

AMBLER BOROUGH COUNCIL MINUTES

August 19, 2008

The regular monthly meeting of Ambler Borough Council was held Tuesday, August 19, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue, Ambler, Pennsylvania 19002. President Tony Isabella presided.

Mayor Wahl led the public in the Pledge of Allegiance and a moment of silence.

Roll Call – Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri and Ms. Maxion. Chief Foley, Solicitor Bresnan and Mrs. Aversa also were present. Mr. Amento was absent.

A motion was made to approve the July 21, 2008 Minutes with recommended revisions. After some discussion on specific revisions, a motion was made to approve the July 21, 2008 Minutes with certain agreed-upon revisions. Motion seconded. Carried.

A Proclamation from Mayor Wahl was dedicated to David-Michael Kenney thanking him for his service to the community as Main Street Manager. Mr. Kenney will be relocating to California to work with a theatre production company. AMS President Bernie Siergiej thanked Mr. Kenney for his contribution to the community and stated that AMS was in the process of hiring a replacement who should be on board early September.

COMMITTEE REPORTS

Public Safety Committee – Mr. G. Pasceri, Chairman

Committee members: Mr. G. Pasceri, Mr. Dooley, Mr. Kenney and Ms. Maxion

The Committee met on Tuesday, August 5, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

The Public Safety Committee report was given this evening by Mr. G. Pasceri.

The Committee will make no recommendations at this time.

In other business the following was discussed:

1. The Police Department and Fire Company reports for July 2008 were received.
2. The July 2008 Public Works and Code Enforcement reports were reviewed.

3. The Borough has begun bid preparation for the 2008 Street Paving Project.
4. The CAG requested that Council be made aware that a public meeting would be held on August 6th at the First Presbyterian Church's Fellowship Hall.
5. The Committee authorized the Solicitor to prepare a memo in reference to the dog leash law and how it relates to the use of electronic collars. Council received such a memo from the Solicitor.

Discussion ensued. Mrs. Baigis stated that Council should be proactive and that the ordinance should be amended to specify that an electronic leash (electronic training collar) is not recognized as a leash. Mr. Kenney stated he would want to see a visible leash at all times. Council authorized Solicitor Bresnan to prepare an amendment to the ordinance.

Mr. Isabella asked if there were comments or questions from Council or the public. Ms. Maxion stated that the EPA would hold a public meeting on the BoRit site on Wednesday, August 20th at the Wissahickon Middle School. There being no further comment, it was moved the report be accepted and filed. Seconded, carried.

Parks and Recreation Committee – Mrs. Pieri, Chairman

Committee members: Mrs. Pieri, Mr. Dooley, Mr. G. Pasceri, Ms. Maxion

The Committee met on Tuesday, August 5, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

The Parks and Recreation Committee report was given this evening by Ms. Pieri.

The Committee will make no recommendations at this time.

In other business the following was discussed:

1. The Borough has begun to prepare construction costs and the grant application for the "green building" to be constructed at Knight Park.
2. Information relative to a grant by the PA Department of Conservation and Natural Resources for Borough parks was presented.

Discussion ensued. Mrs. Pieri stated that a membership application had been prepared for the Pennsylvania Parks and Recreation Society.

3. Ms. Maxion was appointed to the Parks and Recreation Committee.

Mr. Isabella asked if there were comments or questions from Council or the public. There being none, it was moved the report be accepted and filed. Seconded, carried.

Public Utilities Committee – Mr. Amento, Chairman

Committee members: Mr. Amento, Mrs. Judy Baigis, Mr. S. Pasceri

The Committee met on Tuesday, August 5, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

The Public Utilities Committee report was given tonight by Mrs. Baigis.

