

## MINUTES

**February 20, 2007**

The regular monthly meeting of Ambler Borough Council was held Tuesday, February 20, 2007 at 8:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. President Anita O'Hara Pieri presided.

Mrs. O'Hara Pieri led the public in the Pledge of Allegiance and a moment of silence.

**Roll Call** – Present: Mrs. O'Hara Pieri, Mr. G. Pasceri, Mr. S. Pasceri, Mr. Isabella, Mr. Orehek, Mr. Pugliese and Mrs. Baigis. Solicitor Bresnan, Mr. Rocco Wack and Mrs. Aversa also were present. Absent: Mr. Kenney, Mr. Dooley and Mayor Wahl.

Mrs. O'Hara Pieri enumerated suggested revisions submitted regarding the Minutes of Council Meetings held January 16, 2007 and December 18, 2006. Mrs. O'Hara Pieri called for a separate vote on each of five suggested revisions. Seconded, carried. Mrs. O'Hara Pieri moved that the December 18, 2006 and the January 16, 2007 Minutes be approved. Seconded, carried.

A presentation was made by representatives of proposed development Station Square (200 S. Main Street). It was stated that marketing studies have influenced the developer's decision to revise proposed development to presently be a 58-unit all townhouse-style development. The representative stated that he had worked with Borough staff and the Planning Commission and had presented seven text amendments at the Borough's Committee Meeting. The representative sought to have a Borough Ordinance change advertised as regards this project. After some discussion among Council Members, Mrs. O'Hara Pieri stated that the Montgomery County Planning Commission will need to come back with comments. She anticipated that the Committee would review and finalize its recommendation by the next Council Meeting.

### **COMMITTEE REPORTS**

#### **Finance and Planning Committee - Mr. Kenney, Chairman**

The Committee met on Monday, February 5, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Kenney, Mr. G. Pasceri and Mr. Dooley. Also present: Mrs. O'Hara Pieri, Mr. Pugliese, Mr. S. Pasceri, Mr. Isabella, Mr. Orehek and Mrs. Baigis. Also present: Mayor Wahl, Mr. Rocco Wack and Mrs. Mary Aversa. Absent: Solicitor Bresnan.

The Finance and Planning Committee report was given by Mrs. O'Hara Pieri.

**The Committee will recommend the following:**

1. Recommend payment of the January 2007 invoices in the amount of \$768,778.59.
2. Recommend Final Land Development approval for The Crossings at Ambler. The Planning Commission has recommended this approval conditional upon satisfying the requirements in the Borough Engineer's Review (including environmental and traffic), the County Planning Commission review letters and PA DEP approval.
3. Recommend giving consideration to submit a zoning change to the Planning Commission from Residential R-3 to Industrial to Joseph Zadlo, representing Mr. Gene O'Hara, the owner of 1-3 Reiffs Mill Road.
4. Recommend adopting the required DEP Resolution stating that the Ambler Boiler House-Summit Realty Advisors development conforms to applicable sewage related zoning and other sewage related ordinances.
5. Recommend advertising for the adoption of a proposed Sign Ordinance for Borough signs. The proposed Ordinance will be a stand alone ordinance and will be removed from the Zoning Ordinance.
6. Recommend awarding the Streetscape project to the low bidder, Carr & Duff, at a bid cost of \$332,719.00.
7. Recommend awarding the Butler Avenue Traffic Calming project to the low bidder, Associated Paving, at a bid cost of \$24,750.00.
8. Table a proposed resolution regarding a taking by Eminent Domain.

Comment was made by Mr. Orehek relative to Item 2, The Crossings at Ambler. It was clarified by Jason Engelhardt, representing The Crossings, that changes in lighting had been under review. Comment also was made by Mrs. Baigis who inquired about follow through on environmental and traffic issues. Manager Rocco Wack commented that Westrum has indicated that they will finance the repaving of Maple Street.

