

Regular Meeting

July 6, 2009

The Regular Meeting of the Souderton Borough Council was called to order by President John U. Young at 7:30 p.m. Members of Borough Council present at the meeting included the following:

President John U. Young	Mayor John R. Reynolds
Councillor Ned D. Leight	Junior Councillor Daniel Yocum
Councillor D. Jeffrey Gross	Solicitor Charlotte Hunsberger
Councillor Brian Goshow	Borough Manager P. Michael Coll
Councillor Richard Halbom	Public Works Director Steven R. Coll
Councillor J. Edward Hunsicker, Jr.	Chief Charles A. Quinn, Sr.

Absent from the meeting were Councillors Andrew C. Schlosser, Jonathan Gardenier, and Katherine Grubb.

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 June 1, 2009, Regular Borough Council Meeting and the June Work Sessions and the Special Borough Council Meeting held on June 8, 2009. A motion was made by Councillor Richard Halbom, and seconded by Councillor Jeffrey Gross, to approve the minutes of June 1, 2009 Borough Council Meeting and the June Work Sessions and the minutes of the June 8, 2009 Special Borough Council Meeting as presented. The motion was approved.

There was no correspondence.

The Borough Solicitor's report for the month of June was distributed to Borough Council. The Borough Solicitor held several telephone conferences regarding the proposed agreement of sale for property at 160 Cherry Lane in Franconia Township. The Borough Solicitor reviewed and drafted the High School Redevelopment Overlay Zoning Ordinance and drafted revisions to the Subdivision and Land Development Ordinance to include certain design guidelines for the High School Redevelopment Overlay District. The Solicitor satisfied three sewer liens that have been recently paid and filed one new lien for delinquent sewer fees.

Borough Manager Michael Coll summarized the items scheduled for consideration. Bids for the 2009 Road reconstruction program were received and tabulated for consideration of Borough Council. Five different sections of streets have been designated for reconstruction with up to \$192,500 allocated in various funds to complete the work. The low bid received is from Blooming Glen Contractors at \$147, 172.35. A Resolution has been prepared for formal consideration of Borough Council authorizing the purchase of 160 Cherry Lane from Scholl Brothers Real Estate at a cost of \$1,200,000. The property consists of just less than 10 acres of industrial zoned property in Franconia Township, currently occupied by Scholl Brothers Excavating. The Borough intends to utilize the property in its current condition to house seasonal equipment and locate material stock piles. The Borough Public Works Department will continue to operate from the current garage at 154 N Second Street with the desire to construct and relocate the entire operation at some point in the future. A motion has been prepared to authorize the Borough Solicitor to move forward with the advertisement of the High School Redevelopment Overlay Zoning Ordinance and the Subdivision and Land Development Ordinance amendments for consideration at the August meeting. A recommendation has been made to appoint seven representatives to serve on the joint Souderton-Telford Revitalization Planning Committee to develop a new master revitalization plan for both municipalities. By rule the current plan, developed and approved in 2001 is considered to be expired and a new plan must be developed and approved every seven years in order to qualify to apply for funding under the Montgomery County Revitalization Program. The Montgomery County Planning Commission will assist in the development of the new plan. A number of temporary parking restrictions have been proposed by the Police Committee on South Front Street and at Noble Street and South Fourth Street. The last item is acceptance of the General purpose Finance Statement as prepared by Styer Associated for the year ending December 31, 2008.

Consideration was given to paying the bills for the month of June, 2009.

