

Regular Borough Council Meeting

July 2, 2018

The Regular Meeting of Souderton Borough Council, held on Monday, July 2, 2018, was called to order by President Brian Goshow at 7:00 p.m. Members of Borough Council present at the regular meeting included the following:

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

The Invocation was given by Councillor Daniel Yocum, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the June 4, 2018 Regular Borough Council Meeting and June 2018 Work Sessions. A motion was made by Councillor Jeffrey Gross, seconded by Councillor Richard Godshall, to approve the minutes of the June 4, 2018 Regular Borough Council Meeting and June 18, 2018 Work Session as presented. The motion was approved.

Mayor John Reynolds noted that lifelong resident Clarence Moyer, who is in the audience, will be celebrating his 102nd birthday on July 13, 2018.

Police Chief James Leary noted that the monthly statistical and narrative reports will be distributed during the work session. President Brian Goshow extended appreciation to Chief Leary for again coordinating the fireworks event and extended appreciation to Councillor Richard Godshall for heading up the fundraising effort for the fireworks display.

Borough Solicitor Charlotte Hunsberger reported that they prepared and advertised the Code Adoption Ordinance. They prepared a Resolution regarding the dedication of the vacant lot on N. Main Street. A meeting was held with the Borough Manager to discuss the ordinance codification project and to discuss the status of the pending police arbitration. The Borough Solicitor continues to work with special counsel on the arbitration matter, an arbitrator has been assigned to the case.

Public Works Director Steven Coll distributed his monthly report to Borough Council. Steven Coll noted that street sweeping has been completed throughout the Borough. Crews are currently working on final restoration of various utility trenches. The Montgomery Avenue mill and overlay project will begin on July 9 and extend throughout the week.

Borough Manager Michael Coll reviewed the meeting schedule for the month of June. The Souderton Planning Commission is scheduled to meet on Wednesday, July 11, 2018 due to the July 4th Holiday. Borough Council will be holding their normal work sessions this month on July 9 and July 16. Souderton Borough Council, joined by representatives from the Souderton Business Improvement District, will appear before the Zoning Hearing Board on Thursday, July 12, 2018 for a variance from the Zoning Ordinance to replace the animated digital sign at the entrance to the Main Street Parking lot. Borough Manager Michael Coll reviewed the business items scheduled for consideration. The first item is a motion designed to formally enact the ordinance Codification for the Borough of Souderton. All Borough legislation can now be viewed through a link on our website. A resolution has been prepared to accept dedication of the vacant parcel on N. Main Street in lieu of condemnation. This action will avoid certain

transfer tax obligations. A recommendation has been made to appoint the law firm of Aaron M. Moyer to serve as special legal counsel. The Borough is working towards a settlement date for the sale of the Broad Theater property at some time in August. Borough Council President Brian Goshow has successfully worked with Montgomery County and the Souderton school Board to negotiate the release of liens for back real estate taxes on the Broad Theater property. In return for the release of liens, the Borough will release the landscape waiver fee to the Souderton School District for the E. M. Crouthamel Elementary school project. Borough Council accepted a request from the Estate of Harold Hershey to waive a sewer capacity fee to connect an existing residential dwelling on Cowpath Road into the Souderton sewer system. The request was accepted in exchange for the prior easement granted to the Borough to construct a new sewer interceptor through this property. Borough Council discussed concerns raised by the narrow cartway along N. school Lane with parking now permitted on both sides of the street and the concrete bulb out areas constructed as part of the Berkeley Court development. A recommendation was made to restrict parking on the west side of School Lane from Broad Street to Chestnut Street. Chief Leary reviewed and is recommending the posting of a Handicapped Parking restriction in the vicinity of 206 W. Chestnut Street. A recommendation has been made to re-appoint Andrew Schlosser to serve another five year term as a member of the Souderton Planning Commission.

Consideration was given to paying the bills for the month of June, 2018.

