



BOROUGH OF AMBLER

COMMITTEE MEETING

March 6, 2018

7:00 p.m.

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

A Town Hall meeting was advertised for March 14th, at 7:00pm.

Ambler Borough Council

TOWN HALL MEETING



**Wednesday, March 14
7:00 p.m.**

Public Meeting Room

Open Discussion. Open to the Public.

Public Safety Committee

Tuesday, March 6, 2018

Mr. Zaccone (Chair)

Ms. Hertz

Mrs. Deininger

Mrs. Siskind

OLD BUSINESS

1 **ST. MARY'S DEVELOPMENT**

The Borough Engineer discussed the Storm Water Plans and Traffic study for St. Mary's development. Borough Council is discussing options to address the concerns of residents.

NEW BUSINESS

1. **PUBLIC WORKS & CODE REPORT**

The Code Enforcement report and Public Works report are **attached**.

2. **RESOLUTION 2018-5**

The **attached** Resolution is required to suspend the open container Ordinance for the following events. June 15 & 16 - Art and Music Festival - August 18 - Ambler Criterium Bike Race – October 6- Oktoberfest.

Borough of Ambler

Code Enforcement Report for February 2018

PERMITS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Building	7	8											15
Dumpster	0	1											1
Fire	0	0											0
Mechanical	3	3											6
Plumbing	7	5											12
Road Opening	1	118*											119
Use and Occupancy	0	0											0
Vendor Sales	0	0											0
Zoning	2	0											2
Rental Inspections	26	12											38
TOTALS	46	147											193

*February Road Opening Permits number associated with the ongoing PECO service upgrades throughout the Borough

BOROUGH OF AMBLER
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 2018-05

A RESOLUTION SUSPENDING ENFORCEMENT OF ORDINANCE 748
FOR PERSONS ATTENDING AMBLER BOROUGH'S

ARTS & MUSIC FESTIVAL EVENTS
ON JUNE 15 AND 16, 2018,

FOR PERSONS ATTENDING
AMBLER CRITERIUM BIKE RACE
ON AUGUST 18, 2018,

AND FOR PERSONS ATTENDING
OKTOBERFEST FESTIVAL EVENTS
ON OCTOBER 6 AND 7, 2018

BE IT RESOLVED that Ordinance 748, Codified in the Borough Ordinances at §6-101, prohibiting the carrying of alcoholic beverages in open containers, will not be enforced on June 15 and 16, 2018 against any attendee of Ambler Borough's Arts & Music Festival events, on August 18, 2018 against any attendee of Ambler Borough's Criterium Bike Race, or on October 6, 2018 or October 7, 2018 (rain date) against any attendee of Ambler Borough's Oktoberfest Festival events. During the festival, vendors and merchants will sell alcoholic beverages which may be carried and consumed by attendees within the visible boundaries of the event. Ordinance 748 will remain in force in the remainder of the Borough on those dates. All other laws relating to public conduct, including public intoxication and underage drinking, will remain in full force and effect, including throughout the festival events.

SO RESOLVED this _____ day of _____, 2018.

Frank DeRuosi, Council President

Mary Aversa, Secretary

Public Utilities Committee

Tuesday, March 6, 2018

Mr. Pasceri (Chair)

Mr. Zaccone

Ms. Tomlinson

Mrs. Siskind

OLD BUSINESS

1. **AMBLER CROSSINGS**

The applicant for Ambler Crossings has inquired on the water connection fees for the development. The Project was approved with sewer fees required in the review letter. Borough Council granted permission for Staff and the Solicitor to discuss the fees.

NEW BUSINESS

1. **WWTP ENGINEER REPORT**

The WWTP Engineer's report is attached.

2. **WATER AUTHORITY**

The Borough is considering changing the status of the Water Department and form an Authority. Currently we are under a PUC Regulated Tariff. To become an Authority the Borough must file a Petition to Abandon the PUC Tariff. This will require an advertisement and permission from the PUC. The process and reasons for the recommendation will be discussed. If Council is in support of the recommendation they can authorize the Solicitor to file the necessary documents with the PUC.



