Regular Borough Council Meeting

February 2, 2015

The Regular Meeting of Souderton Borough Council, held on Monday, February 2, 2015, 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

Vice President Andrew Schlosser

Councillor Ned D. Leight

Councillor D. Jeffrey Gross

Councillor Daniel Houser

Councillor Preston Miller

Councillor Richard Halbom

Councillor Kevin Souder

Mayor John R. Reynolds

Junior Councillor Avery Price

Solicitor Robert R. Bricker

Borough Manager P. Michael Coll

Police Chief James P. Leary

Public Works Director Steven Coll

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

Consideration was given to the minutes of the January 5, 2015 Regular Borough Council Meeting and the January Work Sessions. A motion was made by Councillor Preston Miller, seconded by Councillor Andrew Schlosser, to approve the minutes of the January 5, 2015 Regular Borough Council Meeting and January 2015 Work Sessions as presented. The motion was approved.

Under correspondence, Borough Manager Michael Coll noted a letter from Generations of Indian Valley thanking Borough Council for their annual contribution towards Generations and to the Meals on Wheels program.

Mayor John R. Reynolds reminded residents and property owners to clear sidewalks within 24 hours after a snow storm. Code Enforcement Officer Steven Toy handed out 24 reminder notices to property owners following the last snow event. Borough staff is working to resolve issues with clearing snow from foreclosed vacant properties.

Police Chief James Leary distributed the 2014 year end statistical report to Borough Council and commented that the January, 2015 statistical reports and narrative reports concerning police activity will be provided for review at the coming work sessions.

The Borough Solicitor's report for the month of January, 2015 was distributed to Borough Council. The Borough Solicitor is working on the Development Agreements for both the Reliance Crossing and the Berkeley Court Phase 2A developments. The Borough Solicitor has received comments and they are working on the Sublease Agreement for the freight building.

Public Works Director Steven Coll distributed his monthly report to Borough Council. There were no questions or discussion on his report.

Borough Manager Michael Coll reported on the agenda items to be considered by Borough Council. The Borough Manager noted that historically the Borough would bid for stone and bituminous products that the Borough would use on a variety of projects through the year. Upon reviewing the increased bid threshold limits, the Borough Manager suggested that the Borough will be well below the purchase limits required to be formally bid. Therefore it would be better for the Borough to purchase these items through periodic quotations rather than a formal annual bid. We may actually receive better pricing through quotes. Formal consideration of the Berkeley Court Phase 2A land development plan is scheduled and Timothy Hendricks is in attendance to make a presentation and answer any questions associated with the development. The Borough Solicitor has prepared an approving Resolution that details the conditions associated with the approval.

Consideration was given to paying the bills for the month of January, 2015.

GENERAL FUND

AT&T	\$45.57	Montgomery Newspaper	\$93.33
Bergey's Electric, Inc.	222.00	NetCarrier Telecom, Inc.	327.77
Blooming Glen Quarry	96.32	North American Benefits Co.	881.65
Bow Wow Waste Products	136.00	North Penn Water Authority	301.82
C&S Lawn and Landscape	1,600.00	PA Dept Labor & Industry	50.00
Clemens Uniform Rental	128.17	PECO Energy	222.63
Comcast Cable	176.58	PA One Call System	61.20
DCED	140.00	PPL Electric Utilities	413.27
Delta Dental	1,233.44	Richter Drafting & Office Supply	886.76
E. M. Kutz, Inc.	378.80	Rodney Shoemaker Plumbing	64.00
Eagles Peak Spring Water, Inc.	49.65	Shelly Enterprises, Inc.	63.61
Fredericks Flowers	86.00	Suburban Propane	828.79
Fromm Electric Supply Corp.	83.19	Univest VISA	266.90
IV Chamber of Commerce	185.00	Verizon	53.63
K. J. Door Services, Inc.	3,527.65	Verizon Wireless	235.63
Markey Paper & Packaging	115.43	Total General Fund	\$12,954.79

