



BOROUGH OF AMBLER COMMITTEE MEETING

May 4, 2021

7:00 p.m.

ZOOM Meeting –Rules & Protocol

Borough Council will conduct its Committee Meeting via Internet vehicle 'ZOOM'. For the safety of Ambler residents, Borough Hall will be closed. Pre-registration is required. Attendees must provide their email, first and last name, and home address. Once registration is processed, a link to attend will be provided via email. A video of the virtual meeting will be posted on this website for the public the following day. The Borough Manager is making the meeting Agenda available for review by the public. Please feel free to read through the Agenda and provide feedback or make an inquiry on any Agenda items. You may email the Borough Council President Frank DeRuosi at fderuosi@borough.ambler.pa.us until 4:00PM on the meeting day so that Council may consider your comments or address a question from the public during the ZOOM Meeting.

MEETING PROCEDURES

1. Pre-registration is required. Attendees must provide their email, first and last name, and home address. Once registration is processed, a link to attend will be provided via email.
2. All participants, except for the Borough Council, Borough Manager, Borough Solicitor, Borough Police Chief, and invited Borough Staff will be muted with video camera/web camera turned off automatically upon entry to the virtual meeting.
3. There will be a Public Comment section regarding agenda items at the end of each Committee's report. A Public Comment period regarding non-agenda items will occur after voting.
4. The Public Comment section will begin with the Council President reading aloud the comments that were emailed to the Borough ahead of this meeting. Each emailed comment must include the first & last name of the resident, as well as their address. The Council will discuss each comment individually.
5. Participants who wish to speak during the Public Comment section will be instructed to press the "Raise Your Hand" button. Public comment is limited to three minutes per individual per agenda item and five minutes when an individual represents a group.
6. One by one the Borough Zoom administrator, will call on each participant with their virtual hand raised. That participant will be unmuted. That participant will have 15 seconds to respond to being called on. If there is no response, the next person "in line" will be called on.
7. It is asked that anyone who speaks during the Public Comment section announce their first and last names, as well as their home address for the record. After the comment, that participant will be muted.
8. The Council President, at any time reserves the right to mute a participant, end the video stream of a participant, or terminate/end the meeting at his discretion, due to hackers, inappropriate language, or any other activity the Council President deems inappropriate.
9. We ask for everyone's patience and understanding as we navigate through these unprecedented times and work through the unique challenges of virtual public meetings.

Public Safety Committee

Tuesday, May 4, 2021

Erin McKenna Endicott - Chair

Glynnis Siskind

Sara Hertz

Nancy Deininger

OLD BUSINESS

NEW BUSINESS

1. **PUBLIC WORKS & CODE REPORT**
The Code Enforcement report and the Public Works reports are **attached**.
2. **EMERGENCY DECLARATION FOR MAY**
A recommendation is requested this evening to adopt the Emergency Declaration for COVID-19 for the month of May. (**attached**)
3. **RED CROSS BLOOD DRIVE**
The next Red Cross Blood Drive is scheduled for Thursday, June 3rd from 2-7 p.m. in the Borough Hall Gym. To make an appointment to give, go online to www.redcrossblood.org (keyword: ambler) or call 1-800-Red-Cross. (**attached**)
4. **COMPLETE STREETS POLICY**
The committee discussed the potential of a grant application for a complete street policy through the Pennsylvania Department of Health/Pennsylvania Downtown Center: PA Walk Works.
5. **RACE STREET CROSS WALK**
Staff is requesting quotes for the Library Crosswalk Upgrade on Race and Lindenwold.

Borough of Ambler Code Enforcement Report for April 2021

PERMITS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Building	13	16	21	23									73
Dumpster	3	0	6	4									13
Fire	0	0	1	0									1
Mechanical	3	1	5	8									17
Plumbing	6	1	6	7									20
Road Opening	1	1	1	1									4
Use and Occupancy	0	2	2	2									6
Vendor Sales	0	0	0	0									0
Zoning	5	1	5	8									19
Rental Inspections	0	0	0	2									2
TOTALS	31	22	47	55									155

** The Borough Bi-Annual Rental Inspection Program was temporarily paused in early March 2020 due to COVID-19 hope to start back up later in 2021

**BOROUGH OF AMBLER
MONTGOMERY COUNTY, PENNSYLVANIA**

DECLARATION OF DISASTER EMERGENCY

WHEREAS, on or about **Tuesday, May 4, 2021**, a viral pandemic continues to cause or threatens to cause injury, damage and suffering to the persons and property of Borough of Ambler, Montgomery County, Pennsylvania; and

WHEREAS, the pandemic has the ability to endanger the health, safety and welfare of a substantial number of persons residing in Ambler Borough, and threatens to create problems greater in scope than Ambler Borough may be able to resolve; and

WHEREAS, emergency management measures are required to reduce the severity of this disaster and to protect the health, safety and welfare of affected residents in Ambler Borough.

