

Regular Meeting

December 5, 2022

The Regular Meeting of Souderton Borough Council, held on the above date, was called to order by Council President Tracy W. Burke at 7:00 p.m. President Burke reminded the members and audience that the Borough Council meeting is being recorded and will be posted to the Borough web site.

Borough Manager P. Michael Coll provided the Invocation, which was followed by the Pledge of Allegiance to the Flag.

Borough Secretary P. Michael Coll conducted a Roll Call with the following members of Borough Council and staff present:

President Tracy W. Burke	Mayor Daniel L. Yocum
Councillor Edward Huber	Junior Councillor Elijah S. Steglik
Councillor Matthew J. DiNenna	Junior Councillor Estrela T. Sadiboko
Councillor Daryl W. Littlefield	
Councillor Julie A. Munden	Solicitor Robert G. Bricker
Councillor Donna M. Rogers	
Councillor Matthew R. Sholly	Borough Manager P. Michael Coll
Councillor Richard M. Walczak	Police Chief Brian Newhall
Councillor Courtnee Wampole	Public Works Director Steven Coll

Consideration was given to the minutes of the November 7, 2022 Regular Borough Council Meeting and the November 21, 2022 Borough Council Work Session Meeting.

A motion was made by Councillor Daryl Littlefield, and seconded by Councillor Courtnee Wampole, to approve the minutes of the November 7, 2022 Regular Borough Council Meeting as presented. The motion was approved.

Borough Council moved to the consideration of the November 21, 2022 Borough Council work session minutes. Councillor Richard Walczak expressed concern that the minutes did not reflect discussion and authorization to move forward with the expansion of the parking lot behind the Northbound restaurant. Council President Tracy Burke noted, under Property Committee items, that the minutes do reference Borough Council authorization to have the Borough Engineer complete the design for the proposed expansion of the parking lot. While not specifically written, authorization to construct the expanded lot is most certainly implied.

A motion was made by Councillor Julie Munden, and seconded by Councillor Daryl Littlefield, to approve the minutes of the November 21, 2022 Borough Council Work Session Meeting as presented. The motion was approved.

President Burke noted that there are several presentation requests for this meeting, first recognizing Mayor Daniel Yocum who introduced and administered the Oath of Office to Police Officers Coleen P. Breslin and Brian C. Lehman. The new officers will be joining the Souderton Police Department on a part time basis.

Police Chief Brian Newhall noted that the Souderton Police Department participated in the “No Shave November Charity Event” and they raised \$775.00 that was then contributed to the Keystone Opportunity Center.

Leon Moyer, Past President of Souderton-Telford Rotary Club and Chairman of the Fundraising for the Community Park Improvement Project provided Borough Council with a report on the status of the project. Leon Moyer noted significant progress on the completion of this comprehensive improvement project. The small pocket park at Reliance Road and Main Street was dedicated to former Mayor Charles Allebach, Jr.; the Band Shell was rehabilitated; a monument dedicating the concert lawn to Marcus Rosenberger, an original founder of the Concert Sundaes program, was completed and also includes new utility connections for the sound equipment and Borough forces recently completed the construction of the new parking lot, paved new pathways and installed new park benches. Most notable is the completion of the new playground and fitness areas, including new connecting walkways, new benches, installation of a significant amount of replacement trees and the relocation of the gaga pit. The next phase of construction will be a new building adjacent to the playground area providing new restrooms, storage for Concert Sundaes and a small kitchenette to support the continued use of the pavilion. Souderton-Telford Rotary pledged \$250,000 over 6 years to support this project. Three major donors at the \$100,000 level came forward which includes Univest Bank and trust Company, Bergey’s, Inc. and the Clemens Food Group. The Borough also secured a \$225,000 grant from the Pennsylvania DCNR. In total nearly \$900,000 has been raised in donations and grant support for this project.

Mayor Daniel Yocum noted that Leon Moyer has personally taken on a huge effort in raising funds for the Community Park Improvement Project. His accomplishments are outstanding and his continuing efforts are deeply appreciated.

Christina DiVergigelis, Souderton Connects Manager, expressed appreciation to Souderton Borough Council, Public Works, Souderton Police and the Souderton Fire Company for their support in successfully hosting the annual Tree Lighting and the Souderton Holiday Parade. Weather was most certainly a challenge, but both events were successful. There was some criticism for not postponing the parade, however, Souderton Connects must work within the constraints of a PennDOT road closure permit which limits flexibility to reschedule the event.

Police Chief Brian Newhall briefly summarized police department activities.

The Borough Solicitor's report for the month of November, 2022 was submitted to Borough Council. The Solicitor completed and submitted documents for the Tax Anticipation Loan. They are preparing a Zoning Ordinance amendment regulating small wireless facilities. The Solicitor is reviewing a listing agreement with Schwartz and Company concerning the Cherry Lane property. The Borough Solicitor has reviewed the status of the police collective bargaining agreement.