GENERAL FUND

Barry Rosenberger	\$30.00	Clemens Uniform Rental	\$284.03
Detlan Equipment, Inc.	250.20	Dr. Larry J. Geller	269.00
MetLife	1,675.84	Nextel Communications	306.91
PA Municipal Retirement System	4,591.40	PA Municipal Retirement System	1,077.04
Peter I. Psomiadis, D.M.D.	1,415.00	The Home Depot	553.87
Weaver and Reckner Dental	349.00	Armstrong & Son Equipment	333.85
Farm and Home Oil Company	438.91	Jaeger Electric Service, Inc.	1,136.31
MetLife	217.63	MetLife	1,675.84
Montgomery County Consortium	250.00	Richter Drafting/Office Supply	322.01
Shelly Enterprises, Inc.	177.34	Trumbauers Lawn & Rec, Inc.	325.04
Ven-Mar Sales, Inc.	86.63	Verizon Wireless	43.01
Weldon Auto Parts	42.04	C & S Lawn and Landscape Inc.	7,550.00
DePallo Design & Planning, LLC	4,427.50	The Partnership TMA	355.00
Word Work, Inc.	840.00	A M Goshow & Son, Inc.	578.84
Allen Door & Service Corp	95.00	AT&T	34.51
Ches-Mont Disposal, Inc.	1,203.22	Comcast Cable	42.95
Daniel L. Beardsley LTD	265.25	David K. Yoder	200.00
Farm & Home Oil Co.	355.41	HISI	4,089.00
Indian Creek Foundation	470.00	Jaeger Electric Service, Inc.	1,743.15
Moyer & Son, Inc.	175.70	Pennsylvania One Call System	15.60
Phyllis Moyer	258.30	Potty Queen	293.00
PPL Electric Utilities	167.58	Robert W. Harley, RPR	231.25
Telford Press Printers	280.00	The Home Depot	70.57
Theodore P. Croll, D.D.S.	405.60	Univest Visa	19.76
Univest Visa	211.00	Unum Insurance Company	827.34
Verizon	180.71	Bearings & Drives Unlimited	128.20
The Home Depot	21.96	Armstrong & Son Equipment	297.79
Bearings & Drives Unlimited	1,301.00	Boro of Souderton Capital Reserve	25,192.80
Freedom Systems Corporation	2,220.00	Independence Blue Cross	14,145.21
Indian Creek Foundation	376.00	Jaeger Electric Service, Inc.	6,729.18
Keystone Health Plan East	5,777.22	Landis Block & Concrete	150.15
Landis Fences	1,340.00	Lawson Products, Inc.	105.74
MetLife	217.63	MetLife	1,675.84
Montgomery Newspaper	41.39	Moyer & Son, Inc.	351.08
Naceville Materials	229.97	North American Benefits Company	945.13
North Penn Water Authority	34.70	Nyco Corporation	39.80
PA Municipal Retirement System	747.61	PA Municipal Retirement System	2,999.64
PECO Energy	32.40	Peter I. Psomiadis, D.M.D.	85.00
Plasterer Equipment Co., Inc.	58.45	PPL Electric Utilities	7,852.74
Richter Drafting/Office Supply	44.87	Shelly Enterprises, Inc.	58.85
Steven R. Coll	94.99	The Home Depot	11.88
Thortex American, Inc.	660.00	Bergey's, Inc.	300.00
Cole Information Services	353.95	Comcast Cable	120.74
Consolidated Plastics Company	45.41	Cope's Garage, Inc.	188.20
Country-Fair Cleaners	327.55	Foremost Promotions	405.31
I.C.R, Specialties	125.00	James C. Throop	50.00
Lansdale Police Department	300.00	National Public Safety Info	152.10
Nextel Communications	112.29	Northeast Wisconsin Tech	125.00
Richter Drafting/Office Supply	37.28	Weldon Auto Parts	23.91
West Group	285.00		
		Total General Fund	\$118,156.10

SEWER FUND

Clemens Uniform Rental	\$160.48	ES2 Environmental Systems	\$200.00
J.P. Mascaro & Sons	5,498.14	Hajoca Corporation	619.28
J.P. Mascaro & Sons	5,274.89	K & A SRVS INC.	500.00
Maryland Biochemical Co., Inc.	720.04	MetLife	82.21

