

The Regular Meeting of Souderton Borough Council, held on Monday, July 6, 2015, 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 Goshow	Councillor Kevin Souder
Vice-President Andrew Schlosser	Mayor John R. Reynolds
Councillor Ned D. Leight	
Councillor D. Jeffrey Gross	Solicitor Charlotte Hunsberger
Councillor Richard L. Godshall	
Councillor Daniel W. Houser	Borough Manager P. Michael Coll
Councillor Preston Miller	Police Chief James P. Leary
Councillor Richard Halbom	Public Works Director Steven R. Coll

The Invocation was given by Vice-President Andrew Schlosser, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the June 1, 2015 Regular Borough Council Meeting and June Work Sessions. A motion was made by Councillor Preston Miller, seconded by Councillor Daniel Houser, to approve the minutes of the June 1, 2015 Regular Borough Council Meeting and June 2015 Work Sessions as presented. The motion was approved.

Mayor John Reynolds commented on the fireworks event and expressed appreciation to all involved in coordinating and contributing to the Annual Fireworks event. Mayor Reynolds further expressed appreciation to all of the major sponsors for their financial support. This was one of the best shows.

Police Chief James Leary echoed the comments of Mayor Reynolds and extended his appreciation to the Souderton Fire Department and neighboring fire departments and fire police units for assisting with the fireworks event. Souderton Police Community Night Out will be held in the Souderton Community Park on Tuesday, August 11, 2015. Chief Leary further commented that he is working on the background investigations for the three top police officer candidates.

The Borough Solicitor's report for the month of June, 2015 was distributed to Borough Council. The Borough Solicitor prepared and advertised for consideration the C-1 Commercial Business District zoning and the revisions to the Souderton Borough Zoning Map. The Solicitor attended a meeting of the Souderton Industrial Development Authority regarding the Christopher Dock and Pennview Christian School merger.

Public Works Director presented his monthly report to Borough Council. There were no questions concerning the report.

Borough Manager Michael Coll reported on the agenda items scheduled for consideration. Bids for the Souderton Train Station project were received and opened on Tuesday, June 16, 2015. We were disappointed with the response, given the amount of effort made to send out invitations to fifteen area contractors. A tabulation of the bids has been provided and Joseph Phillips of Phillips and Donovan Architects is here to further discuss recommendations. A recommendation has been made to reject the only bid for site work. Our Borough Engineer is finalizing plans for the sidewalk construction project on Green Street from Wile Avenue to West Street, funded by a Community Development Block Grant. North Penn Water Authority will begin work to replace the water main within this block of Green Street and Borough forces will move in to replace the sewer main following completion of water main project. We would like to move forward with bids for the sidewalk project to be completed this fall. As mentioned in the Borough Solicitor's report, the Souderton IDA and Souderton Borough Council have been requested to approve

a revision to the Souderton IDA financing documents reflecting the merger of Christopher Dock and Pennview Christian School. The last item scheduled for consideration is the appointment of Laurie Reynolds to a five year term as a member of the Souderton Planning Commission.

Consideration was given to paying the bills for the month of July, 2015.

