

Regular Meeting

January 7, 2019

The Regular Meeting of Souderton Borough Council was then called to order by President Brian K. Goshow at 7:00 p.m. Members of Borough Council present at the regular meeting included the following:

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

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 December 3, 2018, Regular Borough Council Meeting. There were no Borough Council work sessions during the month of December. A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Richard Godshall, to approve the minutes of December 3, 2018 Borough Council Meeting as presented. The motion was approved.

Police Chief James P. Leary noted that his monthly report to Borough Council will be submitted and discussed at the January work session.

The Borough Solicitor's report for the month of December was distributed to Borough Council. The Solicitor completed settlement on the N. Main Street rear parcel. The Borough Solicitor drafted an amendment to the Zoning ordinance to provide outdoor dining regulations. The Borough Solicitor will attend a meeting scheduled for January 16, 2019 regarding public improvements for Berkeley Court Phase 1.

Public Works Director Steven Coll noted that his monthly report will be distributed to Borough Council at the Public Works Work Session. Crews spent a fair amount of time in December completing leaf collections and completing the installation of Holiday decorations earlier in the month. Christmas tree collections will resume this week in conjunction with trash collection. Borough forces assisted in removing approximately 1,000 totes from properties in the Borough. J. P. Mascaro also had a crew in the Borough as well. All Mascaro totes are expected to be removed by the end of Wednesday this week.

Borough Manager Michael Coll noted that the regular meeting schedule of Borough Council will resume in January. The Souderton Planning Commission held their monthly meeting on Wednesday, January 2, 2019.

The Borough Manager reviewed the agenda for the meeting, which will begin with formal consideration of an ordinance increasing the sewer capacity fees for new connections to the sewer system. The Ordinance will increase the capital capacity fee from \$5,540 to \$8,618 per edu. A Resolution has been prepared, following provisions of the Police Contract agreement to waive member contributions to the Police Pension Plan for the 2019 calendar year. A Resolution has been prepared to reduce member contributions to the Non-Uniformed Pension Plan from 5% to 3% for the 2019 calendar year. The waived and reduced member contribution have been accounted for in the preparation of the 2019 MMO Work Sheets for each of the pension plans and is accounted for in the 2019 Budget. The Borough Manager recommended establishing a Sewer Capital Fund account with the Pennsylvania Local Government Investment Trust. The 2019 Budget includes funding to fill a full time police officer vacancy. A

recommendation has been made to formally authorize the Civil Service Commission to prepare an eligibility list. Recommendations have been made to make a series or re-appointments to the Zoning Hearing Board, Civil Service Commission and Vacancy Board Chairman. A recommendation has been made to hold an Executive Session at the end of the business items to review personnel matters and the Police Collective Bargaining Agreement.

Councillor Richard Halbom, who serves as the Borough representative to the Northern Montgomery County Recycling Commission, presented Borough Council with a check in the amount of \$18,801.80 representing the Souderton Borough share of a 2016 state recycling performance grant. Souderton Borough has one of the highest recycling averages in comparison to other municipalities due in large part to our municipal wide trash service program.

Councillor Julie Munden noted that she has just completed her first year as a Borough Councillor and is looking forward to her second year as a member of Souderton Borough Council.

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

GENERAL FUND

North Penn Water Authority	\$32.14	Metlife	\$1,670.56
Postmaster Lansdale	779.06	Montco Public Safety Training	200.00
Petty Cash	162.85	Morton Salt	2,324.33
Barry Isett & Associates	48.75	Moyer Indoor/Outdoor	3,882.64
Bergey's Electric, Inc.	70.00	NAPA Auto Parts	16.67
Boucher and James, Inc.	4,968.72	Nationwide Trust Company	1,981.87
Bow Wow Waste Products	149.98	NetCarrier Telecom, Inc.	349.62
Clemens Uniform Rental	306.00	North American Benefits Co.	988.77
Comcast Cable	353.45	North Penn Goodwill Service	4,250.00
Cope's Garage, Inc.	2,429.78	PECO Energy	100.23
Country Fair Cleaners	272.00	PA One Call System	76.96
Davidheisers, Inc.	30.00	Perkiomen Watershed Conserv.	1,000.00
Delta Dental	1,212.22	PPL Electric Utilities	1,761.26
DS Automotive	3,577.09	PPL Electric Utilities	133.50
Eagles Peak Spring Water, Inc.	35.43	Richter Drafting Office Supply	1,058.09
Farm Bureau Garage, Inc.	284.50	Ryan Kochersperger	90.00
Freedom Systems Corp	1,839.00	Shelly Enterprises	65.72
Fromm Electric Supply Corp	495.38	Souderton Ambulance Assoc.	4,500.00
Galco Business Communications	99.50	Suburban Propane	1,132.28
Generations of Indian Valley	6,000.00	Sudz In A Bucket, Inc.	22.00
George Allen Portable Toilets	150.00	Thomas A. Lawson	400.00
Georges Tool Rental	482.00	Towne Answering Service	550.00
GME Landscape Management	225.00	Univest VISA	161.38
H & K Materials	211.68	Univest VISA	88.57
Home Depot	295.91	Univest VISA	463.96
IV Chamber of Commerce	60.00	Unum Insurance Company	966.79
J. P. Mascaro & Sons	37,288.87	Verizon	70.96
Jeffrey C. Lukens	490.07	Verizon Wireless	399.55
Kuhls Law	1,575.50	William Powis	102.00
Lawson Products, Inc.	258.10	Wise Electric	1,215.25
Meals on Wheels of IV	6,000.00	Total General Fund	\$100,205.94

