

Regular Borough Council Meeting

July 11, 2016

The Regular Meeting of Souderton Borough Council, held on Monday, July 11, 2016, was called to order by Borough Council Vice-President D. Jeffrey Gross at 7:30 p.m. Members of Borough Council present at the regular meeting included the following:

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| Vice-President D. Jeffrey Gross | Mayor John R. Reynolds |
| Councillor Richard L. Godshall | |
| Councillor Daniel Yocum | Borough Solicitor Robert G. Bricker |
| Councillor Daniel W. Houser | |
| Councillor Tracy W. Burke | Borough Manager P. Michael Coll |
| Councillor Richard Halbom | |
| Councillor Kevin Souder | Police Chief James P. Leary |

Absent from the meeting was President Brian Goshow and Councillor Ned Leight. The Invocation was given by Councillor Daniel Yocum, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the June 6, 2016 Regular Borough Council Meeting and June Work Sessions. A motion was made by Councillor Richard Halbom, seconded by Councillor Tracy Burke, to approve the minutes of the June 6, 2016 Regular Borough Council Meeting and June 2016 Work Sessions as presented. The motion was approved.

Police Chief James Leary extended his appreciation to the Souderton Fire Department and neighboring fire departments and fire police units for assisting with the fireworks event. Souderton Police Community Night Out will be held in the Souderton Community Park on Tuesday, August 9, 2016. Chief Leary further commented that he will distribute his monthly statistical and narrative reports at the coming work session.

The Borough Solicitor’s report for the month of June, 2016 was distributed to Borough Council. The Borough Solicitor, as required by the loan documents, served Broad Entertainment, LLC with a formal notice of default and intent to foreclose on the mortgage on 24 and 30 W. Broad Street. The owner has a 30 day right to cure period which will expire July 27, 2016, at which point the Solicitor will be filing a Complaint in Foreclosure in court. The Borough Solicitor will advertise the Zoning Ordinance sign amendments for formal consideration at the August 1st Borough Council meeting.

Borough Manager Michael Coll reported on the agenda items scheduled for consideration. At the direction of the State Auditor General, the Borough prepared an ordinance amending the police pension plan to delete the killed in service benefit that is now provided by the Commonwealth of Pennsylvania through Act 51 of 2009. A resolution has been prepared in support of the completion of the Route 309 Connector Project. The last item scheduled for consideration is the re-appointment of Jeffrey Gross to another five year term as a member of the Souderton Planning Commission.

Councillor Daniel Houser received good comments about the addition of the umbrellas at the Souderton Community Pool. The Souderton Pool seems to be drawing from a much larger area of our community and overall pool operations have been very good.

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

<u>GENERAL FUND</u>			
Bergey’s, inc.	\$53.98	Blooming Glen Quarry	\$290.00
C & S Lawn and Landscape, Inc.	2,100.00	Boucher & James, Inc.	17,246.62
Carquest	22.00	Boucher & James, Inc.	848.68
Clemens Uniform Rental	268.90	Carquest	65.96
Code Inspections, Inc.	1,023.75	Clemens Uniform Rental	226.12

