

Regular Meeting

November 4, 2019

The Regular Meeting of Souderton Borough Council, held on the above date, was called to order by President Brian K. Goshow at 7:00 p.m. Members of Borough Council present at the regular meeting included the following:

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| President Brian K. Goshow | Mayor John R. Reynolds |
| Vice-President D. Jeffrey Gross | Junior Councillor Meg Cross |
| Councillor Ned D. Leight | |
| Councillor Richard Godshall | Solicitor Robert G. Bricker |
| Councillor Daniel Yocum | |
| Councillor Matthew Mscichowski | Borough Manager P. Michael Coll |
| Councillor Richard Halbom | Police Chief James P. Leary |
| Councillor Edward Huber | Public Works Director Steven Coll |

Absent from the meeting was Councillor Julie Munden. The Invocation was given by Councillor Edward Huber, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the October 7, 2019 Regular Borough Council Meeting and the October, 2019 Borough Council Work Sessions. A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Matt Mscichowski, to approve the minutes as presented. The motion was approved.

Borough Manager P. Michael Coll presented a letter from North Penn Water Authority informing Borough Council that the term of the Souderton Borough representative to the Board of Directors will expire at the end of the year. This matter will be discussed at the November work sessions.

Mayor John Reynolds noted that Tuesday, November 5th is Election Day for various municipal and county offices, stressing the importance to participate in the election. Councillor Jeffrey Gross noted that there are new voting machines in use that use a paper ballot. Participants should allow time to become familiar with the new process.

Police Chief James Leary noted that the monthly statistical report is in progress and will be distributed and addressed at the work session.

The Borough Solicitor's report for the month of October, 2019 was distributed to Borough Council. The Borough Solicitor drafted a suggested amendment to the Traffic ordinance regarding the designation of handicapped parking spaces. The Borough Solicitor completed documentation for the general obligation loan for the Souderton Community park renovation project. Work has begun on the drafting of documentation for the suggested \$250,000 tax anticipation loan for the 2020 calendar year. The Borough

Solicitor provided an opinion to the Borough manager concerning an interpretation of the Zoning Ordinance with respect to an accessory structure for property at 521 Harleysville Pike.

Public Works Director Steve Coll distributed his report of public works activities for the month of October, 2019. Leaf collection started last week through the east side of the Borough, the west side will be collected this week.

Borough Manager Michael Coll reviewed the meeting schedule of Borough Council for the month of November. The Public Works Work Session will be held on November 11th and the Administrative Work Session will be held on November 18th. The Borough Office will be closed for the Thanksgiving day Holiday on Thursday, November 28 and on Friday, November 29.

The Borough Manager discussed the agenda items scheduled for consideration. The first item concerns formal consideration of an Ordinance authorizing execution of a \$500,000 general obligation loan for the Souderton Community Park renovation project. The next item is formal consideration of a resolution authorizing the submission of a grant application to the Pennsylvania DCED for funding assistance to renovate the Railroad Avenue parking lot. The overall project cost is approximately \$100,000 with a grant request of \$50,000. Borough Council is recommending consideration of a resolution supporting legislation to permit the local use of radar for the enforcement of speed limits. Pennsylvania remains the only state that does not allow local use of radar. The Borough Solicitor has drafted an Ordinance which will amend the Traffic Ordinance to allow Borough Council to designate handicapped parking spaces by Resolution. A motion has been recommended authorizing the advertisement of this Ordinance for formal consideration at the December meeting. The developer of Berkeley Court Phase 2A has requested consideration in deferring the final paving of a small segment of Indian Field Lane until the next phase of the development. The developer is scheduling the completion of outstanding development items and final paving, which is expected to begin this week. The Borough Engineer has endorsed the request since this segment of roadway will most likely be modified in the next phase of the development. Borough Council discussed the 2020 Budget in great length at a special work session on Monday, October 28th. The draft 2020 Budget has been revised to address the comments of Borough Council, most notably instituting an increase in the trash collection fees from \$60 per quarter to \$65 per quarter effective with the January, 2020 first quarter billing. Adjustments to the budget were also made to purchase a new marked police vehicle in 2020. The real estate tax rates will remain at current levels through the 2020 calendar year. A recommendation has been made to authorize the advertisement of the 2020 Budget and 2020 Real Estate Tax Ordinance for formal consideration at the December 2 Borough Council meeting. In conjunction with the development of the 2020 Budget, a recommendation has been made to authorize the Borough Solicitor to prepare the necessary documents to obtain a \$250,000 Tax Anticipation Loan for the 2020 calendar year.

