



BOROUGH OF AMBLER

COUNCIL MEETING AGENDA

January 19, 2016

7:00 p.m.

CALL TO ORDER: Mr. Sal Pasceri

PLEDGE OF ALLEGIANCE: Mayor Jeanne Sorg

ROLL CALL: Ms. Mary Aversa

**MINUTES APPROVED
December 15, 2015**

COMMITTEE REPORTS:

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

Public Safety Committee

The Reorganization Meeting was held on January 4, 2016 at 7:30 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee members: Edward Curtis (Chair), Sharon Mc Cormick, Jonathan Sheward.

The Committee will make no recommendations.

Recommended at Committee Meeting.

Resolution 2016-1

Authorization is requested to adopt Resolution 2016-1 for the PECO Grant Program to be used for the Edgewood Preserve Efforts.(9-Aye)

The following business will be discussed.

1. The Police Department report is **attached**.
2. The Fire Department report is **attached**.
3. The Community Ambulance report is **attached**.
4. The Public Works report and Code Enforcement and Safety Meeting reports are **attached**.



WISSAHICKON FIRE COMPANY

245 E. RACE ST, AMBLER, PENNSYLVANIA 19002-4424
Station (215) 646-1266 – Office (215) 646-5592 – Fax (215) 628-3057
www.Station7.org

*Volunteers Protecting
Ambler Borough and
Lower Gwynedd
Township Since 1891*

Fire Chief Monthly Report December 2015

Total Calls: 39

16 **Ambler Boro**
14 **Lower Gwynedd**
9 **Mutual Aid**

Attendance to Fire Calls: 633

Attendance to Weekly Fire Schools: 81

Respectfully Submitted,

Fire Chief Phil Koller

Wissahickon Fire Company
Year 2015 Summary

Types of Calls	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Total	YTD
Accident Standby	1										2	1	6	1.0%
AFA Actual	18	12	7	11	9	6	11	6	8	11	7	13	119	20.3%
AFA False	13	15	9	8	11	10	17	12	11	13	11	5	135	23.0%
Brush				5	3	2	2	3	1	2			18	3.1%
CO Detector	1	4	1	2	1	1	1	1	2	3	2	3	21	3.6%
Commercial Building	3	10	1	4	9	1	4	4	4	4	5	2	47	8.0%
Elevator Rescue			1	1				1				1	5	0.9%
EMS Assist														0.0%
FAST Team Assist	2	1				4		4		2	1		14	2.4%
Fluids on Highway										1			1	0.2%
Gas Odor Inside	1				2	2	1	1	3	3	3	1	17	2.9%
Gas Odor Outside				1		1			2	1	2	1	9	1.5%
Hazardous Materials Incdnt			1								1		2	0.3%
Helicopter Landing														0.0%
LDH Drill	-	-	-	-	-	-	-	-	-	-	1		1	0.2%
Non Commercial Building	10	11	9	5	5	4	6	6	2	1	4	1	64	10.9%
Officer Investigation	3	7	2	2	1	5	6	2		1	1	4	34	5.8%
Ornamental Fireplace														0.0%
Residential Rescue				1	1							1	3	0.5%
Search														0.0%
Smoke in Area							2						2	0.3%
Special Service				1			2	1			1		5	0.9%
Standby	1	3		3	1	1				1			10	1.7%
Task Force Assignment														0.0%
Traffic Unit Assist		3	3	2	3	1	1					3	16	2.7%
Trash					2		1						3	0.5%
Unknown Type		2						2	1	1			6	1.0%
Vehicle Fire		2		1	3			1	2	3		1	13	2.2%
Vehicle Leaking Fuel	1	1											2	0.3%
Vehicle Rescue	1				2	2		2			2	1	12	2.0%
Water Flow Actual		1											1	0.2%
Water Flow False		1							1				2	0.3%
Water Rescue														0.0%
Wires	1		3			4	3		3	2	1	1	18	3.1%
Total	56	74	39	47	53	44	57	45	35	52	45	39	586	100.0%

Townships	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Total	YTD
Amber	25	12	16	13	26	10	26	12	15	16	18	16	205	35.0%
Lower Gwynedd	19	31	5	14	16	23	19	19	16	25	13	14	214	36.5%
Abington														0.0%
						1								0.0%



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Lower Gwynedd
Township Since 1891*

Fire Chief Monthly Report 2015 Year End Total

Total 2015 Calls: 586

205 Ambler Boro
214 Lower Gwynedd
167 Mutual Aid

Attendance to Fire Calls: 8,802
Attendance to Weekly Fire Schools: 1,964

Respectfully Submitted,

Fire Chief Phil Koller

EMERGENCY: DIAL 911
EMAIL: info@amblerambulance.org



BUSINESS: (215) 643-6517
FAX: (215) 643-5212

Excellence in Pre-Hospital Care
COMMUNITY AMBULANCE ASSOCIATION of AMBLER
1414 E. Butler Pike
P.O. Box 98
AMBLER, PENNSYLVANIA 19002

Ambler Borough Statistics – 2015

<u>Month</u>	<u>Calls in Borough</u>	<u>Total Calls for CAAA</u>
January	43	257
February	39	203
March	42	206
April	43	199
May	43	213
June	38	208
July	48	209
August	49	234
September	49	192
October	33	207
November	39	228
December	52	222
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YTD Totals	518	2578

*Serving Ambler Borough, Lower Gwynedd Township and
Portions of Upper Dublin Township Since 1961*

Borough of Ambler Code Enforcement Report for 2015

PERMITS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Building	15	5	10	11	15	10	17	16	11	13	13	22	158
Dumpster	3	0	2	7	4	3	7	1	3	3	2	3	38
Fire	0	0	0	0	0	0	0	0	0	0	1	0	1
Mechanical	2	5	0	6	3	3	4	0	5	5	7	4	44
Plumbing	5	6	1	6	2	2	6	2	4	6	1	8	49
Road Opening	2	6	4	0	4	20	15	16	5	3	4	3	82
Use and Occupancy	2	1	2	3	4	0	3	2	0	0	0	7	24
Vendor Sales	0	0	0	0	0	0	0	0	0	0	0	0	0
Zoning	1	1	1	3	7	6	2	7	2	4	3	4	41
Rental Inspections	71	12	25	20	10	21	125	66	136	74	22	73	655*
TOTALS	101	36	45	56	49	65	179	110	166	108	53	124	1092

- ❖ The Borough Code Department inspected 93% of the required rental units to be inspected in 2015; The outstanding 7% have either been scheduled for this month or have been issued citations for failure to respond.

- ❖ The Borough Code Department collected 94% of the monies owed for rental registration in 2015 – some property owners who have failed to pay in the past have paid previous outstanding years owned this year; The outstanding 6% of owners who owe for 2015 have been given until the end of January to pay before citations are issued.

**MEMO: ED CURTIS, CHAIRMAN-PUBLIC SAFETY
MARY AVERSA, BOROUGH MANAGER**

FROM: GAIL GORDON, FINANCE MANAGER

DATE: December 15, 2015

RE: MONTHLY SAFETY MEETING

The monthly safety meeting was held this morning at 10:00 AM in the Caucus Room. Those in attendance were; Mr. Bruce Jones from AWWTP, Ms. Mary Aversa, Ms. Gail Gordon and Mr. Glenn Kucher from the Administration Office. Mr. Frank Scalfaro, Mr. Philip Benigno, Mr. Robert Rocco, Mr. James Wack, Mr. John Mastromatto and Mr. John Keefer were not available.