GENERAL FUND

Bell Mechanical	\$2,100.00	North Penn Water Authority	\$38.06
Bishop Wood Products, Inc.	20.00	Old Dominion Brush	324.78
Boucher & James, Inc.	1,174.03	PECO Energy	36.51
Clemens Uniform Rental	204.00	PPL Electric Utilities	1,299.94
Comcast Cable	353.45	PPL Electric Utilities	123.43
Cope's Garage, Inc.	197.16	Richter Drafting Office Supply	1,156.19
David (Pete) Myers	1,765.70	Shelly Enterprises-USLBM, LLC	207.07
Davidheisers, Inc.	60.00	Sudz in a Bucket, Inc.	71.50
Delta Dental	1,212.22	Uninvest VISA	1,184.55
Eagles Peak Spring Water, Inc.	38.60	Uninvest VISA	127.95
Entenmann-Rovin Co.	216.50	Uninvest VISA	418.93
Fredericks Flowers	3,264.00	Unum Insurance Company	966.79
George Allen Portable Toilets	150.00	Verizon	70.58
Home Depot	174.90	Verizon Wireless	299.12
J. P. Mascaro & Sons	37,189.35	Wellington Sporting Goods	89.00
Jason M. Kelly	375.00	William Albany	55.57
Mobile Lifts, Inc.	1,028.00	Witmer Public Safety Group	225.00
NetCarrier Telecom, Inc.	363.76	Youngs	15.80
North American Benefits Co.	988.77	Total General Fund	\$57,486.21

SEWER FUND

All Industrial Safety Products	\$46.70	North American Benefits Co.	\$257.86
Altek Business Systems, Inc.	70.91	North Penn Water Authority	183.14
Blooming Glen Quarry	70.00	PA DEP	60.00
Carquest	7.20	PPL Electric Utilities	532.38
Cintas First Aid & Safety	68.18	Precision Solutions, Inc.	289.00
Clemens Uniform Rental	81.90	Suburban Water Testing Labs	4,239.99
Comcast Cable	84.90	Univar USA, Inc.	4,907.50
Delta Dental	321.47	Uninvest VISA	400.00
EVOQUA Water Technologies	2,076.93	Unum Insurance Company	244.44
Excelsior Blower Systems, Inc.	534.29	USA Blue Book	1,079.61
Farm Bureau Garage, Inc.	396.05	Verizon	76.47
Home Depot	12.99	West Generator Services	187.00
J. P. Mascaro & Sons	600.00	Derstine Company, Inc.	43,200.00
Jesse Baro, Inc.	4,685.29		
NetCarrier Telecom, Inc.	145.50	Total Sewer Fund	\$64,859.70

POOL FUND

Adcock	\$272.86	Kathy Armitage	\$516.73
Airgas National Carbonation	68.75	Markey Paper & Packaging	115.43
American Red Cross	395.00	Nelson Creamery, LLC	284.69
Buckmans, Inc.	2,009.68	NetCarrier Telecom, Inc.	136.86

C & S Lawn & Landscape	\$2,900.00	North Penn Water Authority	\$13.15
Comcast Cable	360.13	NYCO Corporation	21.75
Derstines	3,246.38	PECO Energy	449.44
Fastenal	24.00	Peggy Buzby	100.00
Fiona Melissen	37.10	Penn Jersey Slush, LLC	836.00
First Class Entertainment	750.00	Pepsi Beverage Company	201.68
Fromm Electric Supply Corp.	77.30	PPL Electric Utilities	477.13
Georges Tool Rental	42.18	T&T/Lanco, Inc	1,847.75
Gillidsystems	1,025.00	Univest VISA	882.50
Good Plumbing Heating A/C	122.00	Wise Electric	749.50
Harleysville Party Rental	190.80		
Home Depot	103.83	Total Pool Fund	\$18,257.62

CAPITAL RESERVE FUND

Jurin Roofing Services, Inc.	\$47,722.00	Hajoca Corporation	\$281.91
Todd Moyer Painting	2,256.00	Tinari Container Service	599.80
Boucher & James, Inc.	6,362.42	Univest Capital	3,155.23
Fromm Electric Supply Corp.	1,323.76	Wise Electric	13,891.54
Fromm Electric Supply Corp.	684.34	Total Capital Reserve Fund	\$76,277.00

LIQUID FUELS FUND

PPL Electric Utilities	\$1,212.36	PPL Electric Utilities	\$6,387.95
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A motion was made by Councillor Ned Leight, seconded by Councillor Richard Halbom, to authorize payment of the bills for the month of June, 2018, as presented. The motion was approved.

President Brian Goshow opened the floor to the audience who may wish to address Borough Council on any topic or matter of concern.

Todd Umbenhauer, 205 S. Fifth Street, complemented Steven Toy for his service and his counsel with respect to the permitting and construction of a garage on his property. His advice and counsel was very much appreciated and the project turned out much better than he first envisioned. Todd Umbenhauer further expressed his appreciation for the municipal trash collection service.