SEWER FUND

Bergey's, Inc.	\$587.48	Jesse Baro, Inc.	\$3,789.84
Cintas First Aid & Safety	36.52	Maryland Biochemical Co., Inc.	749.18
Clemens Uniform Rental	85.50	NetCarrier Telecom, Inc.	143.91
Comcast Cable	92.40	North American Benefits Co.	264.52
Conestoga-Rovers	4,215.00	North Penn Water Authority	73.80
Daniel L. Beardsley, Ltd	9.25	PA DEP	125.00
Delta Dental	284.64	PPL Electric Utilities	19,481.50
EVOQUA Water Technologies	2,409.91	Richter Drafting Office Supplies	100.33
Freedom Systems Corp	1,370.00	USA Blue Book	204.03
Fretz Enterprises	149.99	Verizon	99.48
Good Plumbing Heating A/C, Inc.	514.18	Postmaster, Lansdale	914.94
Graphic Controls, LLC	1,021.62		
Hach Company	523.17	Total Sewer Fund	\$37,246.19

POOL FUND

Airgas National Carbonation	\$48.50	PECO Energy	\$86.72
Comcast Cable	120.57	PPL Electric Utilities	36.16
NetCarrier Telecom, Inc.	105.96		
North Penn Water Authority	93.70	Total Pool Fund	\$491.61

CAPITAL RESERVE FUND

Phillips Donovan Architects \$1,596.00

LIQUID FUELS FUND

PPL Electric Utilities \$519.59

A motion was made by Councillor Richard Halbom, seconded by Councillor Preston Miller, to authorize payment of the bills for the month of January, 2015, 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.

Priscilla Newman, 17 ½ Franklin Avenue, Souderton, PA commented that she heard that the Broad Theater will be demolished. Borough Council President Brian Goshow responded that there has been no confirmation that the building will be demolished. This property is listed under

Sheriff Sale for delinquent school district taxes.

There being no further public comment, President Goshow recognized Timothy Hendricks to discuss the status of the Berkeley Court Phase 2A development plan.

Timothy Hendricks commented that there has been a lot of discussion concerning the architectural renderings of the townhomes to be constructed by Ryan Homes. Ryan Homes has committed to add shutters on all single front and side windows of each townhome. Ryan Homes will further commit to adding a trim detail on all windows and patio doors on the rear of the townhomes. Renderings showing the brick facades, siding color variations and shutter details have been circulated to Borough Council with copies for the public to view.

Timothy Hendricks further commented that the developer and their engineer met with the Montgomery County Conservation District to clarify required revisions to the plan. The developer intends to close on the property with the Souderton School District on Friday, February 13, 2015. With the approval of the Montgomery County Conservation District, the developer intends to move forward with demolition of the buildings as promptly as possible. Recording of the final record development plans, development and escrow agreements will be completed concurrently with the demolition activities. Ryan Homes will be located a sales office trailer in the area of the commercial pad site on Phase 1 to begin to market the townhomes.

Timothy Hendricks further commented that the owner intends to move forward with the planning and eventual development of the remaining site. They will be scheduling appearances with the Souderton Planning Commission to review and develop concept plans for the remaining portion of the property.

Councillor Richard Halbom requested clarification on the demolition time line. Timothy Hendricks confirmed that all demolition will be completed prior to any occupancy of the townhome units. Demolition activity will take approximately three months to complete.

Borough Council members reviewed and discussed the proposed approval resolution for the Berkeley Court Phase 2A development as follows:

RESOLUTION NO. 2015-03

A RESOLUTION APPROVING THE LAND DEVELOPMENT APPLICATION OF TURNERSVILLE ESTATES FOR PHASE 2A OF THE PREMISES IDENTIFIED AS TAX PARCELS 21-00-06388-00-8, 21-00-06384-00-3, 21-00-01944-00-6, 21-00-02024-00-7, 21-00-02004-00-9, 21-00-02008-00-5, 21-00-02012-00-1, AND 21-00-00812-00-4 IN THE BOROUGH OF SOUDERTON; ESTABLISHING CONDITIONS AND RESTRICTIONS PERTAINING TO SUCH APPROVAL; AND ENTERING INTO THE IMPROVEMENT CONSTRUCTION AGREEMENT AND THE IMPROVEMENT ESCROW FUND AGREEMENT

