

Regular Borough Council Meeting

February 7, 2011

The Regular Meeting of Souderton Borough Council, held on Monday, February 7, 2011, was called to order by President Brian K. Goshow at 7:30 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Councillor Edward Huber
Vice-President Andrew C. Schlosser	Mayor John R. Reynolds
Councillor Ned D. Leight	Junior Councillor Brian Barr
Councillor D. Jeffrey Gross	Solicitor Robert R. Bricker
Councillor John U. Young	
Councillor Steven J. Toy	Borough Manager P. Michael Coll
Councillor Preston Miller	Police Chief James P. Leary
Councillor Richard Halbom	Public Works Director Steven R. Coll

The Invocation was given by Councillor Preston Miller, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the January 3, 2011 Regular Borough Council Meeting. A motion was made by Councillor Preston Miller, seconded by Councillor Andrew Schlosser, to approve the minutes of the January 3, 2011 Regular Borough Council Meeting and January 2011 Work Sessions as presented. The motion was approved.

Mayor John Reynolds expressed appreciation to the public works employees for their snow removal efforts and the removal of snow from the core downtown business district.

Police Chief James Leary provided members of Borough Council with a 2010 year end report comprised of both a statistical report, as provided in past years, with a new narrative report. Chief Leary also reported that he has met with representatives of the Montgomery County District Attorney's office in regard to the matter of sharing resources which will be reported more thoroughly at the February Borough Council work session.

The Borough Solicitor's report for the month of January, 2011 was distributed to Borough Council. The Borough Solicitor reported that they have had several conversations with SEPTA's legal department concerning the negotiation of a new lease agreement for the Souderton Train Station and the adjoining properties owned by SEPTA. The Borough Solicitor attended a court hearing in Norristown on an appeal filed by the property owner of 150 Washington Avenue who was convicted of Property Maintenance Code violations by the District Justice. Commonwealth Court found the owner guilty and fined him \$750.00 plus court costs. The Borough Solicitor filed documentation to satisfy a prior lien for delinquent sewer fees against property at 22 Penn Avenue. The Borough Solicitor also filed documentation to revive and continue a lien against property at 63 N Fifth Street for a delinquent sewer capacity fee.

Mayor John Reynolds commented that it appears as though negotiations for a new lease agreement with SEPTA for the train station properties are finally moving forward. Borough Solicitor concurred that unlike prior contacts this matter does now appear to be moving forward. We are working to clarify exactly which properties will be included in the lease agreement.

Public Works Director Steven Coll presented his monthly report to Borough Council. President Goshow noted that some potholes are beginning to appear with the recent warmer temperatures. Steven Coll noted that crews have been out to complete some patching, but the wet conditions make it very difficult to keep the holes patched. More permanent repairs will be made as the weather becomes warmer and the base starts to dry out. Mayor Reynolds noted the large quantity of tree branches that have come down from the recent ice storm and questioned whether we will have problems collecting some of the larger branches. Steven Coll noted that the crew does carry a chain saw to aid in handling some of the larger branches. We should not have much difficulty in completing this service.

Borough Manager Michael Coll reported on the progress of the pool renovation project and agenda items scheduled for consideration. The first item of business is a presentation from

representatives of 4 Partners, LLC concerning their request for land development approval to renovate the car wash at 24 N County Line Road. The Borough Manager noted that the applicants and their engineer and architect are in the audience to make a presentation to Borough Council. The next item is authorization to bid various road materials, the installation of a new lighting system for the swimming pool parking lot and construction of the West Broad Street culvert project which will be funded in part by a \$160,000.00 Community Development Block Grant. The project must be completed by the end of August, 2011. Design work is nearly complete, but we must receive final authorization from the Montgomery County Department of Housing and Community Development before we place the project out on bids. Mayor Reynolds questioned whether there will be any road closures along West Broad Street to accommodate this project. The Borough Manager noted that some excavation will be required for the placement of new manholes to access the culvert, but most of the work will be confined to pouring a new concrete floor within the existing culvert. Aside from some occasional detours, West Broad Street should remain open for most of the project.

Councillor Jeffrey Gross reported on the efforts of the Souderton Community Pool Capital Campaign Committee in raising funds for the renovation of the Souderton Community Pool. The committee has reached nearly half of the \$1,000,000 goal in private contributions, in-kind services from Franconia Township and Telford Borough and state grants. Representatives from the Souderton-Telford Rotary Club are in attendance to make a special presentation to Souderton Borough Council. Rotary member Walton Yoder and Steven Hunsberger, President Elect commented that the Souderton-Telford Rotary Club applauds the commitment of Borough Council in moving forward with the renovation of the Souderton Community Pool. The members of the Souderton-Telford Rotary Club share the same commitment to the preservation and rehabilitation of the Souderton Community Pool and have united to pledge \$100,000 to the project over the next four years. President Elect Steven Hunsberger and Walton Yoder presented Borough Council with a first installment of \$18,000.00 towards this pledge.

