

The Regular Meeting of Souderton Borough Council, held on Monday, November 7, 2016, was called to order by Borough Council President Brian Goshow at 7:30 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Councillor Kevin Souder
Vice-President D. Jeffrey Gross	Junior Councillor E. Shane Myers
Councillor Ned D. Leight	Mayor John R. Reynolds
Councillor Richard Godshall	
Councillor Daniel Yocum	Solicitor Robert G. Bricker
Councillor Daniel Houser	Borough Manager P. Michael Coll
Councillor Tracy Burke	Police Chief James P. Leary
Councillor Richard Halbom	Public Works Director Seven Coll

The Invocation was given by Councillor Kevin Souder, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the Monday, October 3, 2016 Regular Borough Council Meeting and October Work Sessions. A motion was made by Councillor Jeffrey Gross, seconded by Councillor Richard Godshall, to approve the minutes of the October 3, 2016 Regular Borough Council Meeting and October 2016 Work Sessions as presented. The motion was approved.

Mayor John Reynolds noted that tomorrow, Tuesday, November 8th is Election Day. Mayor Reynolds noted that this presidential election has stark differences between candidates. Also on the ballot are federal and state representatives. He expressed disappointment in the manner of campaigns for most candidates. Mayor Reynolds urged the Community to participate in this election.

Police Chief James Leary noted that the monthly statistical and narrative reports of police activities will be distributed at the November work sessions. Chief Leary expressed appreciation to the Souderton Fire Police for their assistance during the Halloween patrols. There were no reported incidents.

The Borough Solicitor reported that they completed the documentation for the \$500,000 General Obligation Loan for renovations to the freight building. The Borough Solicitor attended a meeting regarding the sublease for the train station and prepared a "Letter of Intent" between the parties. They are now working on the formal sublease agreement. The Borough Solicitor began work on the documents for the 2017 tax anticipation borrowing. They attended a hearing in Norristown regarding a fence violation on a property on East Chestnut Street. The Court found the property owner guilty of violating the Zoning Ordinance and imposed a disappointing small fine of \$100.00.

Public Works Director Steven Coll reported on public works department activities for the month of October. He noted that the crew is working on curb side leaf collections, which will be suspended for a few days in the next week to complete a paving project on East Chestnut Street.

Borough Manager Michael Coll reviewed the agenda items scheduled for consideration. The first item is formal consideration of an ordinance adopting the 2015 Property maintenance Code. The Borough Solicitor prepared and advertised an Ordinance authorizing the \$500,000 General Obligation Loan for the freight building restoration project. Contractors have begun demolition activities on this building. The next item is formal consideration and approval of the terms of a Letter of Intent to lease the train station to a local restaurant. The following item is a Resolution endorsing the application of the restaurant to obtain a liquor license under the provisions of economic revitalization. As discussed in work sessions, a recommendation has been made to revise the Souderton

Borough Non-Uniformed pension plan by raising the retirement age for participants from age 60 to age 62 and providing for a three year deferred retirement option plan. Overall, the revisions will aide to reduce plan costs. A recommendation was made to obtain a \$250,000 tax anticipation loan to bridge revenue through the first quarter of 2017 until real estate tax revenues are fully realized. The Borough Manager summarized the proposed 2017 Budget. The proposed Budget and associated Real Estate Tax Ordinance will be advertised for formal consideration at the December 5, 2016 Borough Council meeting.

Councillor Daniel Yocum distributed copies of the October newsletter of the Souderton-Telford Historical Society.

Councillor Daniel Houser thanked the membership of the Souderton Fire Company for hosting their Open House on Friday, October 14. The event was well planned, with many displays and opportunities for hands on events for the children. He also commended the volunteers who took vacation from their jobs to visit the elementary schools during fire prevention week.

Consideration was given to paying the bills for the month of October, 2016.

