



BOROUGH OF AMBLER

COMMITTEE MEETING APRIL 5, 2016

**PUBLIC SAFETY
PARKS & RECREATION
PUBLIC UTILITIES
FINANCE & PLANNING
SALARY & PERSONNEL**

Public Safety Committee

Tuesday, April 5, 2016

Mr. Curtis, Chairperson

Mrs. Mc Cormick

Mr. Sheward

OLD BUSINESS

NEW BUSINESS

1. **PUBLIC WORKS & CODE REPORT**

The Public Works Report and the Code Enforcement reports are **attached**.

2. **AMBLER AMBULANCE**

The Ambler Ambulance is searching for an Ambler Resident interested in a seat on their Board. Interested Applicants should send a request to Borough Council for consideration.

3. **MATTISON – EUCLID AVENUES, ONE-WAY OPTION**

Enclosed is the Traffic Data for Mattison Avenue. Chief Foley will report on suggestions for both streets to address increased cut-thru volume.

Borough Of Ambler

131 Rosemary Avenue
AMBLER, PENNSYLVANIA 19002

PHONE 215-646-1000
FAX 215-641-1355 ADMINISTRATION
FAX 215-641-1921 WATER DEPARTMENT
WEBSITE: www.boroughofambler.com



March 23, 2016

State Senator Stewart Greenleaf
711 York Road, Suite 1
Willow Grove, PA 19090

Honorable Mary Jo Daley
815 Fayette Street, Suite 200
Conshohocken, PA 19428

RE: St. Mary's Villa Residential Redevelopment
Upper Dublin Township, Montgomery County
Proposed Traffic Signal & Traffic-Related Impact

Good Morning:

I am writing to make you aware of Ambler Borough's concerns regarding traffic-related issues that will result from a high-density residential development project underway in neighboring Upper Dublin Township.

Borough of Ambler is aware of Upper Dublin Township's determination to install a traffic signal at **Mattison Avenue & Bethlehem Pike**. Ambler Borough has employed Gilmore & Associates, Inc., an engineering and consulting services firm, to review the Transportation Impact Study prepared by McMahon Associates to identify the transportation impact upon the Borough.

Upon careful analysis, it is our recommendation that the proper location for a new traffic signal is at **Lindenwold Avenue & Bethlehem Pike**, and not where the Township proposes to install the signal. For your convenience, I have attached Gilmore & Associates' June 11, 2015 review letter and have summarized our engineer's recommendations as follows:

1. Existing and projected traffic volumes at Mattison Avenue are not high enough to warrant the installation of a traffic signal.
2. Existing pedestrian and vehicular traffic volumes are higher at Lindenwold Avenue.

3. Lindenwold Avenue provides a direct connection between Bethlehem Pike and Butler Pike.
4. The intersection of Bethlehem Pike and Lindenwold Avenue has a significantly higher crash rate.
5. Upper Dublin's Subdivision and Land Development Ordinance requires that the development take access to Lindenwold Avenue instead of at a new intersection on Bethlehem Pike at Mattison Avenue.
6. The developer has claimed that providing access to Lindenwold Avenue would disrupt the existing stone wall on the edge of the property and is therefore infeasible. However, a large section of this wall would need to be removed to construct a signal at Mattison Avenue and this argument is without merit.

Final determination of access by vehicular traffic through the Borough of Ambler must more carefully consider the impact of this development upon the residents of Ambler. Borough of Ambler seeks your support to remedy this situation.

Please let me know if you have any question or require any additional information.

Thank you,



Mary Aversa
Ambler Borough Manager

cc: State Rep. Todd Stephens (151st District)
State Rep. Thomas P. Murt (152nd District)
State Rep. Madeleine Dean (153rd District)
State Sen. Vincent Hughes (7th Sen. District)

Parks & Recreation Committee

Tuesday, April 5, 2016
Mr. DeRuosi, Chairperson
Mrs. Deininger
Ms. Hertz

OLD BUSINESS

1.

NEW BUSINESS

1. **BOROUGH HALL RENTAL**

Staff will be preparing pricing and terms for rental of the Borough Gym and will present to Council for consideration.

2. **CRTIERIUM BIKE RACE**

A request will be made to give approval for the Bike Race again this August.

3. **YMCA EVENTS**

There will a Family Fun Night event in cooperation with the YMCA on April 8th, from 6:30 - 8:00pm. All are welcome to attend. **(attached)**

4. **AMBLER YMCA NIGHT PARK CAMP**

Registration will be held for Borough residents on Wednesday May 4th, from 5-7 pm at Borough Hall.



**BOROUGH OF
AMBLER**

AMBLER BOROUGH FAMILY FUN NIGHT

Friday, April 8th, 6:30–8:00 p.m.
Ambler Borough Hall



Come celebrate spring with the
Borough of Ambler and the
Ambler Area YMCA!

Bring your family and join us for a night
of Sports, Games and lots of fun!
Snacks will be provided.



**Learn about our
Knights Park Summer Camp
and how you can register!**

For more information contact
Christie Dunning at
cdunning@philaymca.org

This event is for families living in the Borough of Ambler.
Parents must remain with their children for the duration of the event.

Ambler Area YMCA

1325 McKean Road Ambler, PA 19002 • 215-628-9950 • philaymca.org

Public Utilities Committee

Tuesday, April 5, 2016
Mr. Pasceri, Chairperson
Mr. Curtis
Mr. Zaccone

OLD BUSINESS:

1.

NEW BUSINESS

1. BOROUGH ENGINEER REPORT

The Engineer's report will be provided.

2. CROWN CASTLE ANTENNAS

A Conditional Use Hearing will be scheduled for Crown Castle. The advertisement for this application will be placed in the Gazette on April 3rd and April 10th for the Hearing before Council at the meeting on May 3rd at 6:30pm. (Enclosed)

3. ANNUAL HYDRANT FLUSHING

Water Department will undertake hydrant flushing at nights from April 4 – May 2. Areas scheduled to be flushed will be listed as "Announcements" on the Borough website. Announcements will updated daily.

4. WELL 8 CHLORINE CONTACT TANK BID

Bid opening for this project is scheduled for April 12. Engineers will review the submitted bids and a recommendation to award will be made at the April Council Meeting.

5. LOCH ALSH CURB & SIDEWALK REPAIRS

The curb and sidewalk at Loch Alsh Dam are in need of replacement. This is part of an agreement with Upper Dublin from 1970. The **attached** is a cost estimate and a contribution of 6k is requested.