NOW, THEREFORE, we, the undersigned Borough Council President and Mayor of Ambler Borough, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Service Code, (35 PA C.S., Section 7501) as amended, do hereby declare the existence of a disaster emergency in Ambler Borough.

FURTHER, we direct the Ambler Borough Emergency Management Coordinator to coordinate the activities of the emergency response, to take all appropriate action needed to alleviate the effects of this disaster, to aid in the restoration of essential public services, and to take any other emergency response action deemed necessary to respond to this emergency.

FURTHER, given that Ambler Borough is responsible for the maintenance of a potable water distribution system and a wastewater treatment plant which serve the people of Ambler Borough and surrounding townships, we direct and authorize Ambler Borough staff to coordinate and undertake all activities deemed necessary to provide these essential public utility services.

STILL FURTHER, we authorize officials of Ambler Borough to act as necessary to meet the current exigencies of this emergency, namely: by the employment of temporary workers, by the rental of equipment, by the purchase of supplies and materials, and by entering into such contracts and agreements for the performance of public works as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

This declaration shall take effect immediately upon adoption on this **4th day of May 2021**.

Frank DeRuosi, Ambler Borough Council President

Jeanne Sorg, Ambler Borough Mayor

Mary Aversa, Secretary



Summer
FULL OF LIFE

Blood Drive
Borough of Ambler Hall

Gym
131 Rosemary Ave
Ambler, PA 19002

Thursday, June 3, 2021
2:00 p.m. to 7:00 p.m.

Please contact Mary at maversa@borough.ambler.pa.us

Please call 1-800-RED CROSS (1-800-733-2767) or visit RedCrossBlood.org and enter: Ambler to schedule an appointment.



Scan to be directed to
RapidPass®



Scan to schedule
an appointment.

Share the vibe. Give blood to help save lives.

Download the Blood Donor App | RedCrossBlood.org | Call 1-800-RED CROSS

Public Utilities Committee

Tuesday May 4, 2021

Glynnis Siskind – Chair

Haley Welch

Jen Henderson

Karen Sheedy

OLD BUSINESS

1. **WATER AUTHORITY**

An application of the Borough of Ambler for approval of the abandonment of public water service to the public in Pennsylvania has been filed and a notice has been advertised.

Formal protests and petitions were received.

NEW BUSINESS

1. **WWTP ENGINEER REPORT**

The WWTP Engineer's report will be provided.

2. **WATER SYSTEM FLUSHING**

The Water Dept. is conducting routine system hydrant flushing. A flushing schedule will be posted on the Borough's website.

3. **MIRIA GRANT APPLICATION**

Authorization is requested to make application to and submission of a Military Installation Remediation and Infrastructure Authority (MIRIA) Grant Application specifically for the **Wells 12 or 14 PFAS Treatment Project**. A recommendation is needed to adopt Resolution 2021-04 authorizing the application to MIRIA for Well 12 or 14 PFAS upgrade.

**BOROUGH OF AMBLER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2021-04

AN AUTHORIZING RESOLUTION FOR APPLICATION TO MIRIA

Ambler Borough Council, the governing body of Borough of Ambler, does hereby authorize the Borough of Ambler on behalf of the Ambler Borough Water Department, to make application to and submission of a Military Installation Remediation and Infrastructure Authority (MIRIA) Grant Application specifically for the **Wells 12 or 14 PFAS Treatment Project**.

Ambler Borough Council further recognizes the requirement of the municipality to make contributions to MIRIA each year to be eligible for grant monies and as such Borough Council authorizes a Local Effort contribution in an amount **not to exceed \$250,000** for the purpose of submitting the aforementioned grant application.

SO RESOLVED, this 4th day of May 2021.

