



**BOROUGH OF AMBLER
COUNCIL MEETING AGENDA
March 16, 2021
7:00 p.m.**

**Minutes for Consideration:
February 16, 2021 Zoom Council Meeting
March 2, 2021 Zoom Committee Meeting**

Borough Council will conduct its Council 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 Tuesday, March 16 at 4:00PM so that Council may consider your comments or address a question from the public during the ZOOM Meeting.

**COMMITTEE REPORTS:
PUBLIC SAFETY
PUBLIC UTILITIES
FINANCE & PLANNING
PARKS & RECREATION
SALARY & PERSONNEL**

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 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.**
- 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

March 2, 2021 at 7:00 p.m. Via Zoom. Committee members: Erin McKenna Endicott – Chair, Glynnis Siskind, Sara Hertz, Nancy Deininger

The Committee will make no recommendations.

Approved at the Committee Meeting

1. A recommendation was approved to adopt the Emergency Declaration for COVID-19 for the month of March. (8-Aye) Absent: Mr. DeRuosi

The following business will be discussed:

1. The Police Department report is **attached**.
2. The Fire Department report is **attached**.
3. The Community Ambulance report is **attached**.
4. The Public Works and the Code Enforcement reports were received.



**Wissahickon Fire Company
Fire Chief Report
Year 2021 (59 days)**

Township	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total	%
Ambler	14	15											29	45%
East Norriton		1											1	2%
Horsham		1											1	2%
Lower Gwynedd	8	15											23	35%
Montgomery	2	1											3	5%
Springfield		1											1	2%
Upper Dublin	3	1											4	6%
Whitemarsh	1												1	2%
Whitpain	1	1											2	3%
TOTAL	29	36	0	0	0	0	0	0	0	0	0	0	65	100%

Type of Call	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total	%
Accident Standby	1												1	2%
AFA Actual	2	7											9	14%
AFA False	5	7											12	18%
Appliance	1												1	2%
Brush													0	0%
Building Investigation	2												2	3%
CO Detector	4	2											6	9%
Commercial Bldg	3	4											7	11%
Elevator Rescue	1	1											2	3%
Fast Team Assist		1											1	2%
Gas Odor Inside		3											3	5%
Gas Odor Outside	1	1											2	3%
Hazmat													0	0%
Non Comm Bldg	2	1											3	5%
Officer Investigation	4	2											6	9%
Standby	1												1	2%
Traffic Unit assist		3											3	5%
Trash													0	0%
Vehicle Fire													0	0%
Vehicle Leaking Fuel													0	0%
Vehicle Rescue	1	1											2	3%
Water Rescue													0	0%
Wires	1	3											4	6%
TOTAL	29	36	0	0	0	0	0	0	0	0	0	0	65	100%

Day of the week	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total	%
Monday	5	6											11	17%
Tuesday	4	6											10	15%
Wednesday	6	7											13	20%
Thursday	3	7											10	15%
Friday	4	4											8	12%
Saturday	3	2											5	8%
Sunday	4	4											8	12%
TOTAL	29	36	0	0	0	0	0	0	0	0	0	0	65	100%



**Wissahickon Fire Company
Fire Chief Report
Year 2021 (59 days)**

Attendance	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total	%
Day Calls (M to F 6AM to 6PM)	13	18											31	48%
Attendance at Day Calls	136	217											353	
Average Day Calls	10.5	12.1	-	-	-	-	-	-	-	-	-	-	11.4	
Night & Weekend Calls	16	18											34	52%
Attendance at N & W Calls	271	274											545	
Average Night & Weekend	16.9	15.2	-	-	-	-	-	-	-	-	-	-	16.0	
Total Calls	29	36											65	100%
Total Attendance	407	491											898	
Average Total Calls	14.0	13.6											13.8	
Total Drills	4	3											7	
Total Drill Attendance	150	99											249	
Average Drill Attendance	37.5	33.0											35.6	

Count of Alarm 2021								
Hour of Day	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total
0				1				1
1								0
2					1		2	3
3			1					1
4								0
5								0
6				2		1		3
7		1	1					2
8						3		3
9	1	1	1	1				4
10	2	1	1		1			5
11	2	1				1		4
12					2			2
13	1	1		1	1			4
14			1	1			1	3
15		1	1				1	3
16		2						2
17		1	1		1	1		4
18		1	1	2	1			5
19	2		1	1	1	1	1	7
20		1		3		1		5
21					1			1
22			1	1				2
23					1			1
Grand Total	8	11	10	13	10	8	5	65