WHEREAS, Turnersville Estates has filed an application pursuant to the Borough of Souderton Subdivision and Land Development Ordinance No. 450, for the property at North School Lane and East Chestnut Street, in the Borough of Souderton identified as Tax Parcel Nos. 21-00-06388-00-8, 21-00-06384-00-3, 21-00-01944-00-6, 21-00-02024-00-7, 21-00-02004-00-9, 21-00-02008-00-5, 21-00-02012-00-1, and 21-00-00812-00-4; and

WHEREAS, the said application is accompanied by certain plans entitled "Berkeley Court Phase 2A, dated March 7, 2014, as last revised January 16, 2015, prepared by Langan Engineers.

NOW, THEREFORE, be it resolved by the Borough Council of the Borough of Souderton, as follows:

1. The land development application of Turnersville Estates for the premises at North School Lane and East Chestnut Street in the Borough of Souderton, Montgomery County, Pennsylvania, is hereby approved subject to the conditions and regulations set forth in this Resolution.

- 2. Applicant and Borough shall enter into the Improvement Construction Agreement for Berkley Court Phase 2A as proposed by the Borough.
- 3. Applicant and Borough shall enter into the Improvement Escrow Fund Agreement for Berkley Court Phase 2A as proposed by the Borough.
- 4. Applicant shall submit final plans which conform to the requirements of the review letter of Boucher & James, Borough Engineer, dated February 2, 2015, which is incorporated into this Resolution by this reference thereto.
- 5. Applicant shall comply with all other statutes, ordinances and regulations pertaining to the proposed renovation and use of the property including, specifically, the Building Code, the Subdivision and Land Development Ordinance, and the Zoning Ordinance. All improvements and installations shall be installed in strict conformity with the Plans submitted with the Application.
- 6. The deferral of specific Zoning Ordinance requirements as itemized in the February 2, 2015, review letter, is approved until submission of the next phase of the development project.
- 7. Waivers and deferrals of certain landscaping requirements of the Subdivision and Land Development Ordinance as itemized by the Borough Engineer in the February 2, 2015, review letter are approved until submission of the next phase of the development project.
- 8. The 48 single family townhouses to be constructed by Ryan Homes, to be known as "Highview at Souderton" shall be constructed pursuant to renderings as last revised and submitted December 22, 2014. All buildings shall have two (2) units with full brick facades; the seven-unit building shall have three (3) units with full brick facades. Brick knee walls shall be provided on all other building facades. All buildings shall have two (2) siding colors; additional 1" x 4" trim on all rear second and third floor windows; brick mold to be added around all rear patio doors; and all single double hung windows on the front and side of the buildings shall have shutters; and shall comply with all other architectural requirements of the Zoning Ordinance.
- 9. The Developer shall obtain the approval of the Montgomery County Conservation District, Pennsylvania Department of Environmental Protection, and all other applicable outside agency approvals.
- 10. Developer shall completely demolish the former Souderton Area High School building and all related structures and improvements, and shall remove all non-reusable construction debris from the premises. The improvements and structures to be removed shall include the main building structure, accessory buildings, subsurface structures including foundations, water, sewer, and utility lines, retaining walls, fences, parking areas, curbs and walkways, the existing footbridge across County Line Road, the football stadium improvements including light towers and bleachers, tennis courts, and utility poles and structures.
- 11. In addition to the aforesaid demolition and removal of debris, Developer shall rough grade and protect from erosion all surface areas not involved with new construction as specified in the Demolition Plan made part of the Land Development Plan.
- 12. Developer shall also construct and maintain a silt basin as specified in the Land Development Plan and shall remove the silt basin and construct park improvements upon completion of the development of the tract.
- 13. Construction debris to be retained on the tract for fill and grading purposes shall, until utilized be stabilized and protected from erosion by seeding or other effective means.
- 14. The Owner and Developer shall be responsible for maintenance of the entire tract, including mowing and snow removal, until final completion of development of the tract.
- 15. The approval granted by Borough Council is specifically for the development of the property as described in the Plans. No change of use or occupancy of the property shall be permitted without the submission to and approval by Borough Council of revised plans setting forth the

proposed change of use or occupancy.

