

The Regular Meeting of Souderton Borough Council, held on Monday, February 4, 2013, was called to order by President Brian K. Goshow at 7:30 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Councillor Edward Huber
Councillor Ned D. Leight	Junior Councillor Triston Loux
Councillor D. Jeffrey Gross	Solicitor Robert R. Bricker
Councillor Richard Godshall	
Councillor Steven J. Toy	Borough Manager P. Michael Coll
Councillor Preston Miller	Police Chief James P. Leary
Councillor Richard Halbom	Public Works Director Steven R. Coll

Absent from the meeting was Mayor John R. Reynolds and Borough Councillor Andrew Schlosser. The Invocation was given by Councillor Preston Miller, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the January 7, 2013 Regular Borough Council Meeting. A motion was made by Councillor Steven Toy, seconded by Councillor Preston Miller, to approve the minutes of the January 7, 2013 Regular Borough Council Meeting and January 2013 Work Sessions as presented. The motion was approved.

President Brian Goshow noted that there are a few presentation scheduled for this meeting. President Goshow first recognized Pastor Gerald Clemmer of the Souderton Mennonite Church. Pastor Gerald Clemmer, along with Community Cares Chair Jennifer Ruggiero, have been involved in a community project to refurbish the Chestnut Street Playground, especially focused on making the playground accessible to all children and their parents. Pastor Clemmer noted that this particular corner of the Borough once was home to an elementary school. Between the former elementary school, playground and the Souderton Mennonite Church, this corner served as a place for children for over 130 years. Pastor Clemmer and Jennifer Ruggiero presented Souderton Borough Council with a check in the amount of \$81,681.30 raised through various fund raising events and community donors to be used towards the reconstruction of the Chestnut Street Playground. Pastor Clemmer acknowledged the efforts of the Borough Manager in securing a Community Development Block Grant in the amount of \$195,000 for this project. Borough Manager Michael Coll noted that this was a remarkable community effort and on top of the funds received this evening, the borough received nearly \$9,000 in direct contributions towards this project. Between the grant and the community donations, the Borough can expand the project to include a public restroom and may be able to pave the parking area and add additional landscaping to the project.

President Brian Goshow next recognized Walton Yoder and Robert Vail from the Souderton-Telford Rotary Club. Walton Yoder and Robert Vail confirmed the commitment of the Souderton-Telford Rotary Club to donate \$100,000 towards the reconstruction of the Souderton Community Pool. The Rotary Club has raised another \$20,000 towards this pledge in support of the pool project. The check was presented to President Brian Goshow and Recreation Committee Chair Jeffrey Gross who praised the Rotary Club for their outstanding community support.

Police Chief James Leary provided members of Borough Council with both statistical reports and narrative reports concerning police activity. Chief Leary praised Pastor Gerald Clemmer and Jennifer Ruggiero for their outstanding community contributions for the Chestnut Street Playground project, 125th Celebration Committee events and he praised the Souderton Mennonite Church for their community support through Hurricane Sandy.

The Borough Solicitor's report for the month of January, 2013 was distributed to Borough Council. The Borough Solicitor attended a meeting with a representative of Broad Entertainment regarding the status of the project and payments on the Borough's mortgage. The Solicitor then drafted a letter to the developer regarding the loan arrearages. The Borough Solicitor accompanied the Borough Manager to a meeting with representatives of SEPTA

regarding the train station project. The Borough Solicitor is drafting terms for a lease agreement between the Borough and SEPTA based on this meeting.

Public Works Director Steven Coll presented his monthly report to Borough Council.

Borough Manager Michael Coll reported on the agenda items to be considered by Borough Council. The first item is formal consideration of an Ordinance establishing the salary of the elected tax collector effective January 1, 2014. The ordinance includes a nominal annual increase over the next four year term. The second and last item is authorization to receive bids for various stone and bituminous road materials to be used on various projects through the year. The Borough will let a separate in-place paving contract later in the year.

Consideration was given to paying the bills for the month of January, 2013.