The Committee will recommend the following:

1. Recommend authorization, based upon the diver's report on the Loch Alsh tower and with DEP approval now granted, to award a contract to Rock Solid for \$7,585 (revised estimate 1073R) to re-point the tower above the water line only, to a depth of 4.5 feet below the cap. Construction should be completed before the October DEP inspection of the reservoir.
2. Recommend authorization to purchase and have installed a submersible pump for proposed Ambler Well 15 (Brookfield Lane-The Ridings) with work to be awarded to the lowest responsive contractor at a cost not to exceed \$10,000 (pump and labor). A multi-week pump test is to be conducted to assess water quality. DRC has scheduled a review of our application on their September 24th docket.
3. Recommend the Borough continue supporting the group effort in challenging EPA's TMDL for phosphorus. The next step is action to avoid filing litigation against EPA (Phase I) which Hall & Associates have estimated at \$40,000. The cost of Phase I will be shared by the coalition members. Funds are available in the budget to continue our share of the cost.
4. Recommend replacing six sets of conductors out of the 10 that were identified in the meggar testing. Authorization is requested to have the plant engineer prepare bid documents and specs for this work. Funds are available in Account 09447740 Capital Outlay.
5. Recommend adopting **Ordinance 1019**, establishing guidelines and fees for regulating grease traps.

In other business the following was discussed:

1. The July 2008 WWTP, Supervisor's and Engineer's reports were reviewed.

2. Borough staff continues to perform daily operations at the Whitemarsh Facility per Borough Engineer and DEP directive to bring the system on line.

Mr. Isabella asked if there were questions or comments from Council or the public. There being none, it was moved the report be accepted and filed. Seconded, carried.

Finance and Planning Committee - Mr. Kenney, Chairman

Committee Members: Mr. Kenney, Mrs. Pieri and Mrs. Baigis

The Committee met on Tuesday, August 5, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

The Finance and Planning Committee report was given this evening by Mr. Kenney.

The Committee will recommend the following:

1. Recommend that the **July** invoices in the amount of **\$448,228.18** be paid as follows: General (\$136,369.99); Street Lights (\$626.31); Fire (\$2,379.31); Parks & Rec. (\$5,391.08); Water (\$99,149.82); Sewer (\$7,897.10); WWTP (\$104,409.30); Rail Corridor (\$0); Road Overlay (\$0); Debt Fund (\$0); Water Capital (\$1,161.75); Liquid Fuels (\$0); with end of month cycle totaling \$91,538.82, voided checks totaling \$795.30 and **July** cycle bills totaling \$357,484.66.

Discussion ensued. Mrs. Baigis commented on surcharge and mileage charges reflected on invoices. Mrs. Aversa stated that certain accounts charged these surcharges based on the total bill, and not on a flat fee.

2. Recommend preparing a resolution accepting the draft TRID assessment reports prepared by consults Carter VanDyke & Associates.
3. Recommend adopting additions to the Bylaws and advertising for adoption an Ordinance amendment that sets forth the duties of the Manager.
4. Recommend preparing a Resolution recognizing Deck's Hardware and their 100 years of business operation in Ambler.
5. Recommend advertising for adoption an Ordinance to provide for the vesting of police benefits after 12 years of full-time employment and adding certain details to the vesting process and adding an intervening military service provision.

6. Recommend land development approval for SEPTA Station Project, contingent upon the applicant satisfying the Borough Engineer's recommendations. Recommend granting a waiver for the following items:
 - Storm water management ordinance
 - Section 22.A1.107, SALDO related to storm water management
 - Section 22-305.3.D, with respect to the portion of the property is at the farthest remove from the site of the proposed work and no work will be performed on this portion of the property.
 - Section 22-305.4.A, relating to showing information as to all properties within 400 feet of the land being subdivided or developed.
 - Authorize the Borough Solicitor to prepare the zoning lot line change. (Mr. Bresnan stated that the zoning lot line change would not be a waiver.)
7. Recommend authorizing an agreement with the owner of 199 Grist Mill Court stating that the Borough parcel that abuts their land and which is part of Ricciardi Park will not be developed by the Borough and will remain open space.
8. Recommend advertising for adoption an Ordinance in reference to prohibited and permitted uses in the Industrial Zoning District.
9. Recommend advertising for adoption an Ordinance modifying the zoning Ordinance by providing specific criteria for home occupations.
10. Recommend advertising for adoption an Ordinance setting indoor and outdoor lighting standards.

In new business:

1. Borough Hall building repairs were discussed, specifically two molding forms and three color choices.

In other business the following was discussed:

1. The Borough Engineer's July 2008 report was reviewed.
2. The Borough is working to address the complaints of property owners surrounding Artman Home.
3. A meeting was held on August 5 at 6:30 p.m. to discuss implementing the parking plan.