Councillor Daniel Yocum noted that the Perseverance Volunteer Fire Company will be holding their annual Penny Auction on Saturday, November 9th along with Designer Bag Bingo on November 16th. Scooters Bike Shop will be hosting the annual “Cranksgiving Event” on November 16th. Council President Brian Goshow is also assisting in coordinating this event. The event is a bike tour to local grocery stores to purchase food items for the pantry of Keystone Opportunity. Last year the event raised over 1,000 pounds of food for the food bank, which they hope to exceed this year.

Mayor Reynolds noted that December 1st will be the Holiday house tour sponsored through Zwingli Church. Benefits from this event will go towards support of the Ronald McDonald House. The Souderton Alumni Men’s Chorus will also be performing on December 1st. Councillor Ned Leight added that Zion Mennonite Church will again hold their Thanksgiving day dinner for the community.

Consideration was given to paying the bills for the month of October, 2019.

GENERAL FUND

Postmaster, Lansdale	\$766.08	Motorola	\$6,180.72
North Penn Water Authority	487.21	Moyer Indoor/Outdoor	138.90
21 st Century Media News	92.15	NetCarrier Telecom, Inc.	352.01
Allan Myers	990.98	PECO Energy	29.52
Boucher & James, Inc.	971.75	Pendergast Safety Equipment Co.	126.70
C & S Lawn & Landscape, Inc.	27,105.00	PA One Call System	83.22
Clemens Uniform rental	271.43	PPL Electric Utilities	1,214.43
Comcast Cable	548.96	PPL Electric Utilities	59.21
Cope’s Garage, Inc.	1,787.70	Ready Refresh	37.33
D. L. Beardsley, Ltd	89.55	Suburban Propane	671.94
Delta Dental Gettysburg Benefit	1,212.22	Trout Brothers, Inc.	3,646.73
Display & Sign Center, Inc.	144.00	Uninvest VISA	88.03
George Allen Portable Toilets	377.00	Uninvest VISA	315.89
Home Depot	13.44	Verizon	72.17
Landis Block & Nycecrete Co.	50.21	Verizon Wireless	282.52
Lansdale Police Department	450.00	Wismers Auto Interiors	96.00
Lawson Products, Inc.	998.47		
Midlantic Machinery	152.00	Total General Fund	\$49,903.47

SEWER FUND

North Penn Water Authority	\$213.25	PA Rural Water	\$190.00
Clemens Uniform Rental	89.26	Penn Valley Pump Co., Inc.	1,680.00
Comcast cable	86.90	PPL Electric Utilities	391.94
Coyne Chemical	5,017.69	Suburban Water Testing Labs	2,148.52
Delta Dental Gettysburg Benefit	321.47	Trout Brothers, Inc.	270.00
EVOQUA Water Technologies	7,204.75	Tyler J. McCarthy	73.90
Hajoca Corporation	1,205.92	Uninvest VISA	227.50
Home Depot	186.94	Verizon	75.67
Jesse Baro, Inc.	5,138.77		
NetCarrier Telecom, Inc.	156.59	Total Sewer Fund	\$24,679.07