GENERAL FUND

Nationwide Trust Company	\$460.28	Letterco	\$220.00
AT&T	51.03	Lingo Group, Inc	155.75
Comcast Cable	51.95	Naceville Materials	129.29
Commonwealth of PA	35.00	North Penn Water Authority	596.23
Delta Dental	1,554.91	Shelly Enterprises, Inc	20.69
Detlan Equipment, Inc	1.77	Univest VISA	129.79
Dischell, Bartle, Yanoff, Dooley	195.50	Univest VISA	178.80
Fastenal	2.21	Univest VISA	69.59
Freedom Systems Corp	2,375.00	Verizon	57.85
H & K Materials	153.24	Verizon Wireless	40.01
Indian Creek Foundation	470.00	Yocum Auto Electric, Inc	190.00
John T. Fretz Insurance	205.00		
Landis Block & Concrete	13.92	Total General Fund	\$7,357.81

SEWER FUND

Nationwide Trust Company	\$306.85	Solstice	\$167.92
Comcast Cable	73.19	Univest VISA	180.00
Delta Dental	358.30	ZEP Manufacturing Company	337.95
Freedom Systems Corp	1,187.50	Postmaster, Lansdale	844.61
North Penn Water Authority	156.72		
Postmaster, Lansdale	190.00		
Shelly Enterprises, Inc	2.52	Total Sewer Fund	\$3,805.56

CAPITAL RESERVE FUND

POOL FUND

LIQUID FUELS FUND

A motion was made by Councillor Preston Miller, seconded by Councillor Richard Godshall, to authorize payment of the bills for the month of January, 2013, 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. There being no public comment, President Goshow moved to the first item of business scheduled for consideration.

A motion was made by Councillor Preston Miller, and seconded by Councillor Edward Huber, to enact Ordinance No. 13-708-01 establishing the compensation for the elected tax collector effective January 1, 2014 through December 31, 2017. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Steven Toy, to authorize the advertisement of bids to supply the Borough with stone and bituminous

materials for formal consideration at the March 4, 2013 Borough Council meeting. The motion was approved.

There being no further business, the meeting was adjourned at 8:00 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – February 11, 2013 (7:00pm to 8:25pm)

Council Attendees: John Reynolds, Brian Goshow, Ned Leight, Jeffrey Gross, Richard Godshall, Steven Toy, Preston Miller, Richard Halbom and Edward Huber.

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

1. Sanitation Committee

- a) The January, 2013 Discharge Monitoring Report will be filed with no exceptions to permit discharge limits.
- b) Committee members discussed needed repairs to the clarifier arm in one of the main treatment units. The clarifier was drained and cleaned to allow access to the clarifier arm and a visual inspection of any structural problems. The center influent pipe was found to be completely rusted through and the center plate and seal was completely worn through. The clarifier arm was found to be out of plumb causing uneven wear on the rubber scraper. The intake ports on the clarifier arm were cleaned, but the rubber scraper was not installed until the structure is straightened. A quote was obtained from the original 1989 manufacturer with a recommendation to completely dismantle and pull the clarifier arm from the tank for repair and reconstruction. The cost to completely refurbish the unit exceeded \$40,000. Engineer Fred Ciottoni recommended quotes from other experienced contractors who might suggest another approach to adequately repair the arm at a much lower cost.
- c) Borough Manager Michael Coll reported that the proposed single hauler trash collection survey was distributed with the February sewer bills. A number of responses have already been returned. Staff is working on tabulating the responses. The initial reaction seems to be neutral to somewhat favorable. The survey will be collected through the due date of the sewer bill. Lansdale Borough is conducting a similar survey among their residents.

2. Highway Committee

- a) Public Works Director Steven Coll reported on highway activities. Brush collection was light during the month. Crews took some time to clear low lying branches while the equipment was set up.
- b) Crews have been out salting and plowing for a number of small storm events this month. Combined snow accumulation from these storms amounted to 7 ½” mostly addressed by salting with some plowing. The cost to address the small storms can exceed the larger storms because of the amount of salt that is required to be spread on the roads. Crews have worked through 240 tons of salt this season which places us right at the annual budget allocation. The salt is mixed with anti-skid chip and some calcium chloride to

increase effectiveness and reduce the overall volume of salt.

