

## **AMBLER BOROUGH COUNCIL MINUTES**

**November 18, 2008**

The regular monthly meeting of Ambler Borough Council was held Tuesday, November 18, 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, Mr. Amento and Ms. Maxion. Mayor Wahl, Chief Foley, Solicitor Bresnan and Mrs. Aversa also were present.

A motion was made to approve the October 21, 2008 Minutes with recommended revisions. Motion seconded. Carried.

### **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 Wednesday, November 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, Mrs. Baigis, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mr. Kenney and Mr. S. Pasceri.

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

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

1. Recommend approval of a handicap parking space for the 200 block of Park Avenue, all requirements having been met.

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

1. The Police Department and Fire Company reports for October 2008 were received.
2. The October 2008 Public Works and Code Enforcement reports were reviewed.
3. A meeting to discuss issues and concerns of residents was held on November 5, 2008 at 6:30 p.m.

4. Chief Foley discussed a possible ordinance amendment relative to parking regulations including vehicle weight.
5. Residential leaf pick-up is scheduled for Tuesday, December 9<sup>th</sup> and 16<sup>th</sup>.
6. Borough Council recommends that the Engineer provide cost estimates for Borough alleyway repairs.

Discussion ensued. Mrs. Baigis asked if some property owners' deeds might indicate ownership of adjacent alleyways. Solicitor Bresnan stated there might be private ownership, Borough ownership, and possibly individual blocks owned by the Borough. Mrs. Aversa stated she would ask Gilmore & Associates to take an aerial photograph of the alleyways and provide a rough estimate to the Borough as opposed to performing a costly feasibility study.

7. Borough staff will research the SEPTA train whistle requirements during early morning hours.
8. The Borough is submitting a grant application for flashing lights to be installed at the Mattison Avenue Elementary and Ambler Catholic School zones.

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.

#### **Parks and Recreation Committee – Mrs. Pieri, Chairman**

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

The Committee met on Wednesday, November 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, Mrs. Baigis, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mr. Kenney and Mr. S. Pasceri.

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

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

1. Recommend approving Ambler Junior Baseball's request to schedule field use for the 2009 season, following the 2008 schedule with staggered start times.

Discussion ensued. Mrs. Baigis asked whether neighbors at the field had been contacted regarding any concerns they might have relative to field use. Mrs. Aversa responded that the Borough considers and responds to concerns of its residents, but does not canvas these neighborhoods.

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

1. The Borough has prepared construction costs and a grant application for the “green building” to be constructed at Knight Park.
2. The Borough has secured a grant from the PA Park & Rec Society. A report was submitted to Borough Council by Susan Loehoffer.
3. A draft of proposed Parks & Rec regulations was sent to the Planning Commission for review.

Mr. Isabella asked if there were comments or questions from Council or the public. Elizabeth Russell of 326 Valley Brook Road requested that the Parks & Rec Committee defer consideration to add a new position of Parks & Rec Director for a future fiscal year given the current state of the economy and because the proposed “green” building for Knight Park will not be completed until at the earliest next summer. John Mastromatto, Ambler Borough Union Shop Steward, also stated that the Borough should hold off creating this new position and that it should consider hiring an additional parks laborer to work for the Highway Supervisor before adding a Director/Supervisor. Mrs. Pieri summarized her presentation in favor of creating the position of Park & Rec Director. The Committee voted on whether to make a recommendation to Council to consider creation of a new position of Parks & Rec Director and to amend the fiscal year 2009 budget accordingly. 1-Aye (Mrs. Pieri); 3-Nay (Mr. G. Pasceri, Mr. Dooley, Ms. Maxion). The recommendation was not put forth. There being no further comments or questions, it was moved the report be seconded and filed. Seconded, carried.

**Public Utilities Committee – Mr. Amento, Chairman**

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

The Committee met on Wednesday, November 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, Mrs. Baigis, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mr. Kenney and Mr. S. Pasceri.

The Public Utilities Committee report was given tonight by Mr. Amento.

**The Committee will recommend the following:**

1. Recommend awarding the surveillance system job for the WWTP to Militia Hill Security, Inc. for the amount of \$3,229.

Discussion ensued. Mrs. Baigis disclosed that she was acquainted with the principals of Militia Hill Security. Solicitor Bresnan stated that an acquaintanceship on its face is not

disqualifying and does not need to be considered a conflict of interest. He further advised that Mrs. Baigis could ethically vote on this recommendation.