OLD ITEMS:

1. PENDING-NO CHANGE-At the 8-26-14 meeting, Mr. Bob Rocco reported the Borough Garage is in need of a couple of jalousie windows, ventilation in the garage is needed. Quotes are being obtained.
2. PENDING-UPDATE-At the 12-30-14 meeting, it was reported that training had been provided for using a Defibulator and first aid. The purchase of a Defibulator for the garage is being considered. Ms. Gail Gordon reported there will be DVIT grant money in 2016.
3. PENDING-UPDATE-At the 4-28-15 meeting, Mr. Bob Rocco reported the utility pole at Tennis Avenue and Main Street was replaced and is leaning towards the road along with the old pole that has yet to be removed. Mr. Glenn Kutcher reported that PECO had removed one pole and the two remaining poles may be removed.

NEW BUSINESS:

NONE

Next meeting: FEBRUARY 23, 2016 at 10:00 AM

cc: Bob Rocco, Jim Wack
Phil Benigno, Frank Scalfaro, John Mastromatto
Gail Gordon
Glenn Kucher
John Keefer

Safety Meeting Minutes 12/15/15

Public Utilities Committee

The Reorganization Meeting was held on January 4, 2016 at 7:30 p.m. in Borough Council Chambers located at 131 Rosemary Avenue Committee Members: Sal Pasceri. (Chair), Claudio Zaccone, Edward Curtis.

The Committee will consider the following recommendation.

1. Recommend adoption of the attached Resolution 2016-2, an inter-municipal agreement to continue discussions to prepare an alternate TMDL, Total Maximum Daily Limit plan to address the water quality issues in the Wissahickon. **Attached** is a proposed plan on moving forward in responses to the DEP outline. This letter will be sent from the 4 Waste Water Treatment Plants, for consideration.
2. Verizon Monopole Site Plan Review
Consider approval of site plan exhibits for potential cell site project proposed by Verizon, so that Verizon can prepare development plans. Proposed cell site is on the 131 Rosemary Avenue property, parking lot side, towards the building's generator. Verizon would like to finalize the site plan so that they may prepare a Lease Agreement. Verizon proposes to construct and then lease the monopole from the Borough, allowing Borough ownership so that the Borough may utilize the monopole for SCADA and any other municipal antennas as well as leasing this site to other telecom companies. (**Attached**)

The following business will be discussed.

1. The Waste Water Treatment Plant Engineer's report will be provided.
2. Crown Castle – Plans
A request was received from Crown Caste to start the process for approval for Wireless Telecommunication Antennas in the Borough.

BOROUGH OF AMBLER
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION 2016 – 02

**WISSAHICKON CREEK WATERSHED ALTERNATIVE TMDL
INTERGOVERNMENTAL AGREEMENT**

A RESOLUTION TO AUTHORIZE AN INTERMUNICIPAL AGREEMENT WITH OTHER
MONTGOMERY AND PHILADELPHIA COUNTY MUNICIPALITIES AND WASTEWATER
TREATMENT PLANT OPERATORS TO ADVANCE DEVELOPMENT OF AN ALTERNATIVE
TOTAL MAXIMUM DAILY LOAD FOR THE WISSAHICKON CREEK WATERSHED

Municipalities:

Abington Township
Ambler Borough
Cheltenham Township
Horsham Township
Lansdale Borough
Lower Gwynedd Township
Montgomery Township
North Wales Borough
Philadelphia County
Springfield Township
Upper Dublin Township
Upper Gwynedd Township
Upper Moreland Township
Whitemarsh Township
Whitpain Township
Worcester Township

Abington Township Wastewater Treatment Plant
Ambler Borough Wastewater Treatment Plant
Upper Gwynedd Township Wastewater Treatment Plant
Upper Dublin Township Wastewater Treatment Plant

WHEREAS, Counties, Municipalities and Wastewater Treatment Plant Operators, when not inconsistent with state or federal law, are authorized to oversee and regulate trade, commerce, and the use of public streets, ways and property within their jurisdictions; and

WHEREAS, the Intergovernmental Cooperation Act (Act of July 12, 1972, P.L. 762, as amended, 53 P.S. §481, et seq.), permits Municipalities, Counties and Wastewater Treatment Plant Operators to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, Counties and Municipalities, as well as the provisions of Pennsylvania's Intergovernmental Cooperation Law, provide for intergovernmental cooperation between and among municipalities in the exercise or performance of their respective governmental functions, powers and responsibilities and authorize joint agreements as may be deemed appropriate for such purposes; and

WHEREAS, The Wissahickon Creek has been designated as impaired under Section 303(d) of the Clean Water Act, and has been assigned a Total Maximum Daily Load (TMDL) per (40 CFR 130.2 and 130.70) and individual wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources have been assigned; and

WHEREAS, The municipalities located in the Wissahickon Creek watershed are obligated under the PADEP's MS4/NPDES program to develop and implement a stormwater management plan, including a TMDL plan, which contains a strategy to meet the municipality's MS4 and TMDL obligations, and it is recognized that the municipal plans will have greater effectiveness if they are coordinated with and incorporated into the Alternative TMDL plan; and

WHEREAS, The EPA's New Long-Term Vision for the 303(d) Program allows for alternative approaches to the TMDL that incorporate adaptive management and are tailored to specific circumstances. Counties, Municipalities and Wastewater Treatment Operators have determined that developing an Alternative TMDL Plan in order to satisfy the intent of the EPA-established TMDL pollutant reductions is a justified and necessary action; and

WHEREAS, the Participating Municipalities in Montgomery and Philadelphia County and Wastewater Treatment Operators recognize that watersheds cross municipal boundaries and coordinated planning effort is to the benefit of all participating Municipalities and Counties and that it is in the best interest of their residents to cooperate in the development of an Alternative TMDL through participation in this collaborative effort.

WHEREAS, the Municipalities and Wastewater Treatment Plant Operators recognize that the coordination of services would enable each Municipality to minimize the costs of the administration and implementation of an Alternative TMDL Plan; and

NOW THEREFORE, BE IT RESOLVED as follows: **BOROUGH OF AMBLER** desires to authorize its appropriate officers to enter into a collaborative partnership with other Wissahickon Creek permittees to advance development of an Alternative TMDL with terms to be formalized in an Intergovernmental Agreement in the near future.

SO RESOLVED this _____ day of _____, 2016.

Salvatore Pasceri, Council President

Mary Aversa, Secretary

December 31, 2015

Mr. Jim Dougherty
Borough Engineer
Borough of Ambler
131 Rosemary Avenue
Ambler, PA 19002

RE: Application for Curb and Sidewalk Permits or Street Excavation Permits

Dear Mr. Dougherty:

Crown Castle NG East LLC ("Crown Castle") is proposing to install and operate three ("3") DAS Node Facilities ("Facilities") within the Borough of Ambler. At this time, we hereby submit an application for either (1) a Curb and Sidewalk Permit for each of the three Facilities or (2) a Street Excavation Permit for each of the three Facilities.

In a letter dated May 7, 2015, Crown Castle voluntarily submitted to Ms. Mary Aversa, the Borough Manager a Proposed Right of Way Use Agreement (RUA). The RUA, as originally drafted, proposed an annual payment to the Borough of a total of 5% of the adjusted gross revenue earned by Crown Castle from each of the three Facilities. This proposal was voluntary as no federal or state law requires that we offer to pay any such fee. It is my understanding that the proposed RUA has been under discussion with various attorneys for many months. I am not certain what will happen with our proposal. Nevertheless we must move forward with our proposed Facilities and I am therefore submitting this formal application at this time.

Please note that Crown Castle did purchase the complete assets of NextG Networks of NY Inc. d/b/a NextG Networks East and therefore Crown Castle holds a State of Pennsylvania Certificate of Public Convenience issued by the Pennsylvania Public Utility Commission. This Certificate was issued on April 7, 2005. The State of Pennsylvania recognizes Crown Castle as an official Utility with rights to plan, construct and operate DAS Node Facilities in the Public Rights of Way. A copy of this Certificate is enclosed with this letter.

