



BOROUGH OF AMBLER COMMITTEE MEETING

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

May 3, 2022

Finance & Planning Committee

May 3, 2022

Nellie Agnes Forst - Chair

Frank DeRuosi

Karen Sheedy

Lisa Auerbach

OLD BUSINESS

NEW BUSINESS

1. **BOROUGH ENGINEER'S REPORT**

The Borough Engineer's report is attached.

2. **HEAD START LEASE**

Consider executing a renewed lease agreement with MCIU/Head Start Program for the 2022-23 school year, with the same terms and conditions as prior leases. **(attached)**

3. **ZONING HEARING BOARD**

Attached is the ZHB notice for Ambler Crossings Development Partners.

AMBLER BOROUGH

Project No.	Project Name	Status
Borough Engineer		
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/RRP received 5/28/21. Preparation of response underway
2006-08054	Pedestrian Sidewalk Upgrade Program	Revised Safety Report, ADA, Traffic, DM-3 (plans presentation), and Environmental Report Re-Evaluation approved by PADOT. Revised construction submission made to DVRPC. Utility submission coordination with DVRPC 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. Review of amended Village Green provided 4/22/22.
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.
2020-07089	90 W. Butler Ave	Construction complete. Punch list items to be addressed by applicant.
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. Plans and specifications underway for 205 E Butler. Quotes to be obtained for culvert replacement
2021-03028	Lakeview Development 5-9 N. Maple Ave.	Pre-application meeting held with developer on 3/5/2021. Sketch plan review provided 7/21/2021 and discussed at July PC meeting. Review of preliminary/final plans underway.
2021-04048	Edgewood Dr - PA Small Water & Sewer Program Grant Implementation	Slope protection work completed. Storm sewer project to be bid early 2022.
2022-01010	2022 Ambler Borough General Engineering Services	Application for Local Share Program for pedestrian improvements along Hendricks and Mount Pleasant submitted 3/13/22.
2022-03102	Ambler 2022 Paving	2022 paving project to be prepared for public bid. Evaluation of curb ramps underway.
Sewer Engineer		
2013-02020-01	Ambler Crossings - Sewer	Construction underway. Sanitary Sewer is complete; testing remains.
2022-01041	Chapter 94 Report	Sewer collection system report prepared and transmitted to EEMA on 2/23/22.
2022-01050	2022 Ambler Borough General Sewer Services	Ongoing
Water Engineer		
2012-10043	Loch Aish Dam Annual Inspections	Report submitted to PADEP on 12/20/21.
2013-02020-02	Ambler Crossings - Water	Construction underway. Water main is tested/complete.

AMBLER BOROUGH

Project No.	Project Name	Status
Water Engineer		
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. EAP to be distributed to necessary agencies upon acceptance by PADEP & PEMA.
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. Maintenance Bond extended to 3/31/22 based on observed water service leaks and concerns with construction of water facilities. Water as-built plans received 4/25/22 and under review.
2019-01169-01	Butler Pike Water Main Replacement	Project complete. Final payment recommended 5/20/21. 18 month maintenance period began 5/1/21/21.
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 complete. Change Order processed for change in main size, pipe purchase credit, and extension of new main on Loch Aish Ave. Final payment recommended 3/2/22. 18 month maintenance period began 2/4/22. Proposal reviewed and recommendations sent to Ambler staff for removal, inspection, incineration and replacement of carbon at both Whitemarsh treatment vessels. Provided recommendations for inspection of interior of GAC vessels during carbon changeout. 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. PA DEP PWS Permit issued 3/28/22. PA DEP Sewage Planning approval received 3/24/22. Comments received 9/30/21 from BCWSA re: sewer lateral required for backwash discharge from proposed treatment facility. Virtual meeting with BCWSA representatives in December to discuss requirements for discharge of backwash water. Plans revised to connect to sewer in Loch Aish Ave. Sewer capacity certification letter dated 1/26/22 issued by BCWSA for three EDUs along with a request for execution of a Reservation of Capacity Agreement. Attended April UDT Planning Commission Mtg. for consideration of request for Waiver of LD. Prepared documents and coordinated with Solicitor for Zoning Application determined by UDT as required for Commissioners to consider LD Waiver request. Preparation of project manual underway with public bidding anticipated in June 2022.