GENERAL FUND

21 <sup>st</sup> Century Media-Philly	\$424.78	Montgomery Co. Special Weapons	\$2,500.00
Advanced Disposal	455.68	Moyer	2,035.55
All My Children Learning Center	25.00	NAPA Auto Parts	52.26
Bairs	1,185.00	Nationwide Trust Co.	481.12
C & S Lawn and Landscape	3,470.00	Nationwide Trust Company	2,089.26
Clemens Uniform Rental	320.00	NetCarrier Telecom, Inc.	333.26
Code Inspections, Inc.	882.00	North American Benefits Co	881.65
Comcast Cable	289.71	North Penn Water Authority	37.20
Cope's Garage, Inc.	999.71	NYCO Corporation	64.57
D. L. Beardsley, Ltd.	248.35	PSAB CDL Testing Program	65.00
David Bechtel	550.00	PECO Energy	33.83
Delta Dental	1,233.44	PA One Call System	88.56
Detlan Equipment, Inc.	262.38	PPL Electric Utilities	1,423.81
Eagles Peak Spring water, Inc.	42.50	Ricoh	367.44
Fire Protection Services, LLC	213.00	Shelly Enterprises- USLBM, LLC	83.82
First Class Entertainment	50.00	Sherwin Williams	50.76
Fredericks Flowers	3,054.75	Souderton Independent	38.95
Freedom Systems Corp	3,383.05	Suburban Propane	964.05
George Allen Portable Toilets	300.00	Sudz in a Bucket, Inc.	38.50
H & K Materials	311.61	Thomas Lawson	858.49
Home Depot	55.92	Trumbauers Lawn & Rec, Inc.	162.93
Indian Creek Foundation	441.00	Uninvest VISA	400.76
Kenco Hydraulics, Inc.	205.00	Uninvest VISA	545.00
Keystone Health Plan East	26,301.44	Uninvest VISA	244.65
Landis Block & Concrete	153.18	Unum Insurance Company	847.74
Lawson Products	335.83	Verizon	68.81
Magloclen	400.00	Verizon Wireless	507.84
Markey Paper & Packaging	127.69	Wellington Sporting Goods	1,224.75
McDonald Uniform	40.86		
Metlife	5,063.37	Total General Fund	\$67,315.81

SEWER FUND

Advanced Disposal	\$325.07	Jesse Baro, Inc.	\$4,706.56
Altek Business Systems, Inc.	62.25	Keystone Health Plan East	7,150.63
Bearing & Drives Unlimited	516.00	LRM, Inc.	923.00
Carquest	46.56	Maryland Biochemical Co., Inc.	2,429.59
Cintas First Aid & Safety	67.84	Metlife	92.28
Clemens Uniform Rental	173.78	Moyer	151.85
Comcast Cable	109.45	Naceville Materials	1,070.66
Commonwealth of Pennsylvania	150.00	NetCarrier Telecom, Inc.	138.92
Commonwealth Precast, Inc.	402.00	North American Benefits Co	264.52
Coyne Chemical	5,105.27	North Penn Water Authority	90.85
D. R. Cordell & Associates	180.00	PA DEP	60.00
Delta Dental	321.47	PPL Electric Utilities	13,959.53
Environmental Resource Assoc.	846.29	Precision Solutions, Inc.	289.00
EVOQUA Water Technologies	2,391.12	Reuter & Hanney, Inc.	5,500.00
Excelsior Blower Systems, Inc.	600.00	S C Engineers, Inc.	2,501.85
Farm Bureau Garage, Inc.	225.43	Sealing Specialties	10.00
Fisher Scientific	119.17	Shelly Enterprises- USLBM, LLC	39.65
Franc Environmental	540.00	Suburban Water Testing Labs	3,499.95
Franconia Township	2,879.20	Suburban Water Testing Labs	158.55
Freedom Systems Corp	2,345.00	Uninvest VISA	294.00
G. A. Peak Excavating	27,534.40	Unum Insurance Company	228.85
Good Plumbing Heating A/C, Inc	584.26	Verizon	68.36
H & K Materials	2,339.38	West Generator Services	1,206.85
H. Keith Koehler	199.99		
Hach Company	124.79	Total Sewer Fund	\$93,024.17

POOL FUND

Adcock	\$433.65	Moyer	\$417.10
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Advanced Disposal	673.31	Moyer Specialty Foods, LLC	350.70
Airgas National Carbonation	521.11	Nelsons Creamery, LLC	251.19
American Red Cross	513.00	NetCarrier Telecom, Inc.	110.65
Bergey's Electric, Inc.	484.00	North Penn Water Authority	13.15
C & S Lawn & Landscape	2,900.00	PECO Energy	128.27
Colorado Time Systems	6,140.00	Penn Jersey Slush, LLC	982.00
Comcast Cable	215.00	Pepsi Beverage Company	465.85
Derstine's	3,121.38	PPL Electric Utilities	1,436.44
Diversified Refrigeration, Inc	2,139.28	Richter Drafting Office Supply	677.58
Fire Protection Services, LLC	222.00	Shelly Enterprises- USLBM, LLC	22.96
First Class Entertainment	325.00	Suburban Water Testing Labs	91.00
H. D. Sampey, Inc	50.00	Syna Tek	979.00
Harleysville Ace Hardware	449.96	Sysco Philadelphia, LLC	1,273.84
Home Depot	74.03	T & T/ Lanco, Inc.	11,212.60
Jellen Designs	1,404.00	Univest VISA	1,077.41
Kathy Armitage	326.68	Youngs	35.42
Landis Block & Concrete	22.50	Total Pool Fund	\$39,540.06