GENERAL FUND

Comcast Cable	\$348.45	PPL Electric Utilities	\$1,437.93
North Penn Water Authority	865.62	Richter Drafting Office Supply	163.90
Blooming Glen Quarry	179.50	Shelly Enterprises-USLBM, LLC	52.27
Bow Wow Waste Products	136.00	Thomas A. Lawson	135.00
Clemens Uniform Rental	169.59	Univest VISA	296.90
Code Inspections, Inc.	157.50	Univest VISA	231.73
Cope's Garage, Inc.	2,693.18	Verizon	293.75
Delta Dental	1,455.42	Verizon Wireless	40.01
Eagles Peak Spring Water, Inc.	24.90	Bergey's, Inc.	120.00
Fastenal	129.90	Donald D. Bergey	502.41
George Allen Portable Toilets	223.00	Home Depot	356.87
Home Depot	108.22	Keystone Health Plan East	30,013.85
Indian Valley Appraisal Company	1,950.00	Maryjane Yoder	260.00
J. P. Mascaro & Sons	35,988.99	Nationwide Trust Company	49,971.10
Landis, Hunsberger, Gingrich	1,239.00	North American Benefits Company	1,032.38
Lawson Products, Inc.	370.96	Scott A. Seifert	2,790.00
Midlantic Machinery	102.12	Styer Associates	5,115.00
Moyer Indoor/Outdoor	1,923.07	Suburban Propane	289.62
NetCarrier Telecom, Inc.	370.99	Univest VISA	314.42
PECO Energy	28.42	Unum Insurance Company	890.00
Pennsylvania One Call System	76.26		
Plasterer Equipment Co., Inc.	86.64	Total General Fund	\$142,934.87

SEWER FUND

Comcast Cable	\$84.90	J. P. Mascaro & Sons	\$600.00
North Penn Water Authority	112.02	Jesse Baro, Inc.	3,501.27
PA DCED	100.00	NetCarrier Telecom, Inc.	148.64
PA DCED	100.00	Penn Valley Chemical	167.58
Analytical Laboratories, Inc.	120.00	PPL Electric Utilities	16,333.25
Bearings & Drives Solutions	215.00	Richter Drafting Office Supply	17.95
Blooming Glen Quarry	180.00	Shelly Enterprises-USLBM, LLC	19.02
Carquest	193.55	Suburban Water Testing labs	5,482.15
Cintas First Aid & Safety	50.73	USA Blue Book	855.25
Clemens Uniform Rental	128.25	Verizon	69.42
Coyne Chemical	4,663.75	ZEP Manufacturing Company	154.92
D. L. Beardsley, Ltd.	74.50	David Randall Associates	876.12
Delta Dental	321.47	Jesse Baro, Inc.	2,540.70
ES2 Environmental Systems	3,996.59	Keystone Health Plan East	8,132.32
Essex Service Corporation	414.72	Maryland Biochemical Co., Inc.	764.76
EVOQUA Water Technologies	2,599.20	North American Benefits Co.	253.82
Fisher Scientific	420.67	Reuter & Hanney, Inc.	2,000.00
Hach Company	4,196.00	Unum Insurance Company	234.82
Hajoca Corporation	143.65	Total Sewer Fund	\$60,266.99

POOL FUND

Comcast Cable	\$203.57	Moyer Indoor/Outdoor	\$1,187.42
North Penn Water Authority	1,814.28	NetCarrier Telecom, Inc.	121.06
Airgas National Carbonation	58.00	PECO Energy	245.18
Georges Tool Rental	27.36	Shelly Enterprises-USLBM, LLC	15.96
Home Depot	10.14		
Jacob Schmidt & Son, Inc.	15.00	Total Pool Fund	\$3,697.97

CAPITAL RESERVE FUND

Univest Bank & Trust Co.	\$1,555.56	SEPTA	\$115.77
CC Construction Services	237,735.14	Trout Brothers, Inc.	5,754.02
Commonwealth Precast, Inc.	2,496.00	Univest Capital	3,155.23
Redevelopment Authority MontgCo.	162.00	Total Capital Reserve Fund	\$250,973.72

LIQUID FUELS FUND

PPL Electric Utilities	\$7,638.66	PPL Electric Utilities	\$163.01
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A motion was made by Councillor Richard Godshall, seconded by Councillor Ned Leight, to authorize payment of the bills for the month of October, 2016, as presented. The motion was approved.