Comcast Cable	\$348.45	Code Inspections, Inc.	\$787.50
Cope's Garage, Inc.	2,377.08	Comcast Cable	291.50
Delta Dental	1,270.27	Cope's Garage, Inc.	385.54
Eagles Peak Spring Water, Inc.	61.30	D. L. Beardsley, Ltd	159.60
Fire Protection Services, LLC	261.00	Delta Dental	1,270.27
Freedom Systems Corp	184.12	Eagles Peak Spring water	47.90
Galco Business Communications	99.50	Freedom Systems Corp	1,910.97
George Allen Portable Toilets	296.00	Fromm Electric Supply Corp	524.05
Good Plumbing, Heating, A/C, Inc.	2,329.09	Galco Business Communications	323.50
Gran Turk Equipment Co., Inc.	113.47	George Allen Portable Toilets	373.00
Home Depot	474.25	Good Plumbing, Heating, A/C, Inc.	2,368.27
Hoover Diesel Service, LLC	260.24	Hajoca Corporation	415.20
Indian Creek Foundation	441.00	Home Depot	124.92
J. Harry & Linda Shoemaker	164.00	Indian Creek Foundation	408.50
J. P. Mascaro & Sons	35,948.28	J. P. Mascaro & Sons	35,907.27
Keystone Health Plan East	30,517.32	K. J. Door Services, Inc.	175.50
Metlife	5,583.77	Keystone Health Plan East	30,013.85
Midlantic Machinery	3,240.65	Landis Block & NyceCrete Co	37.78
Moyer Indoor/Outdoor	1,290.87	Lawson Products, Inc.	326.59
NAPA Auto Parts	155.24	Markey Paper & Packaging	153.13
Nationwide Trust Company	2,056.69	Metlife	5,581.30
Netcarrier Telecom, Inc.	345.86	Moyer Indoor/Outdoor	1,722.58
North American Benefits Co.	1,232.78	NAPA Auto Parts	5.49
North Penn Water Authority	24.61	Nationwide Trust Company	2,167.97
PECO Energy	112.17	Netcarrier Telecom, Inc.	352.42
PA One Call System	86.92	North American Benefits Company	1,032.38
Plasterer Equipment Co., Inc.	83.01	NYCO Corporation	21.76
PPL Electric Utilities	1,492.10	PECO Energy	69.92
Richter Drafting Office Supply	174.33	PA One Call System	63.96
Shelly Enterprises-USLBM, LLC	43.19	Postmaster, Lansdale	764.34
Souderton-Telford Main Streets	7,125.00	PPL Electric Utilities	1,253.68
Suburban Propane	527.43	Richter Drafting Office Supply	690.61
Trumbauers Lawn & Rec, Inc.	134.53	Ricoh	340.42
Univest VISA	414.15	Shelly Enterprises-USLBM, LLC	48.81
Univest VISA	389.00	Suburban Propane	1,114.25
Univest VISA	316.54	Telford Borough	1,159.54
Unum Insurance Company	792.26	Univest VISA	218.39
Verizon	59.84	Unum Insurance Company	890.00
Verizon Wireless	362.04	Verizon	70.41
Wise Electric	617.33	Verizon Wireless	265.29
Galco Business Communications	3,000.00	Wise Electric	1,905.42
21 st Century Media-Philly CL	348.47		
Bergey's, Inc.	189.46	Total General Fund	\$224,029.65

SEWER FUND

All Industrial Safety Products	\$53.53	Wise Electric	\$930.57
Bergey's Electric, Inc.	66.60	Altek Business Systems	62.25
Blooming Glen Quarry	1,890.00	Bearings & Drives Solutions	70.00
Carquest	59.86	Blooming Glen Quarry	70.00
Cintas First Aid & Safety	44.70	Cintas First Aid & Safety	55.79
Clemens Uniform Rental	171.29	Clemens Uniform Rental	168.60
Comcast cable	84.90	Comcast Cable	84.90
Commonwealth Precast, Inc.	780.00	Commonwealth Precast, Inc.	82.00
Coyne Chemical	4,065.65	Coyne Chemical	13,169.91
Delta Dental	321.47	D & M Machine, Inc.	335.00
Derstine Company, Inc.	1,200.00	D. R. Cordell & Assoc., Inc.	355.00
Farm Bureau Garage, Inc.	475.17	Delta Dental	321.47
Franc Environmental, Inc.	1,600.00	EVOQUA Water Technologies	5,198.40
G. A. Peak Excavating	25,335.00	Farm Bureau Garage, Inc.	58.80
Good Plumbing Heating, A/C, Inc.	372.00	Fisher Scientific	203.76
H & K Materials	3,074.93	Fromm Electric Supply Corp.	24.23
H2O Solutions, Inc.	375.00	Hach Company	769.78
Hach Company	760.75	J. P. Mascaro & Sons	480.00
Hajoca Corporation	1,987.38	Jesse Baro, Inc.	8,529.71
J. P. Mascaro & Sons	480.00	K. J. Door Services, Inc.	4,633.48
Jesse Baro, Inc.	6,929.25	Keystone Health Plan East	8,132.32
K. J. Door Services, Inc.	248.50	L/B Water Service, Inc.	365.55
Keystone Health Plan East	8,132.32	Metlife	92.28
L/B Water Service, Inc.	63.06	Moyer Indoor/Outdoor	173.24
LRM, Inc.	567.50	Naceville Materials	781.59