CAPITAL RESERVE FUND

John Kleckner	\$4,680.00	Phillips & Donovan Architects	\$15,024.50
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LIQUID FUELS FUND

PPL Electric Utilities	\$6,832.23	Shelly Enterprises-USLBM, LLC	\$30.90
PPL Electric Utilities	200.72	Total Liquid Fuels Fund	\$7,063.85

A motion was made by Councillor Richard Halbom, seconded by Councillor Andrew Schlosser, to authorize payment of the bills for the month of June, 2015, 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.

Amy Pletscher, 126 Penn Avenue expressed her opposition to the proposed trash hauling contract. She expressed concern with the administrative fee that is incorporated within the rate and whether Borough Council plans to raise the fee during the three year contract. President Brian Goshow confirmed that the administrative fee and the service rate will remain for the three year contract term. Mrs. Pletscher further expressed concern with the reputation of J. P. Mascaro with truck safety and the potential loss of employee jobs with the unsuccessful haulers.

Karen Barndt, 34 N. Second Street expressed opposition to the proposed Business Improvement District, suggesting that Borough Council should consider offering tax breaks to commercial businesses instead of tax hikes. She further expressed opposition to the municipal trash hauling contract. Borough Council President Brian Goshow advised Karen Barndt that she should send a brief letter to the attention of Borough Manager Michael Coll noting her objection to the proposed Business Improvement District.

There being no further public comment, President Brian Goshow then moved to the business portion of the agenda.

Joseph Phillips and Brian J. Saylor of Phillips and Donovan Architects discussed the status of the bids received for the Souderton Train Station project. They were disappointed with the limited number of bids for the project. They contacted a number of the interested bidders who commented that the subcontractors are booked for the year and it was very difficult to obtain quotes from their subcontractors. A number of the contractors have booked projects and are at their bonding limits. A tabulation of the bids received on June 16, 2015 for the Souderton Train Station project are as follows:

Site Contract- Horst Excavating	\$1,645,215.00
General Contracting:	
1. Boyle II, Inc, d/b/a CC Construction Services	\$1,364,700.00

2. CMG of Easton, Inc. \$1,645,000.00

Joseph Phillips provided a series of recommendations for consideration of a contract award for the General Contracting work. The bid for site work is excessively high and the recommendation is to reject the bid. One option for general contracting work on the buildings would be to award all building renovation work and just the addition to the freight building. Another option would be to award all three building renovations, but only the addition to the freight building and the wait building. Both options would provide at least \$600,000 for site work, which the consultants will have to be re-evaluated and re-bid. Either scenario would provide work on all three buildings and maximize the use of the available grant dollars. Concern was expressed that there should be more focus on the Train Station building and less focus on the freight building since the brew pub project has backed out of the project.

After much discussion, President Brian Goshow suggested that the matter of a contract award for the building construction should be tabled and further discussion held in work session. There is a recommendation to reject the bid for site work.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Jeffrey Gross, to reject all bids for site work for the Souderton Train Station project as they grossly exceed budget projections. The motion was approved.

A motion was made by Councillor Daniel Houser, and seconded by Councillor Preston Miller, to authorize the advertisement of bids for the Green Street sidewalk construction project. The motion was approved.