AMBLER BOROUGH

Project No. Project Name

Status

Water Engineer

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. Reviewed and tabulated January 2022 quarterly PFAS samples for all sources and tanks. Survey work for Well 14 site underway.
2021-04095	Longfield Farms Development (Whitemarsh Twp)	Revised plans received from Developer 12/1/21 Plan review letter #2 issued on 1/18/22 with respect to proposed water system improvements. Highway Occupancy Permit received for the project. Preparing water construction escrow tabulation to be used in developer's agreement.
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. Due to restoration work required at tank, T-Mobile has deferred decommissioning of equipment to May 2022.
2022-01040	DRBC Annual Water Audit	Annual water audit completed and submitted to DRBC on 3/31/22.
2022-01049	2022 Ambler Borough 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. Met with Ambler staff on 2/11/22 to review current and proposed capital and grant-funded projects. Coordinating with Ambler staff re: proposed improvements to Wissahickon Park and need for new or upgraded water service for site.
2022-01230	T-Mobile Upgrades at Houston Rd Tank	Plan review #1 issued 3/17/22.
2022-02056	AT&T Upgrades at Houston Rd Tank	Plan review letter #1 issued 2/17/22.
2022-02057	Verizon Upgrades at Broad Axe Tank	Plan review #1 issued 3/2/22.
2022-02095	NWMA Water Interconnection	Meeting held on 2/14/22 between NWMA staff, Ambler staff and G&A to discuss potential interconnection of respective water systems for emergency & permanent uses and wholesale purchase of water. NWMA provided a draft Water Supply Agreement to Ambler on 3/9/22 for review.
2022-02104	AT&T Upgrades at Broad Axe Tank	Plan review #1 issued 3/2/22.
2022-04076	Lakeview Development 5-9 N. Maple Ave.	Plan review underway.
2022-04096	2023 MIRIA Grant Program	Met with Ambler staff to review scope of work to be included in MIRIA Application. Prepared cost estimate for proposed NWMA interconnection and associated new piping, additional cost associated with Whitemarsh carbon replacement, and 2023 PFAS sampling. Determined local effort required by Ambler as part of application due May 16, 2022.

ZONING HEARING NOTICE

Notice is Hereby given that the Zoning Hearing Board of the Borough of Ambler will conduct a public hearing on May 5, 2022 at 6:30 pm prevailing time at the Ambler Borough Hall, 131 Rosemary Avenue, Ambler, Pa 19002.

The Applicant, Ambler Crossings Development Partners LP, the legal owners of real property located at S. Chestnut Street, parcel 01-00-02944-00-7, located in the OC-Office Campus District, are requesting variances from Section 27-2007.C.(1).(d) and 27-2007.C.(1).(f) of the Ambler Borough Zoning Ordinance to permit two wall signs to exceed the maximum permitted height and one monument sign to exceed the maximum permitted height and sign area requirements.

All interested parties are invited to attend and participate in the hearing. Any individual with a disability wishing to attend the above-scheduled hearing who requires an auxiliary aid, service or other special accommodations to participate in this hearing should contact the Borough at (215) 646-1000 as soon as possible to discuss how the Borough of Ambler can best provide assistance.

Public Safety Committee

May 3, 2022

Jen Henderson- Chair

Erin Endicott

Nellie Forst

Amy Hughes

OLD BUSINESS

NEW BUSINESS

1. **PUBLIC WORKS & CODE REPORT**

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

2. **MAYORAL PROCLAMATION – GUN VIOLENCE AWARENESS DAY**

The Mayor has issued a Mayoral Proclamation declaring the first Friday in June (June 3) as National Gun Violence Awareness Day. (**attached**)

3. **NATIONAL POLICE WEEK**

The Committee is appreciative of and thanks Ambler's Police Department as we recognize National Police Week May 11 – 17.

Borough of Ambler Code Enforcement Report for April 2022

PERMITS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Building	9	9	19	11									48
Dumpster	0	1	3	2									6
Fire	0	0	0	1									1
Mechanical	4	2	7	2									15
Plumbing	6	1	9	3									20
Road Opening	1	2	3	2									8
Use and Occupancy	0	1	1	2									4
Vendor Sales	0	0	0	0									0
Zoning	2	0	4	3									9
Rental Inspections	1	0	43	84									127
TOTALS	22	15	89	110									236

* The Borough Bi-Annual Rental Inspection Program was temporarily paused again in late December 2021 due to an increase in COVID-19 cases. The Borough had sent out notices to resume the inspection program in late February.