Markey Paper & Packaging	\$33.77	Netcarrier Telecom, Inc.	\$145.08
Maryland Biochemical Co., Inc.	1,519.52	North American Benefits Co	253.82
Metlife	92.28	Perkasie Regional Authority	750.00
Moyer Indoor/Outdoor	246.18	PPL Electric Utilities	17,241.71
Naceville Materials	2,455.97	Precision Solutions, Inc.	269.00
Netcarrier Telecom, Inc.	147.79	PRWA	240.00
North American Benefits Co.	253.82	Richter Drafting Office Supply	18.34
North Penn Water Authority	102.92	Shelly Enterprises-USLBM, LLC	29.99
PPL Electric Utilities	395.44	Suburban Water Testing Labs	1,695.75
Richter Drafting Office Supply	104.42	Univest VISA	282.00
S C Engineers, Inc.	3,977.01	Unum Insurance Company	234.82
Shelly Enterprises-USLBM, LLC	38.57	USA Blue Book	855.05
TRM Recycling Materials	1,470.00	Verizon	70.58
Univest VISA	73.34	Wise Electric	370.50
Unum Insurance Company	234.82		
Verizon	69.24	Total Sewer Fund	\$137,959.22

POOL FUND

Airgas National carbonation	\$407.00	C & S Lawn & Landscape	\$2,900.00
American Red Cross	199.00	Comcast Cable	229.34
Cintas First Aid & Safety	815.55	Derstines	3,250.71
Comcast Cable	116.39	Diversified Refrigeration Inc.	1,346.83
Derstines	3,991.93	Fastenal	263.80
Fiona Melissen	53.02	Fiona Melissen	28.62
Freedom Systems Corp	1,889.98	Fire Protection Services, LLC	374.00
Fromm Electric Supply Corp.	843.09	Fredom Systems Corp	299.99
Galco Business Communications	795.00	Fromm Electric Supply Corp	331.38
Home Depot	457.44	Gillidsystems	1,018.50
Kathy Armitage	555.13	Home Depot	82.35
Ken Bergey	30.00	Jellen Designs	1,498.50
Letterco	103.50	Kathryn Pecharo	380.00
Moyer Specialty Foods	1,194.36	Kathy Armitage	135.77
Nelsons Creamery, LLC	353.28	Kim Cevoli	380.00
Netcarrier Telecom, Inc.	122.27	Landis Block & NyceCrete	3.75
North Penn water Authority	36.07	Leah Niezgodra	88.00
Nyco Corporation	23.52	Moyer Indoor/Outdoor	454.56
PECO Energy	41.13	Moyer Specialty Foods, LLC	379.40
Penn Jersey Slush, LLC	834.00	Nelsons Creamery, LLC	592.40
Pepsi Beverage Company	1,147.63	Netcarrier Telecom, Inc.	124.06
PPL Electric Utilities	377.35	Networks Concepts	337.50
Richter Drafting Office Supply	931.98	Pamela Ace	88.00
Shelly Enterprises-USLBM, LLC	32.71	PECO Energy	203.78
SYSCO Philadelphia, LLC	1,837.08	Pepsi Beverage Company	483.08
Treasurer Montgomery County	60.00	PPL Electric Utilities	495.20
Univest VISA	530.83	Richter Drafting Office Supply	271.46
Youngs	26.93	Sparkling Pool Services, Inc.	3,119.05
Adcock	199.44	SYSCO Philadelphia, LLC	1,342.78
Airgas National Carbonation	265.09	T&T Lanco, Inc.	5,081.14
American Red Cross	781.00	Univest Visa	549.20
Bergey's, Inc.	161.25	Wise Electric	3,423.44
ZEO Brothers productions	900.00	Total Pool Fund	\$49,691.54