Public Works Director Steven Coll summarized public works activities, which was dominated by the completion of leaf collection, installation of Holiday decorations and the Community Park project. Councillor Courtnee Wampole questioned the status of paving Wile Avenue. Steven Coll noted that the Borough has a section of sewer main to replace prior to paving. We expect to complete the sewer work, mill and pave a new base course prior to the opening of the pool in 2023.

Council President Tracy Burke discussed pedestrian concerns along East Broad Street, specifically at the intersection of Second Street and East Broad Street and at N. Fifth Street and East Broad Street. President Burke asked that flashing pedestrian crossing signs be installed at these locations as promptly as possible.

Borough Manager Michael Coll noted that this will be the last official meeting of Souderton Borough Council for the 2022 calendar year. The next Borough Council meeting will be held on Monday, January 9, 2023 with the next Borough Council work session held on January 16, 2023. The Souderton Planning Commission will be meeting on Wednesday, January 4, 2023.

The Borough Manager reported on the agenda for the Borough Council meeting. The first item of business is an appointment to the Souderton Civil Service Commission. The Borough has adopted an Emergency Management Plan and has appointed an Emergency Management Coordinator. A recommendation has been made to enhance our administrative records by formally establishing the Emergency Management Agency by Ordinance of Souderton Borough Council. The Public Safety Committee is recommending enactment of an Ordinance to regulate noise nuisances. The Souderton Community Ambulance Association and the Volunteer Medical Corp of Lansdale have been working together to provide ambulance service to Souderton Borough. A Resolution designating the Volunteer Medical Corp as our primary emergency medical services provider has been recommended for formal consideration. The two organizations are in the process of completing a merger. The Borough Solicitor has prepared a Resolution to authorize the execution of a \$250,000 Tax Anticipation Loan for the 2023 calendar year. This loan will primarily help to bridge revenue through the first quarter of 2023. Our Borough Engineer has noted that Souderton Borough did not execute the required Traffic Signal Maintenance Agreement with PennDOT. The agreement does not expand any responsibilities to the Borough, but formally restates the Borough's responsibility to maintain all traffic signals on state roads. The 2023 Budget has been advertised for formal

consideration and has been posted to the Borough web site for the public to view. A recommendation has been made to adopt the proposed 2023 Budget Resolution as advertised. The 2023 Budget will require an increase in the general purpose Real Estate Tax rate and Borough Council is further recommending a reduction in the Library Tax Rate and a corresponding increase in the Fire Tax rate. Souderton Borough Council has been in negotiation with the Souderton Police Officers, however, the tentative agreement between the parties has been rejected by the bargaining unit. Therefore action on the collective bargaining agreement has been tabled and an Executive Session is planned to discuss next steps with our Borough Solicitor. Police Chief Brian Newhall has been working with the Souderton School District and our neighboring police departments in recommending approval to participate in an Intergovernmental Agreement with the school district and Bus Patrol America, LLC. Borough Council has been in conversation with Schwartz and Company to enter into a listing agreement concerning the sale of a portion of the Cherry Lane property. A recommendation has been made to authorize the Borough Solicitor to prepare the listing agreement, which must also address the sale through an advertised sealed bidding process.

Councillor President Tracy Burke reported that Borough Council has begun the process to replace the Borough Manager and is considering an Assistant Manager as part of this transition towards the end of 2023. Committees are also in the process of reviewing all departmental operations.

Councillor Julie Munden reported that her committee is working on updating the job description for the Borough Manager position and they will be meeting again next week.

Councillor Daryl Littlefield noted that Borough Council office hours are scheduled for Saturday, December 17, 2022 from 11:00 am to 1:00 pm in the lobby of the Souderton Municipal Building.

Consideration was given to paying the bills for the month of November, 2022.

GENERAL FUND

Altek Business Systems, Inc.	\$303.92	NYCO Corporation	\$48.75
Armour & Sons Electric, Inc.	326.60	Old Dominion Brush	2,732.49
Clemens Uniform Rental	302.01	PA One Call System	104.94
Code Inspections, Inc.	65.00	Perkiomen Watershed Cons.	1,000.00
Comcast	775.90	PPL Electric Utilities	1,225.66
Cope's Garage, Inc.	1,394.08	PPL Electric Utilities	24.09
Crystal Springs	45.41	Richter Drafting Office Supply	840.54
David A. Freed	149.90	Schlosser and Clauss	8,000.00
Delta Dental/Gettysburg Benefit	1,496.53	Secure Lane, LLC	1,780.59
Dianna M. Fields	338.61	Security Service Co., Inc.	4,548.83
FP Finance Program	359.00	Shelly Building Supply	39.71
Freedom Systems Corp	420.00	Sherwin Williams	77.82