**BOROUGH OF AMBLER
MONTGOMERY COUNTY, PENNSYLVANIA**

Mayoral Proclamation

**Declaring the First Friday in June (June 3, 2022) as
National Gun Violence Awareness Day**

This proclamation declares the first Friday in June to be **National Gun Violence Awareness Day** in the **Borough of Ambler, Montgomery County, Pennsylvania**. In proclaiming this, we honor and remember all victims and survivors of gun violence and declare that, as a community and country, we must do more to reduce and ultimately eliminate gun violence.

WHEREAS: Every day in America, more than 200 individuals are shot and wounded and more than 110 are killed by gun violence (resulting in an average of nearly 16,000 gun homicides every year), Americans are 26 times more likely to die by gun homicide than people in other high-income countries;

WHEREAS: In Pennsylvania, there are an average of 1,628 gun deaths every year, with a rate of 12.4 deaths per 100,000 people, thereby having the 31st highest rate of gun deaths in the US;

WHEREAS: Gun homicides and assaults are concentrated in more densely populated areas, with more than half of all firearm related gun deaths in the nation occurring in 127 cities. Communities across the nation, including Ambler Borough, are working to end the senseless violence with evidence-based solutions;

WHEREAS: Gun violence prevention is more important than ever as the COVID-19 pandemic continues to exacerbate gun violence with more than two years of increased gun sales, increased calls to suicide and domestic violence hotlines, and an increase in city gun violence;

WHEREAS: Mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, are best positioned to understand how to keep their citizens safe, and are dedicated to protecting public safety in the communities where we serve;

WHEREAS: Support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns out of the hands of children and away from people with dangerous histories;

WHEREAS: In January 2013, Hadiya Pendleton was tragically shot and killed at age 15. On June 3, 2022, what would have been her 25th birthday (born: June 2, 1997), people across the United States will recognize National Gun Violence Awareness Day and **wear orange** in tribute to Hadiya Pendleton and other victims of gun violence and the loved ones of those victims. The idea was inspired by a group of Hadiya’s friends, who asked their classmates to commemorate her life by wearing orange, choosing this color for how it symbolizes the value of human life: hunters wear orange in the woods to protect themselves and other hunters;

WHEREAS: Anyone can join this campaign by pledging to wear orange on June 3rd, the first Friday in June 2022, to help raise awareness about gun violence and honor the lives of gun violence victims and survivors and in doing so, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands while encouraging responsible gun ownership and secure storage to help keep our children safe;

NOW THEREFORE, I, Jeanne Sorg, Mayor of the Borough of Ambler, with the support of members of Borough Council and the citizens of Ambler, do hereby proclaim the first Friday in June: June 3, 2022, to be **National Gun Violence Awareness Day in Ambler Borough.** By proclaiming this, I encourage all citizens to support their local communities’ efforts to educate one another, put action items into place to prevent the tragic effects of gun violence, and to honor and value human lives.

Dated this _____ day of _____, 2022.

Mayor Jeanne Sorg

Public Utilities Committee

May 3, 2022

Haley Welch- Chair

Erin Endicott

Karen Sheedy

Amy Hughes

OLD BUSINESS

NEW BUSINESS

1. WWTP ENGINEER REPORT

The WWTP Engineer's report will be provided.

2. ROUTINE HYDRANT FLUSHING

Water Department will commence routine system hydrant flushing in May. A daily flushing schedule will be posted on the Borough website.

3. MIRIA GRANT APPLICATION – RESOLUTION 2022-06

The attached estimate includes the proposed new NWWA Interconnect at/near Ft. Washington Avenue and Susquehanna Rd and new 12" piping on Loch Alsh Avenue and Ft. Washington Avenue and testing and carbon removal. The estimate total is \$1,485,000. Based on a MIRIA match of 4.5 times the local effort, this would require a local effort contribution of \$270,000 by Ambler. A vote is requested this evening.

