

Regular Borough Council Meeting

April 7, 2014

The Regular Meeting of Souderton Borough Council, held on Monday, April 7, 2014, was called to order by President Brian K. Goshow at 7:35 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Mayor John R. Reynolds
Councillor Ned D. Leight	Junior Councillor Triston Loux
Councillor D. Jeffrey Gross	
Councillor Daniel Houser	Solicitor Robert R. Bricker
Councillor Preston Miller	Borough Manager P. Michael Coll
Councillor Richard Halbom	Police Chief James P. Leary
Councillor Kevin Souder	Public Works Director Steven R. Coll

Absent from the meeting were Vice-President Andrew Schlosser and Councillor Richard Godshall. The Invocation was given by Borough Manager P. Michael Coll, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the March 3, 2014 Regular Borough Council Meeting, March Work Sessions and the March 24, 2014 Special Borough Council meeting. A motion was made by Councillor Richard Halbom, seconded by Councillor Preston Miller, to approve the minutes of the March 3, 2014 Regular Borough Council Meeting, March 2014 Work Sessions, and the March 24, 2014 Special Meeting as presented. The motion was approved.

Mayor John Reynolds noted that the Souderton Boys Swim team had a great season, placing in the top 10 in State's, with Junior Councillor Triston Loux receiving a few metals. Saturday, April 26 is our annual Community Cleanup Day in the Souderton Community Park.

Police Chief James Leary reviewed his monthly statistical and narrative summary reports to Borough Council. Chief Leary noted that this was a high crime month, but also a high clearance month for the department. Peter Becker Community provided a \$400 public safety grant to the department for the purchase of a protective vest. Chief Leary announced and expressed his appreciation to all who assisted in the creation of the Northwestern Montgomery County Emergency Management Group. The group presently is comprised of 10 municipalities jointly working towards emergency preparedness. Chief Leary noted that the Souderton 125th Celebration Committee brought a fireworks show to the Souderton Community Park, and Borough Council worked at hosting a second event last year. Chief Leary suggested that Borough Council consider holding the event for a third year and offered a personal donation of \$1,000 to begin the fundraising campaign for the event. Chief Leary also noted that April 26th is National Drug Enforcement Take Back Day, with the Souderton Police Department participating along with a food drive for the benefit of Keystone Opportunity Center.

The Borough Solicitor's report for the month of April, 2014 was distributed to Borough Council. The Borough Solicitor reported that they finally completed execution of the Assignment of the Caboose Grill Lease Agreement. The documents for the interim financing for the Train Station project have been submitted to the Department of Community and Economic Development for approval. The Borough Solicitor had several conversations with the Borough manager concerning the Broad Theater project.

Borough Manager Michael Coll reported on the items scheduled for consideration. Borough Council discussed an application for a Community Development Block Grant Application to replace the brick sidewalks along Green Street, from Wile Avenue to West Street. The project proposes to reduce the width of the sidewalk from eight feet to six feet, increasing the street cartway by four feet to enhance street parking. The proposed project also includes some drainage improvements. The road reconstruction will be completed with Borough funds. A Resolution has been prepared for consideration to formally approve the submission of this grant application. The deadline for filing is Friday, April 11, 2014. A

motion has been prepared to authorize the advertisement of the proposed ordinance to adopt the 2009 international property Maintenance Code with several local amendments addressing placement of trash receptacles, dumpsters, and porch and deck furniture, along with a few other revisions and clarifications. Recommendations have also been made to re-appoint William Collier to the Zoning Hearing Board and Richard Halbom as the Souderton Borough representative to the Northern Montgomery County recycling Commission.

Councillor Ned Leight reminded members of Borough Council of the need to discuss Library Funding as indicated in the letter from Task Force Funding Committee Chairman Douglas Gifford.

Consideration was given to paying the bills for the month of March, 2014.