A motion was made by Councillor Ned Leight, and seconded by Councillor Richard Godshall, to adopt Resolution 2015-05 approving the amendments to the Souderton Industrial Development Authority tax exempt note and other documentation concerning Pennview Christian School in Franconia Township, Montgomery County. Councillor Preston Miller noted that he serves as Chairman of the Souderton IDA. Borough Council members did not view this as a conflict of interest. The motion was then approved by unanimous vote.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Andrew Schlosser, to appoint Laurie Reynolds, 432 Montgomery Avenue, to a five year term on the Souderton Planning Commission through July 2, 2020. The motion was approved.

There being no further business, the meeting was adjourned at 8:25 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

## **WORK SESSION MINUTES AND COMMITTEE REPORTS**

### ***Public Works Work Session – July 13, 2015 (7:00pm-9:40pm)***

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

Staff Attendees: Public Works Director Steven Coll, Police Chief James Leary, Code Enforcement Officer Steve Toy and Borough Manager Michael Coll.

### **1. Sanitation Committee**

- a. The Discharge Monitoring Report for the month of June, 2015 will be filed with no exceptions to permit limitations.
- b. Chief Operator Sal DeSimone, Engineer Fred Ciottoni and the Borough Manager met with George Witmayer, Executive Director of the Franconia Sewer Authority to discuss a proposal to provide sanitary sewer service to an industrial facility on Souder Road in Franconia Township. The issue is that the user will generate significant levels of dissolved solids that the Franconia plant cannot handle with their limited daily flow. Souderton Borough expressed concern with the proposal and rejected to provide service; citing uncertainty with overall effect to our plant, existing and future permit issues and the potential of affecting capacity for planned Borough developments.
- c. The Borough is working on an agreement with Franconia Sewer Authority to transfer ownership and maintenance responsibility of the common sewer force main along the Souderton-Hatfield Pike to Franconia. Franconia is working with the owners of Craft-Built to utilize their force main to convey sewer back to the Souderton system.
- d. Borough Council further discussed the bids for the single hauler trash contract. Borough Council discussed billing for multi-unit buildings with a consensus that each unit shall be considered as a separate account, consistent with policies for sanitary sewer billing. J. P. Mascaro and Sons representatives Samuel Augustine, Director of Sales and Marketing, and Deputy General Counsel Albert DeGennaro were in attendance. Concern was expressed to representatives of J. P. Mascaro about their past employment history, current employee background checks and employee training, supervision under a municipal contract and truck safety concerns. J. P. Mascaro representatives noted that they maintain a few hundred vehicles with an overall satisfactory safety rating. A number of the issues cited in various reports concern seat belt violations, minor vehicle accidents and truck maintenance issues. J. P. Mascaro currently holds many municipal contracts in Pennsylvania and New Jersey. Borough Council also discussed anticipated service issues with the J. P. Mascaro representatives. Borough Council opened the floor to residents in the audience to address their questions and concerns. Consideration of the bid for the single hauler trash collection contract will be placed on the August 3, 2015 Borough Council agenda.

## **2. Highway Committee**

- a. Steve Coll presented a report on monthly activities of the public works department. Brush collection was very heavy again for this month. Street sweeping throughout the entire Borough has been completed.
- b. The paving of Cherry Lane from County Line Road to Washington Avenue is now complete. The final bill to Souderton Borough for this work is just under \$70,000.
- c. The Borough will contract with P. K. Moyer to provide a dozer to help regrade and repair some of the severely rutted stone alleys. The Borough will also contract with P. K. Moyer to provide equipment rentals to mill and pave Third Street. This is a relatively small project and will be the only other paving project for this budget year. The Borough will continue to work on sanitary sewer replacement projects throughout the remaining year.
- d. Borough forces, assisted by G. A. Peak Excavating, will begin the planned replacement of the sewer main in the 600 block of East Chestnut Street, in conjunction with the Berkeley Court development. Borough crews will also be working along School Lane to remove and seal sewer laterals that previously serviced the high school.
- e. Concern was expressed with the deteriorating condition of Main Street. A call will be placed with Representative Robert Godshall about the priority to repave Main Street through the Borough.