In reviewing the Borough Code ("Code") and Web site, we could not determine what the one, correct Public Works Permit would be for our project. There were no appropriate forms available on the

Borough Web site. We did note that in Section 108, Utility Locations, Easements and Rights-of-Way that the Borough Engineer had authority to approve certain facilities to be located in the Rights-of-Way.

Since we could not locate any existing Borough Application Form, please accept this letter as a formal application for a Curb and Sidewalk Permit for each of our three proposed Facilities. A check for \$25.00 is enclosed for each of these three applications as required by Resolution 2013-07, the current Fee Schedule. Please see the enclosed three A&E Plans for each of these Facilities.

If you determine that a Curb and Sidewalk Permit is not the appropriate permit for this type of public communications facility, please accept this letter as a formal application for a Street Excavation Permit for each of these three Facilities. We note that on page six of the Fee Schedule, the fee for a Street Excavation are a \$100.00 per 100 foot parallel to curb. However, as required by Section 21.206 of the Code additional fees are to be submitted at the time of filing. We are unable to determine how much these additional funds would amount to. Therefore, we are not submitting any Application Fees, at this time, for a Street Excavation Permit. If you determine that this is the correct type of permit that we are to apply for, please review the three A&E Plans and make a determination as to the correct, total amount of the fees that are required. We will be pleased to promptly pay to the Borough any such fee.

Federal law and the FCC's rules implementing the law require that this permit application be processed to final decision by this jurisdiction without undue delay. Specifically, because this application proposes to collocate equipment on existing utility poles in the public right of way, this application must be acted on within ninety (90) days from its submission.

Moreover, pursuant to FCC regulations, this application is deemed complete 30 days after the day it is received by you unless you provide written notice to Crown Castle. If you contend that the application is incomplete, within the next thirty (30) days you must provide written notice specifying any items you claim are missing to make the application complete. For each item alleged to be missing, you must specify the code provision, ordinance, application instruction, or other publically-stated procedure that requires the submission of the information.

Please send all written requests for additional information regarding this application to:

Peter Broy
Crown Castle
3200 Horizon Drive, Suite 150
King of Prussia, PA 19406
(Mobile Phone) 718-637-3884

Respectfully,
CROWN CASTLE NG EAST LLC

A handwritten signature in cursive script that reads "Peter Broy". The signature is written in black ink and is positioned above the printed name and title.

Peter Broy
Manager, Government Relations

Cc: Ms. Mary Aversa, Borough Manager
Mr. Joseph Bresnan, Esq. Borough Solicitor
Mr. Phil Fraga, Esq. Special Counsel

List of Attachments:
Exhibit A – Public Utility Commission Order
Exhibit B – A&E Plans and Checks

Finance and Planning Committee

The Reorganization Meeting was held on January 4, 2016 at 7:30 p.m. in Borough Council Chambers located at 131 Rosemary Avenue Committee Members: Jonathan Sheward, (Chair) Frank DeRuosi and Francine Tomlinson

The Committee will consider the following recommendations.

1. That the December 2015 invoices be paid as follows:

#	Fund	PRE PAID December	DEC 1ST RUN	Dec 2ND RUN	TOTALS
1	GENERAL	\$ 11,033.67	\$176,157.51	119371.12	\$306,562.30
2	STREET LGTS		\$204.41	5623.85	\$5,828.26
3	FIRE			9256.45	\$9,256.45
5	PARKS & REC		\$1,253.19	130.06	\$1,383.25
6	WATER	\$ 1,029.95	\$39,720.68	58717.69	\$99,468.32
8	SEWER	\$ 359.00	\$29,309.13	135853.49	\$165,521.62
9	WWTP	\$ 3,360.00	\$74,952.84	86146.52	\$164,459.36
23	DEBT FUND				\$0.00
30	WATER CAPITAL		\$69,973.82	38667.72	\$108,641.54
35	LIQUID FUELS			35523.35	\$35,523.35
TOTALS		\$ 15,782.62	\$391,571.58	489290.25	\$896,644.45
VOID CHECKS			\$0.00		\$0.00
GRAND TOTAL		\$ 15,782.62	\$ 391,571.58	\$ 489,290.25	\$ 896,644.45

2. A recommendation is requested to send to the Borough Planning Commission the proposed Rose Valley Creek Conservation District Ordinances. **(Attached)**
3. Recommend approval of the **attached** agreement of Sale for the property at 122 E. Butler Avenue. Authorization is requested to sign the agreement.
4. The Borough Business Tax for Rental income was temporarily suspended due to a pending law suit. A decision was reached and the Tax is collectable on Rental Properties. Authorization is requested to continue collecting the Rental Tax for 2016. The Borough will not retroactively collect for the 2015 year. **(attached)**

Recommended at Committee Meeting.

1. **The sealed bid for the property at 122 E. Butler Avenue was rejected. (9-Aye)**

The following business will be discussed.

1. The Borough Engineer's report is **attached**.
2. FEMA-Floodplain Conservation District Ordinance Revision- See **enclosed** update on the adoption timeline and all relevant documents.

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING THE BOROUGH ZONING ORDINANCE BY ESTABLISHING A RIPARIAN CORRIDOR CONSERVATION DISTRICT ALONG THE EDGES OF THE ROSE VALLEY CREEK; LIMITING CERTAIN TYPES OF ACTIVITY WITHIN SUCH DISTRICT; SETTING FORTH REQUIREMENTS FOR THE MANAGEMENT OF SUCH DISTRICT; DEFINING VARIOUS APPLICABLE TERMS; EFFECTIVE UPON ADOPTION.

THE BOROUGH COUNCIL OF THE BOROUGH OF AMBLER DOES HEREBY ORDAIN AS FOLLOWS:

There shall be added to the Borough Codified Ordinances, at Title 27 (Zoning), a new part, Part 31, entitled "Rose Valley Creek Riparian Corridor Conservation District", the text of which is as follows:

§31-100. Definitions

BANKFULL FLOW - The point above a stream which defines the maximum height of channel flow. It is either determined visually or computed as an elevation using the peak rate of runoff from a two-year storm event.

INVASIVE SPECIES – A non-native species whose presence in the environment causes economic or environmental harm or harm to human health.

NATIVE PLANT - A plant native to Pennsylvania, as identified in the most recent edition of The Vascular Flora of Pennsylvania, Annotated Checklist and Atlas.

REFORESTATION - The process of creating woodlands with three distinct layers of vegetation: canopy trees, understory shrubs or trees, and herbaceous groundcover plants.

RIPARIAN AREA - Land adjacent to a stream, lake, pond, or other water body. Riparian areas form the transition between the aquatic and the terrestrial environment.

SELECTIVE CUTTING - A method of removing small groups of trees scattered throughout a woodland in order to retain the biodiversity of the woodland while allowing limited harvesting of trees.

STREAM – Includes all rivers, creeks, brooks, tributaries and other flowing surface waters within a natural channel. More specifically, a perennial or intermittent water body having a defined channel

(excluding man-made ditches) which contains flow from surface and/or ground water sources during at least a portion of an average rainfall year.

STREAM, MAPPED – Streams mapped on the adopted “Ambler Borough Riparian Corridor Conservation District Map,” (Attachment A, as amended) including any adjacent wetlands, and/or water bodies draining into the identified stream.

STREAM, UNMAPPED – Any perennial stream (waterway that has continuous flow in parts of its bed all year round), located on a site survey prepared by a design professional licensed in the Commonwealth of Pennsylvania, including any adjacent wetlands and/or water bodies draining into the identified stream.