Mayor John Reynolds noted that the pool project has been ongoing for at least the past five years as Borough Council struggled with developing a plan to preserve the pool but contain overall costs. Mayor Reynolds extended a big "thank you" for the absolutely fabulous support of the Souderton-Telford Rotary Club towards the pool project. Mayor Reynolds noted that the Rotary Club has made significant contributions to the Souderton Community over the many years with such examples as the Band Shell in the Souderton Community Park and the Indian Valley Boys and Girls Club.

Consideration was given to paying the bills for the month of January, 2011.

GENERAL FUND

Estate of Robert L. Kulp (Police Car)	\$4,400.00	Nextel Communications	\$222.62
A T & T	37.51	North Penn Water Authority	721.16
Bricker, Landis & Hunsberger	2,302.50	PA Dept of Transportation	36.00
Cargill, Incorporated	3,916.85	PECO Energy	369.93
Ches-Mont Disposal, Inc	343.20	PA One Call System	18.90
Clemens Uniform Rental	421.03	Petty Cash Fund	151.48
Clemens Uniform Rental	41.76	Plasterer Equipment Co., Inc	150.00
Comcast Cable	44.95	Postmaster, Telford/Souderton	216.00
Farm & Home Oil Company	3,151.04	PPL Electric Utilities	596.91
Federal Express Corp	23.10	Richter Drafting & Office Supply	233.90
HISI	4,848.00	Sitecats Web Development	3,158.41
Independence Blue Cross	18,188.68	Unum Insurance Company	811.19
Indian Creek Foundation	376.00	Verizon	47.48
Indian Valley Chamber of Commerce	175.00	Verizon Wireless	43.01
James P. Leary	109.65	Voss Signs	227.50
Keystone Health Plan East	6,968.16	Word Work, Inc	151.00
McDonald Uniform Company	103.24	Youngs	94.80
Montgomery Newspaper	312.09		
Moyer & Son, Inc	2,741.05	Total General Fund	\$56,069.09
NetCarrier Telecom, Inc	314.99		

SEWER FUND

PA DEP	\$125.00	Keystone Health Plan east	\$2,564.70
Carquest	15.39	Netcarrier Telecom, Inc	140.43
Ches-Mont Disposal, Inc	94.38	North American Benefits Company	317.57
Cintas First Aid & Safety	53.57	North Penn Water Authority	260.63
Clemens Uniform Rental	240.72	NYCO Corporation	10.00
Comcast Cable	44.95	Pollu-Tech, Inc	1,848.00
PA DEP	50.00	PPL Electric Utilities	15.17
D & M Machine, Inc	100.00	PPL Electric Utilities	19,963.65
Daniel L. Beardsley Ltd	5.50	Richter Drafting & office Supply	34.23
Empire Scale Corporation	618.04	S P Solutions	54.75
Excelsior Blower Systems, Inc	1,250.00	Siemens Water Technologies	2,000.16
Farm Bureau Garage, Inc	1,981.42	Suburban Water Testing Labs	111.00
Fisher Scientific	2,730.52	Univar USA, Inc	4,390.19
Hach Company	1,311.87	Unum Insurance Company	256.94
HISI	1,191.00	Verizon	54.50
Independence Blue Cross	4,683.54	Wise Electric	65.00
Independence Blue Cross	124.70		
J. P. Mascaro & Sons	8,127.91		
Johnstone Supply	52.29		
K. J. Door Services, Inc	129.75	Total Sewer Fund	\$55,017.47

CAPITAL RESERVE FUND

Ettore Ventresca & Sons, Inc	\$11,550.00	Yates Electrical Service, Inc	\$18,895.50
Yates Electrical Service, Inc	34,200.00	High Bridge Stone Company	4,590.00
Penn Builders, Inc	508.50		
Ettore Ventresca & Sons, Inc	3,045.00		
Susan J. Kern	420.00	Total Capital Reserve Fund	\$73,209.00

SEWER CAPTAL FUND

LIQUID FUELS FUND

Armour & Sons Electric, Inc	\$864.77	PPL Electric Utilities	\$688.45
Established Traffic Control	501.60		
		Total Liquid Fuels Fund	\$2,054.82

A motion was made by Councillor Ned Leight, seconded by Councillor Preston Miller, to authorize payment of the bills for the month of January, 2011, as presented. The motion was approved.

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

William Feenstra, 234 East Summit Street, expressed concern about a vacant home on Summit Street that has not cleared the snow from their sidewalk since the first snow storm. The Borough Manager noted difficulties in tracking down a responsible party to address property maintenance on homes that are in foreclosure. In order to promptly resolve this concern, the Borough will clear the sidewalk this week and seek to lien expenses against the property.

