

Regular Meeting

November 10, 2008

The Regular Meeting of the Souderton Borough Council was called to order by President John U. Young at 7:30 p.m. Members of Borough Council present at the Meeting included the following:

President John U. Young	Councillor J. Edward Hunsicker, Jr.
Vice President Andrew Schlosser	Mayor John R. Reynolds
Councillor Ned D. Leight	Junior Councillor Daniel Yocum
Councillor D. Jeffrey Gross	Solicitor Charlotte Hunsberger
Councillor Brian Goshow	Borough Manager P. Michael Coll
Councillor Katherine M. Grubb	Public Works Director Steven R. Coll
Councillor Jonathan Gardenier	Chief Charles A. Quinn, Sr.
Councillor Ray M. Yothers	

The Invocation was given by Councillor J. Edward Hunsicker, followed by the Pledge of Allegiance to the Flag, which was led by Boy Scout Troop 401 of Souderton.

Consideration was given to the minutes of the October 6, 2008 regular Borough Council Meeting and the October, 2008 Borough Council work sessions. Councillor Jonathan Gardenier questioned clarification on whether the two Franconia residents who spoke last month were also property owners. Borough Manager Michael Coll stated that that information is not known. President John Young clarified for the audience that he will maintain the public comment policy which only permits Souderton Borough residents and Souderton Borough property owners to address Borough Council.

A motion was made by Councillor J. Edward Hunsicker, and seconded by Councillor Katherine Grubb, to approve the minutes of the October 6, 2008 regular Borough Council Meeting and October Borough Council work sessions, as presented. The motion was approved.

Under correspondence, Borough Manager Michael Coll noted that he received letters of interest from Steven Toy, 615 E. Cherry Lane; Richard Halbom, 49 N. Fourth Street and Brad Price, 402 E. Broad Street for consideration to fill the pending vacancy on Borough Council upon the retirement of Councillor Ray Yothers. All three individuals have been invited to attend the Administrative Work Session on November 17th. A letter was received from Deborah Crown, 208 N. Main Street, requesting Borough Council to reconsider the recent elimination of the two parking spaces in front of the neighboring apartment building. Letters were also received from Mark Maffin, 241 Noble Street, Geralyn McFall, 27 Hamlin Avenue, Telford and an email from Karen Rosenberger, all expressing support towards opening the swimming pool for the 2009 season.

Mayor John R. Reynolds read a Proclamation from the office of Governor Rendell commemorating Business Women's Week, October 20-24, 2008, noting that this announcement is somewhat dated but its importance cannot be overlooked.

Councillor Katherine Grubb questioned Chief Quinn on the status of marking and outfitting the new Dodge Charger police car for service. Chief Quinn commented that the Charger should be complete and in service by Friday of this week.

Solicitor Report for the month of October, 2008 was distributed. They finalized the shared parking agreement for the property at 121 North Main Street. They are currently in the process of satisfying 42 municipal liens for curb and sidewalk construction.

Public Works Director Steven Coll reported that PennDOT completed paving on West Broad Street this past Friday evening. The contractor will complete the remaining paving at Main Street and Broad Street this week as weather conditions improve. President John Young questioned the status of repairing the pothole on East Broad Street at the railroad crossing. Steve Coll noted that the Borough temporarily filled the depression with cold patch. PECO will follow up shortly with a permanent repair.

Councillor Edward Hunsicker commented that Borough Council should send a letter of appreciation to State Representative Robert Godshall for his efforts in pressuring PennDOT to complete the paving of West Broad Street this year. This work would not have been completed without his efforts. Councillor Jeffrey Gross agreed that such recognition should be sent on behalf of Borough Council and the residents to let him know that his efforts were appreciated.

Borough Manager Michael Coll reported that the Zoning Hearing Board will be meeting on Tuesday, November 11, 2008 to consider a variance request from Philip Heller to relocate his automotive repair garage to 47 N. Front Street. The Borough Manager also reported that Code Enforcement Officer, Carl Stuart, devoted a fair amount of time and effort in completing a recent ISO rating survey. His efforts dramatically increased our previous rating of a 9 to 3 out of 10. This excellent rating reflects our efforts in establishing a good code enforcement program and should aid property owners in obtaining competitive quotes for property insurance. The Borough Manager summarized the agenda for the meeting.