2. Recommend advertising for adoption **Ordinance 1030**, amending Part 3, Chapter 18 of "Sewers and Sewage Disposal" of the Borough Code to incorporate revisions made to the Federal Part 403 Regulations.
3. Recommend the plant engineer prepare the specifications and bid documents to install permanent liquid alum feed pumps, upgrading the existing polymer feed system, and, to install permanent feed pumps for dispensing sodium hypochlorite and sodium bisulfite during high flows.
4. Recommend awarding the contract for the generator at Wells 6 & 7 to the second lowest, responsive bidder Cummins Power at a bid cost of \$46,900. (This award follows a prior award to low bidder Penn Power Systems which is now null and void due to design flaw.)

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

1. The October 2008 WWTP Supervisor's and Engineer's reports were reviewed.
2. Pump-to-waste and water analysis testing is underway at Well 15 (Brookfield Lane). To date, well exploration and development expenditures total \$197,755.05. It is anticipated that an additional \$220-250K in expenditures, budgeted for 2009, will be needed for final well development.
3. Broad Axe Tank external recoating is scheduling for the fall of 2009, with a cost estimate of \$200-250K budgeted in 2009.
4. The bid for the Secondary Feeder replacement was awarded to G.A. Vietri, Inc. (Staff awaits a signed Purchase Order and required bonds.)
5. Drought Emergency conditions currently exist in the Ambler Water franchise area. It is anticipated the conditions will continue through the following month.

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 Wednesday, November 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, Mrs. Baigis, Mr. Amento and Ms. Maxion. Also present: Mayor

Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mr. Kenney and Mr. S. Pasceri.

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

**The Committee will recommend the following:**

1. Recommend that the **October** invoices in the amount of **\$548,205.06** be paid as follows: General (\$119,303.30); Street Lights (\$1,065.78); Fire (\$276.76); Parks & Rec. (\$9,432.00); Water (\$80,575.85); Sewer (\$134,921.52); WWTP (\$98,801.42); Rail Corridor (\$0); Road Overlay (\$10,535.23); Debt Fund (\$1000.00); Water Capital (\$953.59); Liquid Fuels (\$0); with end of month cycle totaling \$89,663.11, voided checks totaling \$1,676.50 and **October** cycle bills totaling \$456,865.45.
2. Recommend adopting **Resolution 2008-19** securing the Planning Contract with the County for a three-year term.
3. Recommend revising and resubmitting the Butler Avenue TEA-21 project.
4. Recommend adopting **Ordinance 1028** setting standards for the use of PODS in the Borough.

**In new business:**

1. Recommend advertising for adoption **Ordinance 1029** Fixing the Real Estate Tax Rate for the fiscal year 2009. (Two versions of this Ordinance were offered, with and without consideration of a new budgetary category for Parks & Rec Director).
2. Recommend consideration for adoption at the December 16 Council Meeting **Resolution 2008-18** appropriating specific sums estimated per the 2009 Budget required for the specific purpose of the municipal government. (Two versions of this Resolution were offered, with and without consideration of a new budgetary category for Parks & Rec Director).

Discussion ensued. It was agreed by Council that Versions 1 of both the Resolution and Ordinance be considered by Council at next month's meeting. Mr. Kenney stated the Finance Committee endeavored to "cut the fat" out of the proposed budget, which would, even with budget cuts, result in the first tax increase in the Borough in four years. As an example, he stated that the police department request for \$45,000 for the purchase of a new vehicle had been eliminated. He added that the Borough should look into leasing as opposed to procuring certain new equipment. On the other hand, Mr. Kenney stated that the resurfacing of the Ambler Saving Lot would improve the quality of the business district and as such this project was listed in the proposed 2009 budget.

Mrs. Baigis asked for an assurance that organizations seeking funding from the Borough be required to provide financial statements. Mrs. Aversa stated that this in fact is a new procedure and that letters from the Finance Manager to such organizations already have been sent out.

Mrs. Pieri offered to return her Council stipend, and Mr. Kenney followed suit, noting that this gesture might be a positive example towards enhancing the Borough's cash flow. Council indicated it would consider taking such an action.

3. Recommendation, upon discussion, to set and advertise the 2009 Meeting Schedule for Council with meetings to be held on the first (Committee Meeting) and third (Council Meeting) Tuesday of each month.
4. Recommendation by the Borough Manager to move Employee/Police Pension Accounts out of their current investment status into a short-term Money Market Account.