Lori Manning-Bolis, 403 Central Avenue and Melissa Nyce, 335 Central Avenue expressed concern about the use of fireworks within the neighborhood. The use of fireworks is much closer to dwellings than permitted by State regulations. They also expressed concern about the need to enact a formal noise ordinance. They requested Borough Council to consider a complete ban on the use of fireworks within the Borough and the adoption of a noise ordinance.

Daniel Houser, 426 Central Avenue, complemented Borough Council for the fireworks event in conjunction with Concert Sundaes, which received notable positive feedback. Between various developments, increased display of banners and very successful Third Fridays events, the community is really responding with a major buzz that things are happening in Souderton. The new Souderton-Telford main Streets manager is energizing the organization. Main Streets is considering modifications to allow more flexibility with the Art Jam and the sale of beer and wine. The organization will continue to monitor the event and would like to meet with Borough Council to discuss the proposed changes. President Goshow invited the group to attend a July work session to have further discussion.

Charl Wellner, 18 N. Hunsberger Lane, complemented Borough Council for organizing the community church service in the Community Park. She urged Borough Council to continue to explore alternatives to spraying herbicides to control weeds. Charl Wellner suggested the use of commercial grade vinegar, which might be able to be sprayed without the need for any special State permits or licensing.

There being no public comment, President Goshow moved to the business portion of the meeting.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Richard Godshall, to enact Ordinance No. 18-737-02 to approve and adopt an Ordinance Codification for the Borough of Souderton. The motion was approved.

A motion was made by Councillor Edward Huber, and seconded by Councillor Richard Halbom, to approve Resolution No. 2018-05 authorizing the acquisition of a vacant parcel on N. Main Street for municipal and public purposes. The motion was approved.

A motion was made by Councillor Ned Leight, and seconded by Councillor Richard Godshall, to approve the engagement letter with the Law Office of Aaron M. Moyer, LLC to serve as special legal counsel with respect to a claim filed by a former Borough police officer. The motion was approved.

A motion was made by Councillor Richard Godshall, and seconded by Councillor Jeffrey Gross, to rescind the March 7, 2016 landscaping waiver fee requirement for the E. M. Crouthamel Elementary School development project conditioned upon the waiver of delinquent school district real estate tax liens against the former Broad Theater property at 24 W. Broad Street. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Matt Mscichowski, to waive connection fees associated with a single residential sewer service connection for the Estate of Harold Hershey, Cowpath Road, Franconia Township in consideration for the property easement granted to the Borough of Souderton to construct and maintain sanitary sewer facilities. Councillor Jeffrey Gross noted that he will abstain from voting given his company's affiliation with the property owner. The motion was approved by a vote of 8 yeas, 0 nays and 1 abstention by Councillor Jeffrey Gross.

A motion was made by Councillor Julie Munden, and seconded by Councillor Richard Halbom, to post a No Parking restriction of the west side of N. School Lane from East Broad Street to East Chestnut 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 post a Handicapped Parking restriction in the vicinity of 206 W. Chestnut Street for a 90 day trial period per Mayor's order. The motion was approved.

A motion was made by Councillor Daniel Yocum, and seconded by Councillor Jeffrey Gross, to re-appoint Andrew Schlosser, 325 Highland Avenue, Souderton to another five year term as a member of the Souderton Planning Commission through July 2, 2023. The motion was approved.

There being no further business, the meeting was adjourned at 7:45 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – July 9, 2018 (7:00pm-9:24pm)

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

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 June, 2018 will be filed with no exception to permit limitations.
- b. Sal DeSimone reported that the grinder at the Reliance Road pump station is beyond repair. A new grinder will have to be purchased through JWC Environmental at a cost of \$13,147.00. The grinder is necessary to prevent any large debris from getting into and damaging the pumps.
- c. Borough Manager Michael Coll noted that the Borough is in its final year of the trash collection contract with J. P. Mascaro & Sons. A new trash collection contract should be advertised for bids in order to provide ample time to incorporate any cost revisions into the annual budget. Generally the terms and conditions of the existing contract appear to be working well, but a few revisions will be necessary. Council President Brian Goshow appointed Richard Godshall and Richard Halbom to serve with him on a special committee to review the trash collection contract. A motion to authorize an advertisement for bids will be presented at the August Borough Council meeting.