President John Young opened the floor for any committee reports. Councillor Jeffrey Gross spoke in regard to the Zoning Hearing Application of Philip Heller. This property is located in a C-2 Commercial Limited District. The Borough and Montgomery County Planning Commission continue to work on creating a revised C-2 Commercial District. Automotive repairs and similar uses is something that we want to discourage from this Zoning District. Councillor Gross noted that he has received an opinion from the Montgomery County Planning Commission supporting this position and he would request that Borough Council authorize the filing of an objection to this proposed application. Councillor Jonathan Gardenier noted that this is an existing business operating on East Broad Street and disagrees with the opinion of Councillor Gross. The Borough should actually support this application to maintain the business in Souderton Borough. Councillor Andrew Schlosser commented that he agrees the proposed location is not appropriate for this type of business; however, he also agrees that we should encourage business to remain in the Borough. After further discussion, the members of Borough Council concluded not to take a position on the application; however, individual members are free to attend the meeting to express their individual opinions.

Councillor Katherine Grubb expressed disappointment to the Borough Manager for not sending out notices of the Metro Development Company presentation. This information should be distributed to the residents and property owners around the High School Property by the end of this week.

Consideration was given to paying the bills for the month of October, 2008.

GENERAL FUND

About Flags, Inc.	\$265.60	Armstrong & Son Equipment Repair	\$59.16
AT&T	6.94	Boucher and James, Inc.	168.93
Clemens Uniform Rental	175.08	Cope's Garage, Inc.	1,178.94
Farm & Home Oil Company	620.55	Fire Protection Services, LLC	183.50
Frederick's Flowers	1,218.00	From Electric Supply Corporation	35.64
Indian Creek Foundation	470.00	Jaeger Electric Service, Inc.	452.89
Montgomery Newspaper	38.96	Moyer & Son, Inc.	166.40
North Penn Water Authority	475.63	Pennsylvania One Call System	26.00
Perkiomen Watershed Conservancy	250.00	The Home Depot	550.50
Bergey's, Inc.	163.07	Comcast Cable	42.95
MetLife	1,675.84	PECO Energy	14.32
PPL Electric Utilities	310.60	Rotanium Products Company	670.84
Shelly Enterprises, Inc.	220.99	Petty Cash Fund	125.84
Postmaster, Telford/Souderton	152.80	Altek Business Systems, Inc.	306.46
AT&T	88.40	Bishop Wood Products, Inc.	140.00
Cope's Garage, Inc.	272.67	Glasgow, Inc.	210.00
Gouldey Welding & Fabrication	232.00	Independence Blue Cross	16,546.78
John T. Fretz Insurance Agency	23,578.91	M & M Stone Company	84.15
Markey Paper & Packaging, Inc.	101.57	MetLife	217.63
MetLife	1,675.54	Montg. Co. Planning Commission	4,662.00
Moyer & Son, Inc.	2,464.24	NetCarrier Telecom, Inc.	315.44
PA Municipal Retirement System	77,170.00	PA Municipal Retirement System	90,898.00
Potty Queen	198.65	PPL Electric Utilities	9,582.85
PSAB CDL Testing Program	170.00	Souderton Firemen's Relief	46,213.96
Verizon	176.98	Bergey's, Inc.	161.00
Daniel L. Beardsley LTD	41.60	Federal express Corporation	55.75
Freedom Systems Corporation	140.62	Keystone Health Plan East	3,988.19
North American Benefits	874.60	Oldcastle Lawn & Garden North	480.00
QC Inc.	87.00	SEPTA	400.00

Shelly Enterprises, Inc.	26.94	Trumbauer's Lawn & Rec, Inc.	46.64
Unum Insurance Company	755.12	Ven-Mar Sales, Inc.	323.99
Weldon Auto Parts	59.28	BUX-MONT Awards & Engraving	100.41
Comcast Cable	60.36	Cope's Garage, Inc.	1,236.31
Country Fair Cleaners	228.60	Davidheiser's, Inc.	71.00
Employee Data Forms of MO LLC	31.50	Farm & Home Oil Co.	1,276.89
Gall's, Inc.	486.80	Good, Inc.	686.95
Highway Materials, Inc.	515.56	Idea Art	28.85
Indian Creek Foundation	376.00	Jason M. Kelly	132.00
Lansdale Police Department	300.00	Markey Paper & Packaging, Inc.	170.68
MetLife	217.63	MetLife	1,675.84
N.F. Landis and Son, Inc.	115.00	Nyco Corporation	12.00
PA Municipal Retirement System	20.00	Richter Drafting/Office Supply	347.25
Shelly Enterprises, Inc.	149.78	Univest Visa	19.96
Voss Sign	227.50	Word Work, Inc.	1,282.50
Total General Fund			\$302,236.30