A motion was made by Councillor D. Jeffrey Gross, and seconded by Councillor Ned D. Leight, to adopt Resolution No 2015-03 approving the land development of Turnersville Estates for Phase 2A, establishing conditions and restrictions pertaining to such approval and requiring execution of an Improvement Construction Agreement and Improvement Escrow Fund Agreement, as revised to require the addition of a 1" x 4" window trim package on all rear townhouse units; brick mold trim package around all rear doors; and all single front and side windows on each townhome shall have shutters.

Councillor Andrew Schlosser commented that he will abstain from voting due to potential conflict of interest. The motion was approved by a vote of 7 yeas, 0 nays and 1 abstention by Councillor Andrew Schlosser.

There being no further business, the meeting was adjourned at 7:58 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – February 9, 2015 (7:00pm-9:08pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Daniel Houser, Preston Miller and Kevin Souder.

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

1. Sanitation Committee

- a. The January, 2015 Discharge Monitoring Report will be submitted with no exceptions to monthly average permit limitations. Chief Operator Sal DeSimone modified operating procedures to prevent the buildup of nitrates that will reduce the effectiveness of disinfection. The procedures are working very well with noticeable reductions in fecal coliform. The plant is producing excellent effluent quality.
- b. Borough Council discussed the status of plans for the new mechanical bar screen at the head end of the plant. Borough Council President Brian Goshow suggested that the Borough move forward with the completion of the specifications and to prepare to bid the work for construction in 2015.
- c. Borough Manager Michael Coll circulated and explained a revised draft of the single hauler Solid Waste and Recycling Collection and Disposal contract for the Borough. The revisions followed the comments received from the haulers during the December 1, 2014 public hearing and comments and concerns from members of Borough Council. Borough Council members felt that the document was ready to move forward to receive formal bid proposals. A motion will be prepared for consideration at the March 2 Borough Council meeting to authorize the advertisement of bids for trash collection.

2. Highway Committee

a. Public Works Director Steven Coll reviewed public works activity. The crew has been working on equipment maintenance, cleaning around the shop and cold patching as weather conditions warrant.

- b. Steven Coll reported that crews have worked through 13 snow events to this point; all events required salting with 6 events requiring plowing. All 13 snow events required clearing and salting of sidewalks. Unofficial snow total to date is 19 inches. The Borough received 325 tons of salt for this winter. All orders have been filled.
- Elementary School on S. School Lane. Unlike other schools, bus service for this elementary school is provided from School Lane and there have been issues in the past about clearing snow from the curb line to accommodate children unloading and boarding the buses. Under the prior custodial staff, it was agreed that the Borough would plow the snow onto the sidewalk and the school would push the snow into the yard area. The elementary staff received help from the high school staff, but they do not have this help today. The past snow was very wet and difficult to control from the plow. Steve Coll will discuss the arrangements with school staff for future events.
- d. The cold weather has caused a number of gas leaks in the Borough. PECO has worked to repair leaks on Railroad Avenue, Reliance Road and Washington Avenue. The gas mains are older steel mains with welded joints. The welded joints are breaking with the movement of the ground.
- e. Crews will be getting ready to complete some sewer main replacement projects this year on Montgomery Avenue, East Chestnut Street and Green Street. Arrangements will be made to have Perkasie Borough Authority televise the sewer mains to locate laterals and review conditions. Perkasie Borough Authority will also televise the sewer mains around the former high school to locate lateral connections that will have to be terminated with the planned demolition of the high school.
- f. Steve Coll reviewed quotations that were received to purchase a new ten wheel dump truck. Twenty years ago the Borough purchased a new Ford ten wheel dump truck complete for a price of \$80,000. The cost of trucks has increased dramatically since this time to nearly \$175,000. Pricing for the chassis under COSTARS has been obtained from Peterbuilt, International and Mack. Body and hydraulic fabricators Triad and E M Kutz have also provided quotes through COSTARS contracts. The truck will be financed through a lease or traditional bank loan within the budget allocation of \$35,000 per year. We plan on having the vehicle in service for the next twenty years; with this in mind the best vehicle and body option appears to be the Mack chassis with the body fabricated by Triad. The complete vehicle will be just under \$175,000. Members of Borough Council agreed with the recommendation. We will further research leasing and bank loan options for this purchase.
- g. The Borough has been displaying banners across Main Street using two existing utility poles. There is some renewed interest in establishing a permanent location, properly constructed to display banners. The overall cost will approximate \$15,000. Borough Council suggested that we obtain a better cost estimate and develop possible locations for further discussion and consideration. Main Street and Chestnut Street was suggested as a possible location.