There being no further public comment, President Goshow moved to the first item of business scheduled for consideration.

President Goshow recognized representatives of 4 Partners, LLC to present the proposed land development plan to renovate the existing car wash at 24 N County Line Road. Engineer Mark Hintenlang presented and discussed the proposed plans to renovate the existing coin operated car wash. Two of the self service bays will remain with the addition of two automated wash bays and a detail bay that will be manned by Jerry Umstead, one of the partners in the

project. Engineer Mark Hintenlang noted that the property is zoned C-1 Commercial which does not specifically authorize a car wash as a permitted use; however, the authority for the use dates back to a Zoning Hearing Board decision in the 1960s. County Line Road will be widened to extend the right turn lane as directed by the Borough and new curb and sidewalk will be constructed. There are a number of existing non-conformities that will be improved with this project, including impervious coverage, storm water management and landscaping and buffering. Engineer Mark Hintenlang summarized that they will comply with the remaining comments specified by the Borough Engineer in their latest review letter dated February 3, 2011. Architectural plans for the proposed building renovations were presented and reviewed with Borough Council.

Councillor Andrew Schlosser expressed concern with taking formal action prior to receiving any review comments from PennDOT or the Montgomery County Conservation District. He noted that certain aspects of the plan may not be approved by these regulatory agencies which in turn may require significant redesign considerations and further review and approval by Borough Council. Councillor Schlosser suggested that this matter be tabled until PennDOT and the Conservation District forward their review comments. Engineer Mark Hintenlang acknowledged this concern; however his clients were hoping to be able to begin to move forward with the building construction phase as soon as the weather breaks which will not impact any future site redesign considerations that may be required by the regulatory agencies.

Councillor Richard Halbom also noted concern that formal action this evening may be premature. He further noted that Borough Council appears to support this project, but would be more comfortable with some indication that PennDOT will also accept the proposed plan. A delay of four weeks until the March Borough Council meeting does not seem unreasonable and should not hold up progress on the project. President Brian Goshow noted that there may be some icing issues with cars exiting the car wash onto County Line Road during the winter months. Councillor Jeffrey Gross also noted that the architect may want to review the design guidelines as prepared for the High School property to give some better indication of façade finishes for this building.

Borough Council further discussed certain details of the proposed plan with the applicants, but elected to table any formal consideration or action until the PennDOT and Conservation District review letters are received.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Andrew Schlosser, to authorize the advertisement of bids for various road materials for formal consideration at the March 7 Borough Council meeting. The motion was approved.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Ned Leight, to authorize the advertisement of bids for the installation of lighting in the existing swimming pool parking lot and along Colonial Avenue. Councillor Schlosser inquired on the type of fixture. The Borough Manager noted that it will be a shoebox style LED fixture, comparable in appearance to the light standards used by the Souderton Mennonite Home in their parking lot across Colonial Avenue. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Preston Miller, to authorize the advertisement of bids for the West Broad Street Storm Drain Improvement project. The motion was approved.

There being no further business, the meeting was adjourned at 8:20 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – February 14, 2011 (7:00pm to 8:25pm)

Council Attendees: Mayor John Reynolds, Brian Goshow, Ned Leight, Jeffrey Gross, John Young, Steven Toy, Preston Miller, Richard Halbom and Edward Huber.

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

MUNICIPAL PARKING LOT

Debbie Rasbold of Great Looks Salon, 16 W Chestnut Street attended the work session to urge the prompt posting of the six additional two hour parking spaces in the municipal parking lot off of Chestnut Street. Recent snow storms delayed the installation of the signs, but she was assured that the signs will be installed by the end of the week. Ms Rasbold expressed concern with a red truck that has not moved from the lot in months. The vehicle is parked in the unrestricted area in the far end row. This area was purposely not restricted for the benefit of the adjoining residential properties.

Borough Council began a conversation about the potential need to establish a Parking Authority. Souderton Borough created a Parking Authority over fifty years ago for the primary benefit of financing the construction of the municipal parking lot off of Chestnut Street. The Authority became inactive after the completion of this project. Borough Council generally discussed what role a new Parking Authority should have and there was some preliminary discussion within the Main Streets Parking Study that should be referenced. Public Works Director Steven Coll noted that the Borough currently maintains a total of seventeen parking lots. This matter will be discussed with the Borough Solicitor and re-considered during future work sessions.

1. Sanitation Committee

- a) The January, 2011 Discharge Monitoring Report will be filed with no exceptions to permit discharge limits.
- b) Chief Operator Sal DeSimone has recommended a number of frame repairs to the current utility truck, given the inability of the budget to consider purchase of a new vehicle. The frame needs to be repaired and supported to properly operate the crane. Committee members concurred with the repairs.