SEWER FUND

North Penn Water Authority	\$85.73	Metlife	\$69.21
Altek Business Systems, Inc.	70.91	Moyer Indoor/Outdoor	776.40
Bearing & Drive Solutions	8.00	NetCarrier Telecom, Inc.	148.23
Bergey's, Inc.	173.00	North American Benefits Co.	257.86
Clemens Uniform Rental	122.85	Nyco Corporation	20.00
Comcast Cable	84.90	Perkasie Regional Authority	500.00
Coyne Chemical	5,841.25	PPL Electric Utilities	18,130.84
Delta Dental	321.47	Richter Drafting Office Supply	28.56
ES2 Environmental Systems	1,920.00	S C Engineers, Inc.	1,540.50
Essex Service Corporation	1,264.68	Univest VISA	154.20
Fretz Enterprises	149.95	Unum Insurance Company	244.44
H2O Solutions, Inc.	161.00	Verizon	102.19

Hajoca Corporation	\$145.90	Xylem DeWatering Solutions	\$1,243.54
J. P. Mascaro & Sons	600.00		
Jesse Baro, Inc.	2,786.81	Total Sewer Fund	\$36,952.42

POOL FUND

PECO Energy	\$50.91	NetCarrier Telecom, Inc.	\$134.19
North Penn Water Authority	13.15	PPL Electric Utilities	349.31
Airgas National Carbonation	57.00	Wise Electric	100.00
Comcast Cable	117.27	Total Pool Fund	\$821.83

CAPITAL RESERVE FUND

Commonwealth Land Title	\$3,437.54	Sherwin Williams	\$67.25
Boucher and James, Inc.	8,714.33	Univest Capital	3,155.23
Fromm Electric Supply Corp.	455.83	Wise Electric	2,768.69
Home Depot	150.40		
Shelly Enterprises	401.99	Total Capital Reserve Fund	\$19,151.26

LIQUID FUELS FUND

Armour & Sons Electric, Inc.	\$342.92	PPL Electric Utilities	\$6,037.64
Blooming Glen Quarry	440.00		
PPL Electric Utilities	1,027.57	Total Liquid Fuels Fund	\$7,848.13

A motion was made by Councillor Ned Leight, and seconded by Councillor Matt Mscichowski, to pay the bills for the month of December, 2018, as presented. The motion was approved.

President Brian K. Goshow opened the floor to the audience for public comment.

Daniel Houser, 436 Central Avenue, Souderton, commented that this is a tough time in the year to transition trash haulers. Despite obvious challenges the overall transition and service went rather well. He also appreciated the information about just what items should be recycled. Knowing what to recycle may actually help encourage more recycling. Borough Council discussed the various challenges facing the recycling markets.

There being no public comment from the audience, President Goshow moved to the scheduled items of business, with the first item being formal consideration of an ordinance to raise the sewer capital capacity fees.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Edward Huber, to enact Ordinance No. 19-739-01 increasing sewer capacity fees for new connections to the sanitary sewer system. The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Richard Godshall, to adopt Resolution No. 2019-01 waiving member contributions to the Souderton Police Pension Plan for the 2019 calendar year. The motion was approved.

A motion was made by Councillor Richard Godshall, and seconded by Councillor Jeffrey Gross, to adopt Resolution No. 2019-02 reducing the member contributions to the Souderton Borough Non-Uniformed Pension Plan from 5% to 3% for the 2019 calendar year. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Matt Mscichowski, to authorize the creation of a Sewer Capital Fund account with the Pennsylvania Local Government Investment Trust. The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Richard Halbom, to authorize and instruct the Souderton Police Civil Service Commission to prepare and certify an eligibility list for the position of Police Officer. The motion was approved.