SEWER FUND

North Penn Water Authority	\$129.00	The Home Depot	154.97
Cintas First Aid & Safety	24.85	Clemens Uniform Rental	66.28
Comcast Cable	42.95	Essex Service Corporation	635.99
Hach Company	138.71	Hajoca Corporation	223.86
J.P. Mascaro & Sons	4,916.25	PPL Electric Utilities	394.60
PPL Electric Utilities	11,571.75	Boro of Souderton Sewer Capital	50,000.00
CCP Industries Inc.	371.51	Bearings & Drives Unlimited	13.00
Clayton H. Landis Company, Inc.	152.79	Dr. Alan Parker	241.00
Drummond American Corporation	550.93	Good, Inc.	388.94
H. Keith Koehler	134.95	Independence Blue Cross	4,585.80
J.P. Mascaro & Sons	4,026.82	John T. Fretz Insurance Agency	9,893.09
Markey Paper & Packaging, Inc.	168.85	MetLife	82.21
Midlantic Machinery	907.00	Moyer & Son, Inc.	243.92
NetCarrier Telecom, Inc.	147.85	Richter Drafting/Office Supply	7.00
Salvatore DeSimone	226.00	Schaners Wastewater Products	2,352.85
Shelly Enterprises, Inc.	17.38	Siemens Water Technologies	1,665.00
Verizon	56.91	PA Municipal Retirement System	51,446.00
Dept Environmental Protection	15.00	Independence Blue Cross	107.74
Independence Blue Cross	207.65	Keystone Health Plan East	2,089.34
North American Benefits Company	247.60	State World Headquarters	194.66
Suburban Water Testing Labs	73.00	Univar USA Inc.	2,438.96
Unum Insurance Company	198.28	Cintas First Aid & Safety	42.70
MetLife	82.21	PA Municipal Retirement System	20.00
PPL Electric Utilities	14,341.15	R&B Truck and Equipment Repair	253.83
Total Sewer Fund			\$166,291.13

CAPITAL RESERVE FUND

Commonwealth of Pennsylvania	\$851.71	Univest National Bank	\$1,711.31
DePallo Design & Planning, LLC	1,097.50	Trout Brothers, Inc.	12,081.94
Total Capital Reserve Fund			\$15,742.46

LIQUID FUELS FUND

Commonwealth Precast	\$476.00	Kelly-Creswell Company	\$257.33
PPL Electric Utilities	94.51	Shelly Enterprises, Inc.	80.02
M & M Stone Co.	17,749.73	PPL Electric Utilities	301.46
The Sherwin Williams Co.	586.05		
Total Liquid Fuels Fund			\$19,545.10

SANITARY SEWER CAPITAL FUND (PLGIT)

Bank of New York	\$57,355.94	Trout Brothers, Inc.	\$5,167.31
		Total Sanitary Capital Fund	\$62,523.25

Councillor Brian Goshow questioned the bill from Frederick's Flowers. This bill is for the hanging baskets in the core downtown. Councillor Goshow requested that Main Streets be contacted to contribute in this effort. Councillor Jeffrey Gross commented that Main Streets does not have funding for this project, but may be able to arrange for volunteers for next season.

A motion was made by Councillor Ned D. Leight, seconded by Councillor Ray Yothers, to pay the bills for the month of October, 2008, as presented. The motion was approved.

President John U. Young stated that the next item will be the presentation from representatives of Metro Development Company to discuss their conceptual vision for the redevelopment of the Souderton High School property. Attorney William Benner introduced the representatives and principals of the Metro Development Company. His client recently executed an agreement of sale with the Souderton School Board. They are proposing the purchase of the entire property which is located in both Souderton Borough and Hilltown Township. The agreement provides a 90 day due diligence period to evaluate the opinions of the municipalities and explore the overall feasibility of the project prior to the beginning of nonrefundable payments towards the purchase of the property. The first payment is due on December 19, 2008. Metro Development Company president Michael Grasso and Representative Jack Schneider presented a 45 minute power point presentation to Borough Council explaining the history of the company, its past projects and the conceptual plans for the Souderton High School site.

Following the presentation, President John Young opened the floor for public comment and questions regarding the presentation of Metro Development Company proposal.

Dennis Hauptert, 533 E. Chestnut Street, commented that he generally liked the presentation. He questioned Mr. Grasso on the proposed construction phasing and questioned members of Borough Council on why they want taller buildings than what is proposed. Councillor Schlosser noted that the taller building may yield greater density to the development without consuming potential green space. Councillor Gardenier further commented that a taller building in the center of the site would not be noticeable.

