

## Regular Borough Council Meeting

January 3, 2011

The Regular Meeting of Souderton Borough Council, held on Monday, January 3, 2011, was called to order by Vice-President Andrew C. Schlosser at 7:30 p.m. Members of Borough Council present at the regular meeting included the following:

Vice-President Andrew C. Schlosser	Mayor John R. Reynolds
Councillor Ned D. Leight	Junior Councillor Brian Barr
Councillor D. Jeffrey Gross	
Councillor John U. Young	Solicitor Robert R. Bricker
Councillor Steven J. Toy	
Councillor Preston Miller	Borough Manager P. Michael Coll
Councillor Richard Halbom	Police Chief James P. Leary
Councillor Edward Huber	Public Works Director Steven R. Coll

Absent from the meeting was Council President Brian K. Goshow. The Invocation was given by Borough Manager P. Michael Coll, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the December 6, 2010 Regular Borough Council Meeting. A motion was made by Councillor Richard Halbom, seconded by Councillor Steven Toy, to approve the minutes of the December 6, 2010 Regular Borough Council Meeting as presented. The motion was approved.

The Borough Solicitor's report for the month of December, 2010 was distributed to Borough Council. The Borough Solicitor reported that they completed the documentation and filing for the tax anticipation loan through Univest National Bank. They also met with the Code Enforcement Officer regarding a Property Maintenance Code violation at 150 Washington Avenue.

Borough Manager Michael Coll reported on the agenda items scheduled for consideration. The first item of business is a Resolution authorizing the submission of a grant application under the Pennsylvania State Redevelopment Assistance Capital program for the Souderton Train Station Restoration Project. Representative Robert Godshall has worked very hard to support a \$1,000,000 capital grant towards planned renovations to the Souderton Train Station, Wait Station, Freight Building and surrounding parking lots. The Borough Manager further noted that Congressman Charles Dent successfully obtained a \$500,000 federal grant for this project. The combination of both grant funds will provide \$1,500,000 in construction funds towards this project, which can be completed without any Borough funding. The Borough will have to fund some of the engineering and architectural costs. The project will be modeled against the project completed by Telford Borough. Souderton Telford Main Streets has long encouraged Souderton Borough to consider renovating and preserving the Souderton Train Station. Borough Manager Michael Coll noted that both grant programs are somewhat challenging to administer, but we have direct experience with the State RACP which funded a large portion of the Indian Valley Boys and Girls Club project. The Borough has a very short period of time to complete the application by the January 14, 2011 deadline. The second item concerns the replacement of the unmarked police chief's vehicle that was involved in an accident a few weeks ago. The accident was not the fault of Chief Leary. Chief Leary has been working with the insurance companies and Farm Bureau Garage and has found a replacement vehicle that can be obtained through the insurance payments with no added cost to the Borough.

Consideration was given to paying the bills for the month of December, 2010.

### GENERAL FUND

Montgomery County Treasurer	\$5,076.00	Work Work, Inc	\$1,020.00
Souderton-Telford Main Streets	11,250.00	Boucher & James, Inc	664.89
John T Fretz Insurance Agency	27,987.62	HISI	4,794.00
Jay R. Stover	589.00	Word Work, Inc	606.00
Keystone Health Plan East	6,737.27	Beatrice Kaizar	476.48
Mellor Auto Electrics LLC	120.00	Bergey's, Inc	25.00