March 2, 2018

Ms. Mary Aversa
Borough Manager
Borough of Ambler
131 Rosemary Avenue
Ambler, PA 19002

Re: Status Report – February 2018

Dear Mary,

The status of current active projects is as follows:

- 1.) Wissahickon Creek TMDL – The work by Temple University is proceeding. The four WWTPs have submitted letters to EPA describing the ongoing efforts to reduce phosphorus from the effluent of each WWTP.
- 2.) NPDES Permit – PADEP forwarded to EEMA a preliminary draft NPDES permit. EEMA has been corresponding with PADEP regarding a potential numerical limit for Aluminum. EEMA is furnishing data to PADEP to hopefully support keeping aluminum as a “monitor-report” in the new permit, which would be the same as the previous permit.
- 3.) NPDES Permit and TMDL Compliance– EEMA is working with WWTP personnel to prioritize repair, replacement and refurbishment of certain critical process related valves and pumps. To meet the total phosphorus limits proposed by DEP, all processes at the WWTP will need to perform optimally. EEMA is also investigating additional chemical storage, multiple chemical addition locations, and converting the digesters to aerobic digestion.
- 4.) Conversion of Digesters – EEMA is proceeding with the design to convert the digesters from anaerobic digestion (without air) to aerobic digestion (with air).
- 5.) Chemical Tank Product Conversion – The existing chemical storage tanks were cleaned. The WWTP is now using PolyAluminum Chloride as the chemical utilized for phosphorus removal.

If you have any questions, please do not hesitate to contact me.

Very truly yours,
Environmental Engineering &
Management Associates, Inc.

William A. Brown II, P.E.
Principal Engineer

Finance & Planning Committee

Tuesday, March 6, 2018

Ms. Tomlinson (Chair)

Ms. Di Pietro

Ms. McKenna Endicott

OLD BUSINESS

1. **BAMBOO ORDINANCE**

The **attached** Ordinance to address the spread of bamboo in the Borough was sent to the Planning Commissions. The County review letter is **attached**.

2. **PARKING RATES AND HOURS**

The Parking Committee is discussing the Parking Plan and meter options. Details will be provided.

3. **BOROUGH PROFESSIONAL SERVICES**

Staff is working to solicit Statements of Qualifications for professional services.

NEW BUSINESS

1. **BOROUGH ENGINEER'S REPORT**

The Borough Engineer's report will be provided.

2. **EXECUTIVE SESSION**

An executive session is needed for a real estate matter.

AMBLER BOROUGH, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING CHAPTER 10, PART I OF THE BOROUGH CODIFIED ORDINANCES (GRASS AND WEEDS) BY ADDING A NEW SECTION 10-105, FORBIDDING THE PLANTING OF NEW BAMBOO PLANTS WITHIN THE BOROUGH; REQUIRING REMOVAL AND ABATEMENT OF EXISTING BAMBOO IN CERTAIN CIRCUMSTANCES; LEAVING THE REMAINDER OF THE ORDINANCE IN FULL FORCE AND EFFECT; EFFECTIVE ON THE EARLIEST DATE PERMITTED BY THE PENNSYLVANIA BOROUGH CODE

WHEREAS, the Ambler Borough Council seeks to preserve and protect private and public property from the damaging spread of bamboo grasses, and

WHEREAS, the Borough has received numerous complaints about bamboo that has migrated from the property on which it was originally planted onto adjoining properties without the permission of the owners, thereby constituting a noxious growth, and

NOW THEREFORE Ambler Borough Council does ORDAIN as follows:

§10-105. Bamboo.

1. Definitions.

BAMBOO – Any Monopodial (running) tropical or semi-tropical grasses from the genera Bambusa, including but not limited to Bambusa, Phyllostachys, Fallopia and Pseudosasa, as well as common bamboo, golden bamboo, arrow bamboo, and Japanese bamboo. For purposes of this ordinance, bamboo does not include clumping varieties (non-invasive rhizome structure).

BAMBOO OWNER – Any owner or occupier of property that contains any type of running bamboo; however, for purposes of enforcement, an owner or occupier of property containing running bamboo shall not be considered a bamboo owner if he or she has made a demand in writing or in court against an adjoining property owner claiming that the bamboo has migrated from the adjoining property against the wishes of the claimant and that the claimant seeks its removal by the owner of the adjoining property.