GENERAL FUND

Cope's Garage, Inc.	\$778.20	Nationwide Trust Company	\$213.54
Daniel L. Beardsley, Ltd	369.99	Nationwide Trust Company	1,131.52
International Salt Company	2,485.10	Nelson Wire Rope Corporation	99.86
Metlife	7,156.44	Netcarrier Telecom, Inc	411.27
Moyer Indoor/Outdoor	806.43	Nextel Communications	183.67
Nationwide Trust Company	614.36	North American Benefits Co	886.49
Nationwide Trust Company	3,051.90	North Penn Water Authority	37.03
Suburban Propane	2,850.98	NYCO Corporation	116.80
Advanced Disposal	408.49	PECO Energy	404.99
AT&T	42.32	PA One Call System	22.10
Beatrice Kaizar	400.00	Plasterer Equipment Company	218.88
Bergey's, Inc	302.64	PPL Electric Utilities	3,836.56
Blooming Glen Quarry	307.15	PPL Electric Utilities	16.27
Boucher & James, Inc	4,526.98	Richter Drafting/Office Supply	112.84
Clemens Uniform Rental	297.70	Ricoh	482.44
Comcast Cable	249.00	Shelly Enterprises, Inc	38.19
Cope's Garage, Inc.	837.14	Shoemaker Welding	65.00
Delta Dental	1,233.44	Trout Brothers	787.50
Donald D Bergey	15.00	US Municipal Supply	542.19
E. M. Kutz, Inc.	1,869.05	Univest VISA	812.48
Fromm Electric Supply Corp.	243.75	Univest VISA	915.00
HISI	8,930.00	Urban Partners	4,162.17
International Salt Company	7,001.17	Verizon	61.76
John R. Young & Co.	402.63	Weldon Auto Parts	370.44
Kenco Hydraulics, Inc.	620.00	Metlife	2,427.72
Metlife	2,485.41	Petty Cash Fund	195.79
Montgomery Newspaper	375.47		
Moyer Indoor/Outdoor	1,966.64		
Naceville Materials	668.10	Total General Fund	\$69,847.98

SEWER FUND

Bergey's, Inc	\$1,376.18	Hajoca Corporation	\$40.09
Carquest	8.09	Hangley Aronchick Segal Pudlin	584.00
Cintas First Aid & safety	66.36	HISI	1,994.00
Clemens Septic Services	150.00	Jesse Baro, Inc	3,928.84
Coyne Chemical	2,264.50	K J Door Services, Inc	1,655.50
EVOQUA Water Technologies	2,349.00	Metlife	23.07
GALCO Business Comm	4,115.00	Netcarrier Telecom, Inc	135.74
Good Plumbing Heating A/C, Inc	160.39	North American Benefits Co	330.52
Gouldey Welding & Fabrication	140.00	North Penn Water Authority	116.85
Jesse Baro, Inc	6,396.10	PA DEP	1,250.00
Metlife	69.21	Perkasie Regional Authority	375.00
PPL Electric Utilities	18,457.13	PPI Electric Utilities	767.51
Advanced Disposal	313.82	Richter Drafting/Office Supply	6.10

Carquest	129.72	Schaners Wastewater Products	2,304.92
Clemens Uniform Rental	148.38	Shelly Enterprises, Inc	17.56
Comcast Cable	79.90	Suburban Water Testing labs	118.60
Coyne Chemical	2,611.00	Verizon	68.85
Delta Dental	358.30	Youngs	8.06
Detlan Equipment, Inc	125.24	Metlife	69.21
EVOQUA Water Technologies	2,406.02		
Gouldey Welding & Fabrication	2,627.59	Total Sewer Fund	\$58,146.35

POOL FUND

Airgas National Carbonation \$44.00

CAPITAL RESERVE FUND

Boucher & James, Inc	\$5,625.69	Trout Brothers, Inc	\$900.00
Scott A. Seifert	3,520.00	Total Capital Reserve Fund	\$10,045.69

LIQUID FUELS FUND

Letterco	\$375.00	Signal Control Products, Inc.	\$109.00
PPL Electric Utilities	7,076.79		
PPL Electric Utilities	300.33	Total Liquid Fuels Fund	\$7,861.12

A motion was made by Councillor Preston Miller, seconded by Councillor Jeffrey Gross, to authorize payment of the bills for the month of March, 2014, as presented. The motion was approved.

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

Michelle Van de Water, 403 Montgomery Avenue, Souderton, read the following letter to Borough Council members:

Dear Members of Souderton Borough Council,

I am writing on behalf of my family, both immediate and extended, regarding a particular piece of equipment that was recently removed from the playground located at the corner of Chestnut Street and Wile Avenue. I am not sure how to describe it exactly, but it consisted of four seats, each one a different animal (duck, hippo, horse, and rooster) positioned around a central spring.