Fromm Electric Supply Corp	\$10.47	Something Better, Inc.	\$1,120.00
George Allen Portable Toilets	381.00	Star Bright Car Wash	30.00
H & K Materials	93.43	Steven R. Coll	317.36
Home Depot	43.22	Suburban Propane	184.61
Landis Block Nycecrete Co.	80.90	Sunbelt Rentals	308.20
Lansdale Police Department	900.00	U S Municipal Supply, Inc.	969.90
Lawson Products, Inc.	604.00	Univest Insurance, Inc.	541.00
LVL Engineering Group	1,738.11	Univest VISA	33.40
Markey Paper & Packaging, Inc.	313.02	Univest VISA	447.89
Maryjane Yoder	677.72	Univest VISA	396.35
Moyer	3,766.88	Verizon	74.72
Naceville Materials	372.23	Verizon Wireless	166.53
NAPA Auto Parts	87.10	Warehouse Battery Outlet	4.44
Nationwide Trust Company	1,046.78		
NetCarrier Telecom, Inc.	305.74	Total General Fund	\$41,415.38

SEWER FUND

CCP Industries, Inc.	\$92.47	L/B Water Service, Inc.	\$416.92
Ciocca Ford of Souderton	214.95	Moyer	249.01
Clemens Uniform Rental	97.34	NetCarrier Telecom, Inc.	106.66
Comcast	141.42	PPL Electric Utilities	28.49
Commonwealth Precast, Inc.	60.00	Qualis Services	1,088.00
Coyne Chemical	3,341.16	S C Engineers, Inc.	762.75
Delta Dental Gettysburg Benefit	435.04	Suburban Water Testing Labs	2,074.24
Good Plumbing Heating A/C	484.50	USA Blue Book	424.81
H & K Materials	140.51	Verizon	80.56
8Home Depot	200.73		
J P Mascaro & Sons	5,032.77	Total Sewer Fund	\$15,472.33

POOL FUND

Airgas National Carbonation	\$101.86	Moyer	\$65.00
Comcast	174.20	NetCarrier Telecom, Inc.	90.83
Good Plumbing Heating A/C	757.68	Souderton Aquatics Assoc.	325.00
Home Depot	91.31		
Leslie Pool Supplies, Inc.	316.76	Total Pool Fund	\$1,922.64

CAPITAL RESERVE FUND

Gilmore & Associates, Inc.	\$2,187.50	Phillips & Donovan Architects	\$11,922.50
Home Depot	120.51	Scott A Seifert	2,285.00
LVL Engineering Group	159.00	TRM-Telford Recycling Material	115.00
Naceville Materials	1,330.04	Total Capital Reserve Fund	\$18,119.55

LIQUID FUELS FUND

PPL Electric Utilities	\$863.04
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A motion was made by Councillor Matthew Sholly, and seconded by Councillor Courtnee Wampole, to authorize the payment of bills for the month of November, 2022 and the recurring expenses for the month of December, 2022, as presented. The motion was approved.

President Tracy Burke opened the floor to the audience for public comment.

Stephanie Jamison of Hillside Avenue, Souderton expressed disappointment over the proposed reduction in funding to the Indian Valley Public Library.

Daniel Houser, 436 Central Avenue, Souderton expressed appreciation to Christina DiVergigelis for coordinating the Tree Lighting and the annual Holiday Parade. The weather impacted participation, but overall the events were very well received.

Steven Dorn, 38 W. Summit Street, Souderton expressed concern that the proposed noise nuisance ordinance does not regulate the use of wind chimes, arguing that wind chimes by their very nature should be considered as a noise nuisance. Borough Council disagreed with the representation noting that this particular complaint is a civil matter between two neighboring properties.

Daniel Biros, 331 Penn Avenue, Souderton expressed concern over dwindling revenues available to support the operation of the volunteer fire company. Unlike the library tax funding, revenue available to the fire company under the fire tax is reduced by workers compensation insurance and the payment of fire hydrant maintenance fees. There are no offsets to the revenue available to the Indian Valley Public Library. An initial recommendation to reverse the tax rates was softened in the final budget draft to an equal tax rate. Council President Tracy Burke acknowledged the concern, but noted that the net result of the Borough Council action will be an increase in funding to the fire company in 2023.

There being no further public comment, Council President Tracy Burke turned to the business portion of the agenda beginning with the appointment to the Souderton Civil Service Commission.

A motion was made by Councillor Julie Munden, and seconded by Councillor Matthew DiNenna, to appoint Richard W. Gruss, 290 W. Broad Street, Souderton, to serve as a member of the Souderton Civil Service Commission for a six year term beginning January 1, 2023 through December 31, 2028. The motion was approved by unanimous vote.