2. Prohibition of New Bamboo. As of the effective date of this section, the planting of new bamboo is prohibited on any property within the Borough. A violation of this ordinance is a summary offense punishable by a fine of one hundred dollars (\$100.00). After seven (7) days have elapsed from a violation notice, each day thereafter is a separate offense.
3. Regulation of Existing Bamboo. Any bamboo that has been planted or otherwise permitted to grow on any property within the Borough prior to the effective date of this subsection may remain on such property subject to compliance with this subsection.

- A. No part of a bamboo plant, regardless of whether the plant is contained within a vessel or not, shall be planted, maintained or otherwise permitted to exist within 10 feet of any property line or edge of the pavement or traveled portion of a public or private road, alley or sidewalk in the Borough.

4. Removal and Abatement.

- A. Any property owner whose property contains bamboo that violates §10-105.3 shall remove and abate growth of the bamboo so that it is no longer in violation of this subsection.
 - i. The removal or abatement of bamboo shall only be deemed complete by the Borough if the root system is fully contained within a barrier.
 - a. The barrier shall be composed of high-density polypropylene or polyethylene at a thickness of 40 mil. or more.
 - b. Portions or sheets of the barrier shall be secured or joined together by the use of stainless steel clamps or stainless steel closure strips designed for such barriers.
 - c. The entire perimeter of the barrier shall extend at least 30 inches below ground level and at least 3 inches above ground level.
 - d. When installed, the barrier shall slant outward from the bottom to the top.
 - B. The bamboo owner, defined herein, is responsible for removing, trimming, or cutting any part of a bamboo plant that grows in violation of this section.
 - C. The bamboo owner shall be responsible for any incurred costs related to the removal and/or abatement of bamboo that is in violation of this subsection.
 - D. Whenever possible, if bamboo growing in violation of this subsection is present on two or more adjacent properties, bamboo owners are strongly encouraged to begin removal/abatement work at the same time. The removal or abatement of larger bamboo stands will be most successful if all affected bamboo owners take action simultaneously.
5. Replanting Prohibited. Any bamboo either planted or caused to be planted or existing on a property prior to the effective date of this subsection may not be replanted or replaced once such bamboo is or has become, for any reason, dead, destroyed, uprooted, or otherwise removed.

6. Violation and Penalty.

- A. Upon a determination by the Borough that a violation of this ordinance exists, the property owner will be sent a letter explaining the violation and the steps that must be undertaken to abate and remedy the violation. Such notice shall be sent by regular mail to the property owner's address of record.
- B. The letter will instruct the property owner that it has ten days within which to begin a correction of the violation and advise that if such work does not commence within ten days (or any additional period agreed to by the Borough), then the owner will be issued a summary citation enforceable in magisterial district court. The letter will also advise that the owner has 120 days within which to complete the removal of the bamboo that forms the basis for the violation. The letter shall include details as to the steps that need to be taken to correct the violation.
- C. If the work to correct the violation does not commence within ten days or such additional time as agreed to by the Borough, or is not completed within 120 days, the summary citation shall issue as in the usual course.
- D. A violation of this ordinance is punishable by a fine not to exceed \$600.00 (to be determined by the court) along with the payment of court costs. The Borough reserves the right to enforce this ordinance through all legal and equitable means, including injunctive relief.

- 7. This ordinance is effective upon adoption. Enforcement of this ordinance will commence one year (365 days) after adoption.
- 8. Should a court of competent jurisdiction find any provision herein to be without legal effect, then such infirm portion shall, to the extent possible, be severed from the remainder of the ordinance, which shall continue in effect.

SO ORDAINED this _____ day of _____, 2018.