A motion was made by Councillor Daniel Yocum, and seconded by Councillor Richard Halbom, to appoint Kelli J. Scarlett, 127 Green Street, Souderton to serve another three year term as a member of the Souderton Zoning Hearing Board through December 31, 2021. The motion was approved.

A motion was made by Councillor Ned Leight, and seconded by Councillor Matt Mscichowski, to appoint Eric Boynton, 105 W. Summit Street, Souderton to serve another six year term as a member of the Souderton Police Civil Service Commission through December 31, 2024. The motion was approved.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Julie Munden, to appoint Daniel Houser, 436 Central Avenue, Souderton to serve as the Vacancy Board Chairman through December 31, 2019. The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Richard Halbom, to adjourn to Executive Session to discuss personnel matters. The motion was approved.

Borough Council adjourned to Executive Session at 7:30 pm and convened to public session at 8:38 pm. There being no further business, the meeting was promptly adjourned.

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – January 14, 2019 (7:00pm-9:15pm)

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

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

Presentation- The work session began with a presentation by representatives of the Souderton Charter School. The Souderton Charter School was represented by Attorney Frank Buschman, Director Wendy Ormsby and their engineer Josh Gross. Borough Councillor Edward Huber noted that he will abstain from any discussion or action on this application since he is employed by the engineering firm that completed the lot consolidation plan.

Attorney Frank Buschman reported that they attended the January 2, 2019 meeting of the Souderton Planning Commission and they received comments from the Montgomery County Planning Commission on the proposed plan and requested waiver requests. The lot consolidation plan was created to comply with the conditional use approval of Souderton Borough Council. There are no physical improvements planned for the site, with minor structural alterations necessary to the building at 117 Noble Street to comply with building code requirements. Required parking spaces are shown on the plan. Borough Council discussed landscaping and the associated landscaping waiver requests. The Charter School will retain an arborist to trim up and preserve the existing mature trees. Borough Council discussed a fee in lieu of landscaping requirements which was considered with the EMC Elementary School development. Borough Council noted that, unlike the EMC Elementary School development, the application of the Charter School

involves a minor lot consolidation with no planned additions or site development work which does not rise to a level to consider additional fees for the requested waivers. Borough Council questioned if the dedicated parking spaces will be striped. The Charter School responded that all parking spaces intended for general parking use will be striped. There are a few dedicated staff spaces that are not intended to be striped. Borough Council will consider formal approval of the plan at their February 4, 2019 Borough Council meeting.

1. Sanitation Committee

- a. The Discharge Monitoring Report for the month of December, 2018 will be filed with no exception to permit limitations.
- b. Borough Manager Michael Coll reviewed the status of the pending NPDES discharge permit for the waste water treatment plant. The pending NPDES permit retains the same discharge limits for phosphorus, but adds certain conditions with respect to iron and chloroform parameters. Iron can be a byproduct of the use of ferrous sulfate to control phosphorus and the development of certain chloroforms can be produced through the use of chlorine for disinfection. The permit suggests consideration of alternative treatments such as ultraviolet lighting and alternative chemical feeds. Our Borough Engineer and staff met with DEP officials on January 9, 2019 to further discuss the additional requirements and potential permit revisions. We have engaged the services of special legal counsel to recommend and follow the progress of this permit renewal.
- c. Borough Council reviewed progress with the transition of the trash collection contract from J. P. Mascaro to Advanced Disposal beginning January 1, 2019. The Borough did experience a delay in both the removal of the Mascaro totes and delivery of the Advanced Disposal totes. Borough forces intervened to assist with the removal of the Mascaro totes. Advanced Disposal still has a few accounts without totes, which they expect to be addressed very shortly. Advanced Disposal service seemed to be good with a few expected service misses, which were promptly addressed. The Borough Manager suggested consideration of Borough owned totes; however, Borough Council felt that the cost and potential issues with collection equipment favored the continuation of the hauler supplying the trash totes. The Borough needs to develop a better transition plan for the removal and delivery of totes in future contracts.
- d. The 2019 Budget included funds to purchase a new utility truck for the waste water treatment department. The truck will have a crane to aid in lifting and pulling pumps and motors and moving pallets of materials. Given extended lead times for body manufacturer's, the Borough Manager recommended that staff begin searching for a supplier under COSTARS contract.