PPL Electric Utilities	17,452.38	Reuter & Hanney, Inc.	400.00
Schaners Wastewater Products	2,457.79	Altek Business Systems, Inc.	62.25
Bergey's Electric, Inc.	40.32	Chest-Mont Disposal, Inc.	90.75
Cintas First Aid & Safety	33.50	Comcast Cable	42.95
HISI	1,082.00	Landis Block & Concrete	88.80
North Penn Water Authority	298.78	PPL Electric Utilities	576.09
S C Engineers, Inc.	5,578.56	S P Solutions	69.34
Sealing Specialties	129.05	Siemens Water Technologies	2,203.15
Suburban Water Testing Labs	195.00	Unum Insurance Company	246.75
Verizon	58.02	Alderfer Glass Company	18.55
Essex Service Corporation	350.68	Freedom Systems Corporation	2,220.00
Hangley Aronchick Segal & Pudlin	103.50	Independence Blue Cross	3,838.17
Independence Blue Cross	113.10	Independence Blue Cross	207.65
Keystone Health Plan East	2,235.00	Maintenance Engineering LTD	603.33
North American Benefits Company	307.60	Shelly Enterprises, Inc.	5.84
Univar USA Inc.	2,759.85		
		Total Sewer Fund	\$56,923.79

CAPITAL RESERVE FUND

Univest National Bank	\$5,611.21	Univest National Bank	\$1,841.49
Boucher and James, Inc.	10,778.95	DePallo Design & Planning, LLC	6,690.00
Ettore Ventresca & Sons, Inc.	8,474.00	Hunt Engineering Company	15,057.96
Glasgow, Inc.	70.00	Gouldey Welding & Fabrications	243.50
Univest National Bank	1,782.08	Univest National Bank	5,611.21
		Total Capital Reserve Fund	\$56,160.40

LIQUID FUELS FUND

PPL Electric Utilities	\$347.54	U.S. Municipal Supply, Inc.	\$1,117.88
Armour & Sons Electric, Inc.	5,705.19	Commonwealth of PA	2,189.13
Armour & Sons Electric, Inc.	301.48	Letterco	376.00
PPL Electric Utilities	320.39		
		Total Liquid Fuels Fund	\$10,357.61

LAND DEVELOPMENT ESCROW ACCOUNT

Boucher and James, Inc.	\$904.46
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LIBRARY TAX FUND

Indian Valley Public Library	\$11,427.75
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A motion was made by Councillor Ned D. Leight, and seconded by Councillor Richard Halbom, to pay the bills for the month of June, 2009, as presented. The motion was approved.

President John U. Young opened the floor for public comment.

Rhea Gross, 238 Montgomery Avenue, addressed Borough Council on a number of issues of concern. She started with a matter originally raised by Jamie Allebach concerning the use of Souderton Borough logos in the distribution of materials during the primary election. Mr. Allebach requested a response from Borough Council and to date there has been no formal response. She noted that some members indicated that the matter was dealt with privately; however this is not a private issue since it has affected the public and the public is owed a formal response. She commented next on the status of the Community Swimming Pool and urged that Borough Council move forward with renovation to the facility. Concern was expressed over the condition of the construction site at Montgomery Avenue and South Front Street where the four new homes are under construction. The site is full of weeds and a stockpile of dirt. The street has a utility trench that has not been paved. The Borough should be more insistent that the site be cleaned up. She also expressed concern about parked vehicles too close to intersections and oils and other fluids that are leaking from parked vehicles.

Dan Williams, 228 East Summit Street, informed Borough Council about an ongoing issue with the next door neighbor over the use of a charcoal grill that is placed just outside of their windows. The grill is a major nuisance and a repeated request to locate the grill to the other side of the property has

been ignored. They also have continuing issues with the neighbor's dog.

Following up on comments from Mrs. Gross, President John Young commented that Borough Council did discuss the unauthorized use of stationary in our work sessions and a written policy should be considered by Borough Council. President Young suggested that our Code Enforcement Officer should be instructed to follow up on the concerns with the Montgomery Avenue construction site.