Relative to Item 3, a Mr. Hughes representing the Copernicus Society stated that he sought Council approval to move forward and present its zoning change request for this non-profit society to the Planning Commission. Mrs. O'Hara Pieri stated that the Society should be able to be scheduled for the Planning Commission's agenda on February 27<sup>th</sup>. Mr. Pugliese asked whether the Society would be paying property taxes, and it was stated that they would.

Pertaining to Item 5, Mrs. O'Hara Pieri explained that with the adoption of this ordinance, the Planning Commission would not review signs and that variances no longer

would be part of the Zoning Hearing Board Process. Mr. George Benigno of Ambler pointed out that signs in violation could more readily be fined by Code Enforcement.

**In other business the following was discussed:**

Bernadette Dougherty, Main Street Manager announced that Ambler Borough has been selected by the American Planners Association as one of three downtowns to be featured at its National Conference in Philadelphia to be held April 14-18<sup>th</sup>.

Mrs. O'Hara Pieri asked if the public had any comments or questions. None received.

Mr. G. Pasceri moved the report be accepted and filed. Seconded, carried.

**Public Safety Committee – Mr. Pugliese, Chairman**

The Committee met on Monday, February 5, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Pugliese, Mr. G. Pasceri and Mr. Isabella. Also present: Mrs. O'Hara Pieri, Mr. S. Pasceri, Mr. Dooley, Mr. Kenney, Mr. Orehek and Mrs. Baigis. Also present: Mayor Wahl, Mr. Rocco Wack and Mrs. Mary Aversa. Absent: Solicitor Bresnan.

The Public Safety Committee report was given by Mr. Pugliese.

**The Committee made no recommendations and had no further business.**

Mrs. O'Hara Pieri asked if there were questions from the public. None were asked.

Mr. G. Pasceri moved the report be accepted and filed. Seconded, carried.

**Parks and Recreation Committee – Mr. Dooley, Chairman**

The Committee met on Monday, February 5, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Dooley, Mr. G. Pasceri and Mr. Isabella. Also present: Mrs. O'Hara Pieri, Mr. S. Pasceri, Mr. Pugliese, Mr. Kenney, Mr. Orehek and Mrs. Baigis. Also present: Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Mary Aversa. Absent: Solicitor Bresnan.

The Parks and Recreation Committee report was given by Mrs. O'Hara Pieri.

**The Committee made no recommendations and had no further business.**

Mrs. O'Hara Pieri asked if there were questions from the public. None were asked.

Mr. G. Pasceri moved the report be accepted and filed. Seconded, carried.

## **Public Utilities Committee – Mr. Orehek, Chairman**

The Committee met on Monday, February 5, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Orehek, Mr. Pugliese, Mrs. O'Hara Pieri. Also present: Mr. G. Pasceri, Mr. Kenney, Mr. Isabella, Mr. S. Pasceri, Mr. Dooley and Mrs. Baigis. Also present: Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Mary Aversa. Absent: Solicitor Bresnan.

The Public Utilities Committee report was given by Mr. Orehek.

### **The Committee will recommend the following:**

1. Recommend that the plant engineer prepare the specifications to conduct meggar testing on the remaining feeders in PS-1 (main pumping station), EPS-1 (recirculation station for ET-5 trickling filter), EPS-2 (recirculation station for ET-11 trickling filter), and EPS-3.
2. Recommend a plan of action regarding Loch Alsh Reservoir rehabilitation requirements set forth by PA DEP to arrange for a meeting between DEP officials, the water department, PUC Committee members and legislators to counter certain DEP requirements as being unwarranted.
3. Recommend contracting with Shanahan & Luff Contractors at a cost not to exceed \$5,600.00 to connect a new intertie at the Whitmarsh facility with Aqua American for emergency water purchases.
4. Recommend advertising for bids regarding Well 14 (Butler Manor) and Well 12 (Knight Road) to pull and replace the well pump and column and to exercise the option of acid or pressure treating the wells. (Bid will have a requirement of a price guarantee for both wells for one year).
5. Recommend authorizing Grover Emrich, hydrogeologist, to initiate and proceed with PA DEP and DRBC filings for permits for Well 15 (Brookfield Lane) at a consultant's fee not to exceed \$10,000.00 (permitting fee additional).
6. Recommend retroactively approving the rate request sent to the PUC dated January 31, 2007.
7. Recommend awarding the bid for the drilling of a water well and observation well at Knight Park, a new well site, and the conducting of a 72-hour pump test to low bidder B.L. Myers Brothers of PA, Inc., at a package price of \$42,300.00, plus a capped price of \$13,500 should additional drilling be necessary beyond a depth of 250 lineal feet (costed by feet, not to exceed 500 lineal feet).