2. Highway Committee

- a. Public Works Director Steven Coll reviewed public works department activities. Crews completed leaf collections for the season, they collected and disposed of nearly 1,000 cubic yards of leaf waste through the fall. Crews are assisting with the completion of some interior renovations to the small Wait Building in conjunction with the Borough's lease agreement. To date the Borough has ordered 200 tons of salt. Public Works Director Steve Coll noted that they will be using straight salt this season instead of mixing with grit screenings. Crews will be removing Holiday decorations.
- b. The Borough has been informed that the new chassis for the public works department utility truck was received and delivered to the body company for fit out. There is a several month backlog from the body manufacturer. The new truck is not expected to be delivered until spring of this year.

- c. A resident complaint was discussed by Borough Council regarding the grade of a stone alley behind 236 W. Broad Street. The alley has been built up over the years creating a drainage issue with this property. Public Works Director Steve Coll noted that weather conditions are not favorable at this time to consider grading the alley. There are complications with adjoining properties that have paved portions of the alley to blend in garages and parking areas. The Borough will bring in equipment this spring to attempt to improve the drainage issues.

3. Sidewalk Committee

- a. Borough Manager Michael Coll circulated copies of concept plans for the renovation of the Broad Theater. The investors are requesting consideration of Borough Council to assist them in completing new streetscaping around the building. In particular they are suggesting assistance with the installation of granite curb and granite pavers, similar to the streetscape design on Main Street. The owners will pay for the new concrete sidewalks. The streetscape design will require a change in the curb line along W. Broad Street, which is a state owned street and will require an HOP Permit prior to any work. Borough Council agreed to start engineering and permitting at this time, with more discussion on how the project will be constructed.
- b. The CDBG contract agreements for the Hillside Avenue Curb and Sidewalk project have been executed and returned to Montgomery County. Design and bidding will start up with construction later in the year. North Penn water Authority has just executed a contract for the replacement of the water main and services along Hillside Avenue.

4. Recreation Committee

- a. President Brian Goshow updated Borough Council on the status of the master plan for the Community Park. A follow up meeting was held on Friday, January 11th with representatives of Borough Council, Souderton-Telford Rotary and Penn Valley Church to review the status of the Master Plan with the Borough Engineer and Landscape Architect and further discuss next steps. The Rotary Club is scheduled to attend the next work session to discuss the status of the project with Borough Council. In particular it appears that the Borough will need to consider bridge financing for the project to install and construct necessary storm drainage and other infrastructure improvements ahead of other planned equipment and building improvements. There should be some form of written understanding between the parties to firm up the responsibilities of all involved parties. Another meeting is planned for January 30th to further review the development plans for the park.

5. Property Committee

- a. Borough Council reviewed a sketch plan developed to subdivide the Cherry Lane property to accommodate the construction of a new public works garage to the rear of the site and either sell or lease the portion fronting on the Souderton-Hatfield Pike. Indian Valley Appraisal Company has completed a valuation for the Cherry lane parcel to be leased or sold and they further completed an appraisal on the market value of the Borough's Second Street property which is proposed to be sold upon the relocation of the public works garage to Cherry Lane. The Borough Engineer provided a quote to complete a land development plan for this property. Further consideration will be made with respect to moving forward with the creation of a subdivision and land development plan.
- b. A letter of intent was sent to President Brian Goshow from Salon ShaBella to lease the freight building. Borough Council discussed this interest but noted

several salons are located within the Borough. A preference was to have them consider other properties up for lease.

- c. The Borough Manager described intended work to be completed to extend the train station parking lot. Borough Council will reach out to the adjoining property owner to see if there is interest to allow the use of a rear portion of his property to further enhance access and parking opportunity.
- d. The Souderton Business Improvement District is considering a plan to make certain landscaping improvements in the Chestnut Street municipal parking lot. The Borough Engineer has developed a concept plan for this proposed project. The project remains under further consideration.
- e. Borough Council discussed the possibility of submitting a grant application to the Montgomery County Planning Commission for assistance in improving the Railroad Avenue parking lot. The Borough Manager will review the application requirements for this project.

Administrative Work Session- January 21, 2019 (7:00pm-8:55pm)

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

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

Presentation- Leon Moyer of the Souderton-Telford Rotary Club attended the work session to discuss a partnership to make significant improvements to the Souderton Community Park. The Souderton-Telford Rotary Club was chartered in 1925 and they are coming up on their 100th Anniversary. The Rotary Club has a long history of involvement in a number of large community projects, such as the construction of the Band Shell and participation in the capital campaign for the Souderton Community Pool Renovations to name just a few. The Rotary Club has made an initial commitment of \$250,000 to fund improvements to the Souderton Community Park with an ultimate goal of raising \$1,000,000 over the next seven years. The Rotary Club is asking for naming rights to the park for this effort. Leon Moyer requested Borough Council to consider bridge financing to help start up the project with initial infrastructure improvements. Leon Moyer also requested the formulation of a letter of understanding, which will serve to support fundraising efforts, interim financing and preserve the naming right to Rotary Club.