2. Highway Committee

- a. Public Works Director Steven Coll reported on various public works projects. Street sweeping throughout the entire Borough is now complete. Crews completed paving repairs around the Souderton Train Station. Nearly 100 Veteran Banners are now installed on various streets. The utility truck broke down during the installation, requiring the Borough to rent a truck to complete the banner installations before the July 4th Holiday. Two new front tires were installed on the wheel loader. The No Parking restriction will be posted on N. School Lane next week following notification to the residents.
- b. Montgomery Avenue mill and paving is now in progress. Long Alley, which is an ordained street running alongside of the Country-Fair Cleaners will be milled and paved following completion of Montgomery Avenue. This section of roadway has been riddled with re-occurring potholes for some time.
- c. The 1992 Ford Utility truck was purchased used and has become a vital truck for most Borough projects and the boom is very important for the installation of banners, holiday decorations and street light maintenance. The hydraulic pump failed on the truck and parts are extremely difficult to obtain. A recommendation was made to consider purchasing a new vehicle in the 2019 Budget year. A quotation was obtained through Mobile Lifts of Collegeville to construct a new utility truck at a cost of \$82,500.00. A new 2019 Ford F-450 is available under a COSTARS contract, there is a 20 to 22 week lead time on the delivery of the chassis. A recommendation was made to execute a purchase order at this time to secure delivery as early as possible in the 2019 Budget year. A motion will be prepared for formal consideration at the August 6th Borough Council meeting.
- d. Curbside weed control was further discussed. Concern was expressed by some members of Borough Council over the use of a highly acidic form of vinegar suggested as an alternative. The general consensus was to move forward with spraying weeds within the commercial districts with a product commonly used by our neighboring municipalities, with some experimentation of other products within the residential districts.

3. Sidewalk Committee

- a. Borough Manager Michael Coll reported that PennDOT representatives held a field meeting concerning the County Line Road curb and sidewalk project on

Thursday, May 17th following resident complaints about the transition to residential driveways. PennDOT will relax the slope requirements for the residential driveway but expressed concern with the varying curb reveal along the roadway. The Borough Manager suggested that a 12 feet wide path be milled along the new curb line and the paving be regraded to blend into the new curb. The recommendation of the Borough Manager was not acceptable to members of Borough Council since the road is owned by the State, but revisions in the driveway slope was authorized to proceed.

4. Recreation Committee

- a. Souderton Telford Main Streets representatives Harry Boardman, Pam Baker and Dan Houser, attended the work session to discuss plans for the annual Souderton Art Jam to be held in the Community Park this September. The Art Jam is now in its fifth year. The representatives proposed changes with the previous use of a wine and beer tent. The tent created a significant disconnect between the art festival and the beer and wine tasting festival. Main Streets would like to open up the event so families and groups can stay together and enjoy both venues throughout the day. It was suggested that this might cut down on the binge drinking experienced by some in previous years.

The LCB license for the event does cover the entire Community Park. Volunteers will continue to card participants and issue wrist bands. Temporary fencing may be utilized to separate the Art Jam from others simply using the park for recreational purposes. Perhaps a police officer can be detailed for the event to further support the work of the volunteers. Borough Council also suggested a designated driver's table for the event.

Borough Council and Main Streets also discussed the Third Friday's event, beer garden located at Chestnut Street and a new kid's festival area.

- b. Borough Manager Michael Coll reviewed the draft master plan for the Community Park and significant interest by the Souderton Telford Rotary Club to participate in the project over a multiyear program. A meeting will be scheduled between representatives of Borough Council and the Borough Engineer to review and discuss the draft plan was created by our Borough Engineer which includes storm drainage improvements, a parking lot adjacent to the scout cabin and pavilion, a new playground area, pathways and potential for additional expansion of playground equipment. President Brian Goshow expressed disappointment with the Souderton Baseball League for not following through on the maintenance of the baseball field. Perhaps this area should be reconsidered as a multipurpose field or other recreational use going forward.

5. Property Committee

- a. Realtor Ryan Godshall noted that a hair salon expressed interest in the freight building; however, Borough Council was not interested in this type of use for the building.

Administrative Work Session- July 16, 2018 (7:00pm-9:00pm)

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

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

Presentation

The work session began with a presentation by Greg Ede, CPA of Styer Associates who presented and reviewed the 2017 General Purpose Financial Statements for the

Borough. A motion will be prepared for formal consideration at the August Borough Council meeting to accept the statements as presented.