4. PFAS SAMPLING

The Water Dept. has completed April 2022 sampling in the distribution system of PFAS. The contracted lab will analyze the samples and the Water Engineer will review the data. Results will be posted on the Borough website. The Water Dept. will continue to take quarterly samples.

**BOROUGH OF AMBLER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2022-06

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 **NWWA Interconnect and Associated Piping, Whitemarsh Carbon Changeout, and Quarterly PFAS Sampling 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 \$270,000 for the purpose of submitting the aforementioned grant application.

SO RESOLVED, this 3rd day of May 2022.

Glynnis Siskind, Borough Council President

Mary Aversa, Secretary



OPINION OF PROBABLE PROJECT COST

Project Name: MIRIA PFAS PROJECTS
Client: Ambler Borough
Project Number: 22-04096
Date: April 28, 2022

I. NWWA Interconnect and Piping

Item No.	Description	Quantity	Unit	Unit Cost	Total Amount
1	12" DIP Water Main - Ft. Washington Avenue	2450	LF	\$ 143.00	\$ 350,350.00
2	12" DIP Water Main - Loch Alsh Avenue	2100	LF	\$ 143.00	\$ 300,300.00
3	12" Fitting	12	EA	\$ 500.00	\$ 6,000.00
4	12" Gate Valve and Valve Box	10	EA	\$ 3,000.00	\$ 30,000.00
5	Fire Hydrant Assembly	8	EA	\$ 7,500.00	\$ 60,000.00
6	Meter and Valve Vault Complete	1	LS	\$ 75,000.00	\$ 75,000.00
7	New Connection to Booster Station	1	LS	\$ 7,500.00	\$ 7,500.00
8	Upper Dublin HS Service	1	LS	\$ 7,500.00	\$ 7,500.00
9	New Commercial Service to Right-of-Way	5	EA	\$ 5,000.00	\$ 25,000.00
10	New Residential Service to Right-of-Way	26	EA	\$ 2,500.00	\$ 65,000.00
11	Township Road Base Course	2022	SY	\$ 50.00	\$ 101,111.11
12	Township Road Wearing Course	3033	SY	\$ 16.00	\$ 48,533.33
13	SCADA and Controls	1	LS	\$ 10,000.00	\$ 10,000.00
Construction Subtotal:					\$ 1,086,294.44
					\$ 108,629.44
Construction Contingency					\$ 108,629.44
Engineering Design, Permitting & Construction Management					\$ 195,533.00
Project Total I:					\$ 1,390,456.89

II. Whitemarsh Treatment Plant - Carbon Changeout - additional cost from 2022 changeout

Item No.	Description	Quantity	Unit	Unit Cost	Total Amount
1	Carbon removal, disposal and replacement	1	LS	\$ 80,000.00	\$ 80,000.00
Project Total II:					\$ 80,000.00

III. PFAS Source and Tank Sampling

Item No.	Description	Quantity	Unit	Unit Cost	Total Amount
1	Quarterly Sampling - All Wells	36	EA	\$ 200.00	\$ 7,200.00
2	Quarterly Sampling - Whitemarsh Raw, Mid-Treatment, Entry point	12	EA	\$ 200.00	\$ 2,400.00
3	Quarterly Sampling - All Tanks	12	EA	\$ 200.00	\$ 2,400.00
4	Operator Labor - 8 hours per sampling event	32	HR	\$ 70.00	\$ 2,240.00
Project Total III:					\$ 14,240.00

TOTAL PROJECT BUDGET COST: \$ 1,485,000.00

Parks & Recreation Committee

May 3, 2022

Erin Endicott- Chair

Haley Welch

Jen Henderson

Lisa Auerbach

OLD BUSINESS

NEW BUSINESS

1. SINGLE USE PLASTICS

A Draft Single Use Plastics SUP ordinance suggesting sample language is **attached**.

2. TEAM CLEAN UP

Team-Up to Clean-Up has been scheduled May 21, from 10am to noon. Ambler Borough Council and EAC members will be at all parks to help with a spring cleaning. Residents of all ages are welcome to join in the community beautification effort.

3. YMCA SUMMER CAMP REGISTRATION

Knight Park YMCA Summer camp will run June 21st to July 29th from 8:30 a.m.- 4:00 p.m. Monday through Friday. Camp fee is \$50 per child. Registration will be held at Borough Hall on Wednesday, May 4th from 5-7 p.m. Proof of Ambler Borough residency is required at registration.