STREAM BANK STABILIZATION – A method of repairing eroded stream banks employing required grading, stone, fabric, soil, or other natural materials.

WATER BODY- An intermittent or perennial stream, pond, or lake that is either natural or man-made provided that the bed is composed primarily of substrates associated with flowing water, ponds, or lakes.

WETLANDS – Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. More specifically, an area meeting the official wetland definition of the U.S. Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1; or the Pennsylvania Department of Environmental Protection Wetlands Identification and Delineation, Chapter 105 Dam Safety and Waterways Management Rules and Regulations; or the U.S. Environmental Protection Agency Wetlands Identification Delineation Manual, Volume I, Rational, Wetland Parameters, and Overview of Jurisdictional Approach, Volume II, Field Methodology or the most recently amended reports, will be considered a wetland for the purposes of this chapter. In the event the definition of a wetland accepted by the U.S. Army Corps of Engineers conflicts with the definition of a wetland accepted by the Pennsylvania Department of Environmental Protection, or Environmental Protection Agency, the more restrictive definition shall apply.

§31-101. Legislative Intent.

It is the intent of this article to provide reasonable controls governing the conservation, management, disturbance, and restoration of riparian corridors under authority of Article I, Section 27 of the Pennsylvania Constitution, Act 247, the Municipalities Planning Code, as amended and other Commonwealth and Federal statutes. In addition, the specific intent and purposes of this article are to:

- A. Regulate the land use, siting, and engineering of all development to be consistent with accepted conservation practices, so as to respect the carrying capacity of existing natural resources as future development occurs.
- B. Reduce the amount of nutrients, sediment, organic matter, pesticides, and other harmful substances

that reach watercourses, wetlands, and other surface water bodies as well as subsurface waters by optimizing scientifically-proven processes including filtration, deposition, absorption, adsorption, plant uptake, biodegradation, denitrification through stabilizing concentrated flows and encouraging distributed sheet flow, and by improving infiltration in all watershed areas, especially important given the Wissahickon Creek Watershed's documented water quality problems.

- C. Provide for shading (i.e., cooling) of the aquatic environment so as to moderate temperatures, protect fish habitat, retain more dissolved oxygen, and encourage the growth of diatoms, beneficial algae, and aquatic insects in all watershed areas, especially important given the Wissahickon Creek Watershed's documented water quality problems.
- D. Provide organic matter through leaf debris which falls into the stream and becomes trapped by woody debris (fallen trees and limbs) and rocks where such provides food and habitat for small bottom dwelling organisms (insects, amphibians, crustaceans, and small fish), essential to maintain the food chain in all watersheds, especially important given the Wissahickon Creek Watershed's documented water quality problems.
- E. Increase stream bank stability and maintain natural fluvial geomorphology of the stream system, reducing streambank erosion and sediment production and protecting fish habitat in all watersheds, especially important given the Wissahickon Creek Watershed's documented water quality problems.
- F. Conserve the natural features important to land and water resources (e.g., headwater areas, groundwater recharge zones, floodway, floodplain, springs, streams, wetlands, woodlands, prime wildlife habitats) and other features constituting high recreational value or containing amenities that exist on developed and undeveloped land.
- G. Conserve natural, scenic, and recreation areas within and adjacent to stream areas for the community's benefit, promoting the positive functions of greenways.
- H. Work with floodplain and other ordinances that regulate environmentally sensitive areas to minimize hazards to life, property, and stream features.
- I. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices.
- J. Limit the removal or fragmentation of woodlands, recognizing that healthy and contiguous woodland areas within the Riparian Corridor Conservation District contribute to stream bank stability and enhance water quality.

Section 31-102. Establishment and Width Determination of the Riparian Corridor Conservation District

A. Applicability

- (1) The Riparian Corridor Conservation District is an overlay district that applies to lands adjacent to

streams, including any adjacent wetlands, and/or naturally occurring water bodies draining into the identified stream. The District does not apply to manmade waterbodies.

(2) The RCC District regulations shall apply when:

(a) A plan is submitted for Land Development and/or the Subdivision of Land.

(b) A building Permit application is submitted for construction of a new structure and/or an expansion of an existing structure within 50' of the bank of a mapped stream.

(3) Lots containing legal structures in existence at the time of adoption of this Article shall not be subject to the requirements of this Article unless and until they are the subject of either A.2.a and A.2.b listed above.

(4) Any lands within fifty feet of a water feature described in A.(1), above, that are wholly separated from that water feature by an existing public or private street shall be considered outside the RCC District and the regulations contained in this article shall not apply.

B. Boundary Definition, Zone Determination, and Interpretation: The Riparian Corridor Conservation District is an overlay district that applies to surface streams, wetlands, and water bodies, and the land adjacent to them, of a length no less than one-thousand (1,000) contiguous feet across any property line.

Surface Water Feature	Minimum Corridor Width
<p>1. Mapped Streams As mapped on the adopted “Ambler Borough Riparian Conservation District Map” (Attachment A, as amended), including any adjacent wetlands and/or water bodies draining into the identified stream.</p>	<p>Zone 1: Minimum width of 25 feet from each defined edge of the stream at bank full flow, measured perpendicular to the edge of the stream. Zone 2: Minimum width of 25 feet from the outer edge of Zone 1, measured perpendicular to the edge of Zone 1, or equal to the extent of the 100-year floodplain, or 25 feet beyond the outer edge of a wetland along the stream, whichever is greater. (Total minimum width of Zones 1 & 2 = 50 feet plus the width of the stream.)</p>
<p>2. Unmapped Streams Any perennial stream¹, located on a site survey prepared by a design professional licensed in the Commonwealth of Pennsylvania, including any adjacent wetlands and/or water bodies draining into the identified stream.</p>	<p>Zone 1: Minimum width of 25 feet from each defined edge of the stream at bank full flow, measured perpendicular to the edge of the stream. Zone 2: Minimum width of 25 feet from the outer edge of Zone 1, measured perpendicular to the edge of Zone 1, or equal to the extent of the 100-year floodplain, or 25 feet beyond the outer edge of a wetland along the stream, whichever is greater. (Total minimum width of Zones 1 & 2 = 50 feet plus the width of the stream.)</p>

C. Zone Designation Adjustments for Steep Slopes: If the extent of the steeply sloped area that is greater than 25% slope is more than 50 feet, Zone 1 shall extend to the 50 foot maximum corridor width and Zone 2 shall not be required. If the extent of the steeply sloped area is less

¹ A “perennial stream” shall mean any waterway that has continuous flow in parts of its bed all year round.

than 50 feet, Zone 1 shall extend to the limit of the steeply sloped area and the width of Zone 2 shall be adjusted so that the total corridor width on one side of a stream will be 50 feet maximum.

D. **Boundary Adjustments:** The boundaries of the Riparian Corridor Conservation District, shall be adjusted in compliance with either or both of the following:

- (1) All properties measuring less than one acre shall be permitted to reduce Zone 1 to fifteen feet (15') and Zone 2 to an additional fifteen feet (15'), measured from the edge of Zone 1, for a total buffer width of thirty feet (30') on each side of the stream bank.
- (2) If any structure legally existing at the time of the passing of this article lies within fifty feet (50') of the defined edge of a stream, in whole or in part, Zone 2 requirements shall not apply. Zone 1 requirements shall apply as specified herein (15' buffer on each side of the stream for properties located within the corridor as of the date of adoption of this ordinance; 25' buffer on each side of the stream for properties that merge and become greater than one acre as the result of an approved land development plan or other formalized demonstration of an intent to merge taking after the date of adoption of this ordinance.