President Brian Goshow opened the floor to the audience who may wish to address Borough Council on any topic or matter of concern.

Richard D'Amico of Consign for design expressed his appreciation to Borough Council for allowing time for the business spotlight. He introduced Trish Stubbs of Tilley Mint Tea Room, W. Chestnut Street. Trish Stubbs explained the success of her business which has been at this location for 9 years. She urged Borough Council to continue their focus on retail and restaurant establishments to bring people into the community.

There being no further comment, President Brian Goshow moved to the business portion of the meeting. The first item is consideration of an ordinance adopting the 2015 Property Maintenance Code.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Richard Godshall, to enact Ordinance No. 16-728-06 adopting the 2015 edition of the International Property Maintenance Code, with certain local amendments and additional regulations. The motion was approved by a vote of 8 yeas to one nay, with the dissenting vote cast by Councillor Daniel Yocum.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Ned Leight, to enact Ordinance No. 16-729-07 authorizing the issuance of a \$500,000 General Obligation Note for the purpose of financing the renovations to the Souderton Train Station Freight Building. Councillor Daniel Yocum stated that he will abstain from discussion and voting due to his employment with Univest Bank and Trust Company. The motion was approved by a vote of 8 yeas, no nays and one abstention from Councillor Yocum.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Daniel Houser, to approve the terms of a Letter of Intent between Souderton Borough and F A S E Restaurants, Incorporated to enter into a sublease agreement to occupy the Souderton Train Station building. The motion was approved.

A motion was made by Councillor Richard Godshall, and seconded by Councillor Daniel Yocum, to adopt Resolution No. 2016-10 endorsing the submission of a liquor license application under the provisions of economic revitalization by F A S E Restaurants, Incorporated for the Souderton Train Station. The Borough Manager clarified that this is an endorsement only and the applicants are responsible for all fees associated with the application. The motion was approved.

A motion was made by Councillor Richard Godshall, and seconded by Councillor

Richard Halbom, to authorize the preparation and advertisement of an ordinance amending the Souderton Borough Non-Uniformed Pension Plan to increase the minimum retirement age for employees hired from 1980 to the present and to provide for a three year Deferred Retirement Option benefit for those employees meeting retirement provisions. The motion was approved.

A motion was made by Councillor Ned Leight, and seconded by Councillor Jeffrey Gross, to authorize the Borough Solicitor to prepare required documentation to obtain a \$250,000 Tax Anticipation Note through Uninvest Bank and Trust Company effective January 1, 2017. Councillor Daniel Yocum stated that he will abstain from discussion and voting due to his employment with Uninvest Bank and Trust Company. The motion was approved by a vote of 8 yeas, no nays and one abstention from Councillor Yocum.

A motion was made by Councillor Richard Godshall, and seconded by Councillor Daniel Houser, to authorize the advertisement of the 2017 Budget Ordinance and 2017 Real estate Tax ordinance for formal consideration at the December 5, 2016 regular Borough Council meeting. The motion was approved.

There being no further business the meeting was adjourned at 8:13 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – November 14, 2016 (7:00pm-9:40pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Richard Godshall, Daniel Yocum, Daniel Houser, Richard Halbom and Kevin Souder.

Staff Attendees: Police Chief James P. Leary, Public Works Director Steven Coll and Borough Manager Michael Coll. Planning Commission Chairman Edward Huber was also in attendance.