WHEREAS, the Borough of Ambler (type Code and the Pennsylvania Municipalities Planning Code) authorizes the Borough Council of the Borough of Ambler to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough of Ambler and its citizens;

WHEREAS, Article 1, Section 27 of the Pennsylvania Constitution, known as the Environmental Rights Amendment (the "Amendment"), provides that people have the right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As a Trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

WHEREAS, the Amendment imposes two basic duties on the Commonwealth and its political subdivisions such as the Borough- one is to prohibit the degradation, diminution, and depletion of the public natural resources and the second is to act affirmatively via legislative action to protect the environment, *Pennsylvania Environmental Defense Foundation v. Commonwealth of Pennsylvania*, 161 A.3d 911 (Pa. 2017); and

WHEREAS, this Ordinance is enacted to achieve the Borough's duties under the Amendment by minimizing the degradation, diminution and depletion of the public natural resources and to affirmatively enact legislation designed to protect the environment; and

WHEREAS, for the reasons set forth in more detail below, Borough Council intends to preserve, maintain, and enhance the health of its residents and visitors, as well as the public natural resources and common property within the Borough, by regulating the distribution of single-use plastic bags, expanded polystyrene food service products, and single-use plastic utensils within the Borough of Ambler

WHEREAS, the Borough Council has met the procedural requirements of 53 P.S. § 10101, e.t seq., the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing; and

WHEREAS, Borough Council, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of the Borough of Ambler will be served by this amendment of the Borough of Ambler Ordinance to regulate the distribution of single-use plastic bags, expanded polystyrene food service products, and single-use plastic utensils within the Borough;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Ambler, Montgomery County, Pennsylvania, it is hereby enacted and ordained by the authority of same, as

follows:

CHAPTER [code to be inserted or amended]. PROHIBITION ON USE OF CERTAIN SINGLE-USE PLASTICS PRODUCTS BY RETAIL ESTABLISHMENTS.

§[section number]. Purpose and Findings.

A. Purpose

- a. The purpose of this Chapter is to reduce the use of single-use plastic bags, expanded polystyrene food service products, and single-use plastic utensils by retail establishments within the Borough of Ambler.
- b. To curb litter on the streets, in the parks, and in the trees, protect the local streams, rivers, waterways and other aquatic environments, reduce greenhouse gas emissions, reduce solid waste generation, promote the use of reusable, compostable, and recyclable materials within the Borough of Ambler, and to preserve the natural, scenic, historic, and esthetic values of the Borough of Ambler.
- c. To relieve the pressure for landfills to manage the disposition of single-use products.

B. Findings.

- a. The use of single-use plastic bags, expanded polystyrene food service products, and single-use plastic utensils have severe environmental impacts, including greenhouse gas emissions, litter, harm to wildlife, ground level ozone formation, atmospheric acidification, water consumption, and solid waste generation.
- b. There are several commercial establishments within the Borough of Ambler which provide single-use plastic bags, expanded polystyrene food service products, and single-use plastic utensils to their customers.
- c. The majority of such single-use plastic bags, expanded polystyrene food service products, and single-use plastic utensils are made from plastic or other material that does not readily decompose.
- d. Approximately one hundred billion single-use plastic bags are discarded by United States consumers each year. Given the difficulty of recycling these materials, less than 1 percent of single-use plastic bags are returned for recycling in the United State, and in the Borough of Ambler, such bags are not curbside recyclable.
- e. Approximately five hundred million single-use plastic straws are discarded by United States consumers every day. In the Borough of Ambler, such straws are not readily recyclable.
- f. Numerous studies have documented the prevalence of single-use plastic bags, expanded polystyrene food service products, and/or plastic straws littering the environment, blocking storm drains, entering local waterways, and becoming stuck in or upon natural resources and public property.
- g. The taxpayers of the Borough of Ambler pay the costs related to the cleanup of single-use plastic bags, expanded polystyrene food service products, and single-use plastic utensils from the roadways, trees, sewers, waters, and parks within the Borough.
- h. From an overall environmental and economic perspective, the best alternative to single-use plastic bags is a shift to reusable, compostable, or recyclable paper bags, and the best alternative to single-use plastic utensils are reusable utensils, recyclable paper utensils, or utensils made from

other natural products, if a utensil is required.