E. **Identification and Width Determination.** The applicant shall be responsible for the following:

- (1) Identifying the streams, wetlands, and/or water bodies on and within 50 feet of the applicant's site, and locating these features accurately on the applicant's plans.
- (2) Initial width determination of the riparian corridor(s) in compliance with Section 27-6002, herein, and for identifying these areas on any plan that is submitted for subdivision, land development, or other improvements that require plan submissions or permits.

Section 31-103. Uses Permitted in the Riparian Corridor Conservation District

The following uses are permitted by right in the Riparian Corridor Conservation District in compliance with the requirements of this article.

A. **Zone 1:**

- (1) Open space uses that are primarily passive in character shall be permitted to extend into the area defined as Zone 1, including:
 - (a) Wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas of public and private parklands, reforestation, and recreational uses permitted under the Borough floodplain ordinance as it exists at the time the property owner makes such use.
 - (b) Stream bank stabilization through revegetation or other appropriate means.

(2) Corridor Crossings:

- (a) Driveways serving one or two single-family detached dwelling units provided the mitigation requirements of Section 27-6008.B are satisfied. The corridor crossing standards of Section 27-6009 should be considered during the design of the driveway.
 - (b) Driveways serving more than two single-family detached dwelling units, or roadways, recreational trails, railroads, and utilities, provided the mitigation requirements of Section 27-6008.B and the corridor crossing design standards of Section 31-109 are satisfied.
- (3) Maintenance of the riparian corridor through the removal of invasive plants, trash, debris, fallen or dead trees, and solid waste, mitigation of soil erosion problems, and planting for the purpose of improving corridor vegetation.

B. Zone 2

- (1) Open space uses including wildlife sanctuaries, nature preserves, forest preserves, passive areas of public and private parklands, recreational trails, reforestation, and stream bank stabilization.
- (2) Agricultural uses conducted in compliance with methods prescribed in the Department of Environmental Protection's Erosion and Sediment Pollution Control Manual, as amended.
- (3) Corridor Crossings:
 - (a) Driveways serving one or two-family detached dwelling units, provided the mitigation requirements of Section 27-6008.B are satisfied. The corridor crossing standards of Section 27-6009 should be considered during design of the driveway.
 - (b) Driveways serving more than two single-family detached dwelling units, or roadways, recreational trails, railroads, and utilities, provided the mitigation requirements of Section 27-6008.B and the corridor crossing design standards of Section 27-6009 are satisfied.
- (4) Residential accessory buildings having an area equal to or less than 225 square feet.
- (5) Passive use areas such as camps, campgrounds, picnic areas, and golf courses.
- (6) Active recreation areas such as ballfields, playgrounds, and non-paved courts provided these uses are designed in a manner that will not permit concentrated flow of stormwater runoff.
- (7) Centralized sewer and/or water lines and public utility transmission lines running along the corridor. When proposed as part of a subdivision or land development, the mitigation requirements of Section 27-6008.B shall be satisfied. In all cases, these lines shall be located as far from Zone 1 as practical.
- (8) The required minimum front, side, and or rear yard setbacks on private lots.

- (9) Fencing, in compliance with 27-1906.I (floodplain district requirements)
- (10) Maintenance of the riparian corridor through the removal of invasive plants, trash, and solid waste, mitigation of soil erosion problems, planting for the purpose of improving corridor vegetation, and lawn mowing.

Section 31-104. Uses Specifically Prohibited in the Riparian Corridor District

Any use or activity not authorized within Section 27-6003 shall be prohibited within the Riparian Corridor Conservation District and the following activities and facilities are specifically prohibited:

- A. Clearing of existing vegetation, except where:
 - (1) Such clearing is necessary to prepare land for a use permitted under Section 27-6003, herein.
 - (2) Where the effects of these actions are mitigated by re-establishment of vegetation.
 - (3) For invasive species only, where vegetation contributes to the overall vigor of the corridor or has significant value for watershed erosion management.
 - (4) The presence of damaged, destroyed, or dead trees or other vegetation poses a risk to public health, safety, or general welfare. In addition, landowners may remove trees or branches of trees that present a risk to property, and the public health, safety or general welfare upon approval of the Borough's code enforcement officer or his or her agent, which may include a certified arborist or tree surgeon.
- B. Sanitary landfills, dumps, junkyards, outdoor storage structure that will be used for the production, storage, or maintenance of a supply of toxic chemicals.
- C. Use of fertilizers, pesticides, herbicides, and/or other chemicals in excess of prescribed industry standards or the recommendations of the Montgomery County Conservation District.
- D. Roads or driveways, except where permitted as stream crossings in compliance with Section 27-6003.
- E. Motor or wheeled vehicle traffic in any area not designed to accommodate adequately the type and volume.
- F. Parking lots.
- G. Any type of permanent structure, except those needed for a use permitted in Section 27-6003, herein.
- H. Onsite sewage disposal systems.
- I. Storm water basins, berms, and outfall facilities.

J. Sod farming.

K. Outdoor plant nursery or orchard.

Section 31-105 Nonconforming Structures and Uses in the Riparian Corridor District

Nonconforming structures and uses of land within the Riparian Corridor Conservation District shall be regulated under the provisions of §27, Part 26, Nonconforming Status, herein.

Section 31-106. Boundary Interpretation and Appeals Procedure

- A. When a landowner or applicant disputes the Zone (1 or 2) boundaries of the Riparian Corridor or the defined edge of a water body the landowner or applicant shall submit evidence to the Zoning Hearing Board that describes the boundary, presents the landowner or applicant's proposed boundary, and presents all justification for the proposed boundary change.
- B. The Municipal Engineer and/or other advisors selected by the Borough Council shall evaluate all material submitted and provide a written determination within 45 days to the Borough Council, Planning Commission, and landowner or applicant.
- C. Any party aggrieved by any such determination or other decision or determination under this section may appeal to the Zoning Hearing Board under the provisions of Part 23, Zoning Hearing Board. The party contesting the location of the district boundary shall have the burden of proof in case of any such appeal.

Section 31-107. Inspection of Riparian Corridor Conservation District

- A. Lands within or adjacent to an identified Riparian Corridor Conservation District may be inspected by a Borough representative when:
 - (1) A subdivision or land development plan is submitted.
 - (2) A building permit is requested.
 - (3) A change or resumption of nonconforming use is proposed.
- B. The district may also be inspected periodically by a Borough representative for compliance with an approved restoration plan, excessive or potentially problematic erosion, hazardous trees, or at any time when the presence of an unauthorized activity or structure is brought to the attention of Borough officials.

Section 31-108. Management of the Riparian Corridor District

- A. Riparian Corridor Planting. Re-establishment of forest cover and woodland habitat is encouraged to be as consistent as possible with the requirements of Appendix "B" of the Ambler Borough Subdivision and Land Development Ordinance. The integrity of woodland areas within the corridor shall be maintained consistently across any property line.

- B. Mitigation Measures. Uses permitted in Section 27-6003 involving stream crossings within the riparian corridor shall be mitigated by increasing the width of the corridor as replacement for the area lost due to the encroachment, so that the total corridor area (land area within Zone 1 and Zone 2) for each applicable side of the stream or water body is equal to that required by Section 2501.A. Corridor area is the product of the corridor width required by Section 2501.A and the total length for each applicable side of the stream or watercourse for which a riparian corridor is being established. Perimeter shall be used in place of length for determining wetland buffer area. The increased width shall be spread throughout the corridor to the maximum extent possible. For streams and watercourses, the increased width shall be applied along the length of the stream in blocks of 1,000 feet or more, or the full length of the corridor on the affected property, whichever is less. Measures shall be taken to minimize soil erosion until stabilization is achieved.

Section 31-109. Stream Crossing Standards

All stream crossings permitted in this ordinance, herein, shall incorporate, as required, the following design standards.