A motion was made by Councillor Matthew Sholly, and seconded by Councillor Daryl Littlefield, to enact Ordinance No. 22-753-02 establishing an Emergency Management Agency, providing for the appointment of an Emergency Management Coordinator, establishing powers and duties of the Emergency Management Agency and the Coordinator. The motion was approved.

Council President Tracy Burke noted that there are some NIMS training sessions available to elected officials. Police Chief Brian Newhall will check into training

opportunities.

A motion was made by Councillor Julie Munden, and seconded by Councillor Donna Rogers, to enact Ordinance No. 22-754-03 regulating and prohibiting noise nuisances in the Borough of Souderton. The motion was approved.

The next item of business concerns a resolution designating Volunteer Medical Service Corps of Lansdale as the primary emergency medical services provider for Souderton Borough. Council President Tracy Burke recognized Deputy Chief Bryson Schroeder of VMSC. Bryson Schroeder noted that VMSC has been operating in Souderton Borough for the past six months. VMSC is glad to be a part of the Indian Valley community and looks forward to serving the residents of Souderton Borough. The transition between service providers will be seamless.

A motion was made by Councillor Daryl Littlefield, and seconded by Councillor Courtnee Wampole, to adopt Resolution No. 2022-07 recognizing and designating Volunteer Medical Service Corps of Lansdale as the primary provider of emergency medical services within the Borough of Souderton. The motion was approved.

A motion was made by Councillor Courtnee Wampole, and seconded by Councillor Richard Walczak, to adopt Resolution No. 2022-08 authorizing the execution of a \$250,000 Tax Anticipation Loan through Univest Bank and Trust Company for the 2023 calendar year. The motion was approved.

A motion was made by Councillor Matthew Sholly, and seconded by Councillor Matthew DiNenna, to adopt Resolution No. 2022-09 authorizing the execution of a Traffic Signal Maintenance Agreement with the Pennsylvania Department of Transportation. The motion was approved.

Borough Council moved to the consideration of the 2023 Budget Resolution. Councillor Richard Walczak expressed concern on moving forward with adopting the Budget without having finalized the police collective bargaining agreement. Council President Tracy Burke suggested that there is ample contingency within the proposed Budget to address the outcome of pending contract negotiations.

A motion was made by Councillor Julie Munden, and seconded by Councillor Donna Rogers, to adopt Resolution No. 2022-10 setting forth the Annual Budget of the Borough of Souderton for the 2023 Calendar Year. The motion was approved.

A motion was made by Councillor Matthew Sholly, and seconded by Councillor Julie Munden, to enact Ordinance No. 22-755-04 setting forth the Real Estate Tax Rates for the 2023 Calendar Year.

The floor was open to comment with Councillor Courtnee Wampole expressing opposition to the revised tax rates for the Library and Fire Tax. Councillor Wampole felt strongly that the original proposal to increase the Fire Tax rate to 0.33 mills and lower the Library Tax rate to 0.27 mills should be reconsidered by Borough Council. There are increasing demands on emergency services and the Borough has an obligation to provide appropriate funding. A motion was made by Councillor Courtnee Wampole, seconded by Councillor Edward Huber, to modify the Fire Tax rate to 0.33 mills and lower the Library Tax rate to 0.27 mills. A roll call vote was held on the motion to adjust the tax rates which failed by a vote of 3 ayes and 6 nays. Councillors Huber, Wampole and Walczak cast the three aye votes, with the remainder of Borough Council dissenting.

Council President Tracy Burke then returned to the original motion made by Councillor Matthew Sholly, and seconded by Councillor Julie Munden, to enact Ordinance No. 22-755-04 setting forth the Real Estate Tax Rates for the 2023 Calendar Year as advertised. A roll call vote on the motion was held which was approved by a vote of 6 ayes and 3 nays. The dissenting votes were cast by Councillors Huber, Wampole and Walczak.

A motion was made by Councillor Matthew Sholly, and seconded by Councillor Richard Walczak, to approve the execution of an Intergovernmental Agreement between the Souderton Area School District, district municipalities and Bus Patrol America, LLC. The motion was approved.

A motion was made by Councillor Daryl Littlefield, and seconded by Councillor Donna Rogers, to authorize the Borough Solicitor to prepare a Property Listing Agreement with Schwartz and Company to assist with the sale of the 3 acre parcel from the Borough's Cherry Lane property. The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Matthew Sholly, to adjourn to Executive Session to consult with the Borough Solicitor on police personnel matters. The motion was approved.

Following a brief recess, Souderton Borough Council adjourned to Executive Session at 9:00 pm. Borough Council convened to public session at 9:34 pm and there being no further business, the meeting was promptly adjourned.

Respectfully submitted,

P. Michael Coll, Secretary