Ray Hopkins, 417 Wile Avenue, commented that the proposed development is likely to compete with the core downtown business district. Mr. Grasso noted that there is no doubt that the proposed development will compete with the downtown business district in the short term, but may actually help to anchor or support the downtown business district in the long term.

Julian Hauck, 76 S County Line Road, commended the representatives of Metro Development Company for an excellent presentation. He commented on the proposed reuse of the natatorium and adjoining fitness center. A new fitness center is planned to locate in the adjoining shopping center. This is an already saturated market. The Borough certainly needs the revenue that this development will generate.

President John Young called for a brief recess to provide time for the Metro Development Company representatives to clear their equipment. The meeting was recessed at 9:25 pm and members of Borough Council convened at 9:35 pm to consider the remainder of the agenda.

The next item for consideration was a recommendation to extend a no parking restriction at East Reliance Road and Railroad Avenue due to visibility concerns. A motion was made by Councillor Edward Hunsicker, and seconded by Councillor Andrew Schlosser, to extend the No Parking Restriction along the north side of East Reliance Road to a distance of 100 feet west of the intersection of Railroad Avenue, for a 90 day trial period per Mayor's order. The motion was approved.

President John Young opened the floor for public comment on the swimming pool issue or any other issue.

Ray Hopkins, 417 Wile Avenue, commented that he supports the swimming pool and feels the pool is an asset to the community. The pool does create a significant financial concern and will the continued operation create future financial burden, this is a concern that should not be bet on.

Norman Detweiler, 458 N Main Street, commented that the historical financial data suggests that the swimming pool facility could be opened next season without significant financial impact. The swimming pool provides significant recreational opportunity and brings the community together.

Daniel Graham, 66 W. Walnut Street, commented that a wide range of costs have been presented ranging from \$50,000 to \$44,000 to operate the pool. Souderton Borough should provide the community with a family oriented swimming pool, along with the other basic services. He further commented that Borough Council was and is capable of moving forward with planning for an upgraded pool facility while keeping the current pool open next season.

Helen Otto, 110 S. School Lane, commented that she senses some bias, perhaps some don't go to the pool or don't like the pool, but there are those of us that do appreciate and use the facility. She commented that she pays the daily admission rate rather than purchasing a family membership.

Jennifer Gable, 486 N Main Street, commented that she has been a resident for four years and is a member of the pool. She commented that she has met a lot of people while at the pool. She commented that the Borough should close the pool early if necessary and proceed with renovations.

Karen Kichline, 403 Fairview Avenue, commented that she has been involved with the Souderton Swim Team for twenty years and moved here because of the swimming pool. The pool is a valuable community service, if the pool is lost for even one year; the children will have no place to go. The pool offers support for day camps and provides summer employment opportunities. She further commented that she does not understand why members of Borough Council want to close the facility. The community pool has built so many children of character over the years.

Julian Hauck, 76 S County Line Road, commended those folks who expressed an interest in keeping the pool open, obviously the pool presents a strong social and recreational concept, and he understands the value of this. However this service comes at a cost and this cost cannot be unlimited. Perhaps, Borough Council could consider purchasing memberships for Borough residents to go to the Harleysville pool as a way of controlling cost.

Michael Boland, 39 N Fifth Street, commented that he disagrees with sending residents out of the community. If this asset is lost, it probably will never come back. As a community we should maintain this service.

Mary Montroy, 157 N Second Street, commented that Borough Council has a hard decision to make. Residents are passionate towards the pool, but perhaps the majority of the taxpayers do not feel this same compassion.

Steven Paine, 54 W Chestnut Street, commented that government should only be focused on providing services that are absolutely mandated by the community, programs that are not absolutely essential should not be funded.

Gudrun Hildebidle, 432 E Garfield Avenue, supported the continued operation of the pool and further commented that Souderton and Telford Boroughs have been cooperating in the Main Streets program and the post office, there is no reason why the two Boroughs cannot find a way to cooperate with the pool project.

A motion was made by Councillor Jonathan Gardenier and seconded by Councillor Andrew Schlosser to authorize the Solicitor to draft an agreement between the Borough of Souderton and Franconia Township whereby Franconia would contribute \$80,000 per year for 20 years to subsidize pool construction and operating costs; draft a similar agreement between the Borough of Souderton and the Borough of Telford for a sum of \$40,000 per year for 20 years and authorize the Borough manager to contact Franconia Township and Telford Borough with such proposals once they are drafted.