### **3. Sidewalk Committee**

- a. The Borough Engineer is working on the final plans for the Green Street sidewalk reconstruction project. Plans were distributed and reviewed with Borough Council. The project will be funded with a Community Development Block Grant. The curb line will be relocated by two feet on either side, increasing the cartway of Green Street by approximately four feet. The project will replace all curb and sidewalk. Storm drain work will be completed by the Borough. North Penn Water Authority has issued a notice to proceed to their contractor to replace the water main and service connections within this block of Green Street.
- b. The Borough received preliminary information that the proposed County Line Road sidewalk construction grant proposal has received a favorable from the CDBG staff and the project will move forward to the County Commissioners for final review and approval. If formally awarded, this project will be constructed in 2016.

### **4. Recreation Committee**

- a. Steve Coll noted that the pool is operating well. Our part time summer help crew is assisting the pool staff with daily maintenance work.
- b. Borough Manager Michael Coll noted that we will be reviewing an alternative computer program used by some of our neighboring pools to maintain memberships and daily operations, including concession sales. We may want to look at basing future rates on a member basis and not on family or individual packages.

### **5. Property Committee**

- a. Borough Manager Michael Coll provided Borough Council with a preliminary site plan to subdivide the Cherry Lane property to locate a new Public Works building and sell off property along the Souderton-Hatfield Pike for private development. This parcel is completely located within Franconia Township. The Borough Manager will discuss the proposed plan with the Franconia Township Manager.
- b. Considerable discussion was held concerning the bids for the Souderton Train Station project. A number of options were provided by staff and the consultants to divide the project up between the three buildings to maintain the project budget. Borough Council felt that the primary focus should be the main Train Station building, with the new kitchen addition and the Wait Building, with the proposed bathroom addition. The freight building should have the least priority, especially since there is no immediate tenant for this building. The Borough should continue to maximize the site work around the train station and wait building. The Borough will work with the low bidder to prepare a contract to complete the renovations and additions to the Train Station and Wait Building for formal consideration at the August 3, Borough Council meeting.

### ***Administrative Work Session- July 20, 2015 (7:00pm-8:40pm)***

Council Attendees: John Reynolds, Jeffrey Gross, Richard Halbom and Kevin Souder.  
Staff Attendees: Police Chief James P. Leary and Borough Manager Michael Coll.

### **1. Police Committee**

- a. Chief Leary provided a brief summary of the statistical and narrative reports of police activities for the month of June, 2015. No progress has been made in the delivery of the new Tahoe.
- b. Chief Leary noted that with the assistance of certain grants, the department

has purchased new bullet proof vests for the officers. Also through donations, the department has purchased two new AED units.

- c. Chief Leary is completing background investigations on the police officer candidates in preparation to release the final eligibility list. Chief Leary noted that one background check is complete with two other candidates still in progress.
- d. Chief Leary has been selected as one of 25 Montgomery County Police Chiefs who will be preparing for and assisting with the Papal visit in September. A majority of the time will be devoted to places within Lower Merion Township in Montgomery County.

## **2. Administrative Committee**

- a. Borough Manager Michael Coll noted that Ken Edmonds' term as a member of the Souderton Industrial Development Authority will expire on August 4, 2015 and he does not wish to be re-appointed to another term. Borough Council will need to recommend a replacement.
- b. While not listed on the agenda, Samuel Augustine, Director of Sales and Marketing, along with Deputy General Counsel Albert DeGennaro of J. P. Mascaro were again present at the Administrative Work Session. The floor was opened to them, but they did not have anything further to present to Borough Council. Audience members directly questioned the J. P. Mascaro representatives about the anticipated recycling services to be provided and the approximate cost to dispose of bulk items. Councillor Richard Halbom made some suggestions on how to better notify residents on what items they may recycle. Borough Council will make a final decision on the bid at their August 3, 2015 Borough Council meeting.