President Brian Goshow first recognized developer Clayton Heckler and his planning consultant to discuss concept plans for the development of the remaining high school site. A revised concept plan was circulated showing additional townhouse units, as previously presented, behind the approved units along Chestnut Street and School Lane, with a change in the layout of the mixed use buildings within the interior of the site. Two commercial buildings are shown fronting E. Broad Street and two commercial buildings are shown fronting County Line Road. The plan showed three interior mixed use buildings with three floors of residential over commercial with one building containing three floors of residential over a parking area. The plan proposed 40 additional townhouse units, with 48 townhomes already approved. The plan proposes 165 one and two bedroom residential units. There are approximately 860 parking spaces available. Considerable discussion was held on the proposed concept plan. Borough Council members expressed significant concern with the density of the 165 apartment units and further commenting that they would like to see condominiums over apartments. Perhaps one floor of residential should be removed from each building. Council members questioned the all residential building, suggesting that a commercial component could be added to this building. Borough Council suggested that some of the second floor units could be marketed as office space. The developer noted that second floor office space would be very difficult to market. The developer and his planner did suggest that some of the additional townhouse units could be

designed as Live Works units to compliment the town square area across the street. Borough Council President Brian Goshaw suggested that the concept plan be distributed to the Souderton Planning Commission for review and comment at their December 7th meeting. Following comments from the Planning Commission, Borough Council will respond back to the developer.

1. Sanitation Committee

- a. The Discharge Monitoring Report for the month of October, 2016 will be filed with no exception to permit limitations. The Borough Manager noted that both treatment units are back on line.
- b. Borough Manager Michael Coll noted that he received correspondence from EPA regarding a survey of treatment plants to consider operational improvements to achieve reduction of nutrient loading to the streams. The tone of the letter seems to suggest a welcome shift away from expensive capital improvements to operational initiatives to address the reduction of nutrient loadings to the streams.
- c. Considerable discussion was held concerning the 2017 Sewer Operating Budget and the need to consider an increase in sewer user fees in 2017. For the past several years, the auditors have suggested consideration to increasing rates to offset declining revenue growth. The Borough Manager noted that the 2016 Budget reflected an expectation of growth given the new housing developments that are coming online. The growth projections for 2016 appear to be over-estimated and the Manager suggested that the Borough will not realize the projected revenue in 2016. The Borough Manager suggested an increase of 10% effective with the February, 2017 quarterly billing. Borough Council members discussed phasing the rate increase, but after much discussion a general consensus was reached to recommend the ten percent increase in the sewer fees effective February, 2017.

2. Highway Committee

- a. Public Works Director Steven Coll discussed public works activities during the past several weeks. Green Street is now complete and patching was completed on Fourth Street to dress up the deteriorating shoulders. P. K. Moyer is scheduled to mill and base East Chestnut Street in mid-November. Appreciation was expressed to Telford Borough and Franconia Township for assistance with hauling material. The Borough will assist Telford with material hauling for their paving projects this coming week. Crews will continue with curbside leaf collection and will install decorations for the holidays.
- b. Steve Coll circulated brochures of mowing equipment options to consider purchasing in 2017. The equipment addresses comments from prior meetings to consider a larger wing mower to cut down mowing time in open spaces. Quotes for a new trailer mounted leaf vacuum were also circulated. The 2017 Budget allocates funding to consider these equipment purchases.

3. Sidewalk Committee

- a. PennDOT has returned the plans for curb and sidewalk construction on County Line Road for further revision. The Borough will formally request an extension to complete this project in spring of 2017. Borough Manager Michael Coll noted that the Borough will have two open CDBG projects going into 2017 and as such the Borough will not pursue another grant until the open projects are closed out.

4. Recreation Committee

- a. The Borough Manager noted that Club Genesis has donated a play structure

from their County Line Road club that the Borough intends to install at the Community Park for use in 2017. We will look to layout a location for the equipment in proximity to the existing modular play structure.

- b. The Borough Manager will move forward with obtaining quotes to remove trees from the Hillside Cemetery and in the Community Park. Several large oak trees have died or are in dangerous conditions.