EMERGENCY: DIAL 911
EMAIL: info@amblerambulance.org

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

Excellence in Pre-Hospital Care
COMMUNITY AMBULANCE ASSOCIATION, AMBLER
1414 E. BUTLER PIKE
P.O. BOX 98
AMBLER, PENNSYLVANIA 19002

Ambler Borough Statistics – 2021

<u>Month</u>	<u>Calls in Borough</u>	<u>Total Calls for CAAA</u>
January	85	421
February	75	417
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
<hr/>		
<u>YTD Totals</u>	160	838

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

Public Utilities Committee

March 2, 2021 at 7:00 p.m. Via Zoom. Committee Members: Glynnis Siskind – Chair, Haley Welch, Jen Henderson, and Karen Sheedy

The Committee will make no recommendations.

Approved at the Committee Meeting

1. Recommend awarding the ET5 trickling filter rebuild to Zimmerman for the low quote of \$12,500.00. 8-Aye Absent: Mr. DeRuosi

The following business will be discussed:

1. The WWTP Engineer's report will be provided.
2. 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.
3. Quotes are being requested for the Phase II piping replacement job at Whitemarsh.
4. Water Dept. will conduct routine system hydrant flushing beginning first week of April. A flushing schedule will be posted on the Borough's website.
5. Water Dept. billing clerks are making payment arrangements with customers who are experiencing difficulties paying their water bills due to COVID 19. Interest has not been charged during the pandemic. A discussion is requested to determine when delinquent collections and interest charges will resume.

Finance and Planning Committee

March 2, 2021 at 7:00 p.m. Via Zoom. Committee Members Nellie Di Pietro – Chair, Erin McKenna Endicott, Haley Welch, Karen Sheedy

The Committee will consider the following recommendations:

1. That the February Bills be paid in the amount of \$1,356,418.44.

#	Fund	FEB 1st Run	FEB 2nd Run	TOTALS
1	GENERAL	94,710.05	26,437.10	121,147.15
2	STREET LGTS	3,247.24	3,536.63	6,783.87
3	FIRE		5,283.00	5,283.00
4	REFUSE	6,244.57	48,356.21	54,600.78
5	PARKS & REC	115.50	106.56	222.06
6	WATER	367,102.19	320,554.24	687,656.43
8	SEWER	132,929.89	7,076.71	140,006.60
9	WWTP	285,622.82	41,629.75	327,252.57
35	LIQUID FUELS		13,465.98	13,465.98
TOTALS		889,972.26	466,446.18	1,356,418.44
VOID CHECKS				-
GRAND TOTAL		889,972.26	466,446.18	1,356,418.44

2. The solicitor provided a draft ordinance to define mural language. The review letters from the Planning Commissions are **attached**. A recommendation is requested to advertise for adoption an Ordinance to define Mural language.
3. The Solicitor prepared a draft Ordinance amending the area calculation that triggers storm water requirements. The review letters from the Planning Commissions are **attached**. A recommendation is requested to advertise for adoption an Ordinance to reduce the trigger for Storm Water requirements.

The following business will be discussed:

1. The Borough Engineer's report was received.
2. The County Planning Assistance contract will be submitted to the County. The Planning Commission will be providing input on future projects.
3. **Attached** is a Resolution for the Intermunicipal Collaboration Resolution to extend the Intergovernmental Agreement (IGA) for the development of a Water Quality Improvement Plan for the Wissahickon Creek Watershed

**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 Planning Commission Member

From: Glenn Kucher, Code Enforcement Officer

Date: January 26, 2021

Re: Mural Ordinance

The Borough Mural Ordinance language is attached. In October 2020 two requests were made for placing murals on the sides of privately owned buildings in the Borough. Presently in the Zoning Ordinance a mural is defined as below and according to section 27-2004.F prohibited signs include any sign painted on a wall surface, excluding murals:

§27-2003. Definitions.

MURAL — artwork applied to the wall of a building which covers all or most of the wall and depicts a scene or event of natural, social, cultural or historic significance.

§27-2004. Prohibited Signs.