MEMEO

To; Paul Leonard

CC; Andy Fowler, Jerry Smith

RE; Loch Alsh Reservoir Concrete Replacement Estimate

From; Ralph C Alessandrini

Date; 31 March 2016

| | | |
|------------------------|----------------------------------|--------------------|
| 4" sidewalk | 1084s.f. x \$10.00 @ s.f. | \$10,840.00 |
| 6" sidewalk | 184 s.f. x 16.00 @ s.f. | \$ 2944.00 |
| 6" apron | 196 s.f. x \$16.00 @ s.f. | \$3136.00 |
| 98 l.f. of curb | x \$65.00 @ l.f. | \$6370.00 |
| | Total | \$23,290.00 |

Finance & Planning Committee

Tuesday, April 5, 2016
Mr. Sheward, Chairperson
Mr. DeRuosi
Ms. Tomlinson

OLD BUSINESS

1. **ROSE VALLEY CREEK ORDINANCES**

The Planning Commission recommendation letters for the Rose Valley Creek Conservation District Ordinances are **enclosed**. The Steep Slope / Riparian Ordinances will be advertised for a hearing scheduled for the Committee meeting on May 3rd.

2. **BOROUGH VEHICLES**

Staff will prepare an advertisement to accept Bids for the vehicles that are being replaced.

NEW BUSINESS

1. **BOROUGH ENGINEER'S REPORT**

The Borough Engineer's report is **attached**.

2. **CDBG GRANT APPLICATION – BETHLEHEM PIKE SIDEWALKS**

Recommend adoption of **Resolution 2016-03** to authorize Application to the Montgomery County Housing & Community Development CDBG Program for sidewalk installation along Bethlehem Pike. [Application is due 4/15/16 – adoption of Resolution is requested at April 6 Committee Meeting. (**attached**)

3. **RATIFICATION OF COUNTY REVISED MUNICIPAL WASTE MGMT PLAN**

Consider adoption of **Resolution 2016-04** ratifying the County's Revised Municipal Waste Management Plan which was adopted on March 3, 2016. (**attached**)

4. **BOROUGH PROPERTY**

The Borough is now the legal owner of the property at the corner of Butler and Park in front of the CVS Parcel. A recommendation is requested to send this to the Borough Planning Commission to provide input on potential uses for the parcel.

5. **HUMAN RELATIONS COMMISSION**

The **attached** Ordinance was prepared for Council to consider adopting to establish a Human Relations Commission and declares it to be a violation to discriminate in employment or public housing on the basis of, among other things, sexual orientation.

6. **AMENDING THE BOROUGH ZONING ORDINANCE TO REMOVE CERTAIN SPECIAL EXCEPTION USES FROM THE BOROUGH'S RESIDENTIAL ZONING DISTRICTS,**

A request for Council to consider an Ordinance that certain uses permitted by special exception in the Borough's residential zoning districts should be permitted only in the Institutional zoning district given the inventory of institutionally zoned parcels and because adding non-residential uses in fully developed residential neighborhoods would be inconsistent with the overall feel of such neighborhoods. **(attached)**

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JOSH SHAPIRO, CHAIR
VALERIE A. ARKOOSH, MD, MPH, VICE CHAIR
JOSEPH C. GALE



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
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610-278-3722
FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

March 23, 2016

Mr. Glenn Kucher, Zoning Code Officer
The Borough of Ambler
131 Rosemary Avenue
Ambler, PA 19002

Re: MCPC #16-0059-001
Planting Requirements Riparian Buffer Ordinance
The Borough of Ambler

Dear Mr. Kucher:

We have reviewed the above-referenced subdivision and land development ordinance text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on March 4, 2016. We forward this letter as a report of our review.

BACKGROUND

The Borough of Ambler is proposing a text amendment to the Borough's Subdivision and Land Development Ordinance (SALDO) to add a new subsection that will set forth planting requirements for areas within the proposed Rose Valley Creek Riparian Corridor Conservation District (RCCD). The proposed text will provide planting requirements that are intended to further the goals of the proposed RCC overlay; these requirements will only be applicable to new plantings as required by the proposed RCCD. The purpose of the proposed amendment is to ensure that new plantings within the RCCD are done in such a manner that maximizes the benefit of vegetation within the corridor on water quality, and in a manner that is consistent with riparian buffer best management practices (BMPs).

COMPREHENSIVE PLAN COMPLIANCE

Montgomery County's Comprehensive Plan, *Montco 2040: A Shared Vision*, includes many goals that are intended to improve and protect waterways, water quality, and stormwater management efforts throughout the County. The proposed SALDO amendment serves as a complimentary text to the proposed



Rose Valley Creek Riparian Corridor Conservation District and, in conjunction with the proposed zoning amendment, it will help to achieve the following specific *Montco 2040* goals:

- **“Improve stormwater management and reduce the impact of flooding”**
Adhering to planting requirements which are meant to create and/or strengthen riparian corridors will work to mitigate the effects of stormwater. Properly planted riparian corridors intercept stormwater runoff before it enters a waterway, and they help to both slow the velocity of the water, as well as to filter out many of the pollutants commonly found in runoff before it enters a waterway.
- **“Conserve natural resources, environmentally-sensitive areas, and farmland”**
Providing appropriate vegetative buffers, i.e. in the form of riparian buffers, is an important step that municipalities can take in their efforts to protect wetlands and waterways. The proposed riparian corridor planting requirements would work to protect these important natural resources within the Borough, and would help to improve water quality on a regional scale.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) supports the Borough’s proposal without comment as we have found it to be generally consistent with the following plans:

- *Montco 2040: A Shared Vision (2015)*
- *Ambler Borough Comprehensive Plan Update (2013)*
- *Ambler Borough Open Space Plan (2006)*

We would like to reiterate the importance of density and diversity in creating successful riparian buffer corridors, and we recommend that the Borough emphasize these concepts when overseeing riparian corridor plantings. For example, including smaller trees and shrubs in plantings, and ensuring diversity among those species which are appropriate for riparian areas, will contribute greatly to the success of the riparian buffer and will reduce maintenance needs.

We have no additional comment as we have demonstrated that the proposed SALDO text amendment to provide planting requirements for areas within the proposed Rose Valley Creek Riparian Corridor Conservation District will further County, regional, and municipal goals which seek to implement BMPs to address issues of water quality and stormwater management.

CONCLUSION

We wish to reiterate that MCPC generally supports the Borough’s proposed Subdivision and Land Development Ordinance text amendment as the inclusion of specific planting requirements for areas within the proposed Rose Valley Creek Riparian Corridor Conservation District will be key to its success as a mechanism to improve water quality and mitigate the impacts of stormwater runoff within the Wissahickon Creek Watershed.

