



BOROUGH OF AMBLER COMMITTEE MEETING

**All matters that are deliberated could result in a vote
to take official action.**

Budget Meeting 6:00PM
December 7, 2021
7:00 p.m.

Finance & Planning Committee

December 7, 2021

Nellie Agnes Forst - 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. **BUDGET MEETINGS**
Municipal Budget meeting held prior to Council's regular public meeting at 6:00 p.m.
Council will consider adoption of the proposed 2022 Budget at the December 21 Council Meeting.
4. **2022 MEETING CALENDAR**
The 2022 Public Meeting Calendar for Council's Committee and Council Meetings was advertised. (**attached**)
5. **ORDINANCE 1127 – FIXING THE 2022 REAL ESTATE TAX**
A Public Hearing will be held at the December 21 Council Meeting to receive public comment on proposed Ordinance 1127 Fixing the Real Estate Tax Rate for 2022. (**attached**)
6. **NMCRC – BARNSIDES COMPOST AGREEMENT**
Consider approval of the 3-year Compost Agreement with Barnside Farms Compost Facility and authorize the Borough Manager and Ambler's Northern Montgomery County Recycling Commission representative to execute the Agreement. The current agreement expires end of this year. (**attached**)

AMBLER BOROUGH

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 11/5. PUC acknowledged project completion. Contractor to complete curb ramp punch list items.
2003-0122-01	Ambler-2013 NPDES MS4 Permit	2021 Annual Status Report submitted to PADEP 9/30/21. Next Annual Status Report due 9/30/22 for period 7/1/21 thru 6/30/22. PADEP review of TMDL/PRP received 5/28/21. Preparation of response underway
2006-08054	Pedestrian Sidewalk Upgrade Program	Revised Safety Report, ADA, Traffic and DM-3 (plans presentation) approved by PADOT. Revised construction and utility submissions made to DVRPC.
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 provided Bethlehem/Lindenwold signal concept plans for review on 7/2/21 and were discussed with UDT on 7/22/21. UDT & Ambler coordinating with owner of 98 S Bethlehem & 359 Lindenwold.
2017-01010-01	Ambler Pocket Park - Ambler Square	SOM 9/21/2021. EOM 3/22/2023.
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.
2020-07089	90 W. Butler Ave	Construction underway. Anticipate December 2021 completion.
2021-01010	2021 Ambler Borough General Services	MonCo2040 (2021 Round) for community garden submitted 3/1/21. HMGP Letters or Intent submitted to PEMMA on 10/15/21 for Orange Ave. Alley & Church/S. Main Projects Review of sketch plans for 25 & 24-26 N Ridge provided 10/28/21.
2021-01010-01	Tannery Run Repairs	Sections of Tannery Run culvert at 57 E Butler and 205 E Butler being assessed for repairs. Recommendation will be provided.
2021-03028	Lakeview CU	Pre-application meeting held with developer on 3/5/2021. Sketch plan review provided 7/21/2021 and discussed at July PC meeting.
2021-04048	Edgewood Dr - PA Small Water & Sewer Program Grant Implementation	Quotes received for slope protection work. Storm sewer project to be bid early 2022.
Sewer Engineer		
2013-02020-01	Ambler Crossings - Sewer	Construction underway. Sanitary Sewer is complete; testing remains.
2021-01041	Chapter 94 Report	Annual sewer collection report submitted to EEMA on 3/18/21.
2021-01050	Ambler Borough 2021 General Sewer Services	Completed questionnaire with regard to Ambler Borough for the 2022 Ambler WWTP budget allocation.
Water Engineer		
2012-10043	Loch Alsh Dam Annual Inspections	Annual inspection with PADEP conducted 10/20/2021. Preparation of report underway.

GILMORE & ASSOCIATES, INC.