F. Signs painted on any wall surface, excluding murals.

Using previous precedent, the last time a mural was proposed and done was along the wall of Caviler Drive on the Act 2 Playhouse building. This mural was brought before Council at that time for their approval. I don't believe that a proposed mural should be approved and permitted at the staff level because what I view as art or a mural may be different than someone else. Input from Council was requested on how to proceed with such requests.

After lengthy discussions and input from Council the Borough Solicitor drafted an ordinance that places some limitations upon murals. According to the Solicitor this ordinance goes about as far as the Borough could go as far as regulating murals under the current state of the law. Courts say over and over that whether a sign has a profit motive or is a genuine expression of something non-commercial has to be decided on a case-by-case basis. For example, if a pet store paints a mural of a bunch of happy dogs running across a lawn, it is permissible, but if one of the happy dogs is the pet store's mascot used on all of its products, it is regulated as a sign. In another case, a mural was found to be a sign with a profit motive where it was on the side of a shop that sold parts for hot rod cars; the image was of a "mad scientist" mixing materials together and the chemical names on the test tubes are commonly associated with drag racing.

This ordinance will not be easiest to enforce going forward but tightens up the language somewhat.

AMBLER BOROUGH, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOROUGH OF AMBLER, AMENDING THE SIGN ORDINANCE, SECTIONS (insert), TO DEFINE MURALS, DIFFERENTIATE THEM FROM SIGNS, AND ESTABLISH CRITERIA FOR MURALS; LEAVING THE REMAINDER OF THE ORDINANCE IN FULL FORCE AND EFFECT; INCLUDING A SEVERABILITY CLAUSE AND REPEALER; EFFECTIVE ON THE EARLIEST APPLICABLE DATE SET FORTH IN THE BOROUGH CODE

WHEREAS, it is the determination of Ambler Borough Council that the existing sign ordinance does not sufficiently address murals, and that it is in the best interests of the citizenry, and consistent with the Borough residents' health, safety and welfare, to establish criteria for murals while recognizing and preserving every person's right to free speech and expression,

NOW THEREFORE, it is hereby ORDAINED as follows:

1. Chapter 27, part 20, Signs, at 27-2003 of the Borough codified ordinances, "Definitions", is modified as follows:
The definition of "Mural" is stricken and replaced with the following.
MURAL: Artwork applied to the wall of a building, the primary purpose of which is the expression of non-commercial speech. Artwork that does not have the expression of non-commercial speech as its primary purpose is a sign and may not be painted or applied to the wall of a building.
2. Chapter 27, part 20, signs, at 27-2004, "Prohibited Signs" is amended as follows:
27-2004(F), the existing language, "Signs painted on any wall surface, excluding murals" is stricken and replaced with the following: "Signs painted on any wall surface".
3. Chapter 27, part 20, is amended by the addition of a new section, 27-2011, the text of which is as follows:

27-2011 MURALS

1. Whether the primary purpose of artwork painted on a building is commercial or non-commercial is a fact-based inquiry and the initial determination is to be made by the Borough zoning officer. The determination to be made is whether the expression depicted in the artwork is primarily intended to advance the economic interests of a business. Factors in making this determination include:
 - a. whether the wall is part of a business;
 - b. whether the artwork includes the name or advertising slogans of a business;
 - c. whether the artwork depicts specific elements of a transaction or business activity associated with a particular business or trade;
 - d. whether the artwork includes depictions of the owner or employees of a particular business;
 - e. if volunteered by the building owner or artist, the stated non-commercial expression sought to be expressed in the art work;

- f. Whether the artwork, in consideration of these and any other relevant factors, is intended to call attention to a business or commercial activity.
2. If the zoning officer determines the artwork to be a sign, then it shall be prohibited pursuant to 27-2004(F). If it is determined to be a mural, then it is subject only to the requirements set forth in this part. Specifically:
 - a. It may not be larger than the wall on which it is painted;
 - b. It may not cover doors or windows;
 - c. It may not contain electronic elements and may not be internally illuminated;
 - d. It may not include words or graphic depictions of violence or sexuality that would be considered obscene applying contemporary community standards;
 - e. It may not project into any public right of way;
 - f. It must be created using materials durable enough to last approximately as long as ordinary exterior paint applied to the same wall in a single, uniform color.
3. Persons intending to create a mural within the Borough may apply to the zoning officer free of charge for a determination that the artwork does not constitute a regulated sign. A mural that is painted without zoning officer approval is subject to removal if it is in violation of this ordinance.
4. The perceived cultural, artistic, historical, or societal significance of any depiction in any artwork is unrelated to a determination made by the zoning officer pursuant to this ordinance.
5. Determinations of the zoning officer are appealable to the Zoning Hearing Board in the same manner as other zoning determinations in accordance with the Pennsylvania Municipalities Planning Code.
6. Any prior ordinance that is inconsistent with this ordinance is repealed to the extent of such inconsistency. If any portion of this ordinance is found invalid by a court of competent jurisdiction, such invalid provision shall be severed from the remainder of the ordinance, which shall continue to be given full force and effect. This ordinance is effective on the earliest applicable date provided for in section 3301.3 of the Pennsylvania Borough Code.