AT&T	36.36	Blooming Glen Contractors, Inc	459.91
Ches-Mont Disposal, Inc	343.20	Clemens Uniform Rental	93.71
Clemens Uniform Rental	94.88	Comcast Cable	156.42
Comcast Cable	113.11	Cope's Garage & Auto Body	2,484.89
Country Fair Cleaners	450.85	Cope's Garage & Auto Body	87.28
Donald Bergey	684.63	Daniel L. Beardsley, Ltd	50.00
Farm & Home Oil Co	3,434.26	David A. Freed	90.00
Fire Protection Services, LLC	40.00	Davidheisers, Inc	71.00
Firing Line Inc	527.00	Freedom Systems Corp	1,500.00
Gerald W. Moyer	50.00	Fromm Electric Supply Corp	215.10
Gran Turk Equipment Co., Inc	1,115.81	Generations	6,500.00
Indian Creek Foundation	470.00	Good Plumbing Heating A/C, Inc	74.00
John R. Young & Co	944.52	Gouldley Welding & Fabrication	100.25
K & A Services, Inc	1,000.00	Indian Creek Foundation	376.00
Lawson Products, Inc	370.27	Jason M. Kelly	189.00
McDonald Uniform Company	284.30	Joseph P. Kelly, Jr	671.74
Metlife	286.84	Kopp Equipment Sales	291.45
Metlife	2,632.24	Lansdale Police Department	900.00
Metlife	2,697.84	Marc F. Lipkin, DMD	394.80
Metlife	278.77	Markey Paper & Packaging, Inc	128.44
Metlife	286.84	Meals on Wheels of Indian Valley	6,500.00
Metlife	2,691.19	Metlife	278.77
Metro Technology Services, Inc	3,998.00	Metlife	2,649.99
Midlantic Machinery	298.15	Michael C. Boraski, DMD	1,005.00
Montg County Community College	59.40	Moyer & Son, Inc	2,955.24
Montgomery Newspaper	439.18	Mylestone Electric Company	192.00
Moyer & Son, Inc	2,897.04	Netcarrier Telecom, Inc	323.20
Mylestone Electric Company	933.44	Nextell Communications	101.86
Nationwide Trust Company	384.00	North American Benefits Company	1,010.73
Nationwide Trust Company	380.36	North Penn Goodwill Service	\$4,750.00
Nationwide Trust Company	963.86	Old Dominion Brush	837.61
Nationwide Trust Company	428.47	PECO Energy	134.37
Nationwide Trust Company	1,077.64	Pennsylvania One Call	20.70
Nationwide Trust Company	10,056.16	Perseverance Volunteer Fire Co	23,000.00
Nationwide Trust Company	1,073.07	Peter I. Psomiadis, DMD	340.00
Netcarrier Telecom, Inc	322.56	Petty Cash Fund	131.02
Nextel Communications	118.92	PPL Electric Utilities	8,448.15
North Penn Water Authority	34.15	PSAB CDL Testing Program	140.00
PA Local Govt Secretaries Assoc	125.00	RICOH	309.66
Peter Hufnagle	170.00	Shelly Enterprises, Inc	39.24
Plasterer Equipment Co., Inc	150.00	Snjezana A. Cacovean, DMD	204.00
PSAB	160.00	Souderton Ambulance Assoc	5,000.00
PSAB	1,081.00	Souderton Dental Assoc	450.00
Univest VISA	80.95	U.S. Municipal Supply	279.76
Ven-Mar Sales, Inc	517.38	Verizon Wireless	43.01
Verizon	106.67	William Powis	442.00
Verizon Wireless	43.03		
Weaver & Reckner Dental Assoc	1,279.01	Total General Fund	\$179,776.91

#### SEWER FUND

John T. Fretz Insurance Agency	\$11,503.38	Pyrz Water Supply Co., Inc	\$356.40
Keystone Health Plan East	2,478.45	Richter Drafting & Office Supply	111.77
Altek Business Systems, Inc	62.25	Siemens Water Technologies	2,461.86
Clemens Uniform Rental	80.24	Siemens Water Technologies Corp	206.00
Comcast Cable	52.90	Suburban water Testing Labs	139.00
Commonwealth Precast, Inc	438.00	Suncoast Research Labs, Inc	1,944.00
D & M Machine, Inc	50.00	Telford Press Printers	942.00
Daniel L. Beardsley, Ltd	765.70	Univar USA, Inc	8,664.85