The first item of business was consideration of bids for the 2009 Road Reconstruction Program. Bids for the project were received and opened at a public hearing at 2:00 pm on Monday, July 6, 2009. A tabulation of the bids received was distributed to Borough Council, itemized as follows:

Blooming Glenn Contractors	\$147,172.35
GoreCon, Inc.	\$161,620.92
M & M Stone Company	\$165,065.30
A. H. Cornell & Son, Inc.	\$172,126.45
P. K. Moyer & Sons, Inc.	\$184,907.16
Harris Blacktopping, Inc.	\$186,607.65
Bracalente Construction	\$251,607.40
SJM Construction Company	\$279,593.90

A motion was made by Councillor J. Edward Hunsicker, Jr., and seconded by Councillor Brian Goshow, to award the contract for the 2009 Road Reconstruction Program to Blooming Glen Contractors based on specified unit prices and a total base contract price of \$147,172.35. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Jeffrey Gross, to adopt Resolution No 2009-13 authorizing the acquisition of 160 Cherry Lane, Franconia Township from Frank H. and Walton Scholl for a purchase price of \$1,200,000 and authorizing the filing of a Declaration of Taking and a Deed in Lieu of Condemnation. The motion was approved.

A motion was made by Councillor Ned D. Leight, and seconded by Councillor Jeffrey Gross, to authorize the Borough Solicitor to prepare and advertise the proposed High School Redevelopment Overlay Zoning District and Mixed Use Master Design Standards for a public hearing and formal consideration at the Monday, August 3, 2009 Borough Council meeting. The motion was approved.

The next item of business was the appointment of the Souderton-Telford Revitalization Planning Committee. Councillor Brian Goshow commented that we should have a specific name of the representation from the Main Streets Economic Development Committee. If the matter is not urgent, he requested that the matter be tabled until this can be verified. Borough Council concurred with the request to table.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Ned D. Leight, to approve the posting of the following traffic restrictions for a 90 day trial period per Mayor's order: 3 Way Stop Intersection at S. Front Street and Montgomery Avenue; 2 Way Stop intersection on South Front Street at Noble Street and a Stop sign at the Southwest Corner of Noble Street and S Fourth Street. The motion was approved.

A motion was made by Councillor Brian Goshow, and seconded by Councillor J. Edward Hunsicker, Jr., to accept and approve the General Purpose Financial Statements and Auditor's Report as prepared for the Borough of Souderton by Styer Associates for the year ending December 31, 2008. The motion was approved.

There being no further business the meeting was adjourned at 8:20 pm.

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – July 13, 2009 (7:00pm-8:15pm)

Council Attendees: John Reynolds, Jeffrey Gross, Brian Goshow, Richard Halbom and Edward Hunsicker.

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

1. Sanitation Committee

- a) The June, 2009 Discharge Monitoring Report will be filed with no exceptions to permit limitations. The plant continues to produce clean, quality effluent.
- b) Chief Operator Sal DeSimone reported repairs to a soda ash feed pump and the need to purchase a back up soda ash and ferrous sulfate pump. There is only one operating pump available for each system presently. The roof replacement project is complete and awaiting certification from Carlisle for warranty. Waste management started hauling and disposing the dewatered sludge and grit from the Waste Water Treatment Plant. Waste Management is using the custom made roll off dumpster that was fabricated to fit into our building under a prior contract.
- c) Committee members briefly discussed the proposed Sewer Service Agreement between the Borough and Hilltown Township. A base consumption allocation for the sewer district based has been developed based on recorded historical data and has been inserted into the agreement. The revised agreement was reviewed and accepted by Hilltown Township and they will consider formal approval at their August meeting. A motion will be prepared to approve the agreement at the August 3, Borough Council Meeting.