SO ORDAINED this _____ day of _____, 2021.

Frank DeRuosi, Council President

ATTEST: _____
Mary Aversa, Council Secretary

Borough Of Ambler

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February 23, 2021

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

Re: Zoning Ordinance Language to Define Murals

Dear Ms. Aversa:

At the direction of Council, the Planning Commission has been requested to review a Zoning Ordinance prepared by the Borough Solicitor to define murals, differentiate them from signs and establish criteria for murals.

After discussion at our meeting held this date via ZOOM, a motion was made and carried unanimously to recommend to Council to consider adopting the Zoning Ordinance language as presented this date to the Planning Commission defining murals to differentiate them from signs and establish criteria. A roll-call vote with 7 members present was 7 ayes. The County Planner attended the ZOOM meeting and advised that the County supports this language.

If you have any questions, please do not hesitate to contact our Chairman, Robert Lagreca.

Very truly yours,

Carol Ann DiPietro
Secretary
Ambler Borough Planning Commission

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

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



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
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610-278-3722
FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

January 27, 2021

Glenn Kucher, Zoning Officer & Planning Coordinator
Ambler Borough
131 Rosemary Avenue
Ambler, Pennsylvania 19002

Re: MCPC # 21-0005-001
Plan Name: Mural Ordinance
Borough of Ambler

Dear Manager/Secretary:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on January 6, 2021. We forward this letter as a report of our review.

BACKGROUND

The applicant, Ambler Borough, has submitted a zoning ordinance amendment to update the borough's sign ordinance regulations relating to murals. The proposed amendment updates the existing definition for "Murals" designating murals specifically as an "expression of non-commercial speech," and designates the Ambler's code officer for determination as to whether a submission is categorized as a mural or sign. The amendment also introduces a new "Murals" section in the Signs chapter of the borough zoning code detailing the process for approval for murals. The amendment includes standards and criteria by which the Borough code officer determines whether a proposal qualifies as a sign or mural, and designates a process of appeal of any decision via the Zoning Hearing Board in accordance with the Pennsylvania Municipalities Planning Code.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) supports the applicant's proposal as we have found it to be generally consistent with the borough's existing Sign ordinance and the County's Model Sign Ordinance as it relates to content neutrality and determinations of non-commercial content on a case-by-case basis.



CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal but recommend that the ordinance is updated in the future to remain consistent with evolving legislation or law pertaining to signs and content neutrality.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Michael Lowrey, Community Planner II
mlowrey@montcopa.org - 610-278-3887

Borough Of Ambler

131 EAST BUTLER AVENUE
AMBLER, PENNSYLVANIA 19002-4476

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Memorandum

To: Borough Planning Commission
From: Glenn Kucher, Code Enforcement Officer
Date: February 19, 2021
Re: Stormwater Management Ordinance

Below is a link to the existing Stormwater Management Ordinance which was adopted in 2017.

http://boroughofambler.com/download/code_of_ordinances/ordinances_passed_after_july_17_2012/ord-1108-stormwater-mgmt_20171113143603.pdf

This ordinance had been developed specifically for the Wissahickon Creek watershed to comply with the requirements of the Pennsylvania Stormwater Management Act of 1978, also known as Act 167. The Act requires Pennsylvania counties to prepare and adopt stormwater management plans for each watershed located in the county.

The main objective of the plan is to control stormwater runoff on a watershed basis rather than on a site-by-site basis, taking into account how development and land cover in one part of the watershed will affect stormwater runoff in all other parts of the watershed. Consistent with Act 167, the plan seeks to:

- Preserve and restore the flood carrying capacity of watershed streams;
- Reduce erosion and sedimentation;
- Preserve natural stormwater runoff regimes and the natural course, current and cross sections of streams; and
- Protect and conserve ground water and ground water recharge areas.