Due to this piece of equipment's sentimental value to our family as well as the unique character it possesses, we are hoping that you will consider putting it back in the park, perhaps with a fresh paint job, as you carry out the renovation process. I have found memories of this piece spanning from my childhood in the 70's, to my teenage years (I never really outgrew this playground toy!), to my more recent past as a mom watching my own children enjoying "riding" the animals. My parents have an old picture of me holding my baby brother atop the hippo back in 1973 and I have two photos of our son, Teddy, "riding" both the hippo and duck back in 2001.

We may be the only residents of Souderton who have been saddened to see this old piece of playground equipment uprooted from its long-time home, but we feel that, at the very least, it cannot hurt to voice the above-mentioned request to each of you. We look forward to hearing what you decide in this regard.

Thank you, kindly,

Michelle Van de Water and family

P.S. If you decide you are not going to put this piece of equipment back in the park, will it be available for purchase? If so, we are interested. Please let us know.

Mrs. Van de Water also shared a letter written by her son:

Dear Members of the Souderton Borough Council,

I think that you should put this piece of Souderton history back in the park.

Sincerely,

Clark Van de Water

Recreation Committee Chairman Jeffrey Gross commented that Borough Council might consider a “silent auction” for this and other pieces of playground equipment removed from the Chestnut Street Playground. This matter will be discussed further with members of Borough Council.

There being no further public comment, President Brian Goshow moved to the business portion of the agenda. The first item for consideration is the Community development Block Grant application for the replacement of sidewalk along Green Street. Borough Manager Michael Coll distributed copies of the concept plan as prepared by the Borough Engineer and summarized the project.

A motion was made by Councillor D. Jeffrey Gross, and seconded by Councillor Ned D. Leight, to adopt Resolution 2014-04 approving the submission of a Community Development Block Grant Application for the 2014 program year for the construction of curb and sidewalk along Green Street from Wile Avenue to West Street. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Preston Miller, to authorize the preparation and advertisement of an Ordinance adopting Property Maintenance Codes for formal consideration at the May Borough Council meeting. The motion was approved.

A motion was made by Councillor D. Jeffrey Gross, and seconded by Councillor Preston Miller, to appoint William Collier, 329 N. Second Street, Souderton, Pennsylvania to a three year term on the Zoning Hearing Board through December 31, 2016. The motion was approved.

A motion was made by Councillor Preston Miller, and seconded by Councillor D. Jeffrey Gross, to appoint Borough Councillor Richard Halbom to serve as the Souderton Borough representative to the Northern Montgomery County Recycling Commission. The motion was approved.

There being no further business, the meeting was adjourned at 8:08 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – April 14, 2014 (7:00pm-9:25pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Richard Godshall, Daniel Houser, Preston Miller, Richard Halbom 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.

Other Attendees: Marley Bice, Montgomery County Planning Commission, William E.

Maxwell, Planning Commission Chair, Roy Zeiher, Planning Commission, Thomas Rosenberger, Planning Commission, Frank Gallagher, Superintendent, SASD, William Stone, Business Manager, SASD

1. Police Chief

- a. Chief Leary provided a report about an incident that occurred at the Souderton Area High School in Franconia Township this afternoon. Emergency Management Response protocol placed into action on reported bomb scare. The matter was cleared without incident, but case remains under investigation.

2. Berkeley Court, Phase 2

- a. Developer Timothy Hendricks attended the Borough Council work session to discuss the proposed Berkeley Court, Phase 2 redevelopment of the former Souderton High School property. Timothy Hendricks presented a plan to revise the proposed development, reducing the mixed use ratio to 60% residential and 40% residential. A total of 75 residential units have been eliminated from the development. The large apartment building along N. School Lane has been eliminated and replaced with additional stacked townhouse units. Three of the five story buildings have been reduced to four story buildings. Proposed hotel has been increased to five stories. It was noted that a five story building is permitted under the current Zoning Ordinance.
- b. Developer is working to revise plans for Detweiler, Hershey property and is now working with Mark Lipkin and Jesse Sigman to create connections with their properties. Developer is including the Lipkin and Detweiler buildings in the commercial mix since he is working with them to create parking and pedestrian connections.
- c. Settlement with School District is scheduled for June. Demolition of the old high school will occur in its entirety within five to six months upon approval of the development plans.
- d. All residential condominiums will be two bedroom units. The stacked townhomes will be three bedroom units. There was a discussion on residential density with Superintendent Frank Gallagher noting that they have estimated that this proposed development will not generate a significant number of school age children. Models suggest 25 to a conservatively high estimate of 50. Superintendent Gallagher further commented that the school district will be confronted with necessary building improvements throughout the district, but they will not be created by this proposed development. Currently there is ample room within the existing district to accommodate this development.
- e. Some members of Borough Council felt that the reduced mix ratio is still too heavily oriented towards residential. The developer was asked to consider if any further residential reduction will be feasible.
- f. Marley Bice, Community Planner with the Montgomery County Planning Commission summarized the zoning issues based on the current plans and available information. She further confirmed the comments made by Superintendent Gallagher on the estimates of school age children.
- g. Following considerable further discussion, it was agreed that the developer would be invited back to the Administrative Work Session on April 21 to further discuss the concept plan and zoning parameters for the redevelopment of the high school property.
- h. Borough Council did not discuss any other committee items during this work session.