- A. The width of the right-of way should not be greater than the minimum right-of-way width required by the Subdivision and Land Development Ordinance.

- B. Crossings should be designed to cross the riparian corridor at direct right angles in order to minimize disturbance of the corridor.

- C. Bridges should be used in place of culverts when crossings would require a 72-inch or greater diameter pipe. When culverts are installed they should consist of slab, arch, or box culverts and not corrugated metal pipe. Culverts should also be designed to retain the natural channel bottom to ensure the passage of water during low flow or dry weather periods.

Section 31-110. Use of Technical Terminology

Technical terminology used in this article shall be interpreted to have the meanings used by recognized sources and experts in the fields of forestry, woodland or meadow management, stream bank protection, wetlands management, erosion and sedimentation control, or other relevant fields.

This ordinance is effective upon adoption. Should any provision hereof be found unenforceable or contrary to law, such provision shall be severable from the remainder, which shall remain valid and enforceable.

SO ORDAINED THIS ___ DAY OF _____, 2015.

Salvatore Pasceri, Council President

ATTEST: _____
Mary Aversa, Secretary

APPROVED: _____
Jeanne Sorg, Mayor

SECTION 27-5000 – ROSE VALLEY CREEK STEEP SLOPE CONSERVATION DISTRICT**§27-202. Definitions**

DISTURBANCE - any physical activity which results in the modification of topography by cutting or filling, striping of topsoil, and /or placing of physical structures or improvements thereon.

DRIP LINE - an imaginary circular line on the soil around a tree that mirrors the circumference of the tree's canopy. The tree's roots usually extend well beyond this line.

FILL - any clean soil or rock materials (sand or clay) used to raise the ground elevation.

LAND DISTURBING ACTIVITY - any change of the land surface including removing vegetative cover, excavating, filling, grading, and the construction of any structure. An agricultural activity such as the planting, growing, cultivating and harvesting of crops is exempt from this definition.

The current definition for STEEP SLOPE is to be repealed and replaced with the following:

STEEP SLOPE – slopes of twenty-five (25) percent or greater when there are five (5) adjacent contour intervals of two (2) feet each such that, in aggregate, they delineate a slope of at least twenty-five (25) percent.

§ 27-5001. Statement of Intent

1. To promote the public health, safety, and welfare through the protection of environmentally sensitive steep slope areas and by encouraging the conservation of open space located on steep slope areas.
2. To limit erosion, loss of soil and resultant destruction of the land, siltation of streams and related degradation of surface water, and damage to property owners.
3. To protect low lying areas from flooding by limiting increased stormwater runoff caused by grading of sloped areas, changes in vegetated cover, and construction of structures and other impervious areas.
4. To maintain the ecological integrity and habitat value of steeply sloped areas, including indigenous vegetation and wildlife which could be adversely affected by otherwise permitted disturbances.

§ 27-5002. Steep Slope Conservation District Established

- A. The Steep Slope Conservation District is defined and established as those areas along Rose Valley Creek of at least 1,000 contiguous square feet having slopes of 25% or greater and across any property line.
 - 1) Steep Slope Conservation District calculations are to be based on a site survey by a registered surveyor, on topographic information plotted from a verified aerial survey, or on analysis of U.S. Geological Survey topographic maps where the slope category calculation is based on an area which spans at least five (5) contiguous two-foot (2') contour intervals.
 - 2) The Borough Engineer shall decide whether or not the Steep Slope Conservation District has been shown with sufficient accuracy on the applicant's plans. Based on the Borough Engineer's advice, the Borough may require applicants to revise the boundaries shown on the plans.

- 3) The burden of proving the correct boundary shall be on the applicant, supported by engineering and/or surveying data or mapping, testimony of a soil scientist, or other acceptable evidence.

§27-5003. Uses Permitted in the Steep Slope Conservation District

The following uses are permitted by right in the Steep Slope Conservation District in compliance with the requirements of this article.

- a. Wildlife sanctuary, woodland preserve, and arboretum.
- b. Forestry and reforestation in accordance with recognized soil conservation practices.
- c. Game farm or hunting preserve.
- d. Front, side, or rear yards, and required lot area for any underlying zoning district, subject to the requirements of Section 27-5006 herein, provided such yards shall not be used for any use prohibited under Section 27-5005.

§27-5004. Uses Permitted in the Steep Slope Conservation District by Conditional Use

- A. Underground utilities, with special requirements regarding the loss or degradation of soils and vegetation when it can be demonstrated that no other routing which avoids prohibitive slopes is practical or economically reasonable.
- B. Sealed public water supply wells.
- C. Sanitary or storm sewers and stormwater detention basins.
- D. Above ground utility transmission lines and above ground utility line structures.

§27-5005. Prohibited Uses in the Steep Slope Conservation District

- A. The following uses are specifically prohibited on steep slopes.
 - 1) Solid waste disposal, recycling uses, junk yards, or other outdoor storage uses.
 - 2) Extractive uses, including topsoil removal, except when related to an approved conditional use.
 - 3) On-lot sewage disposal systems.

§27-5006. General Provisions

- A. The Steep Slope Conservation District shall be an overlay district on all zoning districts. These regulations apply only to those portions of the tract or lot which fall within the Steep Slope Conservation District. The Steep Slope Conservation District shall have no effect on permitted uses in the underlying zoning district, except where said uses are intended to be located within the boundaries of the Conservation District and are in conflict with the uses specifically prohibited in this section.

B. Disturbance Limits: A disturbance limit of 10% shall be the maximum area of a steep slope within the Conservation District that may be graded and/or stripped of vegetation.

C. Siting. Improvements shall be sited on the least sensitive portion of the site to avoid the disturbance of natural landforms, geological features, and vegetation on the steepest portions of the site to the greatest extent possible as determined by a licensed engineer.

D. Landscaping.

- 1) The landscape shall be preserved in its natural state as much as possible. Existing vegetation shall be retained in any part of the tract that is not designated for grading or construction. New landscaping should be in accordance with the Subdivision and Land Development Ordinance.
- 2) No trees with a diameter at breast height (DBH) of eight (8) inches or more shall be removed from steep slope areas.
- 3) All disturbed areas shall be stabilized and replanted with non-invasive species appropriate for steep slopes to the extent necessary to prevent erosion. The following list provides examples of non-invasive plant species that are appropriate for steep slope stabilization:

Grasses

Perennials

Sideoats grama (*Bouteloua curtipendula*)

Common yarrow (*Achillea millefolium*)

Canada wild rye (*Elymus canadensis*)

New Jersey tea (*Ceanothus americanus*)

Little bluestem (*Schizachyrium scoparium*)

Blue mistflower (*Conoclinium coelstinum*)

Prairie dropseed (*Sporobolus heterolepis*)

Lanceleaf tickseed (*Coreopsis laceloate*)

Broomsedge bluestem (*Andropogon virginicus*)

Eastern teaberry (*Gaultheria procumbens*)

Switchgrass (*Panicum virgatum*)

Sundial lupine (*Lupinus perennis*)

E. Grading.

- 1) Grading or earth moving on all Steep Slope Conservation District areas shall not result in earth cuts or fills whose highest vertical dimensions exceed 10 feet, except where no reasonable alternatives exist for construction of public roads, drainage, and other public improvements; in which case, such vertical dimensions shall not exceed 20 feet. Finished slopes of all cuts and fills shall not exceed three to one, unless the applicant can demonstrate that steeper slopes can be stabilized and maintained adequately.
- 2) Grading outside the building footprint or driveway area shall be minimized.
- 3) Grading inside the drip-line of trees to be preserved on site shall be prohibited.