Deltronics Corporation	346.09	Univest VISA	176.00
Essex Service Corporation	1,052.76	Verizon	58.95
Franc Environmental, Inc	2,975.00	West Generator Services	506.44
H & K Materials	2,146.16	Commonwealth of PA/DEP	1,200.00
H. Keith Koehler	100.00	HISI	1,191.00
Hajoca Corporation	93.72	Clayton H. Landis Company	3,524.72
Hangley Aronchick Segal & Pudlin	2,518.50	Clemens Uniform Rental	80.24
J P Mascaro & Sons	11,690.42	Detlan Equipment, Inc	70.75
Markey Paper & Packaging, Inc	47.89	Freedom Systems Corp	1,500.00
Metlife	82.21	Independence Blue Cross	124.70
Metlife	82.21	Independence Blue Cross	211.75
Moyer & Son, Inc	1,519.75	J P Mascaro & Sons	1,458.59
Nationwide Trust Company	5,656.60	Metlife	82.21
Netcarrier Telecom, Inc	272.38	Moyer & Son, Inc	322.33
North Penn Water Authority	131.08	Home Depot Credit Services	52.80
P. K. Moyer & Sons, Inc	2,012.00		
PPL Electric Utilities	375.24		
PPL Electric Utilities	18,709.32	Total Sewer Fund	\$90,637.61

### CAPITAL RESERVE FUND

Landis Block & Concrete	\$316.00	Ecynbro Trucking	\$220.00
Structural Stone, LLC	3,250.00	Fromm Electric Supply Corp	33.90
Univest National Bank	1,630.41	G. A. Peak Excavating	2,500.00
Univest National Bank	5,611.21	H & K Materials	1,697.79
Univest National Bank	6,090.28	Landis Block & Concrete	1,633.97
Univest National Bank	382.10	M & M Stone Company	1,185.00
Boucher & James, Inc	23,195.38	Naceville Materials	2,459.35
Ettore Ventresca & Sons, Inc	15,240.00	Norris Sales Company	1,275.80
GAI Consultants	877.50	Shelly Enterprises, inc	377.33
Hanover Architectural Products	5,531.00		
High Bridge Stone	4,662.00		
Wade Associates	8,467.86	Total Capital Reserve Fund	\$88,577.09
Univest National Bank	401.21		
Commonwealth Precast, Inc	1,539.00		

### SEWER CAPITAL FUND

### LIQUID FUELS FUND

H & K Materials	\$40,545.06	PPL Electric Utilities	\$625.39
P. K. Moyer & Sons, Inc	27,685.50	Naceville Materials	357.28
Armour & Sons Electric, Inc	1,597.50	Total Liquid Fuels	\$70,810.73

A motion was made by Councillor Steven Toy, seconded by Councillor John Young, to authorize payment of the bills for the month of December, 2010, as presented. The motion was approved.

Vice-President Andrew Schlosser opened the floor to the audience who may wish to address Borough Council on any topic or matter of concern.

Rex Selheimer, 52 W Broad Street, commented that the five percent increase in the real estate tax rate was in his opinion not necessary and questioned what measures Borough Council was taking to prevent any future tax rate increases. Vice-President Schlosser noted that Borough Council did institute significant cuts in expenditures, but a major issue facing the Borough is declining revenues particularly in earned income tax, municipal services tax and realty transfer taxes. Borough Council will continue to monitor expenses and will continue to be very conservative throughout the year. Rex Selheimer questioned whether the police contract expires this year. Vice-President Schlosser noted that the contract will expire this year, but the negotiations have not been scheduled. Negotiations are not open to the public. Rex Selheimer also questioned the status of consideration towards a special fire tax. Councillor Halbom noted that representatives of the fire company suggested consideration of a dedicated tax, but no decision has been made. These issues will be addressed in work sessions throughout the year.

Vice-President Schlosser noted that these discussions will be ongoing in the Administrative Work Sessions that are open to the public and held the third Monday of each month.

There being no further public comment, Vice-President Schlosser moved to the first item of business scheduled for consideration.

A motion was made by Councillor D. Jeffrey Gross, and seconded by Councillor Richard Halbom, to adopt Resolution No 01-2011 approving the submission of an application for funding under the Commonwealth of Pennsylvania Redevelopment Assistance Capital Program for the Souderton Train Station Restoration Project. The motion was approved.