Please note that the review recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve the proposed Subdivision and Land Development Ordinance text amendment, Section 602 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren Van Dyk".

Lauren Van Dyk, Community Planner
lvandyk@montcopa.org
610-278-3749

c: Mary Aversa, Borough Manager
Joseph Bresnan, Esq., Borough Solicitor
Jim Dougherty, Borough Engineer

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER _____

**AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING ITS SUBDIVISION
AND LAND DEVELOPMENT ORDINANCE, APPENDIX "B", BY ADDING
PLANTING REQUIREMENTS WITHIN THE RIPARIAN CORRIDOR AS DEFINED
IN THE BOROUGH ZONING ORDINANCE**

WHEREAS, the Borough of Ambler has prepared and is in the process of adopting amendments to its floodplain ordinance, creating a riparian corridor and establishing various criteria for activities and development within such corridor, and

WHEREAS, in connection with such new regulations, the Borough wishes to establish certain specific planting requirements for those instances when the riparian corridor ordinance requires plantings on the part of property owners within such corridor,

NOW THEREFORE, there is added to Appendix "B" of the Borough Subdivision and Land Development Ordinance a new section, 1004.B, the text of which shall be as follows:

Section 100.4B Riparian Corridor Planting Requirements

A. Purpose and Application. In areas within the Riparian Corridor Conservation District, as defined in the Ambler Borough Zoning Ordinance, the edge of water features and stream corridors shall be in forest cover to further the ecological and environmental benefits, as stated in the Riparian Corridor Conservation District (RCC). To promote re-establishment of forest cover and woodland habitat, new tree planting shall be implemented in Zone 1 wherever existing trees do not meet the minimum tree planting requirements.

B. Planting Requirements in the RCC:

- (1) New trees shall be planted at a minimum rate of 15 feet on center or one tree per 225 square feet in staggered rows or an equivalent informal arrangement within the area defined as Zone 1 by the RCC.
- (2) New trees shall be a variety of sizes ranging from a minimum 4 to 5 foot branched whip to an approximate 1 1/2 " balled and burlapped planting stock.
- (3) New tree plantings shall be composed of native tree species.
- (4) Tree plantings shall be located along the streambank to provide shade for the stream, soil erosion control and stormwater benefits, according to accepted streambank restoration practices.
- (5) Existing trees within Zone 1 shall be preserved and retained. Existing tree cover should be surveyed and inventoried to assess the need for any new plantings.

The remainder of Appendix "B" shall remain in full force and effect, unaffected by this ordinance. Effective upon adoption.

SO ORDAINED this ___ day of _____, 2016.

Salvatore Pasceri, Council President

ATTEST: _____
Mary Aversa, Secretary

APPROVED: _____
Jeanne Sorg, Mayor

Borough Of Ambler

131 EAST BUTLER AVENUE
AMBLER, PENNSYLVANIA 19002-4476

PHONE 215-646-1000
FAX 215-641-1355 ADMINISTRATION
FAX 215-641-1921 WATER DEPARTMENT
WEBSITE: www.ambler.pa.us



Memorandum

To: Ambler Borough Council
Mary Aversa, Borough Manager

From: Glenn Kucher, Code Enforcement Officer

Date: March 31, 2016

Re: Draft Ordinances Regarding Borough Riparian Corridor Conservation District and Steep Slopes along with associated planting requirements

At the direction of Council, the Borough Planning Commission has been working on draft language for the possible adoption of environmental Ordinances to protect the Borough's natural resources since early 2015. The draft Ordinance was prepared by the Montgomery County Planning Commission with assistance and input from the Borough Planning Commission, Borough EAC, residents, and Borough staff. Below is a tentative schedule for consideration of adoption of these ordinances as followed:

- Recommended approval from the Borough Planning Commission on February 23, 2016
- Officially reviewed by the Montgomery County Planning Commission on March 23, 2016
- Possible motion to advertise from Council at the April 5, 2016 Committee meeting
- Public Hearing would then be advertised for the May 3rd Committee meeting.

Feel free to contact me with any questions or comments. Thank you for your input and assistance with this matter.

AMBLER BOROUGH

| Project No. | Project Name | Status |
|-------------------------|--|---|
| Borough Engineer | | |
| 2001-1010 | TEA-21 - Ambler Streetscape 2002 | Construction underway. |
| 2003-0122-01 | Ambler-2013 NPDES MS4 Permit | Revised TMDL Strategy provided to Ambler 12/16/15 for submission to PADEP. Progress Report due 5/13/2016. |
| 2006-08054 | Pedestrian Sidewalk Upgrade Program | Plan revision underway for resubmission to DVRPC. Anticipate letting Fall 2016. |
| 2011-01116-01 | Glen Mawr Homes-Edgewood SD | Review of revised Lot 14, Edgewood Dr provided 1/22/16. |
| 2011-05036 | Bottom Dollar-Site | Construction complete. Punch list items to be addressed. TCO issued. LOMR-F approved, tentative effective date 4/3/15. |
| 2012-11029 | Ambler Savings Bank - Land Development | Construction underway. |
| 2013-02020 | Ambler Crossings | Borough Council granted conditional use approval and prelim/final land development approval at the 10/15/13 public meeting. |
| 2014-04103 | Wissahickon Act 167 Plan (Ambler) | Act 167 Plan approved by MontCo and PADEP. New storm water ordinance required to be adopted by 1/18/16. Ordinance provided 12/4/15. |
| 2014-11055 | 2015 Ambler Road Program | Project completed. Final completion report to be submitted to PennDOT Municipal Services (Liquid Fuels) |
| 2014-12015 | St. Mary's Villa Residential Redevelopment - TIS | Meetings with PennDOT, Developer & Ambler held 3/2/15 & 9/15/15. TIS review provided 6/11/15. |
| 2015-06011 | 2015 Growing Greener Grant Application (Ambler) | Application for installation of water quality inlets submitted 7/9/15. |
| 2016-01010 | 2016 Ambler Borough-General Services | Hendricks/Rose Valley bridge evaluation. |
| 2016-02064 | Crown Castle DAS | CU application under review by Borough |
| 2016-03049 | 2016 Ambler Borough CDBG Application | preparation of application underway, Due 4/15/2016 |
| Sewer Engineer | | |
| 2012-11029-01 | Ambler Savings - Sewer | Sewer connection completed. |
| 2013-02020-01 | Ambler Crossings - Sewer | Plan review #3 issued 10/16/13. Borough Council granted conditional use approval and prelim/final land development approval at the 10/15/13 public meeting. |
| 2015-01050 | Ambler Borough General Sewer Services | On-going |
| 2015-03058 | 2015 CDBG Application | CDBG application for sanitary sewer rehabilitation submitted to the County. |
| 2015-09081 | Hendricks Street Sewer Rehabilitation | Design underway to stabilize exposed sewer in creek bed. |
| 2016-01050 | Ambler Borough General Sewer Services | On-going |

