

Regular Borough Council Meeting

February 1, 2016

The Regular Meeting of Souderton Borough Council, held on Monday, February 1, 2016, was called to order by President Brian K. Goshow at 7:30 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Mayor John R. Reynolds
Vice President D. Jeffrey Gross	
Councillor Ned D. Leight	Solicitor Dorothy Weik
Councillor Daniel Yocum	
Councillor Daniel Houser	Borough Manager P. Michael Coll
Councillor Tracy Burke	Police Chief James P. Leary
Councillor Kevin Souder	Public Works Director Steven Coll

Absent from the meeting was Borough Councillor Richard Godshall, Borough Councillor Richard Halbom and Junior Councillor Avery Price. The Invocation was given by Borough Manager/Secretary P. Michael Coll, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the January 4, 2016 Reorganization and Regular Borough Council Meetings, the January Work Sessions and the Special Borough Council Meeting held on January 18, 2016. A motion was made by Councillor Jeffrey Gross, seconded by Councillor Daniel Houser, to approve the minutes as presented. The motion was approved.

Under correspondence, Borough Manager Michael Coll noted a letter from the Montgomery County Department of Housing and Community Development providing the grant agreement for the curb and sidewalk project for County Line Road. The contract will be executed this evening and returned to Montgomery County for signatures by the County Commissioners.

Police Chief James Leary distributed the 2015 year end statistical report to Borough Council, noting that the January, 2016 statistical and narrative reports concerning police activity will be provided for review at the coming work session.

The Borough Solicitor's report for the month of February, 2016 was distributed to Borough Council. The Borough Solicitor began review of the proposed amendments to the sign requirements in the Zoning Ordinance. The Borough Solicitor met with the Borough Manager to discuss payments under the disability policy to a police officer and to discuss the possible subdivision and development of property at 160 N. Main Street. The Borough Solicitor ordered a title search of the Broad Theater properties and will be sending a notice of default on the loan agreement to the owners.

Public Works Director Steven Coll distributed his monthly report to Borough Council, noting that all overtime hours reported were a result of the snow storm. Crews have now completed all snow removal efforts from this past significant storm.

Councillor Daniel Yocum noted and expressed appreciation to the members of the Perseverance Volunteer Fire Company who stayed at the station throughout the snow storm. They responded to a number of assist calls with the Souderton Ambulance.

Councillor Jeffrey Gross reported that this past fall the Borough again participated in the "TreeVitalize" program through the Pennsylvania Horticultural Society. Over the past several years, Souderton has planted over 200 trees provided through this program with an excellent level of success.

Borough Manager Michael Coll updated members of Borough Council on the status of the SEPTA reviews of the train station project, which has been stalled by SEPTA officials since November, 2015. He noted that the work in progress at Main and Broad Streets is a joint project between the Pennsylvania Northeast Railroad and PennDOT to replace the warning gates and

traffic signal system. The Borough Manager reported on the agenda items scheduled for consideration. The first item is a formal Resolution endorsing and adopting the proposed amendments to the Indian Valley regional Comprehensive Plan. The revisions primarily updated demographical information for the region with no change to the Borough conservation district. The second item is authorization to advertise the mandatory zoning ordinance amendment creating a Floodplain Overlay Conservation District for the purpose of establishing floodplain management regulations as required by the national Flood Insurance Program regulations.

Consideration was given to paying the bills for the month of January, 2016.

GENERAL FUND

Bishop Wood Products	\$1,395.00	North Penn Water Authority	\$657.62
Boucher & James, Inc.	18,472.62	Penn-Holo Sales & Service	45.00
C & S Lawn and Landscape, Inc.	900.00	Comcast Cable	115.25
Clemens Uniform Rental	111.70	Daniel Beardsley, Ltd.	195.80
Cope's Garage	141.55	Moyer	1,061.47
Eagles Peak Spring Water	12.90	Netcarrier Telecom, Inc	343.08
Montgomery County Treasurer	20,507.44	PECO Energy	92.87
Moyer	119.00	PA One Call System	79.54
Oceanport Industries, Inc.	3,377.72	Univest Insurance, Inc.	584.00
Postmaster, Lansdale	463.94	Univest VISA	294.00
Telford Press Printers	831.00	Univest VISA	147.00
Unum Insurance Company	768.05	Unum Insurance Company	792.26
Comcast Cable	181.70	Verizon	70.08
Delta Dental	1,233.44	Verizon Wireless	278.56
Home Depot	84.07	Wise Electric	1,692.01
North American Benefits Co.	810.85	Total General Fund	\$55,859.52