Borough Manager Michael Coll again noted that the opportunity to make this grant application is solely attributable to the efforts of Representative Robert Godshall. His efforts in pushing for the support of this economic development and revitalization project will provide a significant benefit to Souderton Borough.

A motion was made by Councillor Steven Toy, and seconded by Councillor Preston Miller, to authorize the purchase of a 2001 Chrysler sedan from Dean Kulp of Farm Bureau Garage, to replace an unmarked police car, at a cost not to exceed \$4,600. The motion was approved.

There being no further business, the meeting was adjourned at 7:58 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

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

### ***Public Works Work Session – January 10, 2011 (7:00pm to 8:36pm)***

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

Staff Attendees: Public Works Director Steven Coll, Borough Manager Michael Coll.

### **MUNICIPAL PARKING LOT**

Trish Stokes of Tilley's Tea Room, 20 W Chestnut Street and Debbie Rasbold of Great Looks Salon, 16 W Chestnut Street attended the work session to inquire into the status of the six additional two hour parking spaces in the municipal parking lot off of Chestnut Street. Borough Manager Michael Coll reported that the additional restricted spaces were authorized by Borough Council at a recent meeting, however, the public works crew has not installed the signs to date. The Borough Manager apologized for the delay given the focus on other construction projects but noted that the signs will be installed shortly.

#### **1. Sanitation Committee**

- a) The December, 2010 Discharge Monitoring Report will be filed with no exceptions to permit discharge limits.
- b) Borough Manager Michael Coll copied correspondence to Borough Council concerning the recent review and comments by the Department of Environmental Protection concerning the annual 2009 Chapter 94 report that was filed in March, 2010. The

Manager noted that DEP questioned the methodology used in calculating BOD, even though our calculation is widely used across the state and they also required the installation of an influent meter, which was not required as part of any prior permit and the Borough declined to install at this time. The Borough's NPDES permit is set to expire in 2011 and Borough Council should expect to re-visit these issues upon the renewal of the discharge permit.

## **2. Highway Committee**

- a) Only two public works employees have been concentrating on leaf collection with only the trailer mounted vacuum in operation. Typically we devote four employees and two vacuums to this service. The limited crew has done a very good job keeping up with the volume of collections, running a few days behind schedule. We were able to make good progress with leaf collection by temporarily dumping the leaves at 160 Cherry Lane, during rainy days crews load and haul the leaves to Lapps Landscape Materials north of Sellersville for disposal. There are many loads of leaf waste that still needs to be hauled for disposal.
- b) A recommendation has been made to authorize bids for road materials at the February Borough Council meeting and to extend the current equipment rental contract at the same rates through the next year. Oil and Chip surface treatment has not been included in the 2011 budget and will not be placed on bid this year.
- c) The 2011 Budget provides funds for mill and overlay projects to be bid in place. Borough Council was informed on a series of complaints concerning the oil and chip surface treatment that was recently completed on Parkview Drive. The surface scuffed rather badly due to the large volume of driveway cuts. Borough Council was asked to evaluate the current condition of the street for possible consideration of an overlay. The Borough must also allocate some funds to complete paving work on Main Street to complete the streetscape project later in the year.

## **3. Sidewalk Committee**

- a) Crews have been focusing on the Main Street Streetscape project and despite weather conditions have made very good progress in completing as much of the grant eligible portion of the project as possible. Unfortunately the grant deadline is January 31, 2011 and the Borough will be leaving approximately \$60,000 in grant funding with Montgomery County. The grants funds lost were to be allocated to the small pocket seating area at Univest; street trees, street furniture and the remaining portion of sidewalk. To date, seventy five percent of the granite curb has been installed, the Lumber Street intersection has been established, approximately 50 percent of the granite block pavers have been installed, all light bases have been installed and we are ready for the final installation of the street lights. Road restoration will be funded through Liquid Fuels revenues. We will have to find funds to complete the street trees, blue stone plaza area and associated plantings and the remaining sidewalk and electrical work. Street furniture will be postponed until we have opportunity for another grant submission. We have secured materials under the grant to complete the granite paver blocks and the asphalt pavers for the parking stalls. The Borough must suspend operations on Main Street to begin utility and site work on the pool project and we will return to Main Street as time and weather conditions dictate.