Frank DeRuosi, Borough Council President

Mary Aversa, Secretary

Finance & Planning Committee

Tuesday May 4, 2021

Nellie Di Pietro - Chair

Erin McKenna Endicott

Haley Welch

Karen Sheedy

OLD BUSINESS

NEW BUSINESS

1. **BOROUGH ENGINEER'S REPORT**

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

2. **RESALE PROPERTY INSPECTIONS**

Staff would like Council to consider a residential inspection program for resale properties. Please see the **attached** memo detailing the recommended process and scope.

3. **NMCRC RESOLUTION FOR ACT 101 VIOLATIONS**

Northern Montgomery County Recycling Commission has prepared a draft of a revised Protocol for Act 101 Violations and a 2021 Protocol Resolution. (**attached**). The Commission seeks to receive all comments from Council prior to the NMCRC's scheduled July 15, 2021 meeting.

AMBLER BOROUGH

Status

Project No.	Project Name	Status
Borough Engineer		
2001-1010	TEA-21 - Ambler Streetscape 2002	SEPTA completed train preemption connection completed. Traffic signal was put into operation on 1/1/5. PUC acknowledged project completion. Contractor to complete curb ramp punch list items.
2003-0122-01	Ambler-2013 NPDES MS4 Permit	Awaiting PADEP review of TMDL Strategy & PRP. 2020 Annual Status Report submitted to PADEP 9/28/20. Next Annual Status Report due 9/30/21 for period 7/1/20 thru 6/30/21.
2006-08054	Pedestrian Sidewalk Upgrade Program	Revised Safety Report, ADA, Traffic and DM-3 (plans presentation) approved by PADOT. Utility clearance and lump sum justification to be revised and resubmitted. Constructability review comments received 3/11/21. Revisions underway.
2013-02020	Ambler Crossings	Construction underway. Escrow release for Phase 1 (Boiler House parking) provided 9/27/18. Escrow release #1 for Phase 2 provided 6/4/20.
2014-12015	St. Mary's Villa Residential Redevelopment- TIS	UDT submitted Traffic Signal Permit Application (TE-160) to PADOT on 8/28. PADOT has concurred a signal is warranted at Bethlehem/Lindenwold by way of 10/22 letter. UDT to prepare signal permit application and submit to PennDOT for review and approval.
2017-01010-01	Ambler Pocket Park - Ambler Square	Construction underway. Anticipate Spring 2021 completion. Application submitted to PECO Green Regions Program on 1/12/20.
2017-09055	Bridge/Culvert Assessments	Load rating reports Hendricks/Rose Valley provided 7/31/18 & for N. Maple/Tannery Run provided 10/2/18. Condition assessment of Hendricks/Rose Valley underway. Condition assessment of N. Ridge/ Rose Valley to be completed. Visual assessment of Tannery Run underway.
2019-05082	Ambler Borough 2019 Road Paving	Paving completed week of 1/1/4. Maintenance Bond dated 11/27/19. End of maintenance period 5/27/21
2019-05082-02	Cavaller Lot Paving	Work completed 10/25/19. Maintenance Bond dated 12/19/19. End of maintenance period 6/18/21.
2020-07089	90 W. Butler Ave	Conditional approval granted by Council at 2/16/21 meeting. Review of revised plans and OPC provided 4/7/21 & 4/1/21.
2021-01010	2021 Ambler Borough General Services	MontCo2040 (2021 Round) for community garden submitted 3/1/21.
2021-01136	241 N. Main (DeCastro)	Plan review on hold pending Borough receipt of application and fees.
2021-03028	Lakeview CU	Pre-application meeting held with developer on 3/5/2021.
2021-03069	34 E. Butler Minor SD (01-270-074)	Plan review provided 4/2/21. Reviewed by
2021-04048	Edgewood Dr - PA Small Water & Sewer Program Grant Implementation	Kick-off meeting with Borough Staff to be held and design work to begin in May 2021. Anticipate bid early 2022.
2021-04130	Ambler 2021 WalkWorks Application	Application Due 5/14/21. Planning grant to address pedestrian and biking routes (complete streets/vision zero) in Ambler.
Sewer Engineer		
2013-02020-01	Ambler Crossings - Sewer	Construction underway. Sanitary Sewer is complete; testing remains.

GILMORE & ASSOCIATES, INC.