AMBLER BOROUGH

| Project No. | Project Name | Status |
|-----------------------|---|---|
| Sewer Engineer | | |
| 2016-04041 | Chapter 94 Report | Chapter 94 report completed and submitted to EEMA. |
| Water Engineer | | |
| 2012-11029-02 | Ambler Savings - Water | Water connection completed. |
| 2013-02020-02 | Ambler Crossings - Water | Plan review #3 issued 10/16/13. Borough Council granted conditional use approval and prelim/final land development approval at the 10/15/13 public meeting. |
| 2014-06020 | Sprint Houston Road Antennae Modifications | Conditional approval to repair antennae mounts issued by email dated 1/28/15. |
| 2015-01049 | Ambler Borough General Water Services | On-going |
| 2015-02008 | Montgomery County Houston Road Antennae Modifications | Work underway. |
| 2015-05095 | Well 8 Chlorine Contact Tank | Authorization to prepare bid documents received from Council on June 16, 2015. Work underway. |
| 2015-05096 | John's Lane Water Main Replacement | Water main installation completed and satisfactorily pressure tested and disinfected. Abandonment of existing main and surface restoration still required. |
| 2015-10079 | Marion Avenue Water Main Replacement | Design completed. Request for quotes issued 11/23/15. |
| 2015-10081 | Houston Rd Verizon Antennae Modification | Plans for replacement and modification of antennae array reviewed and approved. Installation to begin following completion of Montgomery County work. |
| 2016-01040 | DRBC Annual Water Audit | |
| 2016-01049 | Ambler Borough General Water Services | On-going |

**BOROUGH OF AMBLER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-03

**GRANT APPLICATION TO MONTGOMERY COUNTY
HOUSING & COMMUNITY DEVELOPMENT CDBG PROGRAM FOR
NORTH BETHLEHEM PIKE SIDEWALK INSTALLATION**

WHEREAS, the Borough of Ambler is a densely-populated Borough situated along the rail corridor, with major commuter thoroughfares to and through the business district along Butler Avenue and Bethlehem Pike; and

WHEREAS, the Borough Council of the Borough of Ambler wishes to enhance the quality of life of our residents, many of whom do not own vehicles, by providing them with a safer, more walkable community; and

WHEREAS, the Borough Council of the Borough of Ambler has identified the need for the installation of sidewalks where none currently exist along highly-trafficked Bethlehem Pike to enable residents to walk to public transportation and to businesses located in the downtown area; and

WHEREAS, the Borough Council of the Borough of Ambler has determined that this public infrastructure improvement would benefit low and moderate income persons in the identified residential area.

NOW, THEREFORE, BE IT RESOLVED that Borough Council of the Borough of Ambler hereby authorizes the Borough Manager to file with the Montgomery County Housing & Community Development CDBG (Community Development Block Grant) program an application, including all understandings and assurances contained therein, for *North Bethlehem Pike Sidewalk Installation* and further authorizes the Borough Manager as the official representative of the application to act in connection with the application and to provide such additional information as may be required.

AND BE IT FURTHER RESOLVED that Borough Council of the Borough of Ambler hereby acknowledges that it will pay any engineering costs as matching funds.

ADOPTED this *5th day of April 2016* by Borough of Ambler Council.

Salvatore Pasceri
Ambler Borough Council President

Jeanne Sorg
Ambler Borough Mayor

Mary Aversa
Secretary

OPINION OF PROBABLE COST



GILMORE & ASSOCIATES, INC.
REGISTERED PROFESSIONAL ENGINEERS

CLIENT: Ambler Borough
PROJECT NAME: 2016 CDBG Application: North Bethlehem Pike Sidewalk Installation
G&A PROJECT #: 2016-03049