Frank DeRuosi, Council President

ATTEST: _____
Mary Aversa, Secretary

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

February 23, 2018

Mr. Glenn Kucher
Borough of Ambler
131 Rosemary Avenue
Ambler, Pennsylvania 19002

Re: MCPC #17-0211-002
Proposal Name: Bamboo Ordinance
Borough of Ambler

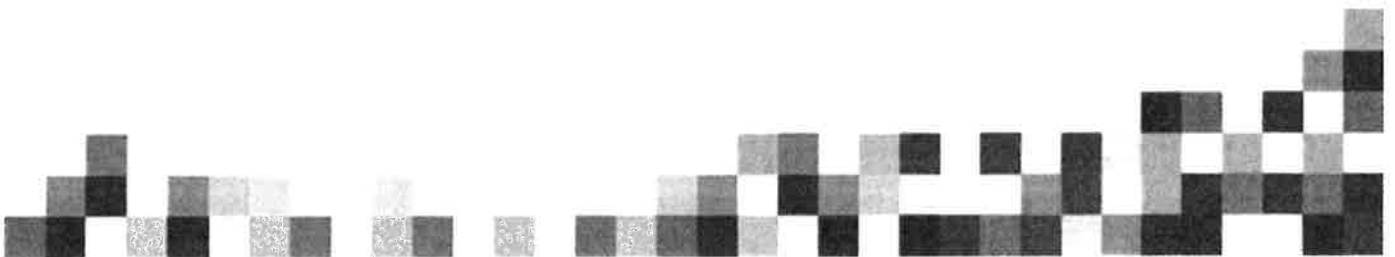
Dear Mr. Kucher:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on February 22, 2018. We forward this letter as a report of our review.

BACKGROUND

As many communities in southeastern Pennsylvania have done, the Borough of Ambler proposes to enhance their existing Grass and Weeds regulations (**Chapter 10, Part 1**) by adding a new section, **§10-105 Bamboo**, to specifically address the growth and spread of bamboo in the borough. The proposed ordinance would regulate only running bamboo (vs. clumping), which is common in the region. Despite being used for screening or ornamental purposes, running bamboo generally spreads and becomes overgrown quickly, therefore, it can easily encroach into right-of-ways or across property lines. Due to its aggressive nature, running bamboo is known to cause damage to ecosystems or physical property if growth is uncontrolled.

The proposed zoning text amendment would define "bamboo" (running types only) and "bamboo owner", and would prohibit the planting of any new bamboo in the borough. Existing bamboo would be permitted to remain so long as no part of the plant exists within 10 feet of any property line, roadway, alley or sidewalk to prevent the bamboo from spreading uncontrollably and from potentially causing damage to property or infrastructure. If removal or abatement is required, bamboo owners would be required to install a protective barrier to the specifications noted in the proposal (§10-105.4.A) to prevent future spreading. The proposal also includes procedures for issuing violations and fines.



RECOMMENDATION

The Montgomery County Planning Commission (MCPC) supports the applicant's proposal without comment as we have found it to be generally consistent with best practices for the municipal regulation of running bamboo varieties. We commend the borough for taking this initiative and we believe that the proposed ordinance, if adopted, will help mitigate some of the harmful or undesirable effects of bamboo growth in Ambler, particularly in regard to encroachment onto adjacent properties.

CONCLUSION

Please note that the review comments and 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 adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



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

c: Mary Aversa, Borough Manager
Joseph Bresnan, Esq., Borough Solicitor
Robert LaGreca, Chair, Borough Planning Commission

Parks & Recreation Committee

Tuesday, March 6, 2018

Ms. Hertz (Chair)

Mrs. Deininger

Ms. McKenna Endicott

OLD BUSINESS

NEW BUSINESS

1. **FRIENDS OF BOROUGH PARKS**

The committee would like to discuss the possibility of having residents help in caring for our parks.

Salary & Personnel Committee

Tuesday, March 6, 2018

Mrs. Deininger (Chair)

Mr. Pasceri

Mr. Zaccone

Ms. Di Pietro

OLD BUSINESS

NEW BUSINESS

1. **BOROUGH VACANCIES**

The Vacant Highway and Water Position have been advertised.

Public Comment Procedure:

As a reminder, it will not be the practice of Council to answer questions and/or engage in dialogue with the speaker during the Public Comments section of the meeting. Comments regarding any and all employee issues will not be entertained. Council may address items or questions raised at the next scheduled Committee/Council meeting, but reserves the right to determine agenda items. Council requests that those in attendance refrain from engaging the speaker during public comments. Thank you for your cooperation.

Ambler Borough Council