AMBLER BOROUGH

Status

Project No.	Project Name	Status
Sewer Engineer		
2021-01041	Chapter 94 Report	Annual sewer collection report submitted to EEMA on 3/18/21.
2021-01050	Ambler Borough 2021 General Sewer Services	Ongoing
Water Engineer		
2012-10043	Loch Ash Dam Annual Inspections	Annual inspection with PADEP conducted on 11/18/20. Report completed and transmitted to PADEP on 1/7/21.
2013-02020-02	Ambler Crossings - Water	Construction underway. Water main is tested/complete.
2013-02073	Loch Ash Emergency Action Plan	Hydrologic & hydraulic analysis and inundation map revisions completed by Princeton Hydro (PH) per report letter dated 4/12/21. Emergency Action Plan (EAP) updated per PH report and for administrative changes. PH report and updated EAP transmitted to Borough for review on 4/23/21.
2017-03128	Lafayette Ave. Water Main Replacement	Project complete. 18 month maintenance period began 12/18/18. Maintenance period punch list issued 6/1/20.
2018-01154	Gwynedd Walk (LGT)	Water main construction and testing complete; some service curb stops remain to be installed. 18 month maintenance complete. Escrow release #2 recommended 8/1/20.
2018-01171	Mattison Estates (UDT)	Water construction and testing complete. 18 month maintenance period began 7/1/20. Ongoing reviews of water service connections.
2019-01169-01	Butler Pike Water Main Replacement	Water main construction, testing and service connections complete. Final restoration work in progress.
2020-03071	MIRIA Grant Application	Assisted Water Dept. with preparation of grant application documents, including budget cost estimate for proposed PFAS treatment piping project to connect Wells 6 and 7 to proposed Well 2 treatment system. Grant awarded by MIRIA end of December 2020. Design of piping from Wells 2 and 7 to treatment system to be located at Well 6 is underway. Working with Ambler Water Supl and carbon supplier to evaluate carbon currently in use at Whitemarsh WTP and assess options for carbon to efficiently treat PFAS. Reviewed most recent quarterly PFAS samples for all sources and tanks.
2020-03072	Whitemarsh Plant Operations	Assisting Water Dept. with recommendations and revisions to the Whitemarsh Plant SOPs. Prepared revised calculations with recommended settings to meet 1.0-Log Giardia Inactivation requirements. Prepared and submitted plan to DEP for review and approval of tracer test to be conducted at Whitemarsh to determine contact time and efficiency of chlorine detention facilities. Plan approved by DEP on 11/3/20. Tracer test completed 12/1/2020. Report of test results submitted to DEP on 3/18/21. Permit issued by DEP on 3/24/21.
2020-06158	Wells 2, 6, and 7 PFAS Treatment System	\$1,000,000 grant awarded by PADEP. Survey complete and engineering design underway. Pre-application meeting with DEP representatives held virtually on 3/9/21 to discuss permit requirements.
2021-01040	Ambler Borough DRBC Annual Water Audit	Annual water loss audit submitted to DRBC via email on 4/1/21.

GILMORE & ASSOCIATES, INC.

AMBLER BOROUGH

Project No. _____ Project Name _____

Water Engineer _____

Status

2021-01049 Ambler Borough 2021 General Water Services

Ongoing assistance concerning PFAS issues, including regulatory activity, source monitoring, providing information and responses to the public. Preparing update to water distribution system map. Working with Water Supv. on monitoring and waiver requirements in 2021. Met with Ambler staff to review 5-year capital plan. Assisted Ambler attorneys and staff with responses to Discovery questions concerning formation of a Water Authority including providing corresponding documentation.

Borough Of Ambler

131 ROSEMARY AVENUE
AMBLER, PENNSYLVANIA 19002-4476

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



Memorandum

To: Ambler Borough Council

From: Glenn Kucher, Code Enforcement Officer

Date: April 30, 2021

Re: Resale Residential Use and Occupancy Inspection Proposed Procedures and Policies

Ambler Borough presently does not require a use and occupancy for the sale of a residential property in the Borough. The Borough presently requires a letter outlining items are in good working condition from the seller. With the present booming real estate market in the Borough, it may be a good time to inspect and regulate some commonly neglected items that have a negative effect on the Borough as a whole. Staff would like to propose starting a residential resale use and occupancy inspection program. This would NOT entail an interior inspection of the property. I feel that many new homeowners in the Borough are either hiring their own home inspector and / or renovating after settlement. New rentals are inspected by the Borough in order to make sure that property maintenance issues are repaired. With performing the below items current staff along with the Building Inspector would be able to handle the increase in tasks. This proposed program would entail inspections of the following:

- Electrical Certification – this electrical inspection and certification would be done by a certified electrical underwriter to ensure compliance and safety under the electrical code. There are several electrical underwriters in the area and a list would be provided to the seller as part of the resale packet information. Electric certifications would be sent to the Borough via email from the electrical underwriter.
- Curb / Sidewalk / Alley Inspection – if a home has a curb, sidewalk and/or a driveway or portion of the rear alley that need repair or replacement it would be required to do so prior to the issuance of a use and occupancy. Borough inspectors would mark the required areas for repair with white spray paint. Walkability is one of the many cornerstones which makes Ambler a desirable place to live, and this would help improve its walkability and safety as properties turnover.

- Sewer lateral Inspection - the seller of the property would be required to hire a master plumber to conduct a video inspection of the sanitary sewer service lateral and issue a certified report regarding the condition. This certified report would clearly indicate whether the private sewer service lateral serving the property is in satisfactory or defective condition. The certification shall clearly indicate that there is no inflow and/or infiltration into the private sewer service lateral, nor any illegal connections, sump pump connections, and that the cleanout vent is capped and not damaged. If the private sewer service lateral serving the property is in defective condition, the certified report shall identify the deficiencies and make necessary changes. I have spoken to plumbers in the Borough that have the necessary equipment and certifications to perform these inspections.
- Backflow preventer verification – this is a check valve located on the house side of the meter to prevent water from flowing in the opposite direction out of the home in the event of an emergency.
- Exterior property maintenance inspection – a visual inspection to ensure that there are no tripping hazards on walkways, loose railings, missing roof shingles or visually distressed items on the exterior.

I have overseen use and occupancy resale inspection programs at my previous municipality I worked at and believe the above lite inspection program could easily be incorporated into the Code Department operations. The next step moving forward would be to draft an ordinance outlining the above. I have several sample municipal ordinance language to assist in this process with the Borough Solicitor. The Borough would be looking for a fee of about \$150.00 which would cover the cost of the initial inspection and a re-inspection and paperwork. The Borough Code Department would be able to implement this program immediately after adoption of the Ordinance. I have obtained all the necessary forms and paperwork get started.

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

Wisler Pearlstine, LLP

Blue Bell Executive Campus
460 Norristown Road, Suite 110
Blue Bell, Pennsylvania 19422-2323
610.825.8400 + Fax 610.828.4887
www.wislerpearlstine.com



Offices in Blue Bell + Newtown

Mark A. Hosterman, Esquire
mhosterman@wispearl.com

April 20, 2021

Mary Aversa, Borough Manager
Ambler Borough
122 E. Butler Avenue
Ambler, PA 19002

**RE: Northern Montgomery County Recycling Commission
Protocol for Act 101 Violations**

Dear Ms. Aversa:

As you may recall, this office serves as solicitor for the Northern Montgomery County Recycling Commission (“NMCRC”) of which your municipality is a member. In 2020, the NMCRC sent you a proposed Protocol for Act 101 Violations along with a resolution (the “2020 Protocol Resolution”) and requested that your governing body adopt the same. Most of the member municipalities adopted the 2020 Protocol Resolution as presented; however, some municipalities responded by providing comments and requesting revisions to the 2020 Protocol Resolution before considering it for adoption. This resulted in an incomplete adoption process and lack of uniformity among the member municipalities.

The Commissioners have expressed a desire for all eleven municipalities to adopt the exact same protocol to achieve uniformity in enforcement protocol. To that end, we are enclosing a *draft* of a revised Protocol for Act 101 Violations and resolution (the “2021 Protocol Resolution”) which the Commission believes addresses the concerns of the municipalities that have not heretofore adopted the 2020 Protocol Resolution.

The NMCRC respectfully requests that you share this *draft* 2021 Protocol Resolution with your governing body and solicitor to provide our office with your review comments prior to the NMCRC meeting to be held July 15, 2021. At that meeting, the Commissioners intend to review all comments and make one final revision to the 2021 Protocol Resolution. It is anticipated that the finalized version for adoption will be distributed shortly after the July 15 NMCRC meeting. In the interim, please do not adopt this draft version of the 2021 Protocol Resolution.