CAPITAL RESERVE FUND

Boucher & James, Inc.	\$1,958.38	Fromm Electric Supply Corp.	\$320.08
Frankford Umbrellas	22,320.00	Phillips Donovan Architects	2,327.50
North Penn water Authority	1,768.00	PPL Electric Utilities	618.00
Phillips Donovan Architects	4,526.25	SEPTA	347.30
Redevelopment Auth Montg. Co.	180.00	Univest Capital	3,155.23
Univest Capital	3,155.23	Wise Electric	834.83
CC Construction Services	295,576.61		
SEPTA	1,504.97	Total Capital Reserve Fund	\$338,592.38

LIQUID FUELS FUND

PPL Electric Utilities	\$7,232.69	Letterco	\$157.50
PPL Electric Utilities	388.98	PPL Electric Utilities	7,186.78
Shelly Enterprises-USLBM, LLC	6.81	Total Liquid Fuels Fund	\$14,972.76

A motion was made by Councillor Richard Godshall, seconded by Councillor Richard Halbom, to authorize payment of the bills for the month of June, 2016, as

presented. The motion was approved.

Vice-President Jeffrey Gross opened the floor to the audience who may wish to address Borough Council on any topic or matter of concern.

Charla Wellner, 18 N Hunsberger Lane, expressed concern about the weed spraying that occurred on her street without notification. She is listed in the PA Dept. of Agriculture Pesticide Hypersensitivity Registry. Borough Manager Michael Coll replied that he was on vacation when this occurred, but he left staff with explicit instruction not to spray N. Hunsberger Lane and was very disappointed to learn upon his return that the instruction was not followed. The Borough Manager noted that on July 5, 2016 the Borough sent out text, email and voice notifications to all residents about the weed spraying. He questioned why she did not receive this notification and suggested that she contact the Borough office to make sure her contact information is correct, since this notification list is used for trash service and snow and other emergency notifications.

Courtnee Wampole, 53 W. Reliance Road, commented that she did not receive the formal Opinion and Decision from the Zoning Hearing Board concerning the establishment of a home based occupation in a new detached garage. This is holding them up in completing the construction of the garage. Borough Manager Michael Coll noted that a building permit has been issued for the garage and he will find out the status of the Opinion from the Zoning Hearing Board Solicitor. A copy will be sent out as soon as it is received.

There being no further public comment, Vice-President Jeffrey Gross then moved to the business portion of the agenda.

A motion was made by Councillor Richard Godshall, and seconded by Councillor Daniel Houser, to enact Ordinance No. 16-725-03 amending the Souderton Borough Police Pension Plan by deleting provisions for the Killed In Service Benefit, which is now funded by the Commonwealth of Pennsylvania pursuant to Act 51. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Daniel Houser, to adopt Resolution No. 2016-08 supporting completion of the Route 309 Connector Project. The motion was approved.

A motion was made by Councillor Daniel Houser, and seconded by Councillor Daniel Yocum, to appoint D. Jeffrey Gross, 207 N. Main Street, Souderton, PA to another five year term as a member of the Souderton Planning Commission through July 2, 2021. The motion was approved.

There being no further business, the meeting was adjourned at 8:00 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Administrative Work Session- July 18, 2016 (7:00pm-9:53pm)

Council Attendees: Brian Goshow, Ned Leight, Jeffrey Gross, Richard Godshall, Daniel Yocum, Richard Halbom and Kevin Souder. Junior Councillor Elect Shane Myers.
Staff Attendees: Police Chief James P. Leary, Code Enforcement Officer Steven Toy and Borough Manager Michael Coll.