Councillor Ned Leight stated that he didn't hear of this proposed motion until tonight, why wasn't this proposed motion presented in committee? Councillor Jeffrey Gross echoed this same comment. Councillor Katherine Grubb commented that the pool was discussed many times at the work sessions with an estimate of \$3 to \$3.5 million dollars to fund the renovations of the pool. The debt service required to support this project was estimated at \$160,000 annually. Councillor Grubb further commented that Mr. Schissler from Franconia Township spoke at last month's meeting and was

gravely upset over the fact that neither Franconia Township nor Telford Borough has contributed to the pool. The majority of Borough Council members agreed that these municipalities should contribute in some way. Councillor Grubb felt that the proposed motion was not a mandate, it's simply a contract proposal that the municipalities can choose to consider since a majority of the users of the pool are from these municipalities. Councillor Andrew Schlosser questioned the basis for the proposed contribution figures. Councillor Gardenier replied that the numbers are based on usage estimates and the estimated debt service. Councillor Ned Leight commented that we have not approached the municipalities about contributing and this approach is wrong. Councillor Jeffrey Gross stated that there were two meetings since the last Borough Council meeting where this matter should have been discussed. Councillor Brian Goshow commented that we need to discuss this matter with the municipalities prior to considering any formal proposal. Councillor Andrew Schlosser commented that we should direct the Borough Manager to contact the municipalities in reference to financial support towards the pool. Councillor Edward Hunsicker commented that he doesn't want to close the pool down either, but feels that safety concerns warrant the closure of the facility until they are addressed. Mayor Reynolds commented that this motion requires further discussion. A motion was then made by Councillor Andrew Schlosser, seconded by Councillor Jonathan Gardenier to table the proposed motion. The motion to table was approved.

A motion was made by Councillor Jonathan Gardenier, seconded by Councillor Katherine Grubb, to close the Souderton Pool effective immediately and until such time as it has been renovated and that the Borough create a committee to begin fundraising for the purpose of renovating the facility along the lines suggested in the Wade Associates report.

Councillor Ned Leight commented that he prefers to keep the pool open until we find a way to renovate the facility. Councillor Jeffrey Gross commented that he received many emails and telephone calls supporting the continued operation of the pool. Councillor Brian Goshow commented that the proposed 2009 Budget includes funding to continue to operate the pool and there is no proposed increase in the tax rates, suggesting that we should keep the pool open. Councillor Andrew Schlosser noted that he is not in favor of closing the pool, but does not want to invest any more money into the current facility. Councillor Katherine Grubb noted that not every community has a pool, but every community must maintain roads and their infrastructure for their residents. Councillor Grubb also noted that the Borough will be mandated to comply with the federal Virginia Graeme Baker Pool and Spa Act that becomes effective December 19, 2008, requiring the installation of safety vacuum release systems. This act was named after a seven year old girl who became trapped at the bottom of a pool and passed away. Councillor Yothers commented that he felt the Borough could operate the pool in 2009, providing that we can make it safe for the users. Councillor Edward Hunsicker again commented that the pool should be closed due to safety concerns. Councillor Ned Leight asked the Borough manager whether the facility was unsafe to open in 2009. The Borough Manager confirmed that the Borough will have to comply with the Virginia Graeme Baker Act; however the vacuum release valves are not believed to be extremely expensive and can be installed by Borough forces. The Borough must also repair the pump for the upper pool. Aside from normal annual start up costs and the absence of a catastrophic equipment failure, we should be able to operate the facility through 2009; however, Borough Council must address renovations for future seasons. President John Young commented that he would support keeping the pool open for 2009. President Young asked Councillor Gardenier to restate the motion on the floor and called for a roll call vote, an affirmative vote is to close the facility and no vote will keep the pool open through the 2009 season:

Councillor Ned Leight	Nay	Councillor Andrew Schlosser	Yea
Councillor Jeffrey Gross	Nay	Councillor Katherine Grubb	Yea
Councillor Brian Goshow	Nay	Councillor Jonathan Gardenier	Yea
Councillor John Young	Nay	Councillor Edward Hunsicker	Yea
Councillor Ray Yothers	Nay		

The motion was defeated by a vote of 5 nays to 4 yeas.

Borough Manager Michael Coll reviewed the proposed 2009 Budget and the 2009 Real Estate Tax Ordinance. The Budget will not require an increase in the tax rates; however revenue will increase with the new Local services tax that becomes effective January 1, 2009. The additional revenue from this new tax will be used towards additional paving projects. The Budget will be advertised for formal consideration at the December 1, 2008 regular Borough Council meeting.

