

Regular Meeting

February 4, 2019

The Regular Meeting of Souderton Borough Council, held on the above date, was called to order by President Brian K. Goshow at 7:00 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Councillor Edward Huber
Vice-President D. Jeffrey Gross	Mayor John R. Reynolds
Councillor Ned D. Leight	Junior Councillor Michael Jones
Councillor Daniel Yocum	Solicitor Charlotte Hunsberger
Councillor Matthew Mscichowski	Borough Manager P. Michael Coll
Councillor Julie Munden	Public Works Director Steven R. Coll
Councillor Richard Halbom	Police Chief James P. Leary

Absent from the meeting was Borough Councillor Richard Godshall. The Invocation was given by Borough Councillor Julie Munden, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the January 7, 2019 Regular Borough Council Meeting and the January, 2019 Borough Council Work Sessions. A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Matt Mscichowski, to approve the minutes as presented. The motion was approved.

Mayor John Reynolds complemented the Public Works crew for their salting and plowing efforts over the past several weeks.

Police Chief James P. Leary distributed the 2018 annual report of police department activities. The January, 2019 monthly report of police department activities will be submitted and discussed at the February work session.

The Borough Solicitor's report for the month of January was distributed to Borough Council. The Solicitor attended a meeting to discuss the Berkeley Phase 1 development and they drafted an agreement for the completion of the required development improvements. The Borough Solicitor completed suggested revisions to the Outdoor Dining ordinance. The Solicitor had several telephone conversations regarding the Village Center Properties building and related parking issues.

Public Works Director Steven Coll noted that his monthly report was distributed to Borough Council. A significant amount of crew time was spent on winter storm maintenance. Crews salted seven times during the month and plowed during one of the seven storm events. Crews will be using straight salt this season. The straight salt is doing a better job in breaking up the snow pack on the streets and the streets remain much cleaner than without the grit screenings.

Borough Manager Michael Coll reviewed the meeting schedule of Borough Council for the month of February. The Borough Office will be closed for the Presidents Day Holiday on February 18th, however the regular monthly Administrative Work Session will be held on February 18th beginning at 7:00 pm.

The Borough Manager reviewed the agenda for the meeting, which will begin with formal consideration of the land development plan submitted by the Souderton Charter School. Representatives from the Charter School are in attendance. The plan was reviewed by the Souderton planning Commission and they have recommended approval of the plan and the requested waivers. A final draft of the Outdoor Dining Ordinance was advertised for formal consideration. This Ordinance was developed through the Planning Commission. Emergency Management Director Steven Coll was informed that the Borough has not formally approved the Montgomery County hazard Mitigation Plan as revised in 2017. The Borough must approve this plan to remain eligible for federal

disaster relief grants. A Resolution approving the 2017 Hazard Mitigation Plan Update has been prepared for formal consideration. The Montgomery County Planning Commission is accepting application until the close of business on March 1, 2019 for their 2040 Implementation Grant Program. The Borough Manager suggested that an application be filed to reconstruct the Railroad Avenue parking lot utilizing green technology to incorporate stormwater bmp's, landscaped buffers and street trees. The average grant award is approximately \$100,000. Chief Leary has reviewed and is recommending the posting of two handicapped parking restrictions. An Executive Session has been scheduled to review Police personnel matters. No business is expected to occur at the conclusion of the Executive Session.

Councillor Daniel Yocum reported on behalf of the Historical Society, that he was able to obtain original copies of the Souderton Independent articles that were slated to be discarded. Councillor Yocum also noted that the Souderton Fire Company responded to 400 calls during the 2018 calendar year, which consumed nearly 8,000 volunteer man hours.

Consideration was given to paying the bills for the month of January, 2019.