1. Police Committee

- a. Police Chief Leary noted that they are in the process of transferring to a new records management system. As a result the routine monthly reports will be delayed until this transition is fully complete.
- b. Two handicapped parking restrictions have been recommended for formal approval. The spaces are located in the vicinity of 130 Noble Street and in the vicinity of 250 E. Summit Street.
- c. Based on a tentative agreement, a final draft of the Police Collective Bargaining Agreement has been prepared and forwarded to the Police Officers for review and hopefully signature.
- d. Borough Manager Michael Coll reported that a letter was sent to the members of the Police Civil Service Commission to begin the testing process to certify a list of Police Officer candidates. A suggestion was made to the Civil Service Commission to review and consider a revision to the Rules and Regulations to eliminate notice by certified mail and consider regular first class mail and email notifications.

2. Code Enforcement Department

- a. Code Enforcement Officer Steven Toy was not in attendance. No new items were discussed. Borough Council did request more information on activities.

3. Administrative Committee

- a. Borough Manager Michael Coll noted an announcement from the Montgomery County Housing and Community Development that the next round of Community Development Block Grant applications is schedule to open. The announcement specifically noted that municipalities with 2018 grant awards will not be given priority in 2019. The Borough manager suggested that Souderton Borough Council forgo an application for this year.
- b. Emergency Management Director Steven Coll attended a meeting with Montgomery County to review our Emergency Management Plans. During the meeting it was noted that Souderton Borough has not formally adopted a Resolution approving the 2017 revisions to the Montgomery County Hazard Mitigation Plan. A sample resolution was provided for formal consideration at the February meeting. The Borough is in jeopardy of being disqualified from emergency disaster funds until this resolution is received.

4. Development Committee

- a. The Zoning Ordinance amendment to regulate Outdoor Dining has been prepared and advertised for formal consideration at the February Borough Council meeting. A copy of the proposed ordinance was sent to the Montgomery County Planning Commission for formal review and comment.
- b. David Sowhangar presented a plan to support the waiver of parking for the redevelopment of 30 W. Broad Street. The plan calculates the required parking for the first floor restaurant use and the required spaces to support the loft apartments on the second and third floors of the building. The plan suggests that there is ample street parking to support the proposed uses, however, Borough Council expressed concern with residential parking on neighboring streets. There was general agreement that street parking for commercial uses may be considered given expectation of turnover, but residential parking on the street is more problematic.
- c. Borough Manager Michael Coll reviewed a concept plan that was received for property at 110 S. front Street. Borough Council expressed concern with the potential loss of an existing commercial building to residential apartments, along with a self-imposed variance regarding building coverage and impervious limitations. The Borough manager will convey these concerns to the realtor.
- d. The Souderton Planning Commission continues to work on revisions to the Mixed Use Redevelopment Zoning District and the MUR provisions within the SALDO. The Planning Commission is almost finished with the Zoning and roughly covered half of the SALDO provisions at their last meeting.
- e. A meeting was held on Wednesday, January 16th with representatives of H & K Group and the current owner of the commercial potion of the Berkeley Court Phase 1 development. The Borough Solicitor and Borough Engineer also attended the meeting in anticipation of reaching a settlement on the pending default of required development improvements. Timothy Hendricks of ARED was invited to the meeting but failed to appear. The Borough Manager outlined a tentative agreement whereby H & K Group will complete the associated improvements for the residential portion of the development at their cost. The current owner of the commercial section will be required to submit a new land development plan and will be required to complete all associated improvements as the plan may require. H & k will be released from any obligation to the commercial section of the development. Borough Council expressed general agreement with the direction of the settlement and agreed to have the Borough Solicitor draft the formal agreement for formal consideration by all parties.
- f. Borough Manager briefly noted correspondence with the owner of Village

Center Properties concerning the current use and associated parking concerns. Borough Council generally agreed with the position of the Borough Manager.

5. Finance Committee

- a. Borough Manager Michael Coll noted a procedural change is necessary with the formal approval of the payment of bills. The Borough must pay certain invoices, mostly recurring bills, at various times throughout the month to avoid late fees or service interruption. This may become a problem should a particular invoice be questioned by Borough Council when the report is issued at the end of the month. A proposed solution was to approve the payment of bills for the preceding month with a separate motion to approve the payment of recurring invoices through the middle of the current month. A general listing of recurring invoices will be provided; all other invoices and checks will be held until authorization by Borough Council at the monthly meetings.
- b. The Budget Comparison reports for the 2018 calendar year were distributed to Borough Council for review and information.