SEWER FUND

All Industrial Safety Products	\$99.46	North American Benefits Co	\$264.50
Cintas First Aid & Safety	51.42	North Penn Water Authority	103.65
Clemens Uniform Rental	85.50	Richard D. Nelson	426.96
Coyne Chemical	3,231.50	Bergey's, Inc.	772.82
Derstine Company, Inc.	25,900.00	Netcarrier Telecom, Inc.	149.25
Empire Scale Corporation	275.00	Rodney Shoemaker Plumbing, Inc.	95.00
Jesse Baro, Inc.	2,214.48	Suburban Water Testing Labs	2,137.70
PPL Electric Utilities	16,110.65	Suburban Water Testing Labs	845.60
Unum Insurance Company	228.85	Unum Insurance Company	234.82
Comcast Cable	175.30	Verizon	69.30
Delta Dental	321.47		
Jesse Baro, Inc.	1,633.02	Total Sewer Fund	\$55,426.25

POOL FUND

Comcast Cable	\$125.89	Netcarrier Telecom, Inc.	\$117.27
North Penn Water Authority	13.15	PECO Energy	87.39
Airgas National Carbonation	53.00	Total Pool Fund	\$396.70

CAPITAL RESERVE FUND

CC Construction Services	\$150,822.00	Ply-Mar Construction Co., Inc.	\$105,938.60
Univest Capital	6,310.46	Total Capital Reserve Fund	\$263,071.06

LIQUID FUELS FUND

Letterco	\$400.00	PPL Electric Utilities	\$7,273.03
Armour & Sons Electric, Inc.	307.11	PPL Electric Utilities	266.00

A motion was made by Councillor Jeffrey Gross, seconded by Councillor Ned Leight, to authorize payment of the bills for the month of January, 2016, 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. There was no public comment.

President Brian Goshow then moved to the business portion of the agenda with the first item being consideration of the Indian Valley Regional Planning Commission Comprehensive Plan update.

A motion was made by Councillor Daniel Yocum, and seconded by Councillor Jeffrey Gross, to adopt Resolution No. 2016-03 approving and adopting the 2015 Indian Valley Regional Comprehensive Plan Update as prepared by the Indian Valley Regional Planning Commission. The motion was approved.

A motion was made by Councillor Ned Leight, and seconded by Councillor Daniel Houser, to authorize the advertisement of an ordinance amending the Zoning Ordinance creating a Floodplain Overlay Conservation District for the purpose of adopting floodplain management regulations as required by the National Flood Insurance Program regulations. The motion was approved.

There being no further business, the meeting was adjourned at 7:55 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – February 8, 2016 (7:00pm-9:15pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Daniel Yocum, Daniel Houser, Tracy Burke, Richard Halbom and Kevin Souder.

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

1. Sanitation Committee

- a. The Discharge Monitoring Report for the month of January, 2016 will be filed with no exceptions to permit limitations.
- b. Steven Coll discussed a recent issue with a blocked sewer main for the Univest Operations building at 16 Harbor Place. The line was completely blocked and backed up into the building. Perkasio Borough Authority came down to open the line, which is the second time this has occurred since they connected. Steve Coll noted that this is a small six inch line originally intended to pick up a few residential units. He will schedule Perkasio Borough Authority to come back to clean and televise this line to evaluate the possible need for future replacement. There was also a blockage at the end of Valley Lane the same evening. This line will also be scheduled for cleaning and televising for potential issues.
- c. Committee members reviewed the first month of the new municipal trash collection program. Borough Manager Michael Coll reported that collections have been relatively smooth with a few recent issues that will be addressed with Mascaro management. One primary issue that needs to be addressed with committee input is the way we classify and bill accounts with multiple units. The bid specifications anticipated that every unit will be counted and billed; however, we are learning that the private collectors have been ignoring the number of units and treating a building with multiple units as a single account. This is creating an inequity in the cost for the Borough program in comparison with their former private subscription service. The Borough may need to negotiate an addendum to the contract to reflect potential policy revisions.