<u>GENERAL FUND</u>			
21 st Century Media	\$564.45	Comcast Cable	\$4.34
Advanced Auto Parts	27.42	Cope's Garage, Inc.	8,010.85
Altek Business Systems, Inc.	333.44	D. L. Beardsley, Ltd.	141.45
Bergey's, Inc.	116.86	DVRPC- Classic Towns	1,250.00
Boucher & James, Inc.	965.72	E. M. Kutz, Inc.	1,681.30
C & S Lawn and Landscape, Inc.	250.00	Eagles Peak Spring Water, Inc.	47.76
Clemens Uniform Rental	220.44	Freedom Systems Corp	2,203.00
Comcast Cable	530.67	George Allen Portable Toilets	77.00
Cope's Garage, Inc.	1,540.36	George's Tool Rental	177.84
David Snook	1,356.34	Glick Fire Equipment Co.	107.31
Delta Dental	1,212.22	Hajoca Corporation	67.56
Eagles Peak Spring Water, Inc.	15.21	Independence Blue Cross	17,698.51
Freedom Systems Corp	3,309.00	Indian Creek Foundation	253.00
Independence Blue Cross	16,723.65	James P. Leary	280.19
Indian Creek Foundation	535.00	K J Door Services, Inc.	70.00
IV Chamber of Commerce	205.00	Metlife	5,571.37
James P. Leary	280.19	Montg Co Boroughs Assoc.	175.00
McDonald Uniform Company	2,066.85	Morton Salt	1,288.68
Metlife	1,670.56	Moyer Indoor/Outdoor	2,687.83
Moyer Indoor/Outdoor	324.12	Nationwide Trust Company	1,864.97
Nationwide Trust Company	918.54	NetCarrier Telecom, Inc.	353.18
North Penn Water Authority	505.34	North American Benefits Co.	988.77
PA DCED	315.00	PA Assoc of Municipal Adm.	150.00
PECO Energy	127.83	PSAB- CDL Testing Program	75.00
Plasterer Equipment Co., Inc.	100.40	PA One Call System	68.82
Postmaster Lansdale	225.00	Plasterer Equipment Co., Inc.	784.02
PPL Electric Utilities	693.94	PPL Electric Utilities	1,962.46
Security Service Co., Inc.	346.00	Richter Drafting Office Supply	424.74
Shelly Enterprises	16.88	SafeCity Solutions	5,500.00
Suburban Propane	1,065.10	Security Service Co., Inc.	113.40
Synatek	618.75	Suburban Propane	423.51
Telford Press Printers	29.00	Sudz in a Bucket, Inc.	11.00
Thomas A. Lawson	200.00	The Store at Towamencin	127.50
Univest VISA	82.00	Univest Bank & Trust Co.	875.00
Verizon Wireless	120.03	Univest VISA	49.80
Comcast Cable	32.18	Univest VISA	1,548.38
NetCarrier telecom, Inc.	134.25	Unum Insurance Company	1,009.28
PA DEP	50.00	Verizon	71.28
RecDesk LLC	3,100.00	Verizon Wireless	339.81
Advanced Auto Parts	149.84	Airgas National Carbonation	57.00
Barry Isett & Associates, Inc.	32.50	PECO Energy	78.48
Bearing & Drive Solutions	92.36	PPL Electric Utilities	232.64
Boucher & James, Inc.	1,187.94		
Clemens Uniform Rental	151.32	Total General Fund	\$101,443.73

SEWER FUND

Cintas First Aid & Safety	\$92.17	EVOQUA Water Technologies	\$3,525.90
Clemens Uniform Rental	125.54	Farm Bureau Garage, Inc.	203.71
Comcast Cable	84.90	GALCO Business Communications	99.50
Coyne Chemical	3,596.42	Hajoca Corporation	1,031.97
Delta Dental	321.47	Hangley, Aronchick, Segal	1,350.50
Derstine Company, Inc.	7,850.00	Independence Blue Cross	3,336.14
Empire Scale Corporation	270.00	Irvin G. Tyson & Son, Inc.	588.00
ES2 Environmental Systems	405.00	J. P. Mascaro & Sons	480.00
EVOQUA Water Technologies	6,883.90	John Heckler Plumbing	300.00
Excelsior Blower Systems	588.92	Keith H. Koehler	588.02
Independence Blue Cross	3,336.14	Mary M. Koehler	281.64
Jesse Baro, Inc.	1,529.50	Metlife	138.42
Keith H. Koehler	288.02	Moyer Indoor/Outdoor	138.60
Markey Paper & Packaging, Inc.	216.74	NAPA Auto Parts	39.13
Mary M. Koehler	281.64	National Filter Media	665.00
Metlife	69.21	NetCarrier Telecom, Inc.	160.42
NAPA Auto Parts	13.67	North American Benefits Co.	257.86
North Penn Water Authority	276.06	PA DEP	125.00
Perkasie Regional Authority	1,500.00	Perkasie Regional Authority	500.00
PPL Electric Utilities	655.97	Postmaster Lansdale	917.09
Suburban Water Testing Labs	2,580.61	PPL Electric Utilities	18,581.42
Bearing & Drive Solutions	77.25	Richter Drafting Office Supply	38.31
Cintas First Aid & Safety	23.90	Shelly Enterprises	14.96
Clemens Uniform Rental	40.95	Suburban Water Testing Labs	1,607.85
Comcast Cable	2.00	Unum Insurance Company	250.82
Coyne Chemical	3,539.60	Verizon	73.88
Derstine Company, Inc.	848.00	Derstine Company, Inc.	72,506.00
Electro Chemical Engineering	5,225.00		
Empire Scale Corporation	371.37	Total Sewer Fund	\$148,894.09