AMBLER BOROUGH

Project No.	Project Name	Status
Water Engineer		
2013-02020-02	Ambler Crossings - Water	Construction underway. Water main is tested/complete.
2013-02073	Loch Aish 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. Borough obtained required agencies' signatures. EAP uploaded to CEMPlanner website on 6/21/21 for PADEP & PEMA review.
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. 18 month maintenance period complete. Acceptable water as-built plan received 9/13/21, and final inspection conducted by Water Dept. Solicitor preparing documents for acceptance of water system by Ambler Borough.
2018-01171	Mattison Estates (UDT)	Water construction and testing complete. 18 month maintenance period began 7/1/20. Assisting Ambler staff with construction concerns and project documentation.
2019-01169-01	Butler Pike Water Main Replacement	Project complete. Final payment recommended 5/20/21. 18 month maintenance period began 5/12/21.
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. Contract 21-01: Wells 2, 6 & 7 Water Mains awarded to KBC Construction on 8/18/21. Pre-construction meeting held and Notice to Proceed issued 9/29/21. Construction began 10/4/21 and is ongoing. Change Order processed for change in main size, pipe purchase credit, and extension of new main on Loch Aish Ave. Proposal reviewed and recommendations sent to Ambler staff for removal, inspection, incineration and replacement of carbon at both Whitemarsh treatment vessels. Reviewed and tabulated October 2021 quarterly PFAS samples for all sources and tanks. Reviewed PA DEP proposed PFAS MCL Rule and provided summary of proposed regulation to Ambler staff.
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. Reviewing follow-up comments received 7/14/21 from PA DEP regarding Filter Plant Performance Evaluation.
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. PA DEP PWS Permit Application submitted on 8/12/21. PA DEP Sewage Planning documents submitted to BCWSA for review on 8/6/21. Comments received 9/30/21 from BCWSA re: sewer lateral required for backwash discharge from proposed treatment facility. Revising design plans to connect to sewer in Loch Aish Ave. Submitted additional PA DEP permit documents for switch from chlorine gas to sodium hypochlorite.
2021-01040	Ambler Borough DRBC Annual Water Audit	Annual water loss audit submitted to DRBC via email on 4/1/21.

AMBLER BOROUGH

Project No.	Project Name	Status
Water Engineer		
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. Attended water system inspection along with Borough staff on 7/12/21 as conducted by USEPA and PADEP.
2021-04054	2022 MIRIA Grant Program	Assisted Water Dept. with preparation of grant application documents, including budget cost estimate for proposed PFAS treatment system facility at Well 12 or Well 14, carbon changeout at Whitemarsh treatment plant, and 2022 quarterly PFAS sampling and laboratory testing.
2021-04095	Longfield Farms Development (Whitemarsh Twp)	Plan review letter #1 issued on 6/8/21 with respect to proposed water system improvements. Revised plans received from Developer 12/1/21 are currently under review.
2021-04121	Water System Emergency Response Plan (ERP)	Certification of ERP is due 6 months following certification of RRA. Preparation of ERP is underway.
2021-04122	Water System Risk & Resilience Assessment (RRA)	RRA and ERP for Community Water Systems is required by USEPA under America's Water and Infrastructure Act of 2018 (AWIA). RRA was completed and sent to Water Superintendent for review with certification submitted to USEPA on 6/30/21.
2021-07041	Uninterrupted System Service Plan (USSP)	PA Chapter 109 (Safe Drinking Water) requires Community Water Systems to complete a USSP and submit a certification form by 8/17/21. Preparation of USSP complete and certification submitted by Water Sup't to PA DEP on 8/17/21.
2021-11068	T-Mobile/Sprint Decommissioning at Broad Axe Tank	Met with Ambler staff and Contractor for T-Mobile on-site to review scope and requirements for removal of equipment. Coordinated with staff and Solicitor regarding insurance requirements, obtained and reviewed Certificates of Insurance from T-Mobile and Contractor.

AMBLER BOROUGH COUNCIL
2022 MEETING CALENDAR

[all meetings to be held Tuesdays at 7:00 p.m. unless otherwise noted]

Committee Meeting

Mon., January 3 (Reorganization Meeting) 7:30 p.m.
February 1
March 1
April 5
May 3
June 7
No Committee Meeting July
August 2
September 6
October 4
November 1
December 6

Council Meeting

January 18
February 15
March 15
April 19
Wed., May 18 (PA Primary on Tuesday)
June 21
July 19
August 16
September 20
October 18
November 15
December 20

ORDINANCE 1127
AN ORDINANCE OF THE BOROUGH OF AMBLER
COUNTY OF MONTGOMERY
COMMONWEALTH OF PENNSYLVANIA
FIXING THE REAL ESTATE TAX RATE FOR THE YEAR 2022

BE IT ORDAINED AND ENACTED and is hereby Ordained and Enacted by the Borough Council of the Borough of Ambler, County of Montgomery, Commonwealth of Pennsylvania that a Tax be and the same levied on all Real Property within the Borough of Ambler subject to location for the Fiscal Year 2022 as follows:

TAX RATE

For General Purposes, the sum of six and two hundred eighty thousandth (6.78) mill on each dollar of Assessed Valuation or the sum of 6.78 cents on each one hundred dollars of Assessed Valuation.