Mar/24/2018

| ITEM NO. | ITEM ID | ITEM | UNIT | QUANTITY | UNIT COST | EXTENDED COST |
|---|---------|--|------|----------|--------------|---------------|
| COMMON ITEMS | | | | | | |
| Site Preparation | | | | | | |
| 1 | B1 | Maintenance and Protection of Traffic/ Pedestrian Bypass | LS | 1 | \$ 12,000.00 | \$ 12,000.00 |
| 2 | B2 | E&S Controls | LS | 1 | \$ 6,000.00 | \$ 6,000.00 |
| 3 | B3 | Clearing and Grubbing | LS | 1 | \$ 3,500.00 | \$ 3,500.00 |
| 4 | B4 | Stockpile Topsoil | LS | 1 | \$ 2,000.00 | \$ 2,000.00 |
| 5 | B5 | Site Grading | LS | 1 | \$ 3,000.00 | \$ 3,000.00 |
| 6 | B6 | Respread Topsoil, Seeding, Mulching & Landscaping | LS | 1 | \$ 3,000.00 | \$ 3,000.00 |
| 7 | B7 | Excavation | LS | 1 | \$ 20,000.00 | \$ 20,000.00 |
| Common Items Subtotal | | | | | | \$ 49,500.00 |
| SIDEWALK INSTALLATION: HECKLER ST TO FAIRVIEW AVE | | | | | | |
| Concrete | | | | | | |
| 7 | B7 | ADA Compliant Sidewalk (5' Wide) | SY | 120 | \$ 110.00 | \$ 13,200.00 |
| 8 | B8 | Vertical Concrete Curb | LF | 200 | \$ 50.00 | \$ 10,000.00 |
| 9 | B9 | ADA Compliant Ramps | EA | 3 | \$ 1,750.00 | \$ 5,250.00 |
| Road | | | | | | |
| 11 | B11 | Road Restoration | SY | 45 | \$ 80.00 | \$ 3,600.00 |
| Misc. | | | | | | |
| 12 | B12 | Remove & Replace: Stairs | LS | 1 | \$ 1,000.00 | \$ 1,000.00 |
| 13 | B13 | Remove & Replace: Shrubs | LF | 180 | \$ 80.00 | \$ 12,800.00 |
| 14 | B14 | Relocation: Utility Poles | EA | 2 | \$ 20,000.00 | \$ 40,000.00 |
| Sidewalk Heckler to Fairview Subtotal | | | | | | \$ 85,850.00 |
| SIDEWALK INSTALLATION: FAIRVIEW AVE TO FOREST AVE | | | | | | |
| Concrete | | | | | | |
| 15 | B15 | ADA Compliant Sidewalk (5' Wide) | SY | 150 | \$ 110.00 | \$ 16,500.00 |
| 16 | B16 | Vertical Concrete Curb | LF | 300 | \$ 50.00 | \$ 15,000.00 |
| 17 | B17 | ADA Compliant Ramps | EA | 2 | \$ 1,750.00 | \$ 3,500.00 |
| 18 | B18 | Concrete Driveway Apron | SF | 380 | \$ 20.00 | \$ 7,600.00 |
| Road | | | | | | |
| 19 | B19 | Road Restoration | SY | 70 | \$ 80.00 | \$ 5,600.00 |
| Misc. | | | | | | |
| 20 | B20 | Remove & Replace: 4' Picket Fence | LS | 120 | \$ 20.00 | \$ 2,400.00 |
| 21 | B21 | Remove & Replace: 8' Private Fence | LS | 50 | \$ 20.00 | \$ 1,000.00 |
| 22 | B22 | Remove & Replace: 4' Stone Wall | LS | 130 | \$ 400.00 | \$ 52,000.00 |
| 23 | B23 | Remove & Replace: Tree Removal | EA | 15 | \$ 400.00 | \$ 6,000.00 |
| 24 | B24 | Relocation: Utility Poles | EA | 1 | \$ 20,000.00 | \$ 20,000.00 |
| Sidewalk Fairview to Forest Subtotal | | | | | | \$ 129,600.00 |
| SIDEWALK INSTALLATION: FOREST AVE TO VALLEY BROOK ROAD | | | | | | |
| Concrete | | | | | | |
| 25 | B25 | ADA Compliant Sidewalk (5' Wide) | SY | 310 | \$ 110.00 | \$ 34,100.00 |
| 26 | B26 | Vertical Concrete Curb | LF | 550 | \$ 50.00 | \$ 27,500.00 |
| 27 | B27 | ADA Compliant Ramps | EA | 2 | \$ 1,750.00 | \$ 3,500.00 |
| Road | | | | | | |
| 28 | B28 | Road Restoration | SY | 125 | \$ 80.00 | \$ 10,000.00 |
| Misc. | | | | | | |
| 29 | B29 | Remove & Replace: Wooden Fence | LF | 40 | \$ 50.00 | \$ 2,000.00 |
| 30 | B30 | Relocation: Utility Poles | EA | 4 | \$ 20,000.00 | \$ 80,000.00 |
| Sidewalk Forest to Valley Brook Subtotal | | | | | | \$ 157,100.00 |
| SUBTOTAL - CONSTRUCTION | | | | | | \$ 422,050.00 |
| CONTINGENCY | | | | | | \$ 84,410.00 |
| TOTAL - CONSTRUCTION | | | | | | \$ 506,460.00 |

| | | | |
|---|------------|-------------|----------------------|
| INFLATION | 3% | 2016 | \$ 506,460.00 |
| | | 2017 | \$ 521,653.80 |
| | | 2018 | \$ 537,303.41 |
| MOBILIZATION | 10% | | \$ 50,646.00 |
| ENGINEERING | 12% | | \$ 60,775.20 |
| CONTRACT MANAGEMENT / INSPECTION | 10% | | \$ 50,646.00 |
| SURVEY | 3% | | \$ 15,193.80 |
| TOTAL - CONSTRUCTION & ENGINEERING | | 2016 | \$ 683,721.00 |
| | | 2017 | \$ 704,232.83 |
| | | 2018 | \$ 726,359.61 |

NOTES:

1. For budget estimate only. Concept plan generated based on aerial imagery and County LIDAR mapping.
2. Additional Right of way or easements will be required

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JOSH SHAPIRO, CHAIR

VALERIE A. ARKOOSH, MD, MPH, VICE CHAIR

JOSEPH C. GALE



**MONTGOMERY COUNTY
PLANNING COMMISSION**

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NORRISTOWN, PA 19404-0311
610-278-3722

FAX: 610-278-3941 • TDD: 610-631-1211
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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

March 8, 2016

SUBJECT: 2016 Municipal Waste Plan

TO: Municipal Managers/Secretaries

FROM: Drew Shaw, Environmental Planning Section Chief

The 2015 Montgomery County Municipal Waste Plan Revision was adopted on March 3, 2016, and is being provided to you on the enclosed disk for ratification.

The draft plan revision, completed under The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101), contains information on the county municipal waste management system, municipal solid waste generation volumes and waste disposal needs in Montgomery County through 2025, designated facilities for accepting and processing or disposing of this waste, and the county recycling program.

The 90-day comment period for the draft plan ended on Dec 11, 2015, and a public hearing was held on February 18, 2016. No comments requiring revision to the draft plan revision were received, and the plan was adopted by the Montgomery County Commissioners at the March 3, 2016 Commissioner Meeting. Following the adoption process prescribed in Act 101, the adopted plan is now being distributed for the 90-day ratification period, which will begin on March 10, 2016, and end on June 7, 2016. The plan will be submitted to PADEP for approval once it has been ratified by more than one-half of the municipalities representing more than one-half of the County's 2010 population. Municipal ratification is by resolution (the disk contains a sample resolution), or by the municipality taking no action by the June 7 deadline.

The resolution of ratification, once passed by the municipality, can be submitted to Drew Shaw, AICP, Environmental Planning Section Chief via email at: dshaw@montcopa.org, or by mail at Montgomery County Planning Commission, P. O. Box 311, Norristown, PA 19404-0311.

RESOLUTION 2016-04
BOROUGH OF AMBLER, MONTGOMERY COUNTY, PENNSYLVANIA
FOR RATIFICATION OF THE REVISED MUNICIPAL WASTE
MANAGEMENT PLAN

WHEREAS, the Municipal Waste Planning, Recycling and Waste Reduction Act of the Commonwealth of Pennsylvania, Act 101 of July 28, 1988, was enacted to empower and assign the duty of counties to develop and implement municipal waste management plans and other wise assure adequate capacity for municipal waste which is generated in their boundaries, and to empower and assign the duty to each municipality other than the county, to assure the proper and adequate transportation, collection and storage of municipal waste generated within its boundaries; and

WHEREAS, pursuant to Act 101, Montgomery County has developed, duly adopted and implemented a municipal waste management plan for Montgomery County; and

WHEREAS, in accordance with Act 101, the Commissioners of Montgomery County established a Municipal Waste Advisory Committee to review and update the existing municipal waste management plan; and

WHEREAS, the Municipal Waste Advisory Committee has developed a municipal waste management plan revision that addresses the availability of disposal capacity and support of municipal recycling programs; and

WHEREAS, the Commissioners of Montgomery County adopted the Plan revision on March 3, 2016; and

WHEREAS, Act 101 provides that the Municipal Waste Plan Revision may serve as the amended county policy with respect to municipal waste upon ratification by more than one-half of the municipalities representing more than one-half of the County's 2010 population.