POOL FUND

Comcast Cable	\$87.97	North Penn Water Authority	\$26.68
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CAPITAL RESERVE FUND

Boucher & James, Inc.	\$3,332.74	Home Depot	\$9.90
Rodney Shoemaker Plumbing, Inc.	1,506.85	Shelly Enterprises	25.49
Univest Capital	3,155.23		
Boucher & James, Inc.	1,217.83	Total Capital Reserve Fund	\$9,248.04

LIQUID FUELS FUND

Home Depot	\$7.25	PPL Electric Utilities	\$179.23
PPL Electric Utilities	6,976.58	Shelly Enterprises	17.79
Signal Control Products, Inc.	107.00	Total Liquid Fuels Fund	\$7,287.85

A motion was made by Councillor Ned Leight, and seconded by Councillor Richard Halbom, to pay the bills for the month of January, 2019, as presented. The motion was approved.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Ned Leight, to authorize the payment of recurring monthly bills for the month of February, 2019, as presented. The motion was approved.

President Brian K. Goshow opened the floor to the audience for public comment.

Shirley Flick, 511 Cherry Lane, Souderton, questioned the removal of the one way traffic restriction on S. School Lane now that all construction appears to be complete. Council President Brian Goshow will review this restriction with school district and police representatives and report the matter back for discussion at work session by Borough Council.

There being no public comment from the audience, President Goshow moved to the scheduled items of business, with the first item being formal consideration of the land development plan as prepared for the Souderton Charter School to utilize property at 117 Noble Street for school uses. Councillor Edward Huber noted that he will abstain from

comment and voting on this matter since he is employed by the engineering firm of Richard C. Mast who prepared the land development plan.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Daniel Yocum, to approve the lot consolidation and development plan as prepared for the Souderton Charter School Collaborative, dated November 20, 2018, and the recommended waivers from the provisions of the Subdivision and Land Development Ordinance as prepared by Richard C. Mast Associates dated November 21, 2018. The motion was approved by a vote of 7 yeas, 0 nays and one abstention by Councillor Huber.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Ned Leight, to enact Ordinance No. 19-740-02 amending the Zoning Ordinance to adopt regulations for outdoor dining uses. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Matt Mscichowski, to adopt Resolution No. 2019-03 approving and adopting the Montgomery County 2017 Hazard Mitigation Plan update. The motion was approved.

A motion was made by Councillor Edward Huber, and seconded by Councillor Jeffrey Gross, to adopt Resolution 2019-04 authorizing the submission of a grant application for the 2019 round of the MONTCO 2040 Implementation Grant program for the reconstruction of the Railroad Avenue parking lot. The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Matt Mscichowski, to authorize the posting of a handicapped parking regulation in the vicinity of 130 Noble Street for a 90 day trial period per Mayor's order. The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Richard Halbom, to authorize the posting of a handicapped parking regulation in the vicinity of 250 E. Summit Street for a 90 day trial period per Mayor's order. The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Matt Mscichowski, to adjourn to Executive Session to discuss police personnel matters. The motion was approved.

Borough Council adjourned to Executive Session at 7:33 pm and convened to public session at 9:20 pm. There being no further business, the meeting was promptly adjourned.

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – February 11, 2019 (7:00pm-9:18pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Daniel Yocum, Matt Mscichowski, Julie Munden, Richard Halbom and Edward Huber. Junior Councillor Michael Jones.

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

1. Sanitation Committee

- a. The Discharge Monitoring Report for the month of January, 2019 will be filed with no exception to permit limitations.