POOL FUND

North Penn Water Authority	\$1,446.80	Moyer Indoor/Outdoor	\$151.77
Airgas National Carbonation	75.00	NetCarrier Telecom, Inc.	135.77
American Red Cross	120.00	PECO Energy	65.17
Comcast Cable	147.91	PPL Electric Utilities	1,165.57
Fellmans Pool Service., Inc.	1,580.25	Univest VISA	165.65
Hajoca Corporation	520.66	Total Pool Fund	\$5,574.55

CAPITAL RESERVE FUND

Boucher and James, Inc.	\$5,551.93	Univest Capital	\$3,155.23
TRM-Telford Recycling Materials	255.00	Total Capital Reserve Fund	\$8,962.16

LIQUID FUELS FUND

PPL Electric Utilities	\$887.16	PPL Electric Utilities	\$6,042.12
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A motion was made by Councillor Richard Halbom, and seconded by Councillor Richard Godshall, to approve the payment of the bills for the month of October, 2019, as presented. The motion was approved.

A motion was made by Councillor Matt Mscichowski, and seconded by Councillor Richard Godshall, to authorize the payment of recurring monthly bills for the month of November, 2019, as presented. The motion was approved.

President Brian K. Goshow opened the floor to the audience for public comment.

Cheryl Cressman, 422 N. School Lane, Souderton expressed concern with the continuation of unusual activity occurring within their neighborhood, specifically along School Lane, Summit Street and the Telford park property on Summit Avenue. She requested a much stronger police presence in the neighborhood especially in the middle of the night and early morning hours.

Bea Smith, owner of Ark Animal Hospital, 201 N Main Street, expressed appreciation for the installation of the flashing pedestrian and speed limit signs on Washington Avenue. The signs seem to be effective and she plans to discuss interest in possible other locations with members of the Souderton BID. She further complemented Steve Coll and the work of the five-member public works crew on the amount of work that they are able to accomplish for the Borough.

There being no public comment, Council President Goshow moved to the business portion of the agenda beginning with consideration of the Ordinance for the \$500,000 general obligation loan for the park renovation project.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Richard Godshall, to enact Ordinance No. 19-744-06 authorizing the issuance of a \$500,000 general obligation note to be used to finance the Community Park renovation

project. Councillor Daniel Yocum noted that he will abstain due to his employment with Univest Bank and Trust Company. Councillor Yocum further noted that the Souderton-Telford Rotary Club has established a goal of raising funds towards this project. There being no further comment on the motion, the motion was approved by a vote of 7 ayes, 0 nays and 1 abstention from Councillor Daniel Yocum.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Ned Leight, to adopt Resolution 2019-07 authorizing the filing of an application under the DCED Keystone Communities Program in the amount of \$50,000 for improvements to the Railroad Avenue municipal parking lot. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Matt Mscichowski, to adopt Resolution 2019-08 expressing support of legislation authorizing the use of radar by local police departments. The motion was approved by unanimous vote.

A motion was made by Councillor Richard Godshall, and seconded by Councillor Jeffrey Gross, to authorize the Borough Solicitor to advertise an ordinance addressing procedures for the reservation of parking spaces for persons with a disability for formal consideration at the December 2, 2019 Borough Council meeting. The motion was approved.

A motion was made by Councillor Edward Huber, and seconded by Councillor Jeffrey Gross, to authorize the paving modification request for Berkeley Court Phase 2A to defer final paving of Indian Field Lane until the next phase of the development. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Ned Leight, to authorize the advertisement of the proposed 2020 Budget Resolution and the proposed 2020 Real Estate Tax Ordinance for formal consideration at the December 2, 2019 Borough Council meeting. Councillor Richard Godshall complemented the Borough staff for their work in the development of the annual budget and operating throughout the year within the established budget parameters. Councillor Richard Halbom also expressed his appreciation to the public works director for his work in maintaining operations within the budget. There being no further comment, the motion was approved.