- c) Steve Coll reported that the crew is working to replace the ceiling insulation in the old shop and install insulated panels to the underside of the ceiling joists. The old shop is heated with oil and the cost of heating is becoming exceedingly expensive. The old insulation did very little to maintain heat. We will be looking to refurbish the heaters with natural gas for next season. The gas service is available, but there will be some expense to retrofit the heating units to convert to gas. The investment should be recovered rather quickly.
- d) Following Bids for supplying stone and bituminous road materials will be distributed to area quarries. The sealed bids will be opened at 2:00 pm on Monday, March 4 with a tabulation and recommendation for award presented at the March Borough Council Meeting.
- e) Franconia Township is requested the Borough to consider paving Cherry lane in conjunction with the townships road program in 2015. The cost to Souderton Borough will absorb the entire paving budget for the year. Some members of Borough Council expressed concern that Cherry Lane does not maintain the same paving priority in comparison to other Borough roads.
- f) Borough Council members discussed the condition of West Reliance Road from Main Street to Wile Avenue. The traffic light seems to have moved a large volume of trash truck traffic from Harleysville Pike to Reliance Road. The heavy volume of truck traffic is causing significant wear on the road and may conflict with the Community Park. A suggestion was made to consider posting Reliance Road for local truck traffic only. This effort should be coordinated with Chief Leary and Franconia Township.

3. Sidewalk Committee

- a) No new items were discussed.

4. Recreation Committee

- a) Borough Manager Michael Coll reported that the contract for the Community Block Grant for the Chestnut Street Playground has been received and executed. Unfortunately the project will not be contracted until late summer and early fall.
- b) Councillor Jeffrey Gross and Jill Dietterich completed another application under the PHS Spring 2013 Bare Root Tree Program. The Borough applied for 20 trees at a cost of \$50.00 each. The trees are a very good bargain. The application seeks to plant the trees along the perimeter of the pool parking lot and in the Community Park. If approved the trees will be available for planting in conjunction with the Community Clean-Up Day on Saturday, April 20th.
- c) Brian Goshow reported that he has been in contact with interested donors for the proposed gaga pit to be installed at the Community Park. With the funding commitment he requested that the Borough move forward with this project this spring. This is becoming a very popular game with kids and the pit can be constructed fairly easily and inexpensively. Borough Council members agreed to move forward with the project.
- d) Borough Manager Michael Coll reviewed the progress of plans for the Community Picnic which will be held on Saturday, May 25th. The Kiwanis Club will sponsor their annual chicken barbeque and local business and non-profit organizations will be invited to set up exhibits and children events.
- e) Work continues on preparations for the coming pool season. We explored some computer software programs utilized by neighboring pools to handle memberships but the cost

seems to be exorbitant for our purposes. We will be meeting with our computer support company to consider adapting our access system to enhance membership processing.

5. Property Committee

- a) A meeting was held with SEPTA representatives on January 30, 2013 to resume discussions on negotiating a long term lease agreement for the train station properties. Following the meeting Borough Solicitor Robert Bricker prepared a summary of the lease terms and our Borough Engineer prepared a legal description and survey of the property to be incorporated within the lease. The proposal was distributed to Borough Council for their review. The lease follows a SEPTA demand that the lease be at least revenue neutral to SEPTA. A copy of the information was forwarded to Representative Robert Godshall who followed up with a letter of support to SEPTA. Our goal is to have a lease commitment by June of this year. The Borough may want to consider moving forward with the bridge financing proposed by Univest and an RFP to secure a consulting team to move the project into design.

Administrative Work Session – February 18, 2013 (7:00pm-8:15pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Richard Godshall, Andrew Schlosser, Steven Toy, Preston Miller, Richard Halbom and Edward Huber.