2. Highway Committee

- a) Public Works Director Steve Coll reviewed the status of projects completed during the month of June and scheduled work for the month of July. Borough forces are completing the storm drain replacement project through the Smith property at 429 E Chestnut Street. The work consists of the replacement of approximately 60 feet of collapsed galvanized culvert pipe, with 36" ADS plastic pipe in the same location through their front yard. Sump pump discharges have been redirected to the new culvert pipe. The sanitary sewer replacement project on N. Fifth Street will begin the week of July 20th. North Penn Water Authority will follow directly behind with their water main replacement project.
- b) PennDOT inspects local bridges every two years at a very nominal cost to the Borough in accordance with federal NBIS inspection mandates. McCormick Taylor has been under contract with PennDOT to complete these inspections. Prior inspections recommended consideration of the installation of structure mounted guiderail on both sides of the East Summit Street Bridge. In prior years we have objected to the recommendation due to the already narrow cartway width and the potential loss of the designated pedestrian walkway. The latest inspection in March, 2009 has now lead to a PennDOT determination that the installation of guiderail should be considered as top priority and be completed within the next six months. Committee members directly that the matter be referred to the Borough Engineer to consider option to comply with the PennDOT mandate while minimizing the affect to the overall cartway width and the use of the pedestrian walkway.
- c) Committee members were advised on two resident complaints regarding streets and alleys. Joanne Estojak, 406 Central Avenue, has raised concern about the condition of Central Avenue in front of her home. It appears as though there is a section of base failure along her property, stemming back to the reconstruction of this road over ten years ago. Crews will have to complete a full depth mill of the deteriorated section of roadway and restore the base. This repair can be incorporated with some of the utility work currently under construction. The second issue is not as straight forward. Randy Nyeholt, 419 Ridge Avenue, recently expressed concern over the grade of the rear stone alley and drainage issues in the rear yards of the property. This issue will require the cooperation of the adjoining property owners to correct.

This area is very flat with very little opportunity to improve drainage by regarding the alley and or the rear yards of the property. In adjoining alleys, the Borough ran a storm drain line along School Lane with an inlet at the entrance to each alley. The grade of the inlets was set to accommodate an extension of the storm drain lines into the alleys. Connections can be made for each property to run yard drains in their properties to improve drainage. This work, by Borough Policy, will require that the adjoining property owners reimburse the material costs associated with the extension of storm drainage facilities and the possible paving of the alley.

3. Sidewalk Committee

- a) No new items were discussed.

4. Recreation Committee

- a) The first meeting of the designated Pool Renovation Committee is been scheduled for July 21st. The meeting will be between the committee members and YMCA representatives to begin discussing facility and programming priorities and preliminary budget assumptions. The Borough Manager also reported operational difficulties with the upper pool over the past two weeks. Continued addition of make up water and mechanical problems with the vacuum contributed to the pool becoming unbalanced and developing excessive dissolved solids, contributing to cloudy pool conditions. We drained about two feet of water from the pool to help address the dissolved solids issue and worked over the past week to regain the appropriate water balance. A pool vacuum was rented from Moyer and Son to remove sediment from the diving well and backwashing of the filter was increased. A number of elements in the upper filter are broken and cannot be replaced; reducing the overall filter area and the efficiency of the filter. A combination of these efforts gradually improved water clarity.

5. Property Committee

- a) No new items were discussed.

Administrative Work Session – July 20, 2009 (7:00 pm-8:30 pm)

Council Attendees: Mayor John Reynolds, John Young and Jonathan Gardenier. Junior Councillor Daniel Yocum.

Staff Attendees: Police Chief Charles Quinn and Borough Manager Michael Coll.

Zwingli Church Reconstruction

- a) Church Council President Michael Kracht presented members with an update on the status of the reconstruction of Zwingli Church following the major fire approximately one year ago. Unfortunately, Zwingli discovered that they were underinsured to handle the loss that occurred. They are working towards a final settlement with the insurance company and have developed conceptual plans for a \$4.5 million dollar reconstruction project, of which the church is \$2 million dollars short. Fundraising advisors have indicated that the proposed project will be feasible to pursue. The plans call for a 20 foot addition to the front of the Sanctuary which will encroach within the required 100 foot front yard setback. This addition is necessary to reorient the Sanctuary in a more efficient and functional manner and enhance accessibility requirements. The additional will dramatically improve the appearance of the church from the street. Zwingli will seek a dimensional variance for the encroachment and hoped that the Borough would be supportive of their application. Zwingli also requested some relief in the land development review process in that most of the site will be utilized in its current condition. The church acknowledges that the site lacks storm water management features and they are planning on addressing and improving storm water management in the overall plan.