A motion was made by Councillor Katherine Grubb, and seconded by Councillor Brian Goshow, to authorize the advertisement of the 2009 Budget Ordinance and the 2009 Real Estate Tax

Ordinance for formal consideration at the December 1, 2008 regular Borough Council Meeting. The motion was approved.

President John Young recognized Councillor Ray Yothers for his service as a member of Borough Council. A motion was made by Councillor Andrew Schlosser, and seconded by Councillor Edward Hunsicker, to accept to resignation of Borough Councillor Ray M. Yothers, effective November 10, 2008, with appreciation for his service to Souderton Borough and extending best wishes on his retirement. The motion was approved by unanimous vote.

Prior to adjournment, a motion was made by Councillor Katherine Grubb, seconded by Councillor Jonathan Gardenier, to authorize the Borough Solicitor to contact Montgomery County Voter Services to report on the guidelines to place a referendum on the ballot regarding the proposed swimming pool project. The motion was approved with Councillor Brian Goshow dissenting.

There being no further business, the meeting was adjourned at 11:19 p.m.

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – Monday, November 3, 2008

Council Attendees: Mayor John Reynolds, Jeffrey Gross, Brian Goshow, Andrew Schlosser, Katherine Grubb, Jonathan Gardenier, Ray Yothers and Edward Hunsicker. Junior Councillor Daniel Yocum.

Staff Attendees: Public Works Director Steven Coll and Borough Manager Michael Coll.

1. Sanitation Committee

- a) The October Discharge Monitoring Report will be filed with one minor exception to permit limitations. A low pH reading of 5.8 was recorded on October 12. Soda Ash feeds were accelerated raising the pH to 6.4 the following day. The permit requires a pH in the range of 6.0 to 9.0. Attached is a report from Chief Operator Sal DeSimone outlining the performance of the plant and maintenance projects.
- b) ElcoTech has decided to withdraw its proposal for the sludge dryer. This particularly sized unit will no longer be produced. We have been approached with two alternative technologies that will be further evaluated. In the interim, we will proceed with testing and a permit application to certify our current sludge for land application. The 2009 Sewer Capital Budget does not include funding for the sludge dryer unit.
- c) The Northern Montgomery County Recycling Commission has requested the member municipalities to execute a joint agreement with the Barnside Farms Compost Facility, located on Halteman Road in Lower Salford Township. The purpose of this agreement is to designate an official PADEP permitted compost facility for residents to use as a drop-off facility for leaf and yard waste in municipalities that do not provide curb side collections or during periods when the collection program is not available to residents. This has been an issue in recent years for the commission to qualify for performance grants. This agreement has been recommended for formal approval at the December 1, 2008 Borough Council meeting. There is no obligation to utilize this facility.

2. Highway Committee

- a) Refer to the attached outline from Steve Coll regarding the status of projects completed during the month of October and scheduled work for the month of November.

- b) Leaf collection began during the last week in October and will follow our posted collection schedule through December. The self contained unit is currently in service and the second machine will be added after crews complete the brush collections. The same truck used for brush collection is also used for leaf collection.
- c) PennDOT, through the continued effort of State Representative Robert Godshall, began milling and paving W. Broad Street on November 3rd. They expect to be complete by the end of the week depending on weather conditions. Steve Coll requested additional paving on Main Street to repair the heavy rutted condition at Main Street and West Broad Street. This additional work was added to the contract. Borough forces assisted with adjusting manholes in conjunction with the paving project.
- d) Committee members expressed concern with the deteriorated condition of the grade crossing at Broad and Main Streets. The Borough Manager was instructed to make contacts to try to repair this condition. As a side note, PennDOT just recently notified the Borough that east Broad Street is scheduled for milling and overlay work next season.
- e) A sudden accumulating snow storm required crews to plow streets. Conditions did not warrant salting. Lansdale Borough just awarded a multi-municipal salt bid with International salt Company. Salt prices have escalated by over \$20.00 per ton. Souderton Borough has been mixing salt with anti-skid cinders to reduce salt consumption. This practice will continue through this season.

3. Sidewalk Committee

- a) No new items were discussed

4. Recreation Committee

- a) Considerable discussion was again held on the status of the existing swimming pool and the potential reconstruction of the facility as recommended in the feasibility study completed by Wade Associates. Members continue to be divided on whether to open the existing facility in 2009. Jonathan Gardenier advised members that he will place a motion on the floor at the November 10th Borough Council meeting to close the current facility. Members discussed the potential of increasing membership fees to allocate earmarked funding directly to the Borough towards operating and planning expenses.

