mr. Dooley

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 July 2013 Police Department report was received.
2. The July Fire Department report will be provided
3. The July 2013 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 no actions this evening.

In other business the following was reviewed this evening:

1. “Hotel Transylvania” will be held September 13th at Knight Park.

Mr. Curtis asked if there were comments or questions from Council or the public. He added, with Mr. Pasceri’s support, that the Pickering Field bathrooms are to be opened daily from dawn to dusk by the Police Department. 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. Recommendation to award the contract for Sludge Pump Replacement to Heisey Mechanical Ltd at a cost of \$99,776.

In other business the following was reviewed this evening:

1. The WWTP Supervisor's and Engineer's reports were reviewed.
2. Water Supervisor has requested quotes for the proposed Supervisory Control & Data Acquisition (SCADA) System maintenance/upgrade project. A cost proposal for electrical installation, engineering and the purchase of components will be forthcoming.

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 **July 2013** invoices in the amount of **\$577,212.78** are to be paid as follows: General (**\$146,210.02**); Street Lights (**\$22,141.74**); Fire (**\$3,902.05**); Parks & Rec. (**\$14,302.07**); Water (**\$136,074.62**); Sewer (**\$121,631.28**); WWTP (**\$132,738.03**); Rail Corridor (**\$0.00**); Road Overlay (**\$0.00**); Debt Fund (**\$0.00**); Water Capital (**\$0.00**); Liquid Fuels (**\$0.00**), with voided checks totaling \$607.44.
2. Consider adoption of Resolution 2013-11 formed a Joint Redevelopment Committee with Whitpain Township to promote revitalization along Maple Avenue.
3. Award the Butler Avenue Paving contract to Gorecon for the amount of \$338,435.40.
4. Consider adoption of Resolution 2013-10 in support of filing an application for grant funding to the DCED CDBG-DR Program towards conversion costs of the former Mattison Avenue Elementary School building (with grant application due August 23).

5. Consider authorizing Borough Solicitor to prepare an ordinance reinstating the 300 foot property owner notification requirement in the Borough's Code of Ordinances. [This requirement was removed in the 2005 codification of Ordinances.]
6. Consider sending to the Planning Commission a draft Ordinance amending Ch. 27 (Zoning) to create a new section in this chapter establishing a 'Gateway Overlay District.'

Discussion ensued. Ms. Tomlinson stated the ordinance is overly broad, noting that the new district to be created was designed with Ambler Savings Bank in mind. She did not want unintended consequences to occur as a result of the ordinance change, specifically stating her concern about future development that might be allowed in the Race-Hendricks strip with passage of the proposed ordinance. Mr. Bresnan responded that the proposed ordinance would not change total building height restrictions, stating that projects would still need to go before the Zoning Hearing Board for flood plain issues. He stated the ordinance could consider "massing," meaning how a building must look situated along side other buildings. He offered that if Ms. Tomlinson's concern was not to extend the Gateway Overlay District that far up Butler Avenue, it could be modified. Additionally, he noted that the draft version being reviewed might not be the most recent version, and he would forward changes and updates to Council.

In other business the following was reviewed this evening:

1. The Borough Engineer's report was received.
2. The Flood Plain Ordinance to modify Borough Code Ch. 27, Part 2 ("Definitions") and Ch. 27, Part 19 ("Floodplain Conservation District.") is in the review process.
3. An amendment to the Transit-Oriented District (TOD) was received and a new draft, as requested, will be forthcoming.
4. Once an amending TOD Ordinance is passed, Council will consider Preliminary/Final approval and granting of Conditional Use to the proposed Ambler Crossing Project on South Chestnut Street, involving the building of 115 new apartment units. Approval will also be subject to satisfying the engineer's recommendations. 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. Pasceri, Chairperson

Committee members: Mr. Amento and Mr. Zaccone

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

An Executive Session was held on personnel matters and two recommendations will be forthcoming.

The Committee will consider the following actions this evening.

1. Recommendation to extend an employment offer to an applicant for the Finance Manager position.
2. Recommendation to execute a compensation agreement for the Borough Manager position.

In other business the following was reviewed this evening:

1. The vacant Operator 1 position in the WWTP will be posted.

Mr. 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.

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

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

Recommendation to award the contract for Sludge Pump Replacement to Heisey Mechanical Ltd at a cost of \$99,776. Seconded. Carried.

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

Consideration that **July 2013** invoices in the amount of **\$577,212.78** are to be paid. Seconded. Carried.

Consider adoption of **Resolution 2013-11** formed a Joint Redevelopment Committee with Whitpain Township to promote revitalization along Maple Avenue. Seconded. 8-Aye; 1-Nay (Mr. Isabella). Carried

Award the Butler Avenue Paving contract to Gorecon for the amount of \$338,435.40. Seconded. Carried.

Consider adoption of **Resolution 2013-10** in support of filing an application for grant funding to the DCED CDBG-DR Program towards conversion costs of the former Mattison Avenue Elementary School building. Seconded. 8-Aye; 1-Nay (Ms. Tomlinson). Carried.

Consider authorizing Borough Solicitor to prepare an ordinance reinstating the 300 foot property owner notification requirement in the Borough's Code of Ordinances. [This requirement was removed in the 2005 codification of Ordinances.] Seconded. Carried.

Consider sending to the Planning Commission a draft Ordinance amending Ch. 27 (Zoning) to create a new section in this Chapter establishing a 'Gateway Overlay District,' with such additional language to be included as determined by the Solicitor. Seconded. 8-Aye; 1-Nay (Ms. Tomlinson). Carried.

Consider granting Conditional Use for the property located at 132-136 Poplar Avenue. Seconded. Carried.

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

Consider making an offer of employment to an applicant for the Finance Manager position. Seconded. Carried.

Consider executing the Borough Manager Compensation Agreement. Seconded. 7-Aye; 2-Nay (Ms. Tomlinson, Mr. Kenney). Carried.

Consider

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

Respectfully submitted,

Elizabeth Russell
Manager's Assistant
Borough of Ambler