Administrative Work Session – April 21, 2014 (7:00pm-8:35pm)

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 Jim Leary, Code Enforcement Officer Steven Toy and Borough Manager Michael Coll.

Other Attendees: Marley Bice, MCPC, Roy Zeiher, Planning Commission, Thomas Rosenberger, Planning Commission.

1. Police Committee

- a) Chief Leary was asked to monitor parking patterns within the Main Street parking lot to address concerns raised by Everence Insurance and Allebach Creative. The business owners suggested stronger enforcement of the parking restrictions within the main Street parking lot. Committee members suggested that the police department initially post warning notices. Suggestions were also made by the businesses to consider freeing up some of the restricted spaces in the Municipal Parking Lot. Borough Council pointed out that the business owners should consider using the municipal lot on Railroad Avenue which has plenty of available spaces now that John Fretz Insurance has closed.

2. Administrative Committee

- a. Borough manager Michael Coll noted that he will be working with Freedom Systems to set up individual email accounts for the members of Borough Council for Borough related business.

3. Development Committee

- a. Borough manager Michael Coll reported on the progress towards the adoption of the 2009 International Property Maintenance Code, with provisions to amend and strengthen Section 308 of this code. It was noted that the matter of dead trees was not included in the last draft. The proposed ordinance will be advertised for formal consideration at the May Borough Council meeting.
- b. Borough Manager Michael Coll noted that progress is being made on the BID planning project and the consultant will be scheduling additional meetings and interviews in the coming weeks.
- c. Borough Manager Michael Coll briefly updated the status of the Train Station project and completion of the Lease Agreements. A meeting has been scheduled with the architects to review progress to date and development a project timeline.
- d. Borough Manager Michael Coll reported that the Souderton Zoning Hearing Board met on April 8, 2014 and approved the variance application to construct a single family dwelling on a non-conforming lot presently owned by the Perseverance Volunteer Fire Company at 124 E. Summit Street, with a reduced side yard setback from 10 feet to 7 ½ feet, to accommodate the construction of a 25 feet wide dwelling.
- e. Borough Council members reviewed a sketch plan prepared for Jeffrey Mauer to create three indented parking spaces along S. School Lane. Borough Council suggested that the space be reduced from 8 feet wide to 7 ½ feet to create a full 5 feet wide sidewalk area along the side of his building. Borough Council asked that a more typical bulb out area be created if possible to avoid a fourth vehicle trying to park in the spaces. This may or may not be possible due to grading and storm water management.

4. Berkeley Court, Phase 2

- a. Borough Council members expressed disappointment that developer Timothy Hendricks was not in attendance at the work session, but since there were residents and property owners in attendance, President Brian Goshow opened the floor for comments concerning the proposed development plan.

- b. Borough Manager Michael Coll distributed copies of the revised concept plan and summarized the revisions.
- c. Herbert Cope, Cope's Garage, 102 N County Line Road, questioned the plans for East Chestnut Street. The plans do not suggest any revisions to the proposed traffic pattern along East Chestnut Street. The proposed parking on the south side of the street is located further into the lot to maintain adequate cartway width to provide parking on both sides of the street.
- d. Ron Hallman, 149 Hillcrest Avenue, questioned the regulations and policies of Borough Council on floor area and residential density. Residential density continues to be a concern.
- e. Joe and Susan Rydzewski, 166 N Eighth Street, expressed concern with potential traffic along Chestnut Street, Hillcrest Avenue and Eighth Street.
- f. Mark Lipkin, 601 E Broad Street, noted that he has been in conversation with Tim Hendricks about providing a connection for shared parking for his office building at the corner of East Broad Street and School Lane. He indicated support for the development and noted that he feels a connection will be beneficial for all parties. He did express concern over the marketability of the commercial spaces and the sale price of the residential units.