- i. There are several alternatives to single-use plastic bags, expanded polystyrene food service products, and single-use plastic utensils readily available in and around the Borough.
- j. An important goal of the Borough is to procure and use sustainable products and services.
- k. An important goal of the Borough of Ambler is to preserve the natural, scenic, historic, and esthetic values of the Borough of Ambler.
- l. It is the Borough of Ambler's desire to conserve resources, reduce the amount of greenhouse gas emissions, waste, litter, water pollution, and to protect the public health and welfare, including wildlife, all of which increases the quality of life for the Borough's residents and visitors.
- m. Studies have documented that placing a mandatory charge on single-use plastic bags, banning expanded polystyrene food service products, and not providing single-use plastic utensils will dramatically reduce the use of such items.
- n. As required by the Environmental Rights Amendment to the Pennsylvania Constitution, the Borough seeks to preserve the natural, scenic, historic, and esthetic values of the Borough.
- o. It is the Borough Council's desire to conserve resources, reduce the amount of greenhouse gas emissions, waste, litter, water pollution, and to protect the public health and welfare, including wildlife, all of which increases the quality of life for the borough's residents and visitors.

§[section number]. Definitions.

- (1) "Customer" means any person purchasing goods or services from a Retail Establishment.
- (2) "Effective Date" means the effective date of the ordinance that added this Chapter to Borough of Ambler's /code].
- (3) "Exempted Bag":
 - (a) means a bag used inside a retail establishment by a customer to deliver perishable items to the point of-sale at that establishment
 - (b) shall include:
 - (i) a bag used to package bulk items such as fruit, vegetables, nuts, grains, or candy;
 - (ii) a bag used to contain or wrap meats or fish; to contain unwrapped prepared foods or bakery goods;
 - (iii) a bag used solely to contain live animals, such as fish or insects sold in a pet store;
 - (iv) a bag sold in packaging containing multiple bags and packaged at the time of manufacture of the bag.
- (4) "Expanded Polystyrene" means blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by a number of techniques, including: fusion of polymer spheres, known as expandable bead 20 polystyrene; injection molding; foam molding; and extrusion-blow molding, also known as extruded foam polystyrene.
- (5) "Expanded Polystyrene Food Service Product":
 - (a) means a product made of expanded polystyrene that is used for selling, providing, or transporting food or beverages

(b) shall include:

- (i) food containers;
- (ii) plates;
- (iii) hot and cold beverage cups;
- (iv) trays; and
- (v) clamshells.

(c) shall not include:

- (i) food or beverages that have been packaged in expanded polystyrene outside the borough before receipt by a food service establishment or store;
- (ii) a product made of expanded polystyrene that is used to package raw, uncooked, or butchered meat, fish, poultry, or seafood; or
- (iii) non-foam polystyrene food service products.

(6) "Plastic" means a synthetic material made from linking monomers through a chemical reaction to create a polymer chain that can be molded or extruded at high heat into various solid forms that retain their defined shapes during their life cycle and after disposal, including material derived from either petrochemicals or a biologically based polymer, such as corn or other plant sources.

(7) "Recycled Paper Bag" means a paper bag that meets the following, but not including an Exempted Bag:

- (a) contains no old growth fiber;
- (b) contains a minimum of 40% post-consumer recycled content; and
- (c) is labeled in a highly visible manner with the name of the manufacturer and the percentage of post-consumer recycled content of the bag in an easy-to-read font size.

(8) "Retail Establishment" means a temporary or permanent location where food or other products are offered to the public for direct sale or delivery to a customer, including but not limited to the following: supermarket, convenience store, service station, delicatessen, department store, dollar store, clothing store, restaurant, pharmacy, food truck, farmers' market, festival or delivery service, but not including drycleaners. (9) "Reusable carryout bag" means a carryout bag that is designed and manufactured for multiple uses and is:

- (a) made of cloth or other machine-washable fabric that has stitched handles;
- or (b) a polypropylene bag that has stitched handles.

(10) "Single-use Plastic Bag" means a bag made through a blown-film extrusion process, but not including an Exempted Bag.