Members also discussed future rehabilitation plans. In general a reasonable investment of tax revenue to support the pool may be acceptable. Community donations and fund raising must be a condition of moving the project forward. Planning for the new renovated pool facility will begin in 2009. It may be necessary to complete renovations over a two year period which may result in sacrificing the 2010 season.

- b) Steve Coll reported that the new play structure at the Lawn Avenue Park has already been vandalized. A play panel was kicked out, requiring the plexi-glass center to be removed. Graffiti was also painted on the play structure at the West Chestnut Street playground, which has been an ongoing issue, and the structure at the West Street Park was actually burnt. This is a disturbing trend and is adding unnecessary expense to repair. Committee members suggested added lighting and security cameras as possible ways to deter vandalism.

5. Property Committee

- a) No new items were discussed.

2009 BUDGET REVIEW

Members reviewed the draft 2009 Budget, which will be formally presented at the November 10, 2008 Borough Council meeting. Final adoption is scheduled for December 1, 2008. Council members adjourned to an Executive Session at 9:40 pm to discuss a proposal from the Borough

Manager to execute a minor subdivision of a portion of the pool parking lot in lieu of a salary increase. The Borough Manager was excused from the executive session.

The executive session concluded at 10:00 pm. Borough Council members expressed a general, but not unanimous, consensus to accept the proposal of the Borough Manager. The members agreed to pay up to \$3,000 in engineering and legal fees to prepare and record the required subdivision plan. The Borough Manager will be required to pay any additional cost over \$3,000. The salary of the Borough Manager shall remain at the current level of \$75,200 for the next five calendar years. The Borough Solicitor shall prepare an employment contract to document this agreement.

Administrative Work Session – Monday, November 17, 2008

Council Attendees: Mayor John Reynolds, John Young, Jeffrey Gross, Brian Goshow, Andrew Schlosser, Katherine Grubb, Jonathan Gardenier and Edward Hunsicker. Junior Councillor Daniel Yocum.

Staff Attendees: Police Chief Charles Quinn and Borough Manager Michael Coll.

BOROUGH COUNCIL APPOINTMENT

Council members interviewed candidates Richard Halbom, 49 N Fourth Street; D. Brad Price, 402 E Broad Street and Steven Toy, 615 E. Cherry Lane for the vacant position on Borough Council. Borough Council is scheduled to appoint a representative from ward 2 to fill the vacancy of Ray Yothers. The appointment will extend through December 31, 2009. The appointed candidate must run in the Primary Election, against any other interested candidates, for placement on the ballot in the November Municipal Election. The elected term will then run for the remaining two years of the original term through December 31, 2011.

At the conclusion of the work session, Council members reached a consensus to recommend Richard Halbom for the appointment. The Borough Manager was instructed to notify the candidates accordingly.

HIGH SCHOOL REDEVELOPMENT PLAN

The work session was attended by residents Barbara Snyder, 157 Hillcrest Avenue and Daniel Moser, 103 Hillcrest Avenue; along with Richard Halbom, Brad Price and Steven Toy. They attended this work session with interest towards further discussion of the conceptual plan for the redevelopment of the High School property that was presented by Metro Development Company at the November 10th Borough Council meeting.

Borough Manager Michael Coll reported that copies of the conceptual plan were mailed to approximately 200 residents and property owners surrounding the high school property.

Barbara Snyder commented on concerns with the existing conditions of County Line Road stressing the importance of necessary improvements to this section of road in conjunction with the planned development.

Daniel Moser commented that he is not comfortable with the proposed reuse of the pool and the proposed conversion into a private health and fitness center. An intense commercial activity along E. Chestnut Street is not desirable against the existing residential properties. He would prefer a residential development to buffer the mixed use towards the center of the parcel. In response to an inquiry from Council members, he also suggested that a tall building of three stories would not be objectionable.

Brad price questioned the possibility that the incentives within the proposed overlay zoning ordinance may not have been sufficient for developers to consider preservation of the high school building.

Members of Borough Council held considerable discussion on the proposed conceptual plan, instructing the Borough Manager to summarize the following concerns and suggestions:

- The townhouse development along N. School Lane should be further evaluated. Perhaps this area may be better suited for commercial use near the intersection with East Broad Street

utilizing some of the current parking area to support the commercial use with either condominium or twin dwellings adjacent to the existing single family dwellings.