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

1. Police Committee

- a) Perseverance Volunteer Fire Chief Albert Sergio and former President James Gallagher attended the work session to explain the company's policy of billing for certain services. James Gallagher serves as the chairman of the billing committee. He explained that the company has instituted a program of billing for certain services since July of 2011. Volunteer fire companies have the right to bill insurance companies for services and most homeowner and commercial property policies have specific coverage for fire service. Insurance companies are not required to pay claims for services unless the municipality where the incident has occurred has a specific ordinance in place authorizing the company to recover costs. The company has found that certain insurance companies will consider claims, but most recently a substantial claim was denied for services to fight the fire at the City Cleaners on East Broad Street because of the lack of an ordinance. James Gallagher also noted the company's guidelines when making a claim for service: The fire company will only bill the insurance company once the building owner has opened up a claim with their insurance company. The fire company will not be the one to open a claim; only the primary fire company within the municipality may initiate a claim, mutual aid companies cannot bill for their services; the fire company will accept what the insurance company pays since many policies have limits and some policies may not have fire service coverage; the fire company will, at no time, go to the home owner for payment of any services. Billing for services is a way that the company can offset the expenses associated with providing the community with fire services without directly asking a municipality or the community for more funding. The company requests Souderton Borough Council to consider adopting an ordinance formally authorizing the billing for services. Borough Council expressed general agreement with the request. A motion will be prepared for the March Borough Council meeting authorizing the Borough Solicitor to prepare and advertise an Ordinance authorizing the billing for certain fire and emergency services.
- b) Chief James Leary confirmed the retirement of full time officer David Gale on January 25, 2013 and Detective Joseph Kelly has left the force on February 15, 2013 to take a position with the Montgomery County Detectives. Newly appointed part time police officers Bernard Greenberg and Matthew Seydel are working into to schedule. Officer Joseph Rudner has been temporarily assigned the detective duties and the Chief will be discussing permanent assignments with the mayor in the coming weeks.

- c) Chief Leary requested a meeting with designated members of Borough Council to decide on the fireworks event. Borough Council will have to take the initiative to provide insurance indemnification and raise the necessary funds through sponsorships. The Borough has not budgeted any funds to pay for this display. Borough Council agreed to pursue funding for this event.
- d) Borough Council continued discussions on the status of current temporary parking restrictions in the 600 block of East Chestnut Street. A sketch plan was presented to Borough Council from Jessie Sigmans proposing to eliminate the single striped parking stall in front of their property as originally shown on their land development plan and adding up to three on street spaces on the north side of the street. They acknowledged that some parking restrictions will be required at the intersection with County Line Road and on both sides of the existing driveway to Cope's Garage. President Brian Goshow commented that this matter has received significant discussion and a solution needs to be made. Chief Leary will meet with interested parties and provide a recommendation at the March Borough Council meeting.

2. Administrative Committee

- a) Borough Manager Michael Coll reported that Larry Opdyke requested a delay in acting on his resignation until the fall, at which time he will evaluate his health conditions and ability to continue to serve in this capacity. This leaves one immediate position that needs to be filled on the Civil Service Commission. Eric Boynton expressed some interest in the position and a copy of the Civil service Rules and regulations will be sent to him for his review.
- b) The Borough Manager also noted that George Johannsen has recently submitted his resignation from the Souderton Industrial Development Authority. The authority has not been active for some time. Representatives do not necessarily need to be residents of the Borough.

3. Development Committee

- a) Borough Manager Michael Coll submitted a conceptual plan that he received from Tim Hendricks of THP proposing to develop the former parking lot on School Lane into a 24 unit garden apartment style development with a retail use fronting East Broad Street. Concern was expressed to Tim Hendricks that Borough Council does not want to piecemeal this development, suggesting that a concept plan should be presented for the entire tract with the project broken down into approved phases. Another meeting has been scheduled for February 25th to further discuss the development of this property. This staff level meeting will include the Borough Solicitor, Borough Engineer, Montgomery County Planning Commission and a few representatives of Borough Council.
- b) Borough Manager Michael Coll reported on a Zoning Hearing Application that was received for the former Musselman Vending Business that operated at 541 Wile Avenue. The property is located within an R-1 Residential District and operated as a lawful non-conforming use. The application proposes to demolish the building and subdivide the property into two undersized single family building lots. Borough Council members noted that the lots are significantly undersized for the district and in comparison to the properties directly across the street. A recommendation was made to take party status to the application. The Borough Manager will inform the applicant of the opinions of Borough Council.

4. Finance Committee

- a) Borough Manager Michael Coll reported that the 2012 year end ledger reports were finalized and handed over to the Borough Auditors. The Audit report will be completed and submitted to the State in March.