(11) "Single-Use Plastic Utensil":

- (a) means any item used or provided by a Retail Establishment to serve, consume, or manipulate food or beverages that is primarily made from Plastic.
- (b) includes but is not limited to straws, forks, spoons, sporks, knives, chopsticks, drink stirrers, beverage spill plugs, toothpicks, novelty cocktail accessories, and other drink or food accoutrements.

(c) shall not include Utensils provided under the following circumstances:

- (i.) When packaged with beverages prepared and packaged outside of the Borough, provided such beverages are not altered, packaged or repackaged within the Borough;
- and

(ii.) When provided as an assistance device to reasonably accommodate a disability.

§[*section number*]. Single-use Plastic Bags.

(1) Beginning 90 days after the Effective Date, Retail Establishments are prohibited from providing a Single-use Plastic Bag to a customer at the retail establishment or through a delivery.

§[*section number*]. Single-use Paper Bags.

(1) Beginning 90 days after the Effective Date, Retail Establishments are prohibited from providing a non-Recycled Paper Bag to a customer at the retail establishment or through a delivery.

(2) A retail establishment may provide a consumer a Recycled Paper Bag at the point of sale if the bag is provided to the consumer for a charge of not less than \$0.15 per bag.

(3) All monies collected by a retail establishment under this section for provision of a Recycled Paper Bag shall be retained by the retail establishment.

(4) Any charge for a Recycled Paper Bag shall be separately stated on any receipt provided to the customer at the time of sale and shall be identified as the "Carry-Out Bag Charge" thereon.

§[*section number*]. Reusable Bags.

(1) A retail establishment may provide a consumer a reusable bag at the point of sale if the bag is provided to the consumer for a charge of not less than \$0.15 per bag.

(2) All monies collected by a retail establishment under this section for provision of a Reusable Bag shall be retained by the retail establishment.

(3) Any charge for a Reusable Bag shall be separately stated on a receipt provided to the customer at the time of sale and shall be identified as the "Carry-Out Bag Charge" thereon.

§[*section number*]. Signage Requirement.

(1) Beginning 30 days after the effective date, and for six months thereafter, Retail Establishments are required to post at all points of sale conspicuous signage: informing customers that Single-use Plastic Bags and non-Recycled Paper Bags will no longer be provided by the establishment as of the date the prohibition begins; explaining what types of bags and purchases are impacted; and providing any other information the Borough of Ambler may require by regulation.

§[*section number*]. Expanded Polystyrene Food Service Product.

(1) Beginning 90 days after the Effective Date, Retail Establishments are prohibited from providing an Expanded Polystyrene Food Service Product to a customer at the retail establishment or through a delivery.

§[*section number*]. Single-Use Plastic Utensils

(1) Beginning 90 days after the Effective Date, Retail Establishments are prohibited from providing Single-Use Plastic Utensils, except upon request of the Customer.

§[section number]. Enforcement.

- (1) A person, store, or food service establishment that violates the requirements of this subchapter shall:
 - (a) be subject to a civil penalty of \$50.00 for a first offense;
 - (b) be subject to a civil penalty of \$100.00 for a second offense; and
 - (c) be subject to a civil penalty of \$200.00 for a third or any subsequent offense.
- (2) For the purposes of enforcement under this subchapter, an offense shall be each day a person, store, or food service establishment is violating a requirement of this subchapter
- (3) In addition to the penalties set forth in this Chapter, the Borough of Ambler may seek legal, injunctive, or other equitable relief to enforce this Chapter.
- (4) The failure of the Borough of Ambler to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of Ambler of its rights to future enforcement hereunder.

§[section number] Severability

- (1) In the event a court of competent jurisdiction declares and 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.

§[section number]. Effective Date

- (1) This ordinance shall take effect [effective date or timeline]

Salary & Personnel Committee

May 3, 2022

Frank DeRuosi- Chair

Haley Welch

Nellie Forst

Jen Henderson

OLD BUSINESS

1. **WATER VACANCY**

Interviews are scheduled for the vacant water department position.

NEW BUSINESS

1 . **PUBLIC WORKS WEEK**

May 15-21 is National Public Works Week. We appreciate our Public Works Department employees who provide essential services and work to maintain our infrastructure, from snow- covered roads to the water system to facility and park maintenance as well as stormwater management. We recognize their dedicated efforts as they work hard work each day to keep the Borough strong and running.