- 4) Any disturbance of steep slopes shall be completed within one construction season, and the disturbed areas shall not be left bare and exposed during the winter and spring thaw periods. Permanent vegetative cover shall be planted within three days after completion of grading.
 - 5) All cut and fill slopes shall be landscaped and shall be stabilized to control erosion. The grading and excavation proposed in connection with the development shall not result in landslides, flooding, or erosion at the time of construction and any time thereafter. The Borough, upon the advice of the Borough Engineer, may require the installation of engineered retaining walls and drainage systems.
 - 6) All excess excavated material shall be removed or otherwise placed so as to become an integral part of the site development. Man-made slopes shall conform to patterns of natural terrain.
 - 7) The maximum grade of a roadway or driveway shall not exceed ten (10) percent.
- F. The Borough reserves the right to require full engineering documentation be provided to ensure safety, stability, erosion prevention, and an acceptable stormwater runoff quantity, quality, and velocity.

§27-5007. Administration of the Steep Slope Conservation District

- A. For all earth moving activities within the Steep Slope Conservation District, the Applicant shall submit a site plan prepared by a Pennsylvania-licensed engineer which includes at a minimum the following:
- 1) Existing and proposed slopes of twenty-five (25) percent and greater based at minimum on five (5) contiguous two-foot (2') contour intervals.
 - 2) Location of all existing and proposed waterbodies including but not limited to streams, lakes and wetlands.
 - 3) Existing natural and topographic features, including all trees with a diameter at breast height (DBH) of eight (8) inches or more in steep slope areas.
 - 4) Location of all proposed and existing buildings and streets.
 - 5) Location and inventory of all existing vegetation including meadow, forest, and scrub lands broken down by those areas of vegetation which will be removed as well as vegetation to be preserved; specifications for re-vegetation shall also be included.
 - 6) Specific methods which will be utilized to control soil erosion and sedimentation, soil loss, and excessive stormwater runoff both during and after construction.
 - 7) A statement and description of the stability of the soils at the site, the appropriateness of the construction method proposed, and the stability of the soils at the site upon completion of construction.
 - 8) Hydrology, drainage, and flooding analysis to include a statement on the effect of the proposed development upon waterbodies, watercourses, or wetlands in the vicinity of the project.
 - 9) A statement describing the underlying geology attesting to the stability of the site.

- 10) Calculations of the area of proposed disturbance of each slope class on each proposed lot as well as within any proposed road right-of-way.
- 11) Grading plan for the construction site and all access routes.
- 12) Documentation of all conservation and erosion control techniques used before, during, and after construction or redevelopment.
- 13) Specific building and landscaping materials to be used during construction or redevelopment.
- 14) Demonstration of compliance with §22 Subdivision and Land Development and with any applicable special exceptions or conditional uses.

§27-5008. Borough Liability

The granting of a use and occupancy permit, a zoning permit, or approval of a subdivision or land development plan on or near the Steep Slope Conservation District shall not constitute a representation, guaranty, or warranty of any kind by the Borough of Ambler, or by any official or employee thereof, of the practicability or safety of the proposed use and shall create no liability upon Ambler Borough, its officials, or employees. The degree of erosion and sediment control protection intended to be provided by this article is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. This article does not imply that areas outside the Steep Slope Conservation

District boundaries or land uses permitted within said district will always be completely free from the adverse effects of erosion and sedimentation.

The Subdivision and Land Development Ordinance of the Code shall be amended by adding the following new subsections to read as follows:

[appropriate section(s) to be determined]

Plans to include steep slopes, using five (5) contiguous contours, of twenty-five (25) percent or greater. If none exist in the plan area, a statement that none exist in the plan area shall be included on a sheet signed by the project surveyor or engineer.

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	NOI and TMDL Strategy Plan submitted September 2012. PADEP comments on TMDL strategy received 2/26/15. Response due 12/31/15. Draft TMDL Strategy provided 10/23/15. Public comment period underway. Progress Report due 3/2016.
2006-06071	Ambler Boiler House - Land Dev.	Construction complete. Punch list items to be addressed.
2006-08054	Pedestrian Sidewalk Upgrade Program	Plan revision underway for resubmission to DVRPC.
2009-06059-01	155-157 Rosemary Ave. Lots 1 and 2 Building Permit Plans	Review of lot grading plans provided 10/21/15.
2010-11019	Ambler-FEMA Map Modernization	DRAFT comparison of existing & preliminary FEMA floodplains submitted to Borough Staff. TENTATIVE DFIRM Dates: Letter of Final Determination - 9/2/15, Final Effective DFIRM: 3/2/16. Code Officer coordinating with MCPC for ordinance review.
2011-01116-01	Glen Mawr Homes-Edgewood SD	Review of Lot 14, Edgewood Dr provided 1/13/16.
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 1/16/16. 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.
2015-01010-01	Mattison Ave One-Way	One-way report letter, back-up data and conceptual signing plan for submission to PADOT provided to Ambler 9/17/15. (G&A did not submit to PADOT)
2015-06011	2015 Growing Greener Grant Application (Ambler)	Application for installation of water quality inlets submitted 7/9/15.
2015-09029	368 Fairview Ave.	Plan review provided 9/16/15. Council granted approval subject to conditions at the 10/20/15 meeting.
2016-01010	2016 Ambler Borough-General Services	Hendricks/Rose Valley bridge evaluation.
Sewer Engineer		
2012-11029-01	Ambler Savings - Sewer	Sewer connection completed.

AMBLER BOROUGH

Project No.	Project Name	Status
Sewer Engineer		
2013-02020-01	Ambler Crossings - Sewer	Plan review #3 issued 10/16/13. Borough Council granted conditional use approval and prelm/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
2016-04041	Chapter 94 Report	Work underway
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 prelm/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 existign 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.
2016-01049	Ambler Borough General Water Services	On-going

Parks and Recreation Committee

The Reorganization Meeting was held on January 4, 20156 at 7:30 p.m. in Borough Council Chambers located at 131 Rosemary Avenue Committee Members: Frank DeRuosi (Chair), Nancy Deininger and Sera Hertz.

The Committee will make no recommendations.

The following business will be discussed.

1. Scott Miller would like to address Council on future Ambler Junior Baseball requests for Pickering Field. **(attached)**

Subject:

FW: AJB

Happy Holidays.

Frank has asked about the scoreboards. I am certainly open to taking them down.

The baseball one is not working and would not be able to be repaired, but the softball scoreboard still works.

I wanted to ask you again about turning the t-ball field into a dual t-ball and softball field. We would need to add appropriate fencing.

The other item I wanted to discuss was adding artificial turf to the fields (in-field ONLY) and dugouts.

The benefits to AJB and the kids are; eliminating stones which are causing injuries while sliding and provide players on the bench too many options for playing and throwing, guaranteed perfect playing conditions (no long grass or bad hops).

The benefits to the neighbors / Borough; a huge reduction in dirt flying into windows, especially from the softball field, reduced grass cutting needed.

We have a fund raising idea we would like to run past you.

We are thinking this could be a great community effort and fund raising idea for both AJB and the Borough (or a charity if you prefer).

We would like to run it simultaneously with an Ambler Main Street event (to get good sales, and some spectators).

We would love to do this at Pickering...☺

Cow Pie Bingo Fundraiser

Experience the "sweet smell of success" while hosting a cow pie fundraising event during a country fair, rodeo or other event. A cow is turned loose on a fenced-in area which has been marked off in 500 three-foot,

numbered squares. The cow determines the winner by making the first "deposit" on one of the squares. Chances on each square are sold for \$20. The winner receives \$200 or 20% of the sales. Kids and adults will both love this fun event.