5. Property Committee

- a. Borough Manager Michael Coll reported on the status of the Train Station project. SEPTA and PPL Electric Utilities continue to exchange plans and documentation to relocate electric service to the train station building. This continues to be a monumental task. SEPTA completed review of the freight building plans and has authorized the work to begin, with a condition that as built drawings be submitted to SEPTA when the project is complete. The contractor has completed demolition of the rear addition to this building, which was literally lifted off the platform with a fork lift. The contractor is hoping to have the structure under roof by the end of December.
- b. The Borough Manager will look to schedule the public works crew to demolish the stone wall along the Hillside Cemetery during the winter months in preparation for the installation of new fencing and landscaping in the spring of 2017 according to the plans developed by the Borough Engineer.

Administrative Work Session- November 21, 2016 (7:00pm-8:50pm)

Council Attendees: John Reynolds, Ned Leight, Jeffrey Gross, Richard Godshall, Daniel Yocum, Daniel Houser, Tracy Burke, Richard Halbom and Kevin Souder. Junior Councillor Shane Myers.

Staff Attendees: Police Chief James Leary, Borough Manager Michael Coll.

1. Police Committee

- a. Police Chief Leary reviewed the narrative reports of police activities through the month of October.

2. Administrative Committee

- a. Borough Manager Michael Coll confirmed that all meetings of Borough Council will have a start time of 7:00 pm beginning with the January, 2017 Borough Council meeting. Borough Council further confirmed to maintain the practice of opening each Borough Council meeting with an invocation. Business casual dress is appropriate for the monthly Borough Council meeting.
- b. The Borough Manager shared a request from the elected Tax Collector to consider a one percent increase in the annual salary for each year of the next four year term which begins January, 2018. The salary must be formally established prior to February 15, 2017 for the next four year term. Borough Council agreed with the recommendation.

3. Development Committee

- a. Borough Manager Michael Coll discussed a complaint received by the president of the Berkeley Court Phase 1 Homeowners Association concerning unfinished public improvements by developer Timothy Hendricks. The Borough Manager will discuss the outstanding issues with the Borough Solicitor and Borough Engineer. Borough Council supported an aggressive posture for completion. The Borough Solicitor will also need to clarify and modify the development agreements to reflect comments from Developer

Clayton Heckler, that he will complete the commercial pad site in Phase 1 of the development.

- b. Borough Council asked for an update on the status of the pending sheriff sale for the Broad Theater. The Borough Solicitor has recommended that we provide some time for Broad Entertainment to address the litigation between the partners. The question is at what point the Borough should push the sheriff sale. It was recommended that the Borough Solicitor provide an update on the status and recommend next steps.

4. Finance Committee

- a. Borough Manager Michael Coll reported that the 2017 Budget ordinance and 2017 Real estate tax ordinance has been advertised for formal consideration at the December 5, 2016 Borough Council meeting. Borough Council discussed the 2017 Budget proposal with no recommended changes. Considerable discussion was held on the optional bag program which is budgeted to lose nearly \$25,000 in 2017. Currently there are 160 active accounts under the optional bag program; however, only 40 of the 160 accounts have purchased trash bags through 2016. The Borough only charges a base fee of \$7.50 per quarter for this option with additional revenue anticipated from the sale of trash bags. The current cost to service these accounts is \$47.25 per quarter. The Borough Manager suggested a policy revision to bill these accounts at a rate of \$19.50 per quarter to reflect the recycling fee of \$7.50 plus provide each account with three trash bags per quarter, at the stated rate of \$4.00 per bag. Councillor Kevin Souder noted that the minutes of Borough Council clearly indicated a pledge to hold the rates for the full three years and Borough Council must uphold its integrity and honor this pledge despite the poor estimates associated with this optional program. Others members of Borough Council expressed concern with the inference of criminalizing those that have not purchased trash bags. After much discussion, the consensus of Borough Council was to maintain current policy with respect to the optional trash bag program, with reconsideration of the program and associated billing policies prior to the next contract period.