1. Police Committee

- a) Souderton Borough received two requests for handicapped parking spaces. The first request is from Donna M. Rogers, 228 East Summit Street and the second request is from Elissa Saner, 64 Hillside Avenue. Both requests contain the required documentation and both requests concern townhouse dwellings with rather tight street parking. Both requests discuss that parking is available to the rear of the units, but they have to climb stairs from the basement to access their first floors. Committee members suggested to place both requests on the August 3rd Borough Council Agenda for consideration.
- b) Chief Quinn reported that Sparta Cycling has filed the necessary request form and Insurance Certificate for the Univest Grand prix to be held on Saturday, September 12, 2009. An approval letter will be sent for the event.

2. Administrative Committee

- a) Borough Manager Michael Coll requested Borough Council to appoint seven representatives to serve on a special committee to work on creating the new Souderton-Telford Revitalization Plan. Telford Borough has appointed their seven representatives. The municipalities will jointly utilize the services of the Montgomery County Planning Commission to prepare the joint plan under our planning assistance contracts. Committee members have suggested the following candidates: Richard Halbom, Jeffrey Gross, William Maxwell, Gwen Cukierski, Ray Hopkins, Charles Crown and Vicki Landis, owner of the Reliance Hotel and member of the Main Streets Economic Development Committee. This appointment will be placed on the August 3 Borough Council Agenda for formal consideration.
- b) Staff and our planning consultants are reviewing the Borough's fee resolution which dates back to 2006. We will compare various fees with neighboring municipalities and will also add a special development fee for projects situated within designated Economic Redevelopment Districts to help recover costs in the planning and establishment of these areas. This matter will be discussed at the August Work Session.
- c) An allocation of \$10,000 was set aside in the General Fund Budget to replace the copier in the administrative office. As directed by the Committee, proposals for a new copier have been received from Altek, Cannon and Recoh. Our current machine copies at the rate of 40 pages per minute, black and white only. The proposals include full color with copy speeds between 32 and 40 pages per minute, black and white and 25 to 40 pages per minute in color. The machines all have capabilities of interfacing with our computer system and include scanning and faxing.

3. Development Committee

- a) Borough Solicitor Robert Bricker completed both the High School Redevelopment Overlay Zoning District ordinance and the revised SALDO ordinance to include the design standards for the High School Redevelopment project. Contrary to the action at the July Borough Council Meeting, the Borough Solicitor noted that the Municipalities Planning Code requires that written notice of a zoning ordinance district change must be sent to all adjoining property owners no less than 30 days prior to the scheduled hearing. This requirement cannot be met for consideration at the August 3rd meeting, therefore formal action on the Zoning Ordinance amendment cannot be considered until Tuesday, September 8. Written notices have been sent out this week to the adjoining property owners. Committee members preferred to defer action on both ordinances until September.
- b) Jonathan Gardenier questioned the status of the proposed removal of the ginkgo trees along Main Street. The Borough Manager noted a recent article in the PSAB Borough News which suggested that street trees formally installed by a Shade Tree Commission cannot be removed until public notice is given. The discussion suggested that a blanket removal of the trees at this time without any plans to construct the new streetscape may be too drastic. A suggestion was made to selectively remove trees in areas of severely damaged sidewalk or diseased or fruiting trees.

4. Finance Committee

- a) Committee members discussed the recommendation to establish a formal Fraud Prevention Policy. Adoption of the proposed policy will be placed on the August 3rd Borough Council Agenda.