For Street Lighting Purposes, the sum of two hundred ten thousandth (.210) mill on each dollar of Assessed Valuation or the sum of .21 of a cent on each one hundred dollars of Assessed Valuation.

For Fire Fighting Purposes, the sum of four hundred eighty thousandth (.480) mill on each dollar of Assessed Valuation or the sum of 0.48 of a cent on each one hundred dollars of Assessed Valuation.

For Debt Service Purposes, the sum of 0.0 mill on each dollar of Assessed Valuation or the sum of 0.0 of a cent on each one hundred dollars of Assessed Valuation.

For Parks and Recreation Purposes, the sum of three hundred ninety thousandth (0.390) mill on each dollar of Assessed Valuation or the sum of 0.39 of a cent on each one hundred dollars of Assessed Valuation.

The same being summarized in tabular form as follows:

TOTAL 7.86 MILLS	MILLS ON EACH DOLLAR OF ASSESSED VALUATION	CENTS ONE HUNDRED DOLLARS OF ASSESSED VALUATION
Tax Rate General Purpose	6.780 Mills	6.78 Cents
Tax Rate Street Lights	0.210 Mills	0.21 Cents
Tax Rate Fire Protection	0.480 Mills	0.48 Cents
Tax Rate Debt Service	0.0 Mills	0.0 Cents
Tax Rate Parks & Recreation	0.390 Mills	0.39 Cents

Enacted by the Borough of Ambler this ____ day of December, ____.

Frank DeRuosi, Council President

Mary Aversa, Borough Manager

Wisler Pearlstine, LLP

Offices in Blue Bell + Newtown

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

Mark A. Hosterman, Esquire
mhosterman@wispearl.com

November 16, 2021

Mary Aversa, Borough Manager
Ambler Borough
131 Rosemary Avenue
Ambler, PA 19002

**RE: Northern Montgomery County Recycling Commission
Compost Agreement Renewal**

Dear Ms. Aversa:

As you may recall, this office serves as solicitor for the Northern Montgomery County Recycling Commission ("NMCRC"). Act 101 requires municipalities that do not have curbside pick-up for leaf and yard waste at least one time per month to designate an official PADEP permitted compost facility for their residents, haulers, and contractors to use as a drop off location. To ensure compliance in past years, the NMCRC and member municipalities have entered into Compost Agreements with Barnside Farms Compost Facility ("BFCF"). The current Compost Agreement will expire December 31, 2021.

The Agreement for 2022 and subsequent years is substantially similar to past years. The following highlights some of the terms that will be beneficial to the NMCRC and member municipalities:

- Initial three (3) year term with one automatic three (3) year renewal.
- Entitles member municipalities' residents, haulers, and contractors to the most favorable gate rates.
- 14-day notice if most favorable gate rate is increased.
- On-site scale provides accurate weights.
- BFCF maintains accurate records for each member municipality.
- Member municipalities and their residents are entitled to 10% discount on mulch products purchased from BFCF.

Act 101 requires official designation of a compost facility. Although the NMCRC believes the terms of the enclosed Compost Agreement with BFCF are extremely favorable; municipalities, residents, haulers, and contractors are still permitted to drop off at other facilities as the Compost Agreement is non-exclusive.

{02481962 }

ATTORNEYS AT LAW

Newtown Office:

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

Wisler Pearlstine, LLP

November 16, 2021

Page 2

In order to maintain compliance, the NMCRC and BFCF have approved the enclosed Compost Agreement for the initial term beginning January 1, 2022. Each municipality is also being requested to approve the Compost Agreement prior to the end of 2021. After approval, please send or email a copy of your signature page (not the entire Agreement) to the undersigned. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Hosterman", with a long horizontal flourish extending to the right.

MARK A. HOSTERMAN

MAH:enb

Enclosure

cc: NMCRC Commissioners *via email only*

COMPOST AGREEMENT

This Compost Agreement (the "Agreement") by and between **BARNSIDE FARM COMPOST FACILITY** ("BFCF") and the **NORTHERN MONTGOMERY COUNTY RECYCLING COMMISSION** ("NMCRC") is made this ____ day of _____, 2021.