3. Sidewalk Committee

- a. Borough Manager Michael Coll reported that the Borough has received the CDBG Contract documentation for the Green Street sidewalk reconstruction project. The total grant award for this project is \$200,000. The contracts were signed by President Brian Goshow and Mayor John Reynolds. The Borough Engineer is working with Verizon and PPL Electric utilities to coordinate the relocation of the utility poles, North Penn water Authority is scheduling the replacement of the water main and the Borough is scheduling the replacement of the sewer main.
- b. Montgomery County has announced the opening of CDBG applications for 2015. The Borough Manager suggested that sidewalk projects seem to be the only priority project for the Borough. A mandatory grant workshop has been scheduled for Thursday, March 5, 2015 which will be attended by the Borough Manager. Further discussion of a potential grant application will be discussed during the March work sessions.

4. Recreation Committee

- a. Borough Council was reminded of the Multi-Park Board Summit scheduled on Tuesday, February 24, 2015 beginning at 7:00pm at the Upper Salford Township office.
- b. President Brian Goshow suggested consideration of an evening only membership that could be offered for the pool during the 2015 season. This membership might better accommodate and attract working parents to join the pool, rather than just using the daily admission. Staff will consider adding this option to the membership packages.

5. Property Committee

a. Borough Council reviewed a series of planned renovations to the Borough Council Chambers and to the Conference Rooms. Todd Moyer has been contracted to remove wall paper and paint the walls and trim, Andres Carpets will replace the carpet in both rooms and the Borough crew will construct closet space within the Council Chambers, replace baseboard molding, renovate the raised platform in Council Chambers and add a ramp area. Ceiling tiles will be replaced in the Council Chambers and Conference Room. Steven Toy made arrangements through Servpro to clean all of the air conditioning ducts, which we have never cleaned since they were installed in 1983. A question was raised on the expected life of the roof. Kitson Brothers completed some relatively minor seam repairs. The roof is nearing its life expectancy, but it is not immediately necessary.

Administrative Work Session – February 16, 2015 (7:00pm-8:45pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Richard Godshall, Andrew Schlosser, Daniel Houser, Preston Miller, Richard Halbom and Kevin Souder. Staff Attendees: Police Chief James P. Leary and Borough Manager Michael Coll.

1. Police Committee

- a. Chief Leary reported on two residential burglaries that recently occurred within the Borough. The homeowner walked in on one of the burglaries while in progress. The suspect fled from the scene and was not apprehended. Both incidents occurred during the day. Police continue their investigation.
- b. Chief Leary reported that the department has now closed the investigation concerning the Flick, Hill and Stone murder case. Various community benefits to date generated over \$175,000 for the Flick and Stone children.
- c. Chief Leary reported that he continues to work with the Police Civil Service Commission on the certification of police officer candidates. The written test has been completed and they are now working on scheduling and confirming the oral exams.
- d. Councillor Daniel Houser commented on a past incident where a pedestrian was struck at the alley entrance adjacent to Consign By Design, between 110 and 116 Main Street. The buildings are right up against the sidewalk making it very difficult for motorists to see pedestrians. A suggestion was made that the alley should be restricted to One Way in with the exiting traffic having to go through the rear municipal parking lot. A question was raised if the Borough has legal standing to post this restriction. The matter will be referred to the Borough Solicitor for an opinion. If there is legal standing, a preference by members of Borough Council is to move forward with the restriction for a 90 day trial period.
- e. Councillor Daniel Houser expressed concern with reported "near misses" at the intersection of Chestnut Street and Fourth Street. Chief Leary suggested that the speed trailer could be deployed in this area to slow traffic and bring added attention to the intersection. He will also incorporate added surveillance of the Stop signs at the intersection.