THEREFORE BE IT RESOLVED, that this municipality does hereby ratify the 2015 Municipal Waste Management Plan Revision as adopted by the Montgomery County Commissioners.

SO RESOLVED this _____ day of _____, 2016.

Salvatore Pasceri, Council President

Mary Aversa, Secretary

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE BOROUGH OF AMBLER, ADDING A NEW SUB-PART "D" TO PART 3 OF CHAPTER 1, REGARDING AUTHORITIES, BOARDS AND COMMISSIONS, TO PROVIDE FOR THE CREATION OF THE AMBLER BOROUGH HUMAN RELATIONS COMMISSION, AND TO PROHIBIT DISCRIMINATION IN HOUSING, COMMERCIAL PROPERTY, EMPLOYMENT AND PUBLIC ACCOMMODATIONS ON THE BASIS OF ACTUAL OR PERCEIVED RACE, COLOR, RELIGIOUS CREED, ANCESTRY, SEX, NATIONAL ORIGIN, HANDICAP OR DISABILITY, USE OF GUIDE OR SUPPORT ANIMALS BECAUSE OF THE BLINDNESS, DEAFNESS OR PHYSICAL HANDICAP OF THE USER OR BECAUSE THE USER IS A HANDLER OR TRAINER OF SUPPORT OR GUIDE ANIMALS, OR BECAUSE OF AN INDIVIDUAL'S SEXUAL ORIENTATION, GENDER IDENTITY OR GENDER EXPRESSION; PROVIDING DEFINITIONS; AND PROVIDING PENALTIES

WHEREAS, the public policy of the United States of America, and the Commonwealth of Pennsylvania is grounded in the concept that all individuals are entitled to equality and equal protection under law, *United States Constitution*, Amendment 14; *Constitution of the Commonwealth of Pennsylvania*, Article I, §§ 26, 28; and

WHEREAS, The Borough Council of the Borough of Ambler finds that the population of the Borough is reflective of the general population of the United States, in that it consists of a diverse array of persons representing different characteristics based upon actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

WHEREAS, the Borough prides itself on the diversity of its citizens and residents, and the harmonious relations which have been fostered in the Borough by a widely practiced and recognized attitude of respect among all citizens of The Borough of Ambler; and

WHEREAS, The Borough Council finds that the direct and secondary negative effects of discrimination and discriminatory practices involving the personal characteristics described above in matters of employment, housing, commercial property and public accommodation are well documented nationally; and

WHEREAS, the practice or policy of engaging in discrimination or discriminatory practices against any individual or group, because of actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or

support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression is a matter of highest public concern, and constitutes a paramount threat to the rights, privileges, peace and good order of the citizens of Borough of Ambler and to guests and visitors of Ambler Borough, that undermines the basic tenets of our freedom as citizens of the United States, and is utterly without place in this Borough, which has a storied tradition of fiercely defending the individual rights of its citizens; and

WHEREAS, The Ambler Borough Council desires to establish and adopt an official policy of non-discrimination in the Borough of Ambler, in all matters involving employment, housing and commercial property, and public accommodation;

NOW THEREFORE, be it, and it is hereby **ORDAINED** by the Borough Council of the Borough of Ambler, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION I Short Title.

This Ordinance shall be known as the "Ambler Borough Human Relations Ordinance."

SECTION II Purpose and Declaration of Policy.

A. The Borough of Ambler finds that it is of high public importance to adopt appropriate legislation to insure that all persons, regardless of actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap, use of guide or support animals because of blindness, deafness or physical handicap of the user or the user is a handler or trainer of support or guide animals, or sexual orientation, gender identity or gender expression enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing and public accommodation.

B. The Borough Council of The Borough of Ambler hereby declares it to be the public policy of the Borough to foster equality and equal opportunity for all citizens, regardless of actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression in all matters effecting employment, housing and commercial property and public accommodation, and to safeguard the right of all persons to remain free of discrimination or discriminatory practices in any of the foregoing aspects of their lives.

C. Nothing in this Ordinance shall be construed as supporting, endorsing or advocating any particular doctrine, point of view, or religious belief. On the contrary, it is the express purpose and intent of this Ordinance that all persons be treated fairly and

equally, and that all persons in the Borough of Ambler shall be guaranteed fair and equal treatment under law.

D. This Ordinance shall be deemed an exercise of the police power of the Borough of Ambler, as provided under the Pennsylvania Borough Code, for the protection of the public welfare, prosperity, health and peace of the community of Ambler Borough.

SECTION III Definitions.

The following words and phrases, when appearing in this Ordinance, shall have the meanings given to them under this Section.

1. **BOROUGH:** The Borough of Ambler, Montgomery County, Pennsylvania.

2. **BOROUGH COUNCIL:** The elected Borough Council of the Borough of Ambler, Montgomery County.

3. **DISCRIMINATION:** Any discriminatory act(s) taken by any person, employer, entity, employment agency, or labor organization, with respect to or involving a transaction related to employment, public accommodations, on the basis of a person's actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

4. **DISCRIMINATORY ACTS:** All acts or actions defined in the Pennsylvania Human Relations Act as unlawful discriminatory practices as related to employment, public accommodations, publicly offered commercial property or housing accommodations actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals; OR, though not set forth in the Pennsylvania Human Relations Act, because of an individual's sexual orientation, gender identity or gender expression.

A. **EMPLOYMENT:** The opportunity for an individual to obtain employment for which he is qualified.

B. **PUBLIC ACCOMMODATION:** The opportunity for an individual to access food, beverages or lodging, resort or amusement which is open to, accepts or solicits the patronage of the general public, but shall not include any accommodations which are in their nature distinctly private.

C. **COMMERCIAL PROPERTY OR HOUSING:** The opportunity for an individual to obtain any commercial property or housing accommodation for which he is qualified.

The above rights are hereby recognized as and declared to be a civil right which shall be enforceable as set forth in Section 4 of the Pennsylvania Human Relations Act.

5. **GENDER IDENTITY OR EXPRESSION:** Self-perception, or perception by others, as male or female, including an individual's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or assigned sex at birth, and shall include, but is not limited to, persons who are undergoing or who have completed sex reassignment, are transgender or gender variant.

6. **EMPLOYEE:** Does not include any individuals who, as a part of their employment, reside in the personal residence of the employer.