Discussion ensued. Mrs. Aversa outlined for Council advice given by the brokerage account manager to move pension assets to money markets as a way of capping the minimal municipal obligation (MMO) due to the pension accounts which would be calculated at the end of the year. Mrs. Aversa stated that to date the pension accounts have suffered a thirty percent loss in the stock market. Chief Foley supported this decision to hold the line on losing assets.

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

1. The Borough Engineer's November 2008 report was reviewed.
2. A draft Ordinance setting standards for the use of dumpsters was sent to the Planning Commissions for review. The County review letter has been received.
3. A draft Resolution setting forth a revised Borough Fee Schedule is being prepared.
4. The FY2009 budget has been advertised, a public meeting will be held on December 2<sup>nd</sup> to accept public comment, and Council will consider adoption of the 2009 Budget at that time.
5. Borough Council will allow directional signage for local businesses throughout the holidays.

Discussion ensued. Solicitor Bresnan stated he had reviewed the Sign Ordinance and had determined that directional signs are exempt from the Ordinance. To meet Code, such signage is exempt as long as it is uniform in appearance and contains directional arrows.

Mr. Isabella asked if there were questions or comments from Council or the public. David Wachs, Ambler Main Street Manager, outlined holiday events scheduled for the month of December. There being no further questions or comments, 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 Wednesday, November 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, Mrs. Baigis, Mr. Amento and Ms. Maxion. Also present: Mayor Wahl, Chief Bill Foley, Solicitor Bresnan and Mrs. Aversa. Absent: Mr. Kenney and Mr. S. Pasceri.

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

**An Executive Session was held.**

The purpose of the Executive Session was to discuss the Police Contract and proposed Salaried Employee salary increases.

**The Committee will make no recommendations at this time.**

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

1. Minutes from the October 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 recommend and Mr. G. Pasceri moves:

Recommend approval of a handicap parking space for the 200 block of Park Avenue, all requirements having been met. Seconded, carried.

**Parks & Recreation Committee** – The Committee will recommend and Mrs. Pieri moves:

Recommend approving Ambler Junior Baseball's request to schedule field use for the 2009 season, following the 2008 schedule with staggered start times. Seconded, carried.

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

Recommend awarding the surveillance system job for the WWTP to Militia Hill Security, Inc. for the amount of \$3,229. Seconded, carried.

Recommend advertising for adoption **Ordinance 1030**, amending Part 3, Chapter 18 of "Sewers and Sewage Disposal" of the Borough Code to incorporate revisions made to the Federal Part 403 Regulations. Seconded, carried.

Recommend the plant engineer prepare the specifications and bid documents to install permanent liquid alum feed pumps, upgrading the existing polymer feed system, and, to install permanent feed pumps for dispensing sodium hypochlorite and sodium bisulfite during high flows. Seconded, carried.

Recommend awarding the contract for the generator at Wells 6 & 7 to the second lowest, responsive bidder Cummins Power at a bid cost of \$46,900. Seconded, carried.

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

Recommend that the **October** invoices in the amount of **\$548,205.06** be paid. Seconded, carried.

Recommend adopting **Resolution 2008-19** securing the Planning Contract with the County for a three-year term. Seconded, carried.

Recommend revising and resubmitting the Butler Avenue TEA-21 project. Seconded, carried.

Recommend adopting **Ordinance 1028** setting standards for the use of PODS in the Borough. Seconded, carried.

Recommend advertising for adoption **Ordinance 1029** (Version 1) Fixing the Real Estate Tax Rate for the fiscal year 2009. Seconded, carried.

Recommend consideration for adoption at the December 16 Council Meeting **Resolution 2008-18** (Version 1) appropriating specific sums estimated per the 2009 Budget required for the specific purpose of the municipal government. Seconded, carried.

Recommendation to set and advertise the 2009 Meeting Schedule for Council with meetings to be held on the first (Committee Meeting) and third (Council Meeting) Tuesday of each month (note: with the exception of the November Committee Meeting to be held Wednesday, November 4<sup>th</sup> due to Election Day conflict.) Seconded, carried.

Recommendation by the Borough Manager to move Employee/Police Pension Accounts out of their current investment status into a short-term Money Market Account. Seconded, carried.

**Salary & Personnel Committee** – Mr. S. Pasceri states the Committee makes no recommendations at this time.

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

Respectfully submitted,

Elizabeth Russell  
Administrative Assistant  
Borough of Ambler