8. Recommend awarding the 2007 sanitary sewer repair project to low bidder Allstate Power-Vac at a bid price of \$77,295.00.

Inquiry was made by Mrs. Baigis relative to the qualifications of and substantiation of the invoicing of the Borough's hydrogeologist, Mr. Grover Emrich. Mrs. Baigis made inquiry as to Item 8, and it was stated by Mary Aversa that the project had been videotaped and was part of the Borough's Six Year Plan.

Mrs. O'Hara Pieri asked if the public had any questions. Bernadette Dougherty asked for Borough justification of the PUC rate increase request. It was stated by Mr. Orehek that the costs of Loch Alsh Tank and future well development justified the rate increase request.

There being no further questions, Mr. G. Pasceri moved the report be accepted and filed. Seconded, carried.

### **Salary and Personnel Committee – Mr. Isabella, Chairman**

The Committee met on Monday, February 5, 2007 at 7:30 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Committee members: Mr. Isabella, Mr. G. Pasceri and Mr. Orehek. Also present: Mrs. O'Hara Pieri, Mr. Pugliese, Mr. S. Pasceri, Mr. Dooley, Mr. Kenney, Mr. Orehek and Mrs. Baigis. Also present: Mayor Wahl, Solicitor Bresnan, Mr. Rocco Wack and Mrs. Mary Aversa. Absent: Solicitor Bresnan.

The Salary and Personnel Committee report was given by Mr. Isabella.

#### **The Committee will recommend the following:**

1. Recommend hiring Robert Pieri to the vacant WWTP position of Operator 1.
2. Recommend the Ambler Borough Police Department participate in consortium testing to establish a Civil Service List.

Mrs. O'Hara Pieri asked if the public had any questions. *Ambler Gazette* Editor Mike Morsch asked whether Robert Pieri was related to anyone on Council. Mrs. O'Hara Pieri responded that he is her son. Discussion ensued regarding potential conflicts of interest, nepotism and public perception. Matt Cooley asked for a policy recommendation or for the consideration of an ordinance to prohibit the hiring of relatives. Resident Mary Maxion stated her dismay at how this "issue" had escalated and that public information on the Borough's hiring practices had been helpful.

Solicitor Bresnan stated that safeguards exist in the system, that Mrs. O'Hara Pieri would excuse herself from voting on her son's hiring, and that there was no conflict as regards direct chain of command. Solicitor Bresnan further stated that the word nepotism could be seen as an accusation. Council Members Mr. Isabella and Mr. Sal Pasceri defended the Borough's hiring tradition. Mrs. O'Hara Pieri asked Council whether they would

consider exploring a nepotism ordinance. Mrs. Baigis was the sole Council Member interested in such an ordinance.

There being no further questions, Mr. G. Pasceri moved the report be accepted and filed. Seconded, carried.

## **RECOMMENDATIONS**

### **Public Safety Committee**

The Committee will offer no recommendations.

### **Parks and Recreation Committee**

The Committee will offer no recommendations.

### **Public Utilities Committee**

The Committee recommends and Mr. Orehek moves:

Recommend that the plant engineer prepare the specifications to conduct meggar testing on the remaining feeders in PS-1 (main pumping station), EPS-1 (recirculation station for ET-5 trickling filter), EPS-2 (recirculation station for ET-11 trickling filter), and EPS-3. Seconded, carried.