7. **EMPLOYER:** The term "employer" includes the Borough, its departments, boards and commissions, and any other governmental agency or school district thereof and any person employing four or more persons within the Borough, but except as hereinafter provided, does not include religious fraternal, charitable or sectarian corporations or associations, except such corporations or associations supported, in whole or in part, by governmental appropriations.

8. **ORDINANCE:** This Ordinance, which shall be referred to as the "Ambler Borough Human Relations Ordinance."

9. **PERSON:** Any natural person, fraternal, civic or other membership organization, corporation, general or limited partnership, proprietorship, limited liability company, or similar business organization, including the Borough, its departments, boards and commissions, and any other for-profit and nonprofit organization.

10. **SEXUAL ORIENTATION:** Actual or perceived homosexuality, heterosexuality and/or bisexuality.

11. Any terms of this Ordinance not expressly defined herein shall be construed in a manner consistent with the Pennsylvania Human Relations Act.

SECTION IV Unlawful Practices

A. Discrimination in employment, housing and commercial property or any public accommodation is prohibited under this Ordinance.

B. Retaliation against any individual because such person has opposed any practice forbidden by this Ordinance, or because such person has made a charge, testified,

or assisted in any manner in any investigation or proceeding under this Ordinance is prohibited under this Ordinance.

C. Aiding, abetting, inciting, compelling or coercing the doing of any act declared by this Ordinance to be an unlawful practice, or obstructing or preventing any person from complying with the provisions of this Ordinance is prohibited under this Ordinance.

SECTION V Exceptions

A. Nothing in this ordinance shall bar any religious or denominational institution or organization or any charitable or educational organization which is operated, supervised or controlled by or in connection with any religious organization or any bona fide private or fraternal organization from giving preference to persons of the same religion or denomination or to members of such private or fraternal organization from making such selection as is calculated by such organization to promote the religious principles or the aims, purposes or fraternal principles for which it is established or maintained. Nor shall it apply to rental of rooms in a landlord-occupied rooming house with a common entrance, nor with respect to discrimination based on sex, the advertising, the rental or leasing of housing accommodations in a single-sex dormitory or rooms in one's personal residence in which common living areas are shared.

SECTION VI Establishment of Human Relations Commission

A. Pursuant to the authority set forth under § 962.1 of the Pennsylvania Human Relations Act, 43 P.S. § 962.1, there is hereby established a Human Relations Commission for the Borough of Ambler, which shall be known as the "Ambler Borough Human Relations Commission."

B. The Ambler Borough Human Relations Commission shall consist of five (5) members, who shall be appointed to terms of three (3) years by the Board. The terms of the members of the Commission shall be staggered, such that the terms of one third (1/3) of the members of the Commission shall expire each year. All members of the Commission shall be residents or business owners of the Borough of Ambler and shall serve without compensation.

C. The Chairperson of the Commission will designate one member as needed to receive the complaint and conduct an intake meeting with the complainants. The member charged with this duty shall not participate in any mediations involving parties to the complaint for which they handled the intake nor shall this member vote on complaints brought in front of the Commission.

D. The Human Relations Commission shall, annually, designate one member to serve as Chairperson of the Commission. The Chairperson shall be responsible for coordinating the activities, meetings, and operations of the Commission, as set forth

under this Ordinance. The Chairperson shall also report, from time to time, to the President of the Borough Council regarding the activities of the Commission.

E. Members of the Commission shall, as soon after their appointment as practical, attend such training and education seminars or sessions as deemed necessary to acquaint themselves with the functioning of the Ambler Borough Human Relations Commission under this Ordinance, as well as the terms, conditions and provisions of the Pennsylvania Human Relations Act, and the operation of the Pennsylvania Human Relations Commission. Such training and education shall be as directed by the Chairperson, and shall be performed in conjunction with the state Human Relations Commission.

F. The Ambler Borough Human Relations Commission shall have all of those powers necessary to execute the duties set forth under this Ordinance, provided that such powers shall not exceed those exercised by the Pennsylvania Human Relations Commission under the Pennsylvania Human Relations Act.

G. The Ambler Borough Human Relations Commission shall operate within the scope of funds which may be allocated, on an annual basis, by the Board and shall not exceed the annual allocation in any year, except upon prior approval by the Board. In adopting this Ordinance, the Board hereby expresses its intention that the operation of the Ambler Borough Human Relations Commission under this Ordinance shall be supported by volunteers, unpaid staff, and volunteer efforts and shall be as close to "zero-cost" to the Borough as reasonably feasible.

SECTION VII Complaint and Procedures for filing Complaints

1. Complaints

A. Any person claiming to be aggrieved by a practice which is made unlawful under this Ordinance may make, sign and file a verified complaint, as provided under paragraph B of this Ordinance, alleging violations of this Ordinance. Such complaint shall, at a minimum, contain the following information:

- i. The name, telephone number, mailing address and email (if applicable) of the aggrieved person(s);
- ii. The name, telephone number, mailing address and email (if applicable) of the person(s) alleged to have committed the prohibited practice;
- iii. A concise statement of the facts, including pertinent dates, time, locations, people, and acts involved constituting the alleged discriminatory practice;
- iv. Such other information as may be required by the Commission.

B. Complaints may be filed in person at the office of the Borough Manager, or by mailing such complaints to the Borough offices, to the attention of the Borough Manager or the member of the Commission designated to handle intake. All such

complaints must be received by the Borough within one hundred eighty (180) days of the occurrence of the last act giving rise to the complaint or such complaint shall be dismissed as untimely.

C. The Borough Manager shall transmit all complaints received to the Chairperson of the Commission not later than ten (10) days of receipt of the complaint. The Borough Manager shall conspicuously mark the face of the complaint with the date the document was first received in the Borough offices.

D. The Commission may promulgate forms for use by persons wishing to file a complaint, however, complaints which are prepared without the use of an approved form shall be deemed acceptable under this Ordinance so long as the facts set forth under paragraph "A" of this Section can be clearly determined from the document submitted as a complaint.

E. The Commission may provide for a process by which persons seeking to file a complaint may consult with a volunteer or other staff person affiliated with the Commission who is trained to assist the prospective complainant in discerning the facts relevant to the prospective complaint. Such process shall also include referral of additional information to the prospective complainant concerning the content of this Ordinance, the content of the Pennsylvania Human Relations Act, and the availability of the Pennsylvania Human Relations Commission as an additional venue within which the prospective complainant may seek redress when possible.