Please let us know if you have any questions, comments or concerns, or require any further information.

Sincerely,



MARK A. HOSTERMAN

MAH:slp

Enclosures

cc: NMCRC Commissioners *via email only*

{02327037 }

ATTORNEYS AT LAW

Newtown Office:

Post Office Box 1186 + 301 North Sycamore Street + Newtown, Pennsylvania 18940 + 215.579.5995 + Fax 215.579.7909

_____ TOWNSHIP/BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION 2021-__

**A RESOLUTION ADOPTING PROCEDURES FOR THE
HANDLING OF RECYCLING AND SOLID WASTE
DISPOSAL VIOLATIONS BY HAULERS, BUSINESSES,
INSTITUTIONS OR RESIDENTS OF MEMBER
MUNICIPALITIES OF THE NORTHERN MONTGOMERY
COUNTY RECYCLING COMMISSION.**

WHEREAS, the Northern Montgomery County Recycling Commission (the “Commission”) is comprised of eleven (11) municipalities located in Montgomery County, Pennsylvania organized for the purpose of implementing the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, as amended (“Act 101”); and

WHEREAS, the member municipalities of the Commission have assigned and delegated their powers under Act 101 to the Commission in accordance with an Amended and Restated Intermunicipal Agreement dated May 21, 2007, as amended (the “Agreement”); and

WHEREAS, Section 403 of the Agreement grants to each member municipality concurrent jurisdiction with the Commission for the monitoring and enforcement of Act 101; and

WHEREAS, Section 4 of the Municipal Waste Collection and Recycling Ordinance adopted by each of the member municipalities authorizes the Commission to establish, by resolution, rules and regulations related to the administration of the recycling program and to administer and enforce against violations of all such rules and regulations; and

WHEREAS, each member municipality has delegated to the Commission pursuant to Section 8.B(2)(c) the authority to promulgate rules and regulations and to enforce those rules and regulations or to delegate such enforcement to the member municipalities; and

WHEREAS, the Commission and each member municipality desire to establish formal procedures for the enforcement of Act 101 and enforcement against violations by haulers, businesses, institutions and residents of its member municipalities;

NOW, THEREFORE, IT SHALL BE RESOLVED AS FOLLOWS:

Section 1. The Commission and each member municipality hereby adopt the enforcement procedures attached hereto as Schedule “A” and incorporated herein by this reference with the same effect as if they had been set out verbatim in this section, and a copy of which shall be filed with the minutes of the meeting at which this Resolution was adopted.

Section 2. Resolution 2020-___ adopted on _____, 2020 is hereby rescinded in its entirety.

Section 3. This Resolution shall become effective at the earliest date permitted by law.

DULY ADOPTED this ___ day of _____, 2021 by the _____ Township/Borough.

TOWNSHIP/BOROUGH

Attest: _____
Secretary

By: _____
Chairman

Regulation re: Violations of Act 101

Procedures for Act 101 Violations

1. First Offense – Upon receipt of sufficient credible evidence and after consultation with the municipality in which the violation occurred, a written violation warning letter may be sent to the violator (i.e., the waste hauler, business, institution or municipal resident) by the NMCRC Solicitor, at the discretion of the NMCRC Solicitor, who may seek guidance from the Commission before moving forward with a written violation warning letter. A warning letter will include a statement that both the municipality and the NMCRC have enforcement powers for a violation of Act 101 and/or the corresponding municipal ordinance.
 - a. Written notice should be sent by certified mail, return receipt requested.
 - b. A copy of the written notice should be sent to the member municipality in which the violation occurred and to the NMCRC Chairman, for distribution to all Commission members.
 - c. Written notice should include a description of each violation, identification of the section(s) of Act 101 and/or the corresponding municipal ordinance being violated.
 - d. Whenever appropriate, initial violations shall be discussed in executive session.
 - e. If the NMCRC Solicitor declines to issue a violation warning letter, the NMCRC Solicitor shall notify the member municipality of the decision. The member municipality may move forward with a violation warning letter.
2. Subsequent Offense – Upon receipt of sufficient credible evidence of a subsequent offense by the same violator within two (2) years of the date of the first offense, the municipality in which the violation occurred should notify its solicitor or code official to consider commencement of enforcement action. The municipality shall notify the NMCRC Solicitor and advise the NMCRC Solicitor whether the affected municipality intends to undertake formal enforcement action on behalf of the affected municipality. In most cases, the affected municipality will be responsible to undertake the formal enforcement action pursuant to guidelines set forth in Act 101 and/or the corresponding municipal ordinance. The municipality shall periodically provide non-confidential enforcement status reports to the NMCRC Solicitor and Chairman.
3. Report to PADEP. If a subsequent offense occurs (as set forth in Section 2 above) and the affected municipality elects not to undertake formal enforcement action, the municipality or NMCRC Solicitor may report the occurrence of the violation to the Pennsylvania Department of Environmental Protection (“PADEP”) and request that PADEP pursue enforcement action.