This Act also requires municipalities to implement a stormwater management ordinance limiting stormwater runoff from new development and redevelopment. This new proposed Ordinance is applicable to any earth disturbance over 750 sqft rather than the existing 1,000 sqft and would not apply to properties where no improvements are proposed. Prior to adoption of this updated 2017 Ordinance the Borough threshold was 5,000 sqft to trigger similar stormwater requirements.

This ordinance is technical in nature and majority is watershed specific information that would not be eligible to change. If Council wished to require more projects to install stormwater management, an option would be to lower the threshold requirement of 1,000 sqft. Please note that this recharge / infiltration is a requirement in this Ordinance and containment items such as rain barrels are not eligible for stormwater management for the purpose of this ordinance.

Feel free to contact me with any questions.

AMBLER BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NUMBER ____

AN ORDINANCE OF THE BOROUGH OF AMBLER REVISING THE STORMWATER ORDINANCE (ORDINANCE 1108, CODIFIED AT SECTION 26-406.1) BY REDUCING THE IMPERVIOUS SURFACE THRESHOLDS FROM 1,000 SQUARE FEET TO 750 SQUARE FEET, LEAVING THE REMAINDER OF THE ORDINANCE IN FULL FORCE AND EFFECT; TO BE EFFECTIVE ON THE EARLIEST EFFECTIVE DATE PROVIDED BY THE PENNSYLVANIA BOROUGH CODE

WHEREAS, Ambler Borough Council adopted Ordinance 1108 on October 17, 2017, in order to establish updated stormwater management criteria in compliance with Pennsylvania Act 167 of 1978, and

WHEREAS, Ordinance 1108, which requires various stormwater controls in the event of land development and earth disturbances, exempts projects which involve proposed impervious surface of less than one thousand square feet, and also exempts projects which involve earth disturbances of less than one thousand square feet, and

WHEREAS, it is the determination of Borough Council that stormwater runoff remains a significant problem in the Borough, and that accordingly, ongoing efforts should be made to control stormwater to the maximum extent possible without posing unreasonable hardship upon property owners, and

WHEREAS, Borough Council has determined that an additional limit upon the projects exempted from compliance with the stormwater ordinance will be another positive step towards stormwater control and therefore is consistent with the health, safety and welfare of the Borough,

NOW THEREFORE, Ambler Borough Council does ORDAIN as follows:

1. Table 26-406.1 (Impervious Surface Exemption Thresholds) is modified as follows: In column 3, the column header "0 to 1,000 square feet" is amended to read, "0 to 750 square feet" and the column header ">1,000 to 5,000 square feet" shall be amended to read ">750 to 5,000 square feet."

Any other provision in the stormwater ordinance or any other ordinance of the Borough that is inconsistent with these modified exemption thresholds shall be considered repealed to the extent of such inconsistency.

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

This ordinance is effective on the earliest approval date provided for in section 3301.3 of the Pennsylvania Borough Code.

SO ORDAINED this ____ day of _____, 2021.

Frank R. DeRuosi, Council President

Attest: _____
Mary Aversa, Secretary

Borough Of Ambler

131 ROSEMARY AVENUE
AMBLER, PENNSYLVANIA 19002-4476

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WEBSITE: www.boroughofambler.com



February 23, 2021

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

Re: Draft Ordinance Language Amending the Area
Calculation to Trigger Storm Water Requirements
From 1,000 S.F. to 750 S.F.

Dear Ms. Aversa:

At the direction of Council, the Planning Commission has been requested to review a Zoning Ordinance to amend the area calculation that triggers storm water requirements from 1,000 square feet to 750 square feet.

After discussion at our meeting held this date via ZOOM, a motion was made and carried unanimously to recommend to Council to consider adopting this amendment. A roll-call vote with 7 members present was 7 ayes. The County Planner attended the ZOOM meeting and advised that the County supports this amendment.

If you have any questions, please do not hesitate to contact our Chairman, Robert Lagreca.

Very truly yours,

Carol Ann DiPietro
Secretary
Ambler Borough Planning Commission

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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

February 22, 2021

Glenn Kucher, Zoning Officer & Planning Coordinator
Ambler Borough
131 Rosemary Avenue
Ambler, Pennsylvania 19002

Re: MCPC # 21-0040-001
Plan Name: Storm Water Ordinance Revisions
Situate: Borough of Ambler

Dear Mr. Kucher:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on February 09, 2021. We forward this letter as a report of our review.