WITNESSETH:

Whereas, BFCF is operating a Pennsylvania Department of Environmental Protection ("PADEP") permitted compost facility on a five (5) acre site located at 991 Haldeman Road, Schwenksville, located in Upper Salford and Lower Salford Townships, Montgomery County, Pennsylvania (the "Facility"); and

Whereas, BFCF desires to increase the amount of leaf waste and yard waste it receives to process into compost and mulch for sale to end users; and

Whereas, member municipalities of the NMCRC who do not have curbside pick-up at least one time per month for leaf waste and yard waste are required to designate an official PADEP permitted compost facility for their residents to use as a drop off facility for leaf waste and yard waste; and

Whereas, the NMCRC member municipalities require that annual reports be received by January 31 of the following year to certify the tonnages for leaf waste and yard waste delivered to a PADEP permitted compost facility by each municipality, its residents or its contractors.

AGREEMENT

NOW, THEREFORE, the parties hereto, intending to be legally bound hereby, agree as follows:

1. Term.

a. Initial Term. For the term commencing on January 1, 2022 until December 31, 2024, BFCF agrees to receive leaf waste and yard waste, at the Facility, which is collected by residents of member municipalities of the NMCRC, a member municipality of the NMCRC, any hauler collecting in a member municipality of the NMCRC, or any other collector authorized by the member municipality.

b. Automatic Renewal. This Agreement shall automatically renew for a subsequent three (3) year period, ending December 31, 2027, unless any party gives written notice at least sixty (60) days before the expiration of the initial term of its intent not to renew this Agreement.

2. Pricing.

a. Each NMCRC member municipality, its residents and haulers, and their respective agents and contractors, shall pay the most favorable gate rates BFCF can offer on a

per ton basis, for materials they drop off at the Facility. All others shall pay the regular gate rates charged by BFCF.

b. BFCF's most favorable gate rates are based on current costs. BFCF reserves the right to increase pricing based on cost of living, labor, fuel and handling costs, if necessary. If BFCF determines that a price increase to the most favorable gate rate is necessary, BFCF shall notify the NMCRC in writing and present the pricing structure at least 14 days prior to instituting any price increase.

3. Payment.

a. Any payment due from a member municipality for the actual tons delivered by it or its agents is to be made within thirty (30) days from the date of receipt of an invoice from BFCF. A 1.5% per month late fee will be added for payments remaining unpaid in excess of thirty (30) days from the due date. Invoices will be presented no more frequently than monthly and no less frequently than quarterly.

b. BFCF shall include with each invoice submitted to a member municipality the quantity of material, expressed in tons, of waste delivered to the Facility since the date of the last invoice issued to such member municipality. The invoice and documentation also will be made available for review by such municipality upon request.

4. Operational Requirements.

a. Unacceptable Material and Responsibility for its Proper Disposal.

BFCF shall accept the following materials at the Facility: leaf waste, leaves, grass clippings, brush, shrubs and tree clippings. BFCF requires that leaf waste and yard waste be separated prior to drop off, unless BFCF determines that such waste can be received on a commingled basis. All materials shall be delivered loose or in biodegradable bags acceptable to BFCF.

BFCF will not accept any of the following at the Facility: household hazardous waste, trash, metal, treated wood of any kind, branches over 4 (four) inches caliper or leaf waste in plastic bags.

At the time of delivery to the Facility or thereafter, BFCF shall use its best efforts to identify unacceptable materials and reject any load that it believes contains unacceptable materials.

b. Documentation.

BFCF shall be responsible for determining the municipality of origin for all compostable materials brought to the Facility. BFCF agrees to provide "drop off slips" as needed for use by drivers, haulers and/or contractors dropping off on behalf of a NMCRC member municipality. When a load of compostable materials arrives at the Facility, the driver shall present the Drop Off Slip or prepare a Drop Off Slip on a form which BFCF shall make available at the gate to the Facility. The driver shall be required to provide all the information requested on the Drop Off Slip.

Haulers who pick up compostable materials from more than one municipality shall be required to certify the percentage of the load from each municipality of origin on the Drop Off Slip. Haulers and customers who drop off compostable materials at the Facility originating from multiple municipalities shall specify each municipality of origin and the total quantity or percentage of materials originating from each such municipality. Any portion of the load originating from a NMCRC member municipality and dropped off by the municipality, its haulers or agents, shall receive the favorable gate rates and the balance of the load shall be billed at the regular rates charged by BFCF.

BFCF shall prepare and maintain an accurate record of the total tons of leaf waste and yard waste received at the Facility from each municipality, its haulers, contractors, residents and residents' contractors. In addition, BFCF shall make such records available at the Facility for review and inspection by each participating NMCRC member municipality and/or its designated agent or representative promptly upon request.