1. Police Committee

- a. Police Chief Leary noted that this is the first year of changes in the state fireworks law. The new State law relaxed restrictions on fireworks that can be purchased but they did not change the restrictions on their deployment in the municipalities. Therefore residents developed a false sense of entitlement to use a broad range of fireworks that are now legal to purchase in the State, creating an obvious conflict for municipalities to address and enforce. This past July 4th holiday, police worked to achieve reluctant, but voluntary compliance. Chief Leary is working with neighboring departments to gather ordinances and policies to form a recommendation by the end of this year. Residents attending the work session urged Borough Council to consider a total ban on the use of fireworks within the Borough, Lansdale Borough has this prohibition in place. Chief Leary also noted that there is no formal Noise Ordinance in the Borough; restrictions that are often referenced were actually made through the determinations of District Court. A formal Noise Ordinance should be considered. Mayor Reynolds requested Chief Leary to continue his research and make a recommendation to Borough Council on both a fireworks ordinance and a noise ordinance.
- b. Chief Leary reported on a request to locate a Handicapped parking space in the vicinity of 36 W. walnut Street. The request is valid and he recommended that the restriction be posted.
- c. Chief Leary reported that Sergeant Scherzberg is now fully retired from the department noting that the Souderton Police Department has been and continues to be fully staffed, however, while deployment of police officers is fully met; the manpower needs of the department are not fully met. Chief Leary requested time to meet with the Mayor and designated committee members from Borough Council to discuss manpower needs ahead of the 2019 Budget development and to further discuss the future succession of command given his planned retirement.
- d. The Souderton School District held a meeting on July 12th with the municipal managers and police chiefs to present and discuss plans to eliminate certain bus routes, which in turn will require more students to walk to schools. In Souderton Borough more elementary age students will be walking from Parkview Drive, Green Street and Hillside Avenue areas. The students will primarily be directed to the intersection of West Broad Street and Hunsberger Lane, which is already stationed with a crossing guard. The crossing guard at this location has retired and the Chief is in the process of hiring a replacement. The Borough will also be losing two courtesy busses that had been picking up mostly middle school students in the neighborhoods south of Broad Street to Cherry Lane. The School District is suggesting that additional crossing guards may be necessary at various intersections with Broad Street. There are additional students that will need to walk to the Souderton Charter School, adding to the potential for additional crossing guards. A subsequent meeting is planned between the Borough and District administration to further discuss and isolate additional crossing guard needs. Chief Leary requested authorization to develop a pool of crossing guard candidates.
- e. Chief Leary reviewed his monthly statistical and narrative reports for the month.

2. Code Enforcement Department

- a. Code Enforcement Officer Steven Toy was not in attendance but prepared a status report on the progress on the Souderton Train Station project.

3. Administrative Committee

- a. Borough Manager Michael Coll reported that he formed a committee of borough employees to review our current health insurance program and to look into crafting an alternative health benefit program. Kistler Tiffany Benefits, who serves as our health insurance broker, has been assisting in this effort. The group is looking seriously at a Blue Cross PPO plan with an HAS, which will nearly cut the overall premium in half, but some of that savings will need to be redirected to the HAS. The group will be meeting again in August to review more details of this potential benefit plan which is mirrored against a plan utilized by the Hatfield Township Sewer Authority which is similar in size to the Souderton plan. The goal is to develop a new plan prior to the development of the budget and in coordination with negotiations with the Police union. Police union representatives have been participating on the committee.
- b. The Souderton Industrial Development Authority has another potential project under consideration. Ryan Godshall's term as a member of the Souderton IDA will expire on August 4th. A recommendation was made to re-appoint him to another five year term. Ryan Godshall has agreed to serve another term.

4. Development Committee

- a. Borough Council discussed the latest sketch plan for the Berkeley Court Phase 3 development, which was presented to the Planning Commission at their July 11th meeting. Borough Council was in general agreement with the direction of this latest sketch plan. The Planning Commission, County Planner and Borough Engineer will continue with their reviews as the plans develop. The developer will be submitting the plan to PennDOT for review and permitting. The location of the interior drives and the connection points to east Broad Street and to County Line Road will have to be determined first in order to complete detailed engineering.
- b. Borough Manager Michael Coll reported on the lot consolidation and development plan that was submitted to the Souderton Planning Commission on July 11, 2018 by the Souderton Charter School. The Planning Commission requested certain revisions concerning parking and to provide a list of requested waivers on the plan.
- c. Borough Council briefly discussed the matter of the Summit Street baseball field and its continued use. A suggestion was made to continue work on finalizing the master plan for the Community Park and, upon its completion, a final decision on the continuation of this baseball field can be considered based on the approved plan.

5. Finance Committee

- a. Borough Manager Michael Coll provided and reviewed Budget comparison reports for all funds as of June 30, 2018. In general the 2018 Budget appears to be consistent with planned expectations.