BACKGROUND

The applicant, Ambler Borough, proposes revisions to the borough's Stormwater Management Code (**Ordinance #1108**) which includes various stormwater controls, standards, and required actions in the event of land development and similar projects. The applicant's proposed amendment seeks to strengthen these stormwater controls in the borough by lowering the exemption thresholds for projects that involve earth disturbance or result in an increase of impervious surfaces. Stormwater runoff, localized flooding, and regional water quality are significant challenges in Ambler as the borough's area measures (0.85) square miles and is generally built out with suburban and urban patterns of development. The proposed amendment would amend the borough's **Stormwater Ordinance #1108 - Table 26-406.1** (Impervious Surface Exemption Thresholds) through lowering the base exemption thresholds for various earth disturbance and development projects which otherwise require an applicant to meet various standards.

The proposed amendment reduces the base exemption threshold as required in **Table 26-406.1** from "0 to 1,000 square feet" to "0 to 750 square feet" and lowers the subsequent exemption tier from ">1,000 to 5,000 square feet" to ">750 to 5,000 square feet." All projects greater than 5,000 square feet remain in the "Not Exempt" categorization and all of the requirements in the ordinance would still apply.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified the following issue that the applicant and the Borough of Ambler may wish to consider prior to the amendment adoption. Our comments are as follows:

REVIEW COMMENTS

Ambler Borough was part of a watershed-based stormwater management planning effort in 2014-2015, and has adopted the standards and criteria developed as part of that project. The framework of the watershed effort is based on consistent controls across all participating communities. While we commend individual community efforts to mitigate the effects of stormwater runoff in the watershed, we caution against efforts that significantly deviate from the consistent standards and criteria adopted by all the municipalities in the Wissahickon watershed. Regarding this particular proposal, however, we believe that lowering the threshold from 1000 square feet to 750 square feet represents a minor adjustment to the base exemptions in Ambler, and should not undermine the regional aspects of the watershed based stormwater management plan.

CONCLUSION

MCPC generally supports the applicant's proposal but wish to reiterate our belief that a wholistic approach resulting in consistent controls across all participating municipalities for regional stormwater management in the Wissahickon watershed is the best practice.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body adopt this proposed ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Michael Lowrey, Community Planner II
mlowrey@montcopa.org - 610 -278-3887

c: Robert LaGreca, Chair, Ambler Planning Commission

Intermunicipal Collaboration Resolution to Extend
The Intergovernmental Agreement (IGA) for the Development of a Water Quality
Improvement Plan for the Wissahickon Creek Watershed

RESOLUTION NO. 2021-_____

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE 2021/2022 INTERGOVERNMENTAL AGREEMENT WITH OTHER MONTGOMERY AND PHILADELPHIA COUNTY MUNICIPALITIES AND WASTEWATER TREATMENT PLANT OPERATORS TO COMPLETE A WATER QUALITY IMPROVEMENT PLAN AS AN ALTERNATIVE TO THE EPA PHOSPHORUS TOTAL MAXIMUM DAILY LOAD FOR THE WISSAHICKON CREEK WATERSHED.

Municipalities:

Abington Township
Cheltenham Township
Lower Gwynedd Township
North Wales Borough
Springfield Township
Upper Gwynedd Township
Whitpain Township

Ambler Borough
Lansdale Borough
Montgomery Township
Philadelphia County
Upper Dublin Township
Whitemarsh Township

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

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

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

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

WHEREAS, The Wissahickon Creek has been designated as impaired under Section 303(d) of the Clean Water Act, and has been assigned a Total Maximum Daily Load (TMDL)

per (40 CFR 130.2 and 130.70) and individual wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources have been assigned; and

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

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

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

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

NOW THEREFORE, BE IT RESOLVED as follows:

The **Borough of Ambler** desires to continue participating in the collaborative partnership with other Wissahickon Creek permittees to advance the development of a TMDL Alternative. The **Borough of Ambler** hereby authorizes its appropriate officers to enter into a new Intergovernmental Agreement (see attached), which will begin on this date and expire either ninety (90) days after final approval of a TMDL Alternative or on December 31, 2022, if no such approval has been received by that date.