Discussion ensued. Mrs. Aversa stated that the Borough was identifying new parking spaces to be metered.

4. A memo setting standards for the use of POD's was discussed.

Discussion ensued. Mrs. Pieri asked that time allowed for POD's to be situated on the street be reviewed. It was agreed to discuss this issue at the next Committee meeting.

Mr. Isabella asked if there were questions or comments from Council or the public. There being none, it was moved the report be accepted and filed. Seconded, carried.

Salary and Personnel Committee – Mr. S. Paceri, Chairman

Committee members: Mr. S. Pasceri, Mr. Amento, Ms. Maxion

The Committee met on Tuesday, August 5, 2008 at 7:00 p.m. in Borough Council Chambers located at 122 E. Butler Avenue. Present: Mr. Isabella, Mr. Dooley, Mr. G. Pasceri, Mrs. Pieri, Mr. Kenney, Mrs. Baigis, Mr. S. Pasceri, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa.

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

An Executive Session was held on police matters.

Upon reconvening, it was announced that at Executive Session a motion had been made to approve the Police Chief's contract and that a majority vote by Council approved the Police Chief's contract.

The Committee will make no recommendations at this time.

In other business the following was discussed:

1. Minutes from the July Safety Meeting were received.

Mr. Isabella asked if there were questions or comments from Council or the public. There being none, it was moved the report be accepted and filed. Seconded, carried.

RECOMMENDATIONS

Public Safety Committee – The Committee will make no recommendations.

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

Public Utilities Committee – The Committee recommends and Mrs. Baigis moves:

Recommend authorization, based upon the diver's report on the Loch Alsh tower and with DEP approval now granted, to award a contract to Rock Solid for \$7,585. Motion seconded. Carried.

Recommend authorization to purchase and have installed a submersible pump for proposed Ambler Well 15 (Brookfield Lane-The Ridings) with work to be awarded to the lowest responsive contractor at a cost not to exceed \$10,000 (pump and labor). Motion seconded. Carried.

Recommend the Borough continue supporting the group effort in challenging EPA's TMDL for phosphorus. The next step is action to avoid filing litigation against EPA (Phase I) which Hall & Associates have estimated at \$40,000. Motion seconded. Carried.

Recommend plant engineer prepare bid documents and specs for replacing six sets of conductors out of the 10 that were identified in the meggar testing. Motion seconded. Carried.

Recommend adopting **Ordinance 1019**, establishing guidelines and fees for regulating grease traps. Motion seconded. Carried.

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

Recommend that the **July** invoices in the amount of **\$448,228.18** be paid. Motion seconded. Carried.

Recommend preparing a resolution accepting the draft TRID assessment reports prepared by consults Carter VanDyke & Associates. Motion seconded. Carried.

Recommend adopting additions to the Bylaws and advertising for adoption an Ordinance amendment that sets forth the duties of the Manager. Motion seconded. Carried.

Recommend preparing a Resolution recognizing Deck's Hardware and their 100 years of business operation in Ambler. Motion seconded. Carried.

Recommend advertising for adoption an Ordinance to provide for the vesting of police benefits after 12 years of full-time employment and adding certain details to the vesting process and adding an intervening military service provision. Motion seconded. Carried.

Recommend land development approval and approval of the requested waivers and for the Borough Solicitor to prepare the zoning lot line change for SEPTA Station Project, contingent upon the applicant satisfying the Borough Engineer's recommendations. Motion seconded. Carried.

Recommend authorizing an agreement with the owner of 199 Grist Mill Court stating that the Borough parcel that abuts their land and which is part of Ricciardi Park will not be developed by the Borough and will remain open space. Motion seconded. Carried.

Recommend advertising for adoption an Ordinance in reference to prohibited and permitted uses in the Industrial Zoning District. Motion seconded. Carried.

Recommend advertising for adoption an Ordinance modifying the zoning Ordinance by providing specific criteria for home occupations. Motion seconded. Carried.

Recommend advertising for adoption an Ordinance setting indoor and outdoor lighting standards. Motion seconded. Carried.

Salary & Personnel Committee – Mr. S. Pasceri states:

On this meeting date, the Police Chief's contract was approved by majority vote of Council in Executive Session.

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

Respectfully submitted,

Elizabeth Russell
Administrative Assistant
Borough of Ambler