1. Police Committee

- a. Chief Leary reviewed his narrative report of police activity through the month of June, 2016. Chief Leary further discussed a number of recent police incidents that occurred during the month.
- b. Chief Leary noted that the annual Indian Valley Soap Box Derby on Main Street went well; their marshalling staff was very good. Chief Leary noted that during the June 4th soap box derby he received several complaints from the business community that the derby completely shuts down the downtown business district instead of serving as an event to promote the business district as originally intended. Brian Goshow noted that the Indian Valley Soap Box Derby Association has evaluated alternative sites. It was suggested that a meeting be set up with the Association and Souderton Telford Main Streets to discuss alternatives.

2. Administrative Committee

- a. Borough Manager Michael Coll reported that he and Borough Solicitor Robert Bricker met with Comcast representatives to discuss the renewal of the cable franchise agreement.
- b. Junior Councillor Elect Shane Myers commented that he would like the Junior Councillor position include specific tasks or assignments. He suggested that he could meet with small businesses on a regular basis and provide a report to Borough Council. Members of Borough Council supported the proposal.

3. Development Committee

- a. Borough Manager Michael Coll reported that a meeting was held with Clayton Heckler and his planning consultants to alternative concept plans for the high school redevelopment project. Souderton Borough representatives included Brian Goshow, Jeffrey Gross and Mayor John Reynolds. The developer is proposing to add additional townhomes along the street frontages behind the units previously approved. There remains a commercial component within the development but the amount of commercial is proposed to be reduced. The Borough has concerns with the reduction of commercial and increased residential density. Further discussions will be scheduled.
- b. Borough Manager Michael Coll discussed a minor plan of subdivision for 160 N Main Street. The property is under an agreement of sale. There was a previous agreement that a portion of the parking lot of this property will be offered for use by Village Center office suites. To remedy this, the owner has agreed to convey the rear portion of the property to the Borough for future development of a municipal parking lot. An access easement will be provided from Main Street to the future parking lot. The plan is a simple conveyance of property. The new owner will submit plans for the redevelopment of the front parcel and building.
- c. Borough Manager Michael Coll discussed the status of the Train Station project. The contractor is moving along very nicely with the project. Building renovations are nearly 70 percent complete and site work is close to 50 percent complete. Preliminary discussions with the contractor suggest an expense of up to \$450,000 to complete exterior renovations to the freight building and associated additional site work. Plans are under review by SEPTA with no significant comment to date. The Borough Manager met with representatives of Univest Bank and Trust to discuss an additional \$500,000 general obligation loan to complete the freight building and site work. A commitment letter should be forwarded in August for consideration by Borough Council. A firm change order cost to add this work should also be available for further discussion by Borough Council. Councillor Kevin Souder expressed serious concern about the added expenditures that are being proposed, especially with the pending costs to renovate the Municipal Building. Borough Council discussed the potential benefits and potential impacts of adding the freight building to the project.

Further discussion will be held at the August meetings.

4. Finance Committee

- a. The Borough Manager reported that the Borough Solicitor formally filed default proceedings against Broad Entertainment for the Broad Theater project. Broad Entertainment has a thirty day right to cure period which will expire on July 27, 2016. After this point the Borough Solicitor shall have Community Lenders prepare the required Beneficiary's Demand for Payoff and the Borough Solicitor will file a Complaint in Foreclosure in court. Borough Council discussed potential next steps, supporting continued efforts to aggressively seek a resolution to the default.
- b. Borough Manager Michael Coll distributed copies of the Budget Comparison reports for the second quarter ending June 30, 2016 for all major funds. Borough Council members reviewed and questioned various line items within the budget documents. Overall the Budget appears to remain consistent with revenue estimates and expenditure projections.

EXECUTIVE SESSION

President Brian Goshow noted that there are certain issues that may result in litigation that Borough Council desires to discuss with the Code Enforcement Officer in Executive Session. Borough Council adjourned to executive Session at 8:35pm and convened to public session at 9:53pm at which time the meeting was promptly adjourned.