I HEREBY CERTIFY that this Resolution was adopted by the **Borough of Ambler** at its public meeting held on _____.

ATTEST:

BOROUGH OF AMBLER

Borough Manger

Council President

Park and Recreation Committee

March 2, 2021 at 7:00 p.m. Via Zoom. Committee Members: Sara Hertz – Chair, Nancy Deininger, Erin McKenna Endicott, Nellie DiPietro

The Committee will make no recommendations.

Approved at the Committee Meeting

1. A grant Application was submitted to obtain \$43,000 from the MontCo 2040 Implementation Grant Program to provide funding for the Knight Park Community Garden Project. Resolution 2021-2 was adopted in support of the Montco 2040 Grant Program.
8-Aye Absent: Mr. DeRuosi

The following business will be discussed:

1. Final Parks Planning Workshop will be held Tuesday, March 23 at 6:00 p.m. via ZOOM to discuss Jean Thompson Park, Wahl Playground, Locust Street Park and Ambler Square. **(attached)** Access the link www.boroughofambler.com/departments/parks-recreation to register for ZOOM.
2. Community Garden Committee will meet at Knight Park on Sunday, March 21 at 3:30 p.m. For further information contact Councilperson Jen Henderson at Jhenderson@borough.ambler.pa.us .
3. An update on Ambler Main Street activities will be provided.
4. The Committee would like to discuss holding a parks clean-up day, rain garden maintenance to ensure they are properly functioning, and managing competing demands for recreational space.

WHAT WOULD YOU LIKE TO SEE IN YOUR PARKS?



Ambler Borough Planning Commission is currently working on a Parks Plan outlining the future of the Borough Parks System. **WE NEED YOUR IDEAS!**

The Borough will be holding “zoom” workshops in the coming months to see how by maintaining and improving the park system in the Borough we can make Ambler an even better place to live, work, and play.

Please go to the below link or QR for more information and how to register.

Comments can also be submitted by calling or by sending them in writing to the Borough Attention Park Plan.



WWW.BOROUGHOFAMBLER.COM/DEPARTMENTS/PARKS-RECREATION

PARK MEETING DATES:

KNIGHT PARK

Tuesday, November 24th at 6pm

PICKERING FIELD

Tuesday, December 22nd at 6pm

RIGGARDI PARK

Tuesday January 26th at 6pm

BOROUGH PARK

EDGEWOOD PRESERVE

TENNIS AVENUE LOT

REIFFS MILL OPEN SPACE

Tuesday February 23rd at 6pm

JEAN THOMPSON

PARK, WAHL PLAYGROUND

LOCUST STREET PARK

AMBLER SQUARE

Tuesday March 23rd at 6pm

Salary & Personnel Committee

March 2, 2021 at 7:00 p.m. Via Zoom. Committee Members Nancy Deininger – Chair, Glynnis Siskind, Nellie Di Pietro, Jen Henderson

The Committee will consider the following recommendations.

1. Authorization to offer employment to the recommended candidate for the Assistant Water Superintendent is requested.
2. Consider the recommendation to hire Administrative Sgt. Jeff Borkowski for the soon-to-be-vacant Police Chief position.
3. Consider appointment of Ms. Vanessa Williams to the vacant Water Authority seat representing Whitpain Township. **(attached)**

The following business will be discussed:

1. Chief Hoffman announced he will be retiring in April 2021.
2. Resumes are being accepted for the Assistant Public Works Supervisor.
2. Phillip Moore was hired for the vacant Water Operator I position.
3. An executive session was held on February 18th and February 25 to discuss a personnel issue.

RECOMMENDATIONS

PUBLIC SAFETY

PUBLIC UTILITIES

FINANCE & PLANNING COMMITTEE

1. Consider the recommendation that the February bills are paid in the amount of **\$1,356,418.44**.
2. Consider the recommendation to advertise for adoption an Ordinance to reduce the trigger for Storm Water requirements.
3. Consider the recommendation to advertise for adoption an Ordinance to define Mural language.

PARKS & RECREATION COMMITTEE

SALARY & PERSONNEL COMMITTEE

1. Consider authorization to offer employment to the recommended candidate for the Assistant Water Superintendent.
2. Consider the recommendation to hire Administrative Sgt. Jeff Borkowski for the soon-to-be-vacant Police Chief position.
3. Consider appointment of Ms. Vanessa Williams to the vacant Water Authority seat representing Whitpain Township.