Upon delivery, BFCF shall require that the weight in tons of all of the acceptable material received be measured using its 75 foot scale. Such scale shall be inspected yearly and, if necessary, recalibrated. BFCF shall report the total tons of leaf waste and the total tons of yard waste received at the Facility during the preceding calendar year to the NMCRC-designated consultant by January 31 of each year. All reporting must comply with DEP regulations and other requirements and practices.

In performing its obligations pursuant to this Agreement, BFCF shall comply in all respects with all applicable legal requirements issued or promulgated by PADEP from time to time, including without limitation, determining, recording and reporting the quantity of yard waste and leaf waste received by BFCF for composting at the Facility.

c. Hours of Operation.

BFCF hours of operation are available at www.barnsidefarms.com and are subject to adjustment on an as-needed basis.

d. Contact Information.

BFCF:

Phone: 610-329-6471 or 610-287-8880
Address: BFCF c/o Nancy Larkin
430 Dieber Road
Schwenksville, PA 19473

NMCRC:

Phone: (610) 825-8400
Address: Mark A. Hosterman
Wisler Pearlstine, LLP
460 Norristown Rd., Suite 110 Blue Bell, PA 19422

or such other contact information as the parties may designate in writing.

5. Compliance with Legal Requirements.

BFCF shall comply and at all times operate the Facility in compliance with all laws, statutes, ordinances, rulings, regulations, codes, decrees, orders, judgments, conditions, restrictions, approvals, permits and requirements of, from or by any federal, state or local governmental or quasi-governmental agency, department, court, regulatory body, commission, authority, board, bureau or instrumentality of any of them, which exercises jurisdiction over the Property, the Facility or BFCF.

6. Finished Materials.

BFCF shall make available to each of the member municipalities that delivered acceptable materials to BFCF in the prior contract year all finished product at a ten percent (10%) discount, or greater in the discretion of BFCF, in such quantities as may be agreed upon by the parties.

7. Parties.

The parties to this Agreement are BFCF, the NMCRC, and each of its member municipalities who have designated BFCF as the municipal PADEP-permitted compostable materials drop-off facility for such member municipality, as evidenced by the signatures affixed hereto.

8. Counterparts.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which taken together shall constitute one and the same instrument.

(Signature page continues)

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement the day and year first above mentioned.

Barnside Farm Compost Facility

Attest: _____

By: _____

Date Signed:

**The Northern Montgomery County
Recycling Commission**

Attest: _____

By: _____
Elizabeth Russell, Vice Chair

MEMBER MUNICIPALITIES

Date Signed:

Ambler Borough

Attest: _____

By: _____

Address: 131 Rosemary Avenue
Ambler, PA 19002

Date Signed:

Township of Franconia

Attest: _____

By: _____

Address: 671 Allentown Road
Telford, PA 18969

Date Signed:

Borough of Hatfield

Attest: _____

By: _____

Address: P.O. Box 190
Hatfield, PA 19440

Date Signed:

Township of Hatfield

Attest: _____

By: _____

Address: 1950 School Road
Hatfield, PA 19440

Date Signed:

Township of Lower Gwynedd

Attest: _____

By: _____

Address: P.O. Box 625
Spring House, PA 19477

Date Signed:

Township of Lower Salford

Attest: _____

By: _____

Address: 379 Main Street
Harleysville, PA 19438

Date Signed:

Township of Montgomery

Attest: _____

By: _____

Address: 1001 Stump Road
Montgomeryville, PA 18936

Date Signed:

Borough of North Wales

Attest: _____

By: _____

Address: Municipal Building
300 School Street
North Wales, PA 19454

Date Signed:

Borough of Souderton

Attest: _____

By: _____

Address: 31 West Summit Street
Souderton, PA 18964

Date Signed:

Borough of Telford

Attest: _____

By: _____

Address: 50 Penn Avenue
Telford, PA 18969

Date Signed:

Township of Towamencin

Attest: _____

By: _____

Address: 1090 Troxel Road
Lansdale, PA 19446

Public Safety Committee

December 7, 2021

Erin McKenna Endicott - Chair

Glynnis Siskind

Sara Hertz

Nancy Deininger

OLD BUSINESS

NEW BUSINESS

1. **PUBLIC WORKS & CODE REPORT**

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

Borough of Ambler Code Enforcement Report for November 2021

PERMITS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Building	13	16	21	23	19	12	18	10	20	13	24		189
Dumpster	3	0	6	4	0	5	5	6	1	0	0		30
Fire	0	0	1	0	1	1	0	0	1	0	0		4
Mechanical	3	1	5	8	3	1	6	5	2	8	9		51
Plumbing	6	1	6	7	0	5	6	2	2	4	7		46
Road Opening	1	1	1	1	40**	1	2	4	0	2	2		55
Use and Occupancy	0	2	2	2	2	3	0	3	0	1	1		16
Vendor Sales	0	0	0	0	0	0	0	0	0	0	0		0
Zoning	5	1	5	8	5	8	0	4	2	4	2		44
Rental Inspections	0	0	0	2	0	0	0	0	9	28	0		67
TOTALS	31	22	47	55	70	36	37	34	37	60	45		502

* The Borough Bi-Annual Rental Inspection Program was temporarily paused in early March 2020 due to COVID-19 inspection notices will start be sent out in August

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

Public Utilities Committee

December 7, 2021

Glynnis Siskind – Chair

Haley Welch

Jen Henderson

Karen Sheedy

OLD BUSINESS

NEW BUSINESS

1. **WWTP ENGINEER REPORT**

The WWTP Engineer's report will be provided.

2. **HYDRANT FLUSHING**

Water Department is performing hydrant flushing. The flushing schedule will be posted and updated daily on the Borough website.

3. **MIRIA GRANT WELLS 2, 6 & 7 ACTIVITY**

The awarded contractor is working on the Loch Alsh Wells pipeline replacement.

4. **AMBLER WATER PFAS ANALYSIS**

The Water Engineer has provided the **attached** lab results from the October samplings of the distribution system.

5. **KNIGHT ROAD WATER MAIN PROJECT**

The water main replacement on Knight Rd has begun

Elizabeth Russell

From: Theresa Funk <tfunk@gilmore-assoc.com>
Sent: Thursday, December 2, 2021 10:15 AM
To: Elizabeth Russell
Cc: Steve Smallberger; Mary Aversa; Brian Brochon; Andrea Schiele; Jim Dougherty
Subject: Ambler October 2021 PFAS Sampling Results
Attachments: PFOA+PFOS Results October 2021 Sampling Table.pdf

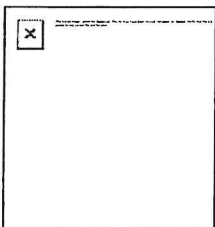
Elizabeth,

Attached is the requested tabulation of PFAS results from the October 2021 sampling. As you know, PA DEP authorized a proposed rule for PFAS on November 16, 2021. The proposed rule sets Maximum Contaminant Levels (MCLs) for PFOS and PFOA. Because of this, we have modified the tabulation of results. In the past, we combined PFOA and PFOS to allow comparison to the EPA Health Advisory of 70 ppt for these combined contaminants. The proposed PA DEP Rule regulates PFOA and PFOS individually, with an MCL of 14 ppt for PFOA and 18 ppt for PFOS. A few items to note on the results as well as the proposed rule:

- All wells and Whitemarsh results are below the proposed MCLs for PFOA and PFOS, but there are several wells that are close to the MCL for PFOA. The Loch Alsh Tank tested 1 ppt above the proposed MCL for PFOA. With the addition of treatment for Wells 2, 6 and 7, we expect the levels in this tank to decrease significantly.
- Monitoring requirements in the proposed rule are: initial quarterly monitoring; reduced repeat monitoring if no detections; repeat quarterly monitoring for systems with detections. Ambler has detections at all of its sources, so the rule as proposed would require continued quarterly monitoring. As we know, this sampling is not cheap and continuous quarterly monitoring could significantly affect your budget for compliance monitoring. Ambler may want to consider submitting a comment to DEP about this. Even if you are below the MCLs, the rule could have significant financial impact.
- The proposed public comment period is 60-days and is to include 3 public hearings.
- Following the public comment period, there will be further review and potential revisions to the rule. So, the final rule is likely a year or more away.
- The good news is that the projects Ambler is moving forward with now on treatment at several wells, and carbon evaluation/changeout at Whitemarsh will give you a very good head start in ensuring compliance with the final rule.

Let me know if anyone has any questions.

Thanks,
Terry



Theresa Funk, P.E., Sr. Project Manager
Gilmore & Associates, Inc.