## **4. Recreation Committee**

- a) Weather conditions and material delivery delays have slowed progress on the pool renovation project. The project is behind schedule, but neither contractor has yet to express concern with meeting the completion date of May 1, 2011.

Vincent Pools was scheduled to complete the skimmer installation on the competition pool prior to winter. The material is on site but not installed. Given weather conditions, Vincent Pools has decided to suspend outside operations until late February. Vincent Pools will devote to remainder of the winter towards the installation of mechanical equipment inside the filter building, resuming outside operations in late February or early March. Vincent Pools has requested the Borough to complete the deck installation by April to accommodate the installation of the large slide and drop slides.

Penn Builders has also been slowed by weather conditions and material shipment delays. They now have all the block and wood trusses on site, but temperatures have halted the masons. To their credit, Penn Builders remained on site throughout the winter and has taken advantage of every break in the weather to complete the block work on the filter building and are now completing the roof construction. This is the primary focus of construction to accommodate work by the pool contractor.

Souderton Borough, with assistance from Franconia Township is scheduled to begin the gas main extension along Colonial Avenue during the week of January 24<sup>th</sup>. Souderton Borough will also install the sewer service and water service to the filter building in order for Penn Builders to pour the concrete floor.

Mayor John Reynolds questioned whether the pool will be ready to open on Memorial Day. Even though there is every expectation that the opening will occur as scheduled, the Borough should develop a contingency plan now should the project require a delay in opening.

- b) Committee members discussed an extension of the contract with fund raising consultant Susan Kern. A recommendation was made to extend the contract on a month to month basis, especially since the committee needs to focus on the major donor portion of the campaign.
- c) Borough Manager Michael Coll copied the sketch plan for the installation of lighting in the adjacent pool parking lot with an extension of four additional lights along Colonial Avenue. PPL Electric will be removing all existing overhead lines along Colonial Avenue since the facilities are no longer needed. There are two street lights that will be removed, but will be replaced with the new lighting that will more effectively light the sidewalk and parking area. The lights will be LED fixtures. Initially, it was thought to have the Borough forces work on installing the lights, but the amount of other work remaining suggests that the Borough bid this project separately. Authorization to bid this project will be recommended at the February Borough Council meeting.

## **5. Property Committee**

- a) The RACP application for the train station project is underway and will be submitted by the January 14, 2011 deadline. Borough Solicitor Robert Bricker has again contacted SEPTA about negotiating the lease agreement to take over the site. Representative Robert Godshall has also intervened by contacting SEPTA officials directly to finalize the lease agreement.

### ***Administrative Work Session – January 17, 2011 (7:00 pm-9:50 pm)***

Council Attendees: Mayor John Reynolds, Brian Goshow, Jeffrey Gross, John Young, Andrew Schlosser, Steven Toy, Preston Miller, Richard Halbom and Edward Huber. Junior Councillor Brian Barr.

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

## **KEYSTONE OPPORTUNITY CENTER, 201 N MAIN STREET**

Executive Director Richard Aichele and realtor Ruth Walter attended the work session to discuss the pending sale of the office building at 201 N Main Street to Ark Animal Hospital. The property is located in the new C-2 Limited Commercial Residential District. The proposed use appears to meet the permitted use sections of the ordinance; however, interpretation is necessary on how to address the off street parking requirements. Presently there is room for two off street parking spaces to the rear of the building. The municipal parking lot is located directly to the rear of the property. This building has a long history of office use without off street parking. Borough Council members expressed concern with a blanket grandfathering of the off street parking requirements given the issues that have been experienced in the core downtown business district. Borough Council requested that the Borough Manager calculate the parking requirements for both the existing office building and the proposed new use for further discussion at the February work session. Keystone Opportunity representatives were advised that they or Ark Animal Hospital must work towards securing additional off street parking from a neighboring property for at least the full time employees of the business.