2. Highway Committee

- a. Public Works Director Steven Coll reviewed public works department activities. Brush and Christmas tree collections are complete. All holiday decorations have been removed and stored. Crews are working on annual equipment maintenance and they are cleaning out items from the Cherry Lane building.
- b. Crews responded to a total of seven winter events, six of the seven events only required salting. The Borough has now ordered 350 tons of salt for this season. Total snowfall has only amounted to approximately 12 inches.
- c. Borough forces are finishing up interior work on the small Wait Building. Crews installed wood trim and panels, drywall and primed the wall surfaces. The tenant will complete all finish work.
- d. Crews also installed a gate section in front of the utility meters at the Train Station building.
- e. Borough Council questioned the feasibility to utilize salt brine on roads ahead of predicted snow events. Steven Coll noted that a very basic system will require an investment of \$25,000. The primary benefit of brine in Townships is to provide them with a buffer to complete salting throughout the municipality. Brine will not replace salting. In Souderton Borough crews can complete salting of all roads within one hour, which limits the overall benefit of brine.

3. Sidewalk Committee

- a. Borough Council discussed the growing number of pedestrians that have been observed walking in the shoulder of W. Cherry Lane from Mifflin Street to Penn Avenue. This is now the only residential block remaining in the Borough without sidewalk. Previously the Borough explored the potential of a CDBG to help fund the construction of curb and sidewalk, however, this potential project will not qualify for funding because of household income and its boundary with Franconia Township. The project will require the construction of storm drainage to enclose and existing drainage swale and relocation of utility poles. The Borough Manager suggested that with similar past projects the Borough established and installed the curb and then required the property owners to complete the sidewalk installation. The Borough Engineer will be instructed to add this to their project list.

4. Recreation Committee

- a. President Brian Goshow updated Borough Council on the status of the master plan for the Community Park. The master plan was revised following comments from the various parties and seems to be really close to final approval. Another meeting to review the master plan is scheduled for Wednesday, February 27th beginning at 4:00 pm.

The Rotary Club plans to make a grand announcement of this project at the Concert Sundaes series either at the first concert in the beginning of June or at the Concert on June 16th which will also include fireworks. The Borough will need to complete some initial projects to accommodate this schedule. These initial projects will include some improvements to the pocket park and town clock, storm drainage improvements in front of the Bandshell and removal of the baseball field. Heavier site improvements cannot occur until later this fall

to avoid conflict with other planned events. Borough Council will need to complete the final master plan of improvements, initiate a letter of understanding with the Souderton-Telford Rotary Club and secure interim bridge financing. The Borough Manager will work with the Borough Solicitor and Univest Bank to review financing alternatives for this project.

- b. Borough Manager Michael Coll reviewed membership rates and the rules and regulations for the Souderton Pool for the 2019 season. The Borough Manager noted increases in both resident and non-resident rates, while being competitive with the neighboring pools. A detailed schedule has been created to note abbreviated hours at the beginning and at the end of the season to work around the school year. The rules and regulations have been updated and categorized for better understanding.
- c. The Borough has been approached by a resort community in the Pocono's about purchasing the portable skating rink. The skating rink was initially purchased by the Centennial celebration Committee. Borough Council expressed interest in selling the rink with the proceeds to go towards funding of the fireworks event. Council President Brian Goshow will develop a sale price and communicate with the interested party.

5. Property Committee

- a. Borough Council reviewed the quotation from our Borough Engineer to complete a survey, plan of subdivision and eventual land development plan to construct a new public works building on the Cherry Lane property. There is private development interest in the proposed 4 acre parcel to be created along the Souderton-Hatfield Pike. The Borough will not be able to firm up discussion without having a formally approved plan of subdivision. While Borough Council was not in complete agreement over the need to construct a new public works facility on the Cherry lane property, the general consensus did support moving forward with the survey of the property and the plan of subdivision. A motion authorizing the Borough Engineer to complete these initial phases of work will be prepared for formal approval at the March Borough Council meeting.

6. Souderton Charter School, 27 S. Front Street

- a. Borough Manager Michael Coll was asked by legal counsel for the Charter School to interpret whether the Charter School would be able to purchase and use the property at 27 S. Front Street for administrative offices. Administrative offices are permitted by right in the C-2 Limited Commercial/Residential District; however, a school use is not permitted on S. Front Street. Arguments can be made either way in this particular case. Further review and determination should be made by the Borough Solicitor. Borough Council noted that should the use be determined to be permitted; the Charter School will be required to file a land development plan for the conversion of this commercial property. The main Charter School should also be reviewed if classroom space is intended to be added in place of the administrative offices. Borough Council further noted that the pull in parking lot off of S. front Street should have restricted parking.
- b.