Recommend a plan of action regarding Loch Alsh Reservoir rehabilitation requirements set forth by PA DEP to arrange for a meeting between DEP officials, the water department, PUC Committee members and legislators to counter certain DEP requirements as being unwarranted. Seconded, carried.

Recommend contracting with Shanahan & Luff Contractors at a cost not to exceed \$5,600.00 to connect a new intertie at the Whitemarsh facility with Aqua American for emergency water purchases. Seconded, carried.

Recommend advertising for bids regarding Well 14 (Butler Manor) and Well 12 (Knight Road) to pull and replace the well pump and column and to exercise the option of acid or pressure treating the wells. (Bid will have a requirement of a price guarantee for both wells for one year). Seconded, carried.

Recommend authorizing Grover Emrich, hydrogeologist, to initiate and proceed with PA DEP and DRBC filings for permits for Well 15 (Brookfield Lane) at a consultant's fee not to exceed \$10,000.00 (permitting fee additional). Seconded, carried.

Recommend retroactively approving the rate request sent to the PUC dated January 31, 2007. Seconded, carried.

Recommend awarding the bid for the drilling of a water well and observation well at Knight Park, a new well site, and the conducting of a 72-hour pump test to low bidder B.L. Myers Brothers of PA, Inc., at a package price of \$42,300.00, plus a capped price of \$13,500 should additional drilling be necessary beyond a depth of 250 lineal feet (costed by feet, not to exceed 500 lineal feet). Seconded, carried.

Recommend awarding the 2007 sanitary sewer repair project to low bidder Allstate Power-Vac at a bid price of \$77,295.00. Seconded, carried.

### **Finance and Planning Committee**

The Committee recommends and Mrs. O'Hara Pieri moves:

Recommend payment of the January 2007 invoices in the amount of \$768,778.59. Seconded. Aye (6), Nay (1 – Mrs. Baigis). Carried.

Recommend Final Land Development approval for The Crossings at Ambler. The Planning Commission has recommended this approval conditional upon satisfying the requirements in the Borough Engineer's Review (including environmental and traffic), the County Planning Commission review letters and PA DEP approval. Seconded, carried.

Recommend giving consideration to submit a zoning change to the Planning Commission from Residential R-3 to Industrial to Joseph Zadlo, representing Mr. Gene O'Hara, the owner of 1-3 Reiffs Mill Road. Aye (6), Nay (1 – Mr. George Pasceri). Carried.

Recommend adopting the required DEP Resolution stating that the Ambler Boiler House-Summit Realty Advisors development conforms to applicable sewage related zoning and other sewage related ordinances. Seconded. Roll Call Vote: All Aye. Carried.

Recommend advertising for the adoption of a proposed Sign ordinance for Borough signs. The proposed Ordinance will be a stand alone ordinance and will be removed from the Zoning Ordinance. Aye (6), Nay (1 – Mrs. Baigis). Carried.

Recommend awarding the Streetscape project to the low bidder, Carr & Duff, at a bid cost of \$332,719. Seconded, carried.

Recommend awarding the Butler Avenue Traffic Calming project to the low bidder, Associated Paving, at a bid cost of \$24,750.00. Seconded, carried.

### **OLD BUSINESS/NEW BUSINESS**

Mrs. O'Hara Pieri asked Councilwoman Judy Baigis if she would be interested in being Recording Secretary for Council. Mrs. Baigis declined the offer.

Mrs. O'Hara Pieri asked the public if there was further business to discuss or if there were further comments or questions.

There being no further business, Mrs. O'Hara Pieri moved the meeting be adjourned. Seconded, carried.

Respectfully submitted,

Elizabeth Russell  
Administrative Assistant  
Water Department

For  
George W. Benigno  
Assistant Borough Secretary