### **1. Police Committee**

- a) Borough Council discussed a request from the owner of the apartment complex at 389-392 W. Chestnut Street for an additional street light at the end of West Chestnut Street. Chief Leary visited this location during the evening and suggested that there does appear to be a sufficient amount of light in the area, but the ultimate decision rests with Borough Council. Generally, Borough Council members expressed an opinion that the additional light is not needed, but prior to making a final decision suggested that the other surrounding residential properties be contacted for their opinion. Some of the adjoining residential property owners may view the additional light as a nuisance. Chief Leary volunteered to make the additional contacts.
- b) Borough Council was provided with a copy of the proposed revised route for the Univest Grand Prix. The route extends along N Fourth Street to East Broad Street and contains an inner loop using Second Street. The race course no longer goes through Indian Crest but moves out to Cowpath Road and Erie Avenue. The expanded course presents far more challenge for traffic control, detour routes, and isolates a significantly larger portion of residents. These concerns need to be further discussed, addressed and planned for well in advance of the scheduled race. Chief Leary will schedule a meeting with Univest representatives and the adjoining police chiefs to discuss this revised route.

### **2. Administrative Committee**

- a) Borough Manager Michael Coll reported that Word Work has decided to close its operation by the end of January, 2011. The Borough has been using Word Work for support of our web site along with the publishing of the spring and fall newsletters. Borough Council opted to eliminate the newsletters from the 2011 budget to reduce costs. The Borough will be transferring the web site and e-mail services to Site Cats, which is based in Souderton. During this transition residents and Borough Council can expect delays in updates to the site, including posting of agendas and meeting minutes. Once the transition is completed, future updates will be completed through the Borough Office. Overall we expect to reduce the annual expense of maintaining the web site, but will need to devote more staff time to this effort.

### **3. Development Committee**

- a) On January 11, 2011, the Zoning Hearing Board approved the application of Zion Mennonite Church of Souderton, 149 Cherry Lane, to expand the narthex and construct an approximate 9,000 square feet multipurpose room to the existing church, closing the

drive off of S. Fourth Street and Garfield Avenue and relocating and adding off street parking on the site. Zion Mennonite acquired the adjoining property at 177 S Front Street which has a separate land locked parcel to the rear which the church will use for parking. Zion Mennonite has also worked with Neil Moyer to straighten out a lot line issue with a detached garage and they will also acquire a similar land locked parcel from Moyer to serve as buffering from the residential properties along Montgomery Avenue. The acquisitions will also allow the possible elimination of a paper alley through the properties. Zion Mennonite will continue to work through the land development process with the planning commission and Borough Council.

- b) The Souderton Planning Commission has been working on a land development application to reconstruct the existing car wash at 24 N County Line Road. The plans have been reviewed by the Borough Engineer and Montgomery County Planning Commission with a recommendation for conditional approval. Copies of the plan were reviewed during the work session. The applicants will attend the February 7 Borough Council meeting with a request for conditional approval.
- c) Borough Manager Michael Coll noted that the Borough is receiving a number of requests to incorporate a changeable message sign with their business signs. We approved a request for the small shopping center in the 500 block of East Broad Street over a year ago. We have also received similar requests from Cope's Garage and Michalak's Garage. The message section of the sign will scroll very slowly without any flashing. The Borough also has an opportunity to receive a donated changeable electronic sign from a local realtor for the Community Park.

Councillor Jeffrey Gross noted that the Borough must set a priority with the Montgomery County Planning Commission to revisit and develop a comprehensive sign ordinance. In particular the Main Streets design committee has made a number of recommendations for sign standards in the core business district that have not been implemented. Perhaps changeable letter signs might be appropriate in the peripheral commercial areas but not within the core downtown district.

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

- a) The final 2010 year end budget reports will be prepared and distributed by the end of the month. Styer Associates will begin the audit and preparation of the financial statements.