4. **Enforcement Action by NMCRC.** If a subsequent violation impacts more than one NMCRC member municipality and PADEP decides not to pursue enforcement action, the NMCRC Solicitor may, after a vote by the Commission, take formal enforcement action on behalf of the affected municipalities, provided the affected municipalities enter into a cost-sharing agreement, prepared by the NMCRC Solicitor and satisfactory in form and substance to the NMCRC, relating to all costs and expenses, including attorneys' fees, relating to the enforcement action.

Recommended Documentation Evidencing Violations

If a resident, business or institution observes an alleged waste disposal or recycling violation, the resident should contact the Municipal Manager to report the alleged violation. The Municipal Manager should obtain as many factual details as possible from the resident, business or institution and determine whether the resident, business or institution can provide any written or visual documentation to support the alleged violation. Recommended documentation would include the following:

- Written witness statement(s) describing what activities occurred, when and where they occurred, and the identity of all witnesses and other individuals who were involved. Include the name, address and contact information for each witness who observed the violation occurrence.
- Photographs/videos taken by witnesses, including the name, address and contact information for the individual(s) who created the photograph/video.
- Certification statement signed and dated by each witness certifying that the evidence provided is correct and complete. (For example: "I, _____, hereby certify that the foregoing information provided by me is correct and complete.")

Sample Ordinance Violations

Some common waste disposal/recycling violations include the following:

- Commingling recyclable materials with municipal solid waste
- Commingling household hazardous waste with municipal solid waste
- Commingling leaf waste with municipal solid waste
- Outdoor burning (including leaf burning)
- Collecting waste/recyclables between the hours of 8:00 pm and 6:00 am
- Violating other time, place and manner restrictions applicable to waste/recycling disposal

Municipal Websites

Each member municipality should include information on its website for reporting Act 101 violations to the municipality.

Parks & Recreation Committee

Tuesday May 4, 2021

Sara Hertz – Chair

Nancy Deininger

Erin McKenna Endicott

Nellie DiPietro

OLD BUSINESS

NEW BUSINESS

1. PARK CLEAN UP DAY

Team Up to Clean Up Ambler Borough Parks May 8, 2021 (10 a.m. – noon). For information on specific park locations and volunteer jobs go to <https://www.facebook.com/events/856839878200441/>

2. YMCA CAMP REGISTRATION

YMCA Knight Park Summer Day Camp registration will be held Wednesday, May 5th from 5-7 p.m. in the Borough Hall Lobby. Weather permitting outside registration may be held that evening or you can register at the Ambler Area YMCA starting May 6th. Camp will run June 21 to July 30. Cost is \$50 per week per child.

Salary & Personnel Committee

Tuesday May 4, 2021

Nancy Deininger – Chair

Glynnis Siskind

Nellie Di Pietro

Jen Henderson

OLD BUSINESS

NEW BUSINESS

1. SUMMER PUBLIC WORKS JOBS

Ambler Borough's Public Works Department seeks college students interested in summer employment. We offer flexible start & end dates. Please stop by Borough Hall to complete an Employment Application or download an application from the Borough website.

RECOMMENDATIONS

Public Safety Committee

A recommendation is requested this evening to adopt the Emergency Declaration for COVID-19 for the month of May.

Public Utilities

Authorization is requested to make application to and submission of a Military Installation Remediation and Infrastructure Authority (MIRIA) Grant Application specifically for the **Wells 12 or 14 PFAS Treatment Project**. A recommendation is requested to adopt Resolution 2021-04 authorizing the application to MIRIA for Well 12 or 14 PFAS upgrade.