2. Administrative Committee

- a. Borough Council discussed hosting fireworks in conjunction with Concert Sundaes again this year. There is some seed money available for the event from the prior year. If approved, the suggested date for the fireworks will be Sunday, June 21, 2015. Borough Council members expressed general agreement with hosting the event. Councillor Richard Godshall volunteered to assist with contacting potential donors to support the event.
- b. Borough Manager Michael Coll noted that he received the required notice from the police officers of their desire to negotiate a new contract to become effective January 1, 2016. President Brian Goshow appointed Mayor John Reynolds, Councillor Richard Halbom, Councillor Preston Miller and himself to serve as the Negotiating Committee to meet with the police officers.

3. Development Committee

a. Borough Manager Michael Coll confirmed that developer Clayton Heckler has completed settlement on Friday, February 13, 2015 with the Souderton School District on the remaining high school property in the Borough. The remaining parcel in Hilltown Township, Bucks County remains with the school district with a settlement date expected sometime in 2016.

Clayton Heckler has formed a new development company, known as School Lane Development, LLC which will purchase and own the former high school site. The development company is based in Colmar. A management agreement has been executed between School Lane Development, LLC and American Real estate Development, LLC, which is owned by Timothy Hendricks. Clayton Heckler and Tim Hendricks will be working with the Souderton Planning Commission on concept plans for the remainder of the property. The Borough Solicitor and Borough Engineer are working on finalizing the development agreement and the escrow agreements for recently approved Phase 2A. Demolition of the high school should begin within the next two months. Ryan Homes has brought in an office trailer which will be set up in the commercial area of Phase 1 to begin marketing the townhomes.

Borough Manager Michael Coll noted that Tim Hendricks is requesting assistance from Borough Council on naming the interior streets. Councillor Jeffrey Gross commented that "Market Street" might be a good suggestion. He is working with Main Streets to come up with other street name selections.

- b. Councillor Jeffrey Gross discussed the draft Business Improvement District plan with members of Borough Council. Councillor Gross noted that a few suggested revisions have been made and the revised draft should be ready for distribution shortly. Borough Manager Michael Coll noted that the Borough is still holding payment for the plan and will release some of the funds this month. All grant funds for this plan have been received.
- c. Borough Manager Michael Coll noted that the Pennsylvania Historic Commission has approved the revised concept plan for the addition to the Souderton Train Station. The revised concept plan included a new interior stairway to access the second floor; however, The Local has expressed concern that the new stair consumes too much dining room space and diminishes the benefits of relocating the kitchen. The Historic Commission objected to the enclosure of the platform for more dining space and now the proposed new stairway literally takes away from any potential gain in dining space. The Borough noted that the second floor has been sublet by The Local and the stairway will not be necessary if the second floor tenant relocates. Borough Council generally felt that the plans should move forward without providing for use of the second floor. The site plan is complete and will be submitted to the Montgomery County Conservation District. Staff will be meeting to finalize the project budget estimates, finalize the scope of work and prepare the project for formal bids.

4. Finance Committee

a. Borough Manager Michael Coll discussed the proposed purchase of a new ten

wheel dump truck through COSTARS. The recommendation discussed during the Public Works Work Session was to purchase the Mack chassis with the body and hydraulics fabricated by Triad. The complete truck will cost \$174,730.00. Univest Bank and Trust Company can offer to finance the entire purchase under a five year loan at an interest rate of 3.95%. It was discussed that a lease may carry a higher rate of interest but proposals will be obtained to verify the best financing option. A recommendation will be made to authorize the purchase at the March 2, 2015 Borough Council meeting along with authorizing the financing of the purchase.

b. Borough Council briefly discussed the status of Main Streets. Joanne Coppens is now working as a full time manager. Under main Streets guidelines, the board members cannot serve any longer than 6 consecutive years. The Board is in the process of reorganizing to comply with this requirement. Pam baker is now serving as the Chair of Main Streets. Souderton Borough Council will need to appoint a new representative to Main Streets, with Daniel Houser being considered for this position.