65 E. Butler Avenue, Suite 100, New Britain, PA 18901
Main: 215-345-4330 x434 | Fax: 215-345-8606

www.gilmore-assoc.com | BUILDING ON A FOUNDATION OF EXCELLENCE

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AMBLER WATER SYSTEM PFAS SAMPLE RESULTS
OCTOBER 2021 SAMPLING

Well No. or Location	PFOA Average of Past Results (ppt)	PFOS Average of Past Results (ppt)	PFOA* October 2021 (ppt)	PFOS* October 2021 (ppt)
2	12.5	9.8	12.0	9.1
4	10.7	10.4	11.0	9.6
6	9.8	9.1	9.3	8.8
7	9.1	8.6	9.3	8.5
8	2.3	6.4	2.5	8.9
9	11.0	9.5	11.0	9.1
11	9.6	8.2	10.0	7.7
12	7.5	6.5	6.1	5.3
14	7.5	6.9	6.8	6.7
Whitemarsh WTP Raw	7.5	6.6	**	**
Whitemarsh WTP Treated	7.5	5.3	8.5	6.0
Storage Tanks				
Loch Alsh Tank	12.1	8.9	15.0	11.0
Broad Axe Tank	8.5	6.0	11.0	7.4
Houston Road Tank	9.1	8.1	9.7	8.0

Notes:

ppt = parts per trillion

** = Not Sampled

Average of Past Results is the average of samples collected in 2018, 2019, 2020, and April and July 2021.

October 2021 samples were collected on October 8, 2021 and analyzed by Eurofins QC, LLC - Horsham, PA

*PA DEP adopted a proposed rule - "The Safe Drinking Water PFAS MCL Rule" - in November 2021. The rule proposes an MCL of 14 ppt for PFOA and 18 ppt for PFOS. While all sources are currently testing below the proposed levels, several are near the proposed MCL for PFOA. The proposed rule will now be subject to a public comment period. Following public comment, the proposed rule will be reviewed further and potentially revised before a final rule is considered and authorized. Although the proposed rule applies to entry points (sources) and not distribution system samples (such as tanks), it should be noted that the Loch Alsh Tank tested slightly above the proposed MCL for PFOA in October 2021. The levels in the Loch Alsh Tank are expected to decrease significantly following installation of proposed treatment for Wells 2, 6 and 7.

Parks & Recreation Committee

December 7, 2021

Sara Hertz – Chair

Nancy Deininger

Erin McKenna Endicott

Nellie Agnes Forst

OLD BUSINESS

NEW BUSINESS

1 **COMMUNITY GARDEN MEETING**

The next Community Garden meeting will be announced.

2. **ORDINANCE 1126 – SINGLE USE PLASTICS**

A Public Hearing will be held at the December 21 Council Meeting to receive public comment on proposed Ordinance 1126 placing limitations or prohibitions on the use of certain plastics. (**attached**)

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 1126

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING THE CODIFIED ORDINANCES BY ADDING A NEW PART 9 TO CHAPTER 13, "LICENSES, PERMITS, AND GENERAL BUSINESS REGULATIONS", SUCH NEW PART 9 ENTITLED "LIMITATION ON THE USE OF CERTAIN PLASTICS"; PROHIBITING THE DISTRIBUTION OF SINGLE USE PLASTICS IN CONNECTION WITH THE SALE OF FOOD AND MERCHANDISE, INCLUDING CARRYOUT BAGS, STYROFOAM AND POLYSTYRENE FOAM CONTAINERS, AND PLASTIC STRAWS; LIMITING THE COST OF RECYCLABLE BAGS AND CONTAINERS TO TEN CENTS PER ITEM; EFFECTIVE SIX MONTHS AFTER ADOPTION; CONTAINING A SEVERABILITY CLAUSE

In the interests of public and environmental safety, and recognizing single use plastics as a threat to the environment, the Ambler Borough Council does hereby ORDAIN as follows:

The Borough codified ordinances are amended by the addition of a new Chapter 13 in Part 9 (Licenses, Permits and General Business Regulations) such new Part 9 entitled "Limitation on the Use of Certain Plastics", and such Part to provide as follows:

9-1. Definitions.

Business or Store: Every establishment that provides single use plastics in connection with the retail sale of goods and products to customers. Includes, but is not limited to grocery stores, farmers markets, convenience stores, clothing stores and food service establishments.

Food Service Establishment: Any establishment serving made-to-order food or beverages for eating-in, takeout, or delivery.