A motion was made by Councillor Ned Leight, and seconded by Councillor Richard Godshall, to authorize the Borough Solicitor to prepare and advertise documentation to obtain a \$250,000 Tax Anticipation Loan through Univest Bank and Trust Company for the 2020 calendar year. Councillor Daniel Yocum noted that he will abstain due to his employment with Univest Bank and Trust Company. The motion was approved by a vote of 7 ayes, 0 nays and 1 abstention from Councillor Daniel Yocum.

There being no further business, the meeting was adjourned at 7:43 pm.

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – November 11, 2019 (7:00pm-8:40pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Richard Godshall, Daniel Yocum, Matt Mscichowski, Julie Munden, Richard Halbom and Edward Huber. Junior Councillor Meg Cross.

Staff Attendees: Public Works Director Steven Coll, Police Chief James P. Leary, and Borough Manager Michael Coll.

1. Sanitation Committee

- a. The Discharge Monitoring Report for the month of October, 2019 will be filed with no exception to permit limitations.
- b. The new Ford F-550 utility truck is complete and is expected to be delivered this week. The chassis was purchased through Sands Ford of Red Hill and the utility body was installed by E. M. Kutz of Reading.

2. Highway Committee

- a. Public Works Director Steven Coll reviewed public works department activities. Brush collection is complete and leaf collection will be ongoing through the month.
- b. The John Deere backhoe has developed a transmission problem affecting the travel gears. We are able to use the machine to complete our open jobs, once the jobs are complete the backhoe will go to Plasterer Equipment for the transmission service.
- c. Crews started some base repairs along Hillside Avenue in advance of the curb and sidewalk construction. We are finalizing a schedule with P K Moyer and Sons to complete the paving of the base course on Hillside Avenue, milling and paving the base course on N. Fourth Street and the Borough has to finish the paving of Woods Alley. North Penn Water Authority will provide funding towards the base repair on Hillside Avenue from the water main

replacement project completed earlier in the year.

- d. Paving of Wile Avenue is complete for this year. The top wearing surface will be paved in the 2020 budget year.
- e. The flashing pedestrian and speed limit signs have been installed along Washington Avenue and are fully functional. Borough Council discussed the signs and were generally pleased with the operation. Some residents did indicate objection to the overall appearance of the signs.

3. Sidewalk Committee

- a. The Borough Manager noted that a Notice to Proceed was sent to Ply-Mar Construction Company for the Hillside Avenue curb and sidewalk project. Crews may begin to mobilize on site this week but the sudden turn in weather conditions may delay the start of the project. We are hoping that the project will be completed by the end of December, 2019. Steve Coll noted that he has been in discussion with Ply-Mar about the number of downspouts that outlet through the curb. There are 21 downspouts that discharge onto the street. The Borough will work with the contractor to pipe the 21 downspout lines directly to storm water inlets instead of running through the curb.
- b. The Borough Engineer is currently working through the comments of PennDOT concerning the streetscape project along the Broad Theater. The project will be extended to the end of the commercial units. Storm drainage will be extended along Broad Street and we received word that PECO Energy will replace the gas main as part of this project. PennDOT has some issues with the sidewalk closure and detour route for pedestrians. Realistically the new curb and sidewalk will not be installed until April of 2020.

4. Recreation Committee

- a. Borough Council discussed planning priorities and engineering to begin the initial phases of the Community Park renovation project. Storm drainage improvements, utility construction and grading will need to start up rather quickly in order to have the site stabilized and seeded prior to the start of Concert Sundaes. Construction activities may require a moratorium on the use and reservation of the pavilion for large groups during the project. Borough Council expressed agreement to have the Borough Engineer complete design for storm water improvements, grading and the beginning of the new parking lot off of Wile Avenue. The Borough will further need to complete storm drainage improvements in front of the band shell and make improvements to the lighting and PA systems prior to the start of Concert Sundaes.
- b. Councillor Jeff Gross and Jill Dietterich made application to receive 12 trees from the Pennsylvania Horticultural Society. The trees will replace some and will add to other plantings.