- Most comments, from both Borough Council and adjoining residents, expressed surprise towards the proposal to reuse the existing natatorium and development of an adjoining private fitness center. Given the current economy, many believe this will not prove to be a viable reuse. The general consensus supported residential development along Chestnut Street. Such residential development may consist of townhomes, condominiums or a mixture, with building heights up to three stories. Commercial activity should not be located on East Chestnut Street. The pocket park at East Chestnut Street and School lane is an attractive feature.
- A general concern was expressed towards the appearance of too much impervious space. Future planning should work towards a reduction of impervious surface and/or improved buffering, added green space and enhanced streetscape amenities that would encourage pedestrian traffic and provide a rather unique identity to this development in comparison to other retail centers.
- The conceptual plan does not provide for preservation of the original high school building. The developer should indicate any further incentives that may make preservation viable to consider.
- The site is bordered by other adjoining properties that may have interest in selling or in some way participating in the overall development plan for this tract. The developer should continue to actively pursue any opportunity to acquire these adjoining properties that may be beneficial to the development.

Metro Development Company is scheduled to appear before the Souderton Planning Commission on Wednesday, November 19th to make a similar presentation. Council members questioned the type of action that the developer is requesting of Borough Council. The Borough Manager requested that the developer's legal counsel provide the language of the requested motion for the Borough Solicitor to review. Concern was also expressed towards taking action on December 1st without advanced notice of the recommended action. Council members preferred to address this matter separately in a Special Meeting on Monday, December 8, 2008.

1. Police Committee

- a) Police Negotiating Committee representatives meet with Police representatives on Thursday, November 6th, reaching a tentative three year agreement. An outline of the agreement was circulated for the review of Council. A draft of the contract will be prepared based on this tentative agreement for formal ratification by Borough Council on December 1, 2008.
- b) Chief Quinn reported that the new Dodge Charger police car is now in service.
- c) Timothy Dickinson reported that the Management Study for the Souderton Police Department is nearly complete. They want to revisit a section of the study regarding arrest statistics prior to distributing the final report. They hope to have the study fully complete by the end of the month.

2. Administrative Committee

- a) Borough Council will be asked to consider the following appointments at the January 5, 2009 Borough Council meeting:
 - Zoning Hearing Board, Eugene Moyer, 3 year term
 - Civil Service Commission, Larry Opdyke, 6 year term
 - Indian Valley Regional Appeals Board, Michael Gouldey, 3 year term
 - Emergency Management Coordinator- Rotate Steven Coll to Coordinator and Paul Stoudt to Deputy Coordinator.

3. Development Committee

- a) Committee members reviewed the proposed scope of services that the Montgomery County

will provide under the continuation of the Planning Assistance Contract. The major planning projects include continued work in completing the rezoning of N Main Street; drafting a fully codified Zoning Book; completing a new Revitalization Plan and assistance with subdivision and land development reviews. A motion will be prepared for consideration at the December 1, 2008 Borough Council meeting to formally approve the proposed Planning Assistance Contract.

- b) DePallo design and Planning is working on the expanded Economic Redevelopment Plan for the Borough. They will attend the Souderton Planning Commission meeting to present the redevelopment district boundaries and the required blight study to support the district designations.
- c) The Zoning Ordinance Sub-Committee will be meeting on Tuesday, November 18th at 3:00 pm to begin work on the amendments to the C-2 Commercial Limited District.
- d) Borough Manager Michael Coll reported that the construction of the connection ramp between the new Main Street municipal parking lot and 121 N Main Street is currently out for bids. This project is included in the Capital Reserve Budget and will be funded in large part through an existing Montgomery County Revitalization grant. Twelve contractors have picked up specifications. The bids will be opened on Monday, November 24th at 2:00 pm. The bids will be tabulated and reviewed with a recommendation to Borough Council for formal consideration at the December 1, 2008 meeting.
- e) The Borough will appear for a second time before the Montgomery County Open Space Board on Tuesday, November 25th to consider formal approval of the funding assistance request to construct the plaza area in front of the new Main Street parking lot.

4. Finance Committee

- a) The final draft of the 2009 Budget will be presented to Borough Council for formal consideration at the December 1, 2008 regular Borough Council meeting.

Jonathan Gardenier commented that he will advance a motion at the December 1, 2008 Borough Council meeting to formally notify the North Penn YMCA of our intention to renegotiate the current lease agreement for the operation of the swimming pool at the close of the 2009 season. This notification is required under the current lease agreement.