Administrative Work Session- February 18, 2019 (7:00pm-9:10pm)

Council Attendees: John Reynolds, Brian Goshow, Ned Leight, Jeffrey Gross, Richard Godshall, Daniel Yocum, Matt Mscichowski, Julie Munden and Richard Halbom. Junior Councillor Michael Jones.

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

1. Police Committee

- a. Police Chief Leary noted that the department has now implemented a new records management system. Chief Leary distributed the statistical report generated under the new system for review of Borough Council. Staff continues to work with the new report format. The January report does not reflect medical emergency service calls which have a tendency to consume significant manpower time. Chief Leary addressed several questions regarding the new report format and the reported data.
- b. Borough Manager Michael Coll reported that the Police Civil Service Commission met on Friday, February 8th to begin the testing process to certify a list of Police Officer candidates. The Commission first elected officers for the calendar year with William Yocum serving as Chairman, Eric Boynton servicing as Vice-Chairman and Nate Miller serving as Secretary. The members then discussed the Civil Service Rules and Regulations with a recommendation to retain the condition that applicants have completed the Act 120 training, include a restriction that candidates cannot have any visible markings or piercings when wearing a collared short sleeve shirt, eliminate the requirement to serve notice by certified mail and provide for notifications by regular first class mail and email notifications and extend the life of the eligibility list from one year to two years. The Rules and Regulations were sent to the Borough Solicitor to make the suggested revisions and further review the document for any additional updates. Formal approval of the Civil Service Rules and Regulations should be completed prior to starting the application and testing process. The Commission will utilize the same basic application form and a standard written test as was done in prior years.

2. Code Enforcement Department

- a. Code Enforcement Officer Steven Toy was not in attendance. The Borough Manager did discuss a recent policy of the office to withhold the issuance of rental licenses to any property that maintains delinquent sewer or trash services. There are several municipalities that have adopted this same practice. Borough Council generally supported the policy with concern that strict enforcement and interpretation could displace innocent tenants. The Borough will cite rental properties that do not have a current license and continued delinquent accounts. The District Justice will rule on the citation and any matters regarding the landlord tenant act. We will consult with the Borough Solicitor on the creation of an ordinance to this effect.

3. Administrative Committee

- a. No new items were discussed; however, President Goshow noted that an Executive Session has been requested at the conclusion of the agenda items to discuss a personnel matter.

4. Development Committee

- a. The Souderton Planning Commission has made very good progress on revisions to the Mixed Use Redevelopment Zoning District and the MUR provisions within the SALDO. The Planning Commission is basing the revisions on the most recent concept plan provided by the developer and generally accepted by Borough Council. The Planning Commission may be close to recommending a draft MUR Zoning ordinance to Borough Council following the March meeting. The SALDO draft should be very close to completion as well following the March meeting.
- b. David Sowhangar presented a plan to support the waiver of parking for the redevelopment of 30 W. Broad Street. The plan calculates the required parking for the first floor restaurant use and the required spaces to support the loft

apartments on the second and third floors of the building. The plan suggests that there is ample street parking to support the proposed uses, however, Borough Council and the Planning Commission expressed concern with waiving residential parking requirements. Commercial parking will turnover frequently but residential parking will have far less frequency of turnover.

- c. The Borough Manager noted significant interest in the former Markey Paper property at 17 Penn Avenue. The property is located in an R-3 Residential District. Most inquiries suggest a conversion to multifamily. The R-3 district permits multifamily dwellings up to six units, but the lot size will require dimensional variances. Parking will undoubtedly become an issue with the redevelopment of this property. It appears that the redevelopment of this property will require approval of variances by the Zoning Hearing Board.

5. Finance Committee

- a. Borough Manager Michael Coll noted that trial balance reports for all funds for the period ending December 31, 2018 were closed out and sent to the Auditors for their review and preparation of the required financial statements. He expects the Auditors to begin work later this month.

6. Executive Session

- a. Borough Council adjourned to executive Session at 8:40 pm to review and discuss a personnel matter. The Executive Session concluded at 9:10 pm and the work session was promptly adjourned.