5. Property Committee

- a. Borough Manager Michael Coll followed up on last month's discussion concerning alternates to the renovation of the current Municipal Building. He reported that the Montgomery County Planning Commission has expressed interest in conducting a planning study for alternative Municipal Building considerations. The project will be part of our planning assistance contract.
- b. Borough Council reviewed the proposed budget to fit out the freight building to accommodate the proposed winery use. The project budget of \$305,900 is based on actual quotes from various subcontractors, with estimates for finish flooring and carpentry. The budget was divided to include Borough required fit out expenses, specific costs to meet tenant requirements and costs associated with the proposed addition to the building. Borough Council noted that regardless of the tenant the Borough will have to invest \$144,840 to prepare the building for lease. Borough Council further discussed that the tenant should assume responsibility for the remaining \$161,000 in project expenses. Borough Council authorized the committee to meet with the tenants to discuss cost sharing and lease requirements. Regardless of the outcome, the Borough should plan to complete the basic fit out of the building and associated site work to better market the property for lease.
- c. The Borough is working with Bergey's Electric to install a new electric service for the train station parking lot. The new service will provide power to operate the existing lights currently powered by Uninvest Bank. The new service will accommodate the extension of the parking lot. Plans have been submitted to the Montgomery County Conservation District for permitting. Borough Council discussed interest in talking to Kulp Realty about access across the rear portion of their lot from the Indian Valley Boys and Girls property.
- d. Borough Manager Michael Coll discussed a conversation that he recently had with the property owner of 160 N Main Street. The owner is considering abandoning his plans to construct a new mixed use building on the site and simply maximize the lot for leased or paid parking. The Borough has an access easement through this lot to the adjoining rear parcel which may further serve as a municipal parking lot. The Borough Manager inquired whether the Borough should become involved in an effort to foster shared parking. Perhaps activation of the Parking Authority may have some benefit. Perhaps the Montgomery County Planning Commission and the Borough Solicitor can comment on this matter.

Administrative Work Session- November 18, 2019 (7:00pm-8:30pm)

Council Attendees: John Reynolds, Brian Goshow, Ned Leight, Jeffrey Gross, Richard Godshall, Daniel Yocum, Matt Mscichowski, Julie Munden, Richard Halbom and Edward Huber. Junior Councillor Meg Cross.

Staff Attendees: Police Chief James Leary, Code Enforcement Officer Steven Toy and Borough Manager P. Michael Coll.

1. Police Committee

- a. Police Chief Leary distributed and reviewed the statistical report for October, 2019. Radios have been installed in both primary marked vehicles.
- b. Following the discussion of Borough Council in the preparation of the budget, Police Chief Leary finalized the purchase of a 2017 Chevrolet Equinox at a price of \$17,095 through Bergey's, Inc. The Chrysler was traded as part of the purchase. This vehicle will be devoted to use by the Police Chief.
- c. The Borough Solicitor is working with the Civil Service Commission in determining the application of veteran's preference to a police officer candidate. Both of the top two candidates are claiming veteran's preference, one candidate has produced the qualifying forms while the other is claiming through service as a reservist. The Solicitor is working on a determination.
- d. President Brian Goshow complemented Police Chief Leary and Officer Jeffrey Lukens for their service during the annual "Cranksgiving" event to benefit Keystone Opportunity. Many of the participants complemented the police for marshalling the course for the safety of the riders.
- e. Mayor John Reynolds noted that there is a personnel matter concerning a crossing guard that he would like to discuss in an Executive Session following the conclusion of the agenda items. President Brian Goshow agreed with the executive Session request.

2. Code Enforcement Department

- a. Code Enforcement Officer Steven Toy reported on a busy schedule of rental and commercial inspection activity over the past month.
- b. Steven Toy was also appointed to serve as a member of the ICC annual conference committee.