2. Highway Committee

- a. Crews completed Christmas tree collections, however, some are still spotted going out with the regular trash. Remaining trees will be picked up by the Borough with the monthly brush collections.
- b. Crews are working on equipment maintenance and repairs from the recent snow storm. A plow and a truck wheel were repaired and all snow equipment is now back in service. The new Mack truck developed a sensor malfunction with the hydraulic system which was isolated and disconnected to get through the storm. Aside from this mechanical issue, the truck performed very well in the storm.
- c. Borough Council discussed the recent heavy snow storm. The advanced notification of the snow emergency declaration worked very well, resulting with just a few vehicles parked along Broad Street. Crews work very hard not to push snow onto sidewalks, but a number of areas could have been pushed back further to create wider travel lanes. Pushing snow closer to the curb and slightly on sidewalks will help open travel lanes and improve street parking during heavy snow events.
- d. A concern was raised about a continued icing condition on Main Street just north of Central Avenue. There is an active sump pump in this area with very little opportunity to divert the discharge to a lawn area. The Borough will evaluate the feasibility of extending a storm drain line to pick up this discharge.
- e. Borough forces completed the sewer main along Montgomery Avenue this past fall and will be looking to mill and pave the base course this year. There are curb and sidewalk issues that need to be addressed prior to paving the final wearing course.
- f. Borough Council discussed the past practice of curbside weed spraying throughout the Borough. There was concern last year with the program. Borough Council felt that the price quote of \$2,800 was reasonable for the benefit of controlling weeds, but asked that more environmentally friendly products be evaluated prior to making a final decision. Prior applications used the herbicide commonly known as Roundup.
- g. Councillor Dan Houser reported that he attended the January 20th Municipal Leaders meeting at the Souderton School District office. Councillor Dan Houser and Councillor Dan Yocum attended the PSAB Newly Elected Officials training session. He noted and expressed appreciation with the open communication that is practiced in Souderton Borough, noting other municipalities do not have the working relationships experienced in Souderton Borough. Councillor Houser also discussed NIMS training with Chief Leary and Steven Coll.

3. Sidewalk Committee

- a. This spring, the County will open applications for the next round of Community Development Block Grant funds. Previously, committee members discussed an application to construct curb and sidewalk along W. Cherry Lane from Penn Avenue to Mifflin Street. Further evaluation of grant requirements suggests that this project may not be located in a qualified low to moderate income neighborhood, which will make the project ineligible for consideration. Other potential projects to consider may be Montgomery Avenue or improvements to the Railroad Avenue parking lot. A mandatory training session will be held on Thursday, March 3, 2016 which will be attended by the Borough Manager. Application will be due in April, 2016.

4. Recreation Committee

- a. Borough Council further discussed the continuation of the Summit Street baseball field. Letters were sent out to the known teams who used the field that the field will be removed unless a league will take responsibility to improve the field and maintain the field throughout the year. Councillors Daniel Yocum and Tracy Burke suggested that the Borough reconsider the position to terminate the ball field since softball fields are difficult to find in the area.
- b. Further consideration was given to paving the alley along the Community park from reliance Road to the Municipal Building parking lot. Borough Council members suggested that a plan and cost estimate be developed for the project, with a separate

estimate to pave the alley as it currently exists and to add additional parking along the park side of the alley.

- c. Borough Manager Michael Coll discussed a concern with the significant water leak from the competition pool which was discovered at the end of last season. As soon as weather conditions permit, we plan to uncover the pool and arrange for consultants to investigate the cause of the leak and method of repairs. Borough staff is working on implementing a new system for registration and daily operations for the pool effective with the 2016 season.

5. Property Committee

- a. Borough Manager Michael Coll reported on the status of the Souderton Train Station project, which was halted by SEPTA in November. The mandatory safety training class was completed by approximately 30 construction employees along with the entire Borough crew on Thursday, January 14, 2016. Site plans were modified to address SEPTA concerns over setbacks from the active rail. The site plans moved the walkway to the freight building approximately one to two feet closer to Front Street to maintain the required clearance from the rail line. A small vestibule area under the existing covered platform for the wait building was removed from the project due to encroachment concerns. All additions to the buildings seem to be acceptable and there was minimal comment concerning the restoration plans. All revised plans and specifications have been provided to SEPTA for their final review. We have tentatively set March 1, 2016 as the date to release the project for construction.
- b. Borough Council discussed the condition of the sidewalk along the Broad Theater building on West Broad Street. The Borough has issued a Notice of Default to the owners of the property concerning the delinquent anchor building loan funds. Consideration will be given to next steps to improve the condition of the sidewalk in front of the building.

Administrative Work Session- February 15, 2016 (7:00pm-9:45pm)

Council Attendees: John Reynolds, Brian Goshow, Ned Leight, Jeffrey Gross, Richard Godshall, Daniel Yocum, Daniel Houser, Tracy Burke, Richard Halbom and Kevin Souder.

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

1. Police Committee

- a. Chief Leary provided Borough Council with the statistical and narrative report of police activity through the month of January, 2016. Chief Leary further discussed a number of recent police incidents that occurred during the month.
- b. Chief Leary reported on a seminar and training session that will be attended by the Souderton police Department concerning the treatment of heroin overdose victims by the police department. There is an alarming jump in the use of heroin throughout the region. A recommendation will be formulated for consideration of Borough Council and the Mayor following the class and upon further evaluation of liability and expense to the department.