Goods and Products: Items that are prepared and made to be sold, including, but not limited to, clothing, groceries, prepared food, beverages, merchandise, books, jewelry, alcohol, tobacco products, toys, and any and all other things and items sold at retail by businesses and stores.

Retail: The sale of goods and products directly to consumers.

Reusable Bag: A bag that is designed and manufactured to withstand repeated uses over a period of time, is machine washable or made from a material that can be cleaned and disinfected regularly, is at least 2.25

mil thick if made from plastic, has a minimum lifetime of 75 uses, and is capable of carrying a minimum of 18 pounds.

Single-Use, Plastic Carryout Bag: A bag, sheet or receptacle produced or manufactured from material commonly known as "plastic" or "polyethylene" and which is provided at the check-out stand, cash register, point of sale, or other point of departure for the purpose of transporting goods or products out of the establishment.

A" Single -Use Plastic Carry-Out bag shall not include:

- i. Bags used only for moving items within the store such as to the checkout area;
- ii. Laundry or dry cleaning bags;
- iii. Newspaper bags;
- iv. Bags used to wrap meat, fish, or frozen foods to prevent the escape of moisture;
- v. A non-handled bag used to protect items from contamination by other items;
- vi. Bags distributed by the state or federal government.

9-2. Conduct Prohibited.

It shall be a violation of this ordinance for any business located within the Borough to provide or make available single use plastic carry out bags, Styrofoam and polystyrene foam containers, and plastic drinking straws to customers or the general public in connection with the sale of products and goods, except, however, that plastic straws may be supplied without violating this ordinance when the customer makes a request for a plastic straw.

It shall be a violation of this ordinance for any business located within the Borough to fail to make available to customers some reusable or recyclable bag or box for the transport of purchased items, and, where plastic straws are provided, it is a violation to not also provide a recyclable or reusable alternative.

It shall be a violation of this ordinance for any business located within the Borough to charge more than ten cents per bag for any recyclable bag or other container.

Liability for violations of this ordinance shall rest with the owner of the business in which the violation occurs, regardless whether such owner was involved in supplying the single use plastics to customers at the time a violation is discovered.

9-3. Penalty for Violation.

Violations of this ordinance are quasi-criminal summary offenses and may be investigated and prosecuted by the Borough Code Enforcement Officer in the same manner as other summary offenses. The penalty for violation is one hundred dollars for the first offense, two hundred dollars for the second offense by the same defendant and five hundred dollars for each violation thereafter. The Borough possesses all rights in law and equity to obtain a court order to enjoin continuing violations.

9-4. Severability.

In the event a court of competent jurisdiction declares any portion of this ordinance invalid, such invalid portion shall, to the extent possible, be severed from the remainder, which shall continue in full force and effect.

9-5. Effective.

This ordinance is effective on the first day of the six month following the month in which it is adopted.

SO ORDAINED THIS ____ DAY OF _____, 2020.

Attest: _____

Salary & Personnel Committee

December 7, 2021

Nancy Deininger – Chair

Glynnis Siskind

Nellie Agnes Forst

Jen Henderson

OLD BUSINESS

NEW BUSINESS

1. VOLUNTEER COMMITTEE & BOARD SEATS

Several volunteer Committee & Board positions will expire at the end of the year. Borough residents are invited to submit their credentials as well by forwarding a letter of interest/resume by December 10th to the Borough Manager at manager@borough.ambler.pa.us.

- Appeals Board (3 year term) – 1 seat
- Environmental Advisory Council (3 year term and term expiring 2023) – 2 seats
- Human Relations Commission (vacancies – terms expiring 2022) – 1 seat & 1 Alternate seat
- Planning Commission (4 year term) – 3 seats
- Vacancy Board (1 year term) – 1 seat
- Zoning Hearing Board (3 year term) – 1 seat
- Zoning Hearing Board Alternates (3 year term and term ending 2022) – 2 seats

2. CIVIL SERVICE COMMISSION APPOINTMENT

One Civil Service Commission seat (6 year term) will expire at the end of the year. One Alternate seat (term expiring 2024) also remains vacant. The Commission Bylaws require the Commission to hold their Reorganizational Meeting the first Monday in January in even-numbered years. Therefore, Council is asked to consider appointment to the CSC seat at their December Council meeting so that the Commission is fully seated for their January meeting. Interested candidates are asked to send a letter of interest/resume to the Borough Manager by December 10th.

3. EXECUTIVE SESSION

An executive session was held this evening for an employee matter.