2. Notifications and Answer

A. Within thirty (30) days of receipt of a complaint, the Commission shall:

- i. Send a copy of the complaint to the person(s) charged with a discriminatory act or practice under this Ordinance (the "respondent"), together with a copy of this Ordinance.
- ii. Send a notice to the complainant, informing them that the complaint has been accepted and processed by the Commission. If the complaint alleges discrimination on a basis proscribed under federal or state law, the Notice shall also inform the complainant of their right to file a complaint with the Pennsylvania Human Relations Commission or the federal Equal Employment Opportunity Commission as well as the U.S. Department of Housing and Urban Development, where applicable.
- iii. The Commission shall notify the Pennsylvania Human Relations Commission of the filing of any complaint that may be deemed to be within the jurisdiction of that Commission, as required under the Human Relations Act.

- iv. The Commission shall also include a notice to both the complainant and the respondent(s) of their option to elect to proceed to voluntary mediation in order to resolve the matters giving rise to the complaint.

B. The respondent(s) shall file a written verified answer to the complaint within thirty (30) days of service of the complaint. An answer shall be filed in the same manner as a complaint.

3. Mediation

A. Within thirty (30) days of receipt of an answer to a complaint, or, where no answer is filed, within sixty (60) days of service of the complaint upon the respondent(s), the Commission shall proceed in accordance with the following options:

- i. In the event that both parties have consented to mediation, under paragraph 2(A)(iv) of this Section, then the Commission shall refer the matter to a recognized alternative dispute resolution service, which same service may be provided through Montgomery County, the Montgomery County Bar Association, or any other professional mediation service provider, or may refer the matter to a licensed member of the Pennsylvania bar, who may be willing to perform service to the Commission as a volunteer mediator. Any costs or expenses which may be associated with the mediation shall be the responsibility of the parties. The parties shall jointly select the mediator; however, the Commission shall retain the authority to act as the mediator in the event the parties have agreed to mediation but cannot jointly agree on a mediator. Mediation sessions conducted by the Commission may proceed with a minimum of two eligible Commission Members. Mediation sessions shall remain private and not otherwise subject to public attendance.

B. When mediation has resulted in an amicable resolution of the complaint and the complaint is resolved, the Commission shall notify the parties that the complaint has been dismissed, and shall record the result of the mediation in the Notice of dismissal.

C. In the event the complaint has not been resolved through mediation the parties are entitled to proceed to the Court of Common Pleas in Montgomery County and/or the Pennsylvania Human Relations Commission if appropriate.

SECTION VIII Non-limitation of Remedies

Nothing contained in this Ordinance shall be deemed to limit the right of an aggrieved person to recover under any other applicable law or legal theory.

SECTION VI **Multiple Filings**

This Ordinance shall not apply to matters which are the subject of pending or prior filings made by an aggrieved person before any state or federal court or agency of competent jurisdiction.

SECTION X **Penalties**

Any person who shall violate any provision of Section IV of this Ordinance may be subject by the Montgomery County Court of Common Pleas or any Court of competent jurisdiction to the penalties enumerated in Section 9(f)(1&2), Sections 9.2, 9.3, and Sections 10 & 11 of the Pennsylvania Human Relations Act. The penalties contained in this ordinance shall mirror any future changes to the Pennsylvania Human Relations Act as adopted by the General Assembly and approved by the Governor.

- A. This ordinance extends the protections of the Pennsylvania Human Relations Act to include actual or perceived sexual orientation, gender identity or gender expression.
- B. All penalties included in the Pennsylvania Human Relations Act shall be extended to include all protected classes enumerated in the Ambler Borough Human Relations Ordinance.

SECTION XI **Severability**

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, Ambler Borough Council hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

SECTION XII **Repealer**

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION XIII **Effective Date**

This Ordinance shall be effective ninety (90) days after enactment.

ENACTED and **ORDAINED** this _____ day of _____,
2015

Attest:

Mary Aversa

By:

Salvatore Pasceri, President
Borough Council

APPROVED:

Jeanne Sorg

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING THE BOROUGH ZONING ORDINANCE TO REMOVE CERTAIN SPECIAL EXCEPTION USES FROM THE BOROUGH'S RESIDENTIAL ZONING DISTRICTS, BEING AMENDMENTS TO SECTIONS 502, 602, 702, AND 802 OF TITLE 27 OF THE BOROUGH CODIFIED ORDINANCES, LEAVING THE REMAINDER OF THE ORDINANCE IN FULL FORCE AND EFFECT; EFFECTIVE UPON ADOPTION

WHEREAS, the Borough of Ambler has enacted and at times revised a comprehensive zoning ordinance applicable to all of the parcels of land in the Borough, and

WHEREAS, the Borough from time to time modifies the ordinance in furtherance of the stated legislative intent of promoting the most appropriate use of land throughout the Borough, and

WHEREAS, it is the determination of Borough Council that certain uses permitted by special exception in the Borough's residential zoning districts should be permitted only in the Institutional zoning district given the inventory of institutionally zoned parcels and because adding non-residential uses in fully developed residential neighborhoods would be inconsistent with the overall feel of such neighborhoods. Further, given the small size of the Borough, institutional parcels are readily accessible to all residents.

NOW THEREFORE, Borough Council does ORDAIN as follows:

1. 27-502 is amended in the following respect: 502(2), "Special Exception Uses is deleted in its entirety.
2. 27-602 is amended in the following respect: 602(2), "Special Exception Uses" is deleted in its entirety.
3. 27-702 is amended in the following respect: 702(2), "Special Exception Uses" is deleted in its entirety.
4. 27-802 is amended in the following respect: 802(2), "Special Exception Uses" and 802(3), "Conditional Uses" are deleted in their entirety.
5. 27-1702(1), "Permitted Uses" in the Institutional Zoning District", is amended in the following respect: The following uses shall be added to the list of permitted uses.
 - J. Public Utility facility
 - K. Recreational and community center building operated by a non-profit agency.
 - L. Club or lodge, as defined by 27-202 and provided the principal activity is customarily conducted as a business and the services of which are provided for members and guests only.

SO ORDAINED THIS ___ DAY OF _____, 2016. This ordinance is effective upon adoption and the remainder of the zoning ordinance remains in full force and effect, unaffected by the within provisions.

Salvatore Pasceri, Council President

ATTEST: _____

Salary & Personnel Committee

Tuesday, April 5, 2016

Mr. Zaccone, Chairperson

Mr. Curtis

Mrs. Deininger

Mr. De Ruosi

OLD BUSINESS

1. ZONING HEARING BOARD

Resumes are still being requested for the Vacant Alternate ZHB position.

NEW BUSINESS

BOROUGH EMPLOYMENT

1. Interviews are being held for the Vacant WWTP and Highway positions.