2. Administrative Committee

3. Development Committee

- a. Borough Manager Michael Coll reported on the second escrow release request for the Berkeley Court Phase 2A development. The Borough Engineer reviewed the land development progress to date and approved a reduction in the escrow based on approved improvements. Concern is with the amount of fluorescent tubes from the old high school that remains on site, along with a few lamp posts and fixtures. There are a few piles of file on the site that will be used for grading purposes. Construction

- of the first group of townhomes is well underway. We will require the completion of the retaining wall and fence along the property line with Jesse's BBQ along with the removal of the debris from the site prior to occupancy of the townhomes.
- b. Borough Council further reviewed the status of the development plans for the improvements to the EMC Elementary School on S. School Lane. In particular, Borough Council further discussed the waiver request for landscaping. Borough Council requested a firm cost estimate reflecting the landscaping waiver request and would like to have the benefit of a recommendation from the Planning Commission prior to consideration of the waiver request.
 - c. Borough Manager discussed the status of the subdivision and land development plan for a vacant parcel on S. Second Street. The developer has been working with the Souderton Planning Commission on the two lot subdivision plan to construct a new twin dwelling. Most recently they shared elevation plans for the new dwelling, which was well received by the Commission. They are working with similar waivers from the SALDO landscape provisions. There are a few very large caliper trees that will have to be removed. The SALDO provisions base replacement trees on the total caliper of the trees to be removed, which will require a significant number of new plantings. Borough Council requested the Planning Commission to make a recommendation on the amount of landscaping that would be practical for the size and intended development of the lot. Borough Council further discussed the issue of access to the basement from the outside.
 - d. Borough Manager Michael Coll discussed a potential agreement of sale for the former Gibbons Fast Tag building on Main Street. Of concern is the status of a parking requirement associated with this property as a condition of approval of the development plans for the renovation and use of 121 Main Street, now occupied by Village Center Suites. A total of 16 parking spaces were to be made available to 121 Main Street on the existing parking lot for the Gibbons Fast Tag building. The potential buyer is not interested in maintaining this obligation. A potential compromise has been offered by owner Charles Ebersole to transfer the rear vacant parcel of ground to the Borough in exchange for the removal of the condition placed on the Main Street property. The Borough would be free to develop this property into a municipal parking lot for the benefit of the surrounding businesses and residential properties. Borough Council expressed general agreement to the offer should the agreement of sale be approved.
 - e. The Souderton Planning Commission has formally released the draft of the new Sign Ordinance to Souderton Borough Council for their review and consideration. The Souderton Planning Commission has been working with our Montgomery County Planning Commission representative on the new sign ordinance for the past year. Members of Borough Council discussed the overall size of permitted signs and whether the size is appropriate. A concern was expressed that existing signage already appears too large and some sections addressing size and duration of temporary signs may be too great and will add to the overall clutter. Concern was also expressed over enforcement to remove existing nonconforming signs. Councillor Jeffrey Gross requested some additional time to discuss the size of signs with our County Planner prior to moving forward with formal consideration of the new sign ordinance. Councillor Gross asked that any other concerns with the draft of the new sign ordinance be brought directly to him so he can address them with the planning commission.
 - f. Borough Manager provided a brief update on the status of the Train Station project as reported at the last work session. Councillor Richard Halbom discussed a draft RFP that he prepared and circulated for the purpose of locating or maintaining a restaurant use within the newly renovated train station and/or the freight building. Borough Council members expressed concern with the timeline for such an RFP, noting that the Borough has an existing tenant who has suffered greatly with the construction delays. The first priority of the Borough is to get the construction project moving forward, with the next priority being negotiation with the current tenant to complete the fit out of the new kitchen addition and execute an associated new lease agreement. Should this endeavor fail, then perhaps it would be appropriate to revisit the proposed RFP.

4. Finance Committee

- a. Borough Manager Michael Coll recommended consideration to add a Deferred Retirement Option Plan to the Souderton Borough Non-Uniformed Pension Plan. The addition of the DROP benefit will not add any cost to the plan since the retirement benefits are already accounted by the plan. A meeting was held with the employees with a general consensus to increase the minimum retirement age from 60 years to 62 years in exchange for the addition of the DROP benefit. The increase in the retirement age will help to offset future plan costs. Borough Council expressed general agreement to move forward with the proposed benefit upgrade, suggesting that additional research and consideration be given to other potential benefit options for new employees such as the creation of a defined contribution plan as an alternate to the defined benefit plan.