Make sure that the animal is well-fed on the day of the fundraising event, to assure a timely "deposit". Sell 'turning out' the cow. A line judge is required for close calls. Set out clear rules to avoid problems and assure with stands for the ticket holders to wait and watch for the big moment. A football or soccer field (in off season) is enough volunteers to keep the animal on the grid. Possible sources of the star player: a local dairy, horse farm, or field to make a grid. In place of a cow, you could also use a horse, goat, or sheep, even a dog in a pinch! Hope for media interest and greater publicity for your group. Choose a docile animal and groom resplendently for the event. Have a patrol to patrol the fence and assure no one is able to influence the event in any way. It's best to have a rain date and

This can take either a short time, or a good long while, and some groups find it a good time to sell concessions and dogs. There may be other entertainment on hand as well.

Salary & Personnel Committee

The Re-Organization Meeting was held on January 4, 2016 at 7:30 p.m. in Borough Council Chambers located at 131 Rosemary Avenue
Committee Members: Claudio Zaccone (Chair), Edward Curtis , Frank De Ruosi and Nancy Deininger.

The Committee will consider the following recommendations.

1. The vacant Waste Water Superintendent Positions were advertised and interviews were held. Recommend hiring Mr. Steve Torma for the Superintendent position. Recommend hiring Mr. Bob Croasdale for the Assistant Superintendent Position.
2. Recommend approval of the attached copy of the Ambler Borough Pension Statement of Investment Policy Objectives & Guidelines. This will update the investment policy, allocation objectives, and constraints of the Ambler Borough Pension Plans. This Statement incorporates the changes discussed with Council at the meeting with Alliance Bernstein our plan managers. **(attached)**

The following business will be discussed.

Ambler Borough Pension

Statement of Investment Policy

Objectives & Guidelines

Draft

11/17/15

Statement of Investment Policy, Objectives & Guidelines

SCOPE OF THIS INVESTMENT POLICY

This statement of investment policy reflects the investment policy, objectives, and constraints of the Ambler Borough Pension Plans.

PURPOSE OF THIS INVESTMENT POLICY

This statement of investment policy is set forth by Ambler Borough Council for the Ambler Borough Pension Plans.

1. Define and assign responsibilities of all involved parties.
2. Establish a clear understanding for all involved parties of the investment goals and objectives of Fund assets.
3. Offer guidance and limitations to all Investment Manager regarding the investment of Fund assets.
4. Establish a basis for evaluating results
5. Manage Fund assets according to prudent standards as established in common trust law.
6. Establish the relevant investment horizon for which the Fund assets will be managed.
7. Establish the process for selecting an investment manager.

In general, the purpose of this statement is to outline a philosophy and attitude which will guide the investment management of the assets toward the desired results. It is intended to be sufficiently specific to be meaningful, yet flexible enough to be practical.

DELEGATION OF AUTHORITY

The Council of the Borough of Ambler is the fiduciary for the Pension Fund assets, and is responsible for directing and monitoring the investment management of

Fund Assets. As such, Council is authorized to delegate certain responsibilities to professional experts in various fields. These include but are not limited to:

1. Investment Manager, The investment manager has discretion to purchase, sell, or hold the specific securities that will be used to meet the Fund's investment objectives in accordance with Schedule A guidelines. The Investment Manager is responsible for providing ongoing asset allocation advice, review of performance, as well as a Capital Markets update to the Investment Committee at least two times per year. The Investment Manager will also participate in public Borough meetings at the request of the investment Committee.
2. Custodian. The custodian will physically maintain possession of securities owned by the Fund and will handle the day to day process of receiving pension contributions from the Borough and processing pension payments to recipients.
3. Co-Trustee, Council may appoint an outside individual or entity, such as a bank trust department, to be co-trustee. The Co-trustee will assume fiduciary responsibility for the administration of Fund assets.
4. Additional specialists such as attorneys, auditors, actuaries, retirement Fund consultants, and others may be employed by Council to assist in meeting its responsibilities and obligations to administer Fund assets prudently. All expenses for such expert must be customary and reasonable, and will be borne by the Fund as deemed appropriate and necessary.
5. Pension committees are defined in the Pension ordinances

Neither Council nor the Pension Committees will reserve any control over investment decisions, with the exceptions of specific limitations outlined in Schedule A. The investment managers will be held responsible and accountable to achieve the objectives herein stated. While it is not believed that the limitations will hamper the investment manager, each manager should request modifications which they deem appropriate.

INVESTMENT GOALS AND OBJECTIVES

The investment goals and objectives of the Plan Assets are to meet the cash flow requirements and long term goals for a five to ten year period. The Investment Managers performance will be reviewed at least twice a year and will be measured against commonly accepted performance benchmarks. Council reserves the right to terminate an Investment manager for any reason including the following:

1. Investment performance which is significantly less than anticipated given the discipline employed and the risk parameters established, or unacceptable justification of poor results.
2. Failure to adhere to any aspect of this statement of investment policy, including communication and reporting requirements.
3. Significant qualitative changes the investment management organization.

Investment managers shall be reviewed regularly regarding performance, personnel, strategy, research capabilities, organizational and business matters, and other qualitative factors that may impact their ability to achieve the desired investment results.

SELECTION OF INVESTMENT MANAGERS

Council's selection of Investment Manager(s) must be based on prudent due diligence process in accordance with ACT 44 guidelines. A qualifying investment manager must be a registered investment advisor under the Investment Advisors Act of 1940, or a bank or insurance company. Council requires that each investment manager provide, in writing, acknowledgment of fiduciary responsibility to the Borough of Ambler Pension Fund.

SCHEDULE A

LONG-TERM STRATEGIC ASSET ALLOCATION TARGETS:

<u>ASSET CATEGORY</u>	<u>TARGET ASSET ALLOCATION EXPOSURE</u>	<u>ALLOWABLE RANGE</u>
Return-Seeking Assets	60%	45-75%
Risk-Mitigating Assets	40%	25-55%
Diversifying Assets	0%	0-10%
Total	100%	100%

Return-Seeking Assets: This asset category will be comprised of assets that are expected to generate more growth but also more volatility than cash or bonds.

Risk-Mitigating Assets: This asset category will be comprised of assets that are expected to provide stability and income, serving to counterbalance the higher volatility of return-seeking assets.

Diversifying Assets: This asset category will be comprised of assets that are expected to provide diversification against both return-seeking and risk-mitigating assets.

Exposure to these asset categories and asset classes may be gained through individually managed accounts or through investments in a mutual fund or other collective investment vehicle.

Recommendations

Public Safety Committee

Parks and Recreation

Public Utilities Committee

1. Verizon Monopole Site Plan Review
Consider approval of site plan exhibits for potential cell site project proposed by Verizon, so that Verizon can prepare development plans.
2. Recommend adoption of the attached Resolution 2016-2, an inter-municipal agreement to continue discussions to prepare an alternate TMDL, Total Maximum Daily Limit plan to address the water quality issues in the Wissahickon.

Finance and Planning Committee

1. Recommend the December 2015 invoices be paid in the amount of **\$896,644.45**
2. A recommendation is requested to send to the Borough Planning Commission the proposed Rose Valley Creek Conservation District Ordinances.
3. Recommend approval of the attached agreement of Sale for the property at 122 E. Butler Avenue. Authorization is requested to sign the agreement.
4. The Borough Business Tax for Rental income was temporarily suspended due to a pending law suit. A decision was reached and the Tax is collectable on Rental Properties. Authorization is requested to continue collecting on Rental Properties for 2016. **(attached)**

Salary and Personnel Committee

1. Recommend hiring Mr. Steve Torma for the Waste Water Superintendent position.
2. Recommend hiring Mr. Bob Croasdale for the Waste Water Assistant Superintendent Position.
3. Recommend approval of the attached copy of the Ambler Borough Pension Statement of Investment Policy Objectives & Guidelines.