3. Administrative Committee

- a. Borough Council discussed the appointment of Marvin Anders to serve another term as the Souderton Borough representative to the North Penn Water Authority Board of Directors. Marvin Anders has served in this capacity since 1975 and asked for consideration to serve another term.
- b. Borough Council discussed the appointment of William (Bill) Collier to

serve another term as a member of the Zoning Hearing Board.

- c. Borough Council was apprised of a pending appointment to the Civil Service Commission and the appointment of a Vacancy Board Chairman. January 6, 2020 will be the bi-annual Reorganizational Meeting of Borough Council. The positions of Borough Council President, Vice-President and President Pro-Tem will be considered under the chair of the Mayor.

4. Development Committee

- a. Borough Manager Michael Coll noted that the Souderton Planning Commission reviewed the site plan developed for the proposed Taco Shop, 20 Central Avenue. The plan was generally acceptable, however, the parking calculations noted on the plan should be reviewed by the Zoning Officer. There were only three members present at the Planning Commission meeting, so a formal recommendation was not voted upon. The Planning Commission will make a determination at the December meeting.
- b. Borough Council discussed the status of improvements with the Berkeley Court Phase 2A development. The developer appeared before the Souderton Planning Commission on October 2nd with a revised concept plan for the site. Copies of the revised concept plan were distributed to Borough Council along with a preliminary review letter that was developed by the Montgomery County Planning Commission and reviewed with the Planning Commission at their November meeting. The Planning Commission asked Chloe Mohr to forward her comments to the developers for their review and consideration. Chloe Mohr will be meeting with the developer to review some planning options for the public plaza space.
- c. The developer will be completing the paving for the Berkeley Court Phase 2A development this week. Cold weather conditions delayed the start of the paving. The developer will be paving Chestnut Street, N. School Lane and the interior streets and alleys within the development, with the exception of the segment of Indian Field Lane deferred until the next phase of the development.
- d. The Zoning Hearing Board will be meeting on Thursday, December 12 to consider two applications. The first application is from Cody J. Clauss, concerning a mixed use property at 415 E. Broad Street. The application seeks to increase the number of residential units to four with a commercial unit in the basement level off or the rear parking lot. The size of the lot will only support three residential units. Borough Council expressed concern with the application and discussed possible party status. Concern was also expressed with the interpretation of the Zoning Ordinance which requires the commercial unit to be on the first floor with residential above.

The second application concerns property at 521 Harleysville Pike. The applicant desires to purchase the property and construct an attached two car

garage to the side of the existing dwelling. The configuration of the existing dwelling will not enable the applicant to achieve the minimum aggregate side yard setback of 20 feet.

5. Finance Committee

- a. Borough Manager Michael Coll distributed copies of the revised 2020 Budget. The revised budget reflects an increase in the trash service fees effective January 1, 2020. The standard service rate will increase from \$60 per quarter to \$65 per quarter. The fee for the bag service will increase from \$20 per quarter to \$22 per quarter. The line item for the purchase of a marked police vehicle was increased to \$50,000. The Real estate tax rates will remain at current rates through 2020. The 2020 Budget Resolution and the 2020 Real Estate Tax Ordinance were advertised for formal consideration at the December 2 Borough Council meeting.
- b. Borough Solicitor Robert Bricker is preparing a Resolution for the \$250,000 tax anticipation loan for formal consideration by Borough Council at the December 2 Borough Council meeting.
- c. The Borough Manager presented the engagement letter of Styer Associates to complete the audit and preparation of financial statements for the 2019 calendar year. Borough Council recommended approval for consideration at the December meeting.

6. Executive Session

- a. Borough Council adjourned to executive session at 8:10 pm to discuss a personnel matter concerning a crossing guard. Borough Council convened to public session at 8:30 pm and there being no further business the meeting was promptly adjourned.