## **3. Development Committee**

- a. Borough Solicitor Robert Bricker completed a draft of an ordinance revising the C-1 Zoning District and revising certain sections on the Zoning Map. The ordinance was reviewed by the Montgomery County Planning Commission and will be reviewed by the Indian Valley regional Planning Commission prior to formal adoption. Notices were sent to specific property owners affected by the Zoning Map revisions and the properties were posted. Formal consideration of the ordinance will be scheduled for the August 3, 2015 Borough Council meeting.
- b. The Souderton Borough office distributed over 200 notices to property owners and known business tenants concerning the proposed Business Improvement District (BID) plan. A public hearing was held in the Council Chambers beginning at 7:00 pm on Wednesday, May 27, 2015, after which, property owners will be given a 45 day period to express opposition to the plan. The 45 day comment period has now expired with only thirteen percent of the properties within the proposed BID area expressing opposition. Main Streets Manager Joanne Coppens will assemble the final tally and will report of required actions of Borough Council to move forward with the creation of the BID. This item will be placed on the August 3, 2015 Borough Council agenda.
- c. Borough Manager Michael Coll discussed the agenda items discussed by the Souderton Planning Commission meeting at their July 15, 2015. Developer Tim Hendricks requested time on the August agenda to further discuss concept plans for the remainder of the high school tract in Souderton Borough. Demolition continues on the former high school. The foundations are embedded within bedrock and the contractor is contemplating some blasting on the site. The Borough held a pre-construction meeting with Bachman Paving and Excavating on June 29<sup>th</sup> to prepare for the site development work associated with Phase 2A of the Berkeley Court development.

Univest presented formal land development plans concerning the reconstruction of the parking lot in the Univest Plaza. The plans were revised to relocate the interior sidewalk to encourage crossing at the signalized intersections. The plan includes a lot consolidation plan and Univest will consider dedication of areas located beyond the legal right of ways. The Borough will not ask for dedication of the extension of Washington Avenue. The plans will be further revised to address landscaping and storm water management issues and associated waiver requests. We expect that the plan will be on the September Borough Council agenda for formal consideration. Work has begun on the building addition and renovations to create the new main entrance.

Concept plans were circulated for the proposed addition to the EMC Elementary School. Representatives of the school district attended the July Planning Commission meeting to present and further discuss the concept plans for the project.

A plan of subdivision was reviewed by the Planning Commission to construct a three unit townhome on a vacant parcel on S. Second Street, situated between Noble Street and Lincoln Avenue. The Planning Commission noted that the setback from the open alley is incorrect. The Zoning Ordinance classifies an open alley as a street by definition and further requires a 25 feet setback from the right of way. The plan only provides a fifteen feet setback. The lot would be best suited for a twin dwelling. The proposed townhome cannot be considered without relief from the Zoning Hearing Board.

Councillor Jeff Gross commented on the meeting date for the Planning Commission suggesting that the meeting date should be moved to the first Wednesday so that they can have the benefit of Borough Council comments prior to taking action. Members of Borough Council felt that scheduling is a function of the Commission members and should be discussed by them and staff.

#### **4. Finance Committee**

- a. Gregory Ede, CPA attended the July work session to summarize the 2014 Financial Statements and address any questions from Borough Council. The auditors provided another clean opinion to Borough Council. Greg Ede pointed out that this is the second consecutive year of increases in net assets and fund balance. The statements reflect a very good conservative job of budgeting and budgetary control. Both employee pension plans are fully funded and the mandatory payments and contributions have been made. Borough Council will have to make a determination on the status of the Anchor Building loan used to support the Broad Theater. The loan continues to be booked as an asset, but may have to be written loss which will have a negative effect on the financial statements in future years. The property is currently up for Sheriff Sale. The sewer fund is showing a decline in assets due in part to depreciation and increased expenses. Borough Council may consider a rate increase to offset this decline. A motion will be prepared for the August 3, 2015 Borough Council meeting to approve the 2014 financial statements as prepared by Styer Associates.
- b. Borough Manager Michael Coll distributed the second quarter budget comparison reports for all funds. With exception of a few individual line items, all funds are following budget projections as of June 30, 2015.