2. Highway Committee

- a) Crews will conduct a Borough wide brush collection sweep to address the large number of downed tree branches from the recent ice storm.
- b) Steven Coll reported that 240 tons of salt; 120 tons of anti-skid chips and 2 full pallets of calcium pellets have been used through the winter. To date the Borough expended \$15,307.20 in material expenses to address the number of snow and ice events, running approximately \$2,500 over the 2011 Budget. The Borough will likely have to order additional material later in the year for the next winter season, compounding the budget variance.
- c) Bids for stone and bituminous products will be bid in February and opened on March 7, 2011. Fluctuating oil prices will preclude any extension of the current road materials contract. Greg A. Peak Excavating and P. K. Moyer and Sons have agreed to a one year extension of the current contracts.

3. Sidewalk Committee

- a) Yates Electrical Service is scheduled to return to the Main Street Streetscape project to install the street lights. Completion is delayed by PPL Utilities who have not completed the new service feed. PPL installed the new pole, removed some street light feeds, but has not returned to the project site for some time.

Borough crews will return to the project to install the remaining sections of granite curb along the Univest property to facilitate the installation of new sidewalk. This work was delayed by the winter weather.

4. Recreation Committee

- a) Souderton Borough, with assistance from Franconia Township completed the gas main extension along Colonial Avenue to the new pool filter building. Souderton Borough is currently completing the sewer service and water service to the filter building in order for Penn Builders to pour the concrete floor. Vincent Pools is stubbing all pool piping into the filter building and the filtration equipment is on site awaiting installation upon completion of the floor. Temporary heat has been installed within the building to remove the build up of frost to accommodate the installation of the concrete floor.
- b) Bids for the pool parking lot lighting system will be advertised in March with bids considered at the April Borough Council meeting.
- c) The Borough Manager reported on his recent meeting with YMCA representatives to review the working relationship in the operation of the pool this season. The Borough manager also reviewed the proposed rate schedule with Borough Council. Memberships will go on sale in middle April. The Borough will utilize the traditional pin badge for this season and review the possibility of picture memberships for future seasons.

The Borough Manager noted that the school year has been extended through the third week of June. We will be considering modified hours through the first three weeks in June to accommodate the school schedule. The pool will probably open later in the afternoon, possibly 2 or 3 pm through 7 or 8 pm.

- d) A meeting will be held later in the week with the concession stand manager to begin planning the menu and staff for the season. The Borough also has a lot of work to do to complete the fit out of the concession stand. The concession stand may not be fully operational until late June.

5. Property Committee

- a) The Borough Manager reviewed certain improvements planned for the Scout Cabin to accommodate the return of the YMCA summer camp to the Souderton Community Park and pool. A partition wall and new doorway will be installed by Borough forces at the bottom of the basement stairway to secure all scout property for the summer. The summer camp will only be permitted access to the main floor of the building and a gate will be installed at the top of the basement stairway for added security.

The scout cabin is not air conditioned and we are proposing to add air conditioning to the first floor for the benefit of all users. Carl Stuart is in the process of obtaining written quotations with prices coming in around \$6,500 complete. Carl Stuart repaired the drop ceiling and added insulation above the ceiling in preparation for the addition of air conditioning. Carl will work on obtaining at least three quotations for formal consideration. Perhaps the YMCA will offer a donation towards this work.

- c) Concern was expressed towards accessibility to the Scout Cabin now that the building is owned by the Borough. Modifications to the side door will probably be the best approach and this doorway will eventually front along a new parking area. Accessibility

improvements will be planned as part of the parking lot expansion project.

- d) Realtor Ronal Offner from Choice 1 Realty has offered to donate a new display sign for installation at the Souderton Community Park. The estimated cost to remove the sign currently in Skippack and install the sign in Souderton will be \$2,500. Borough Council agreed to the donation and the expense associated with the installation of the donated sign.

Administrative Work Session – February 21, 2011 (7:00 pm-9:20 pm)

Council Attendees: Mayor John Reynolds, Brian Goshow, Jeffrey Gross, John Young, Andrew Schlosser, Steven Toy, Preston Miller, Richard Halbom and Edward Huber. Junior Councillor Brian Barr.

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

OPEN HANDS INITIATIVE, MAIN STREET PARKING LOT

Representatives from Open Hands Initiative attended the work session to present and discuss a community event planned for the core business district on Saturday, April 23, 2011. The group is requesting permission to close the new Main Street Parking lot at Main Street and Hillside Avenue to create a “block party” in the core business district. The closure and event will run from 4 to 10 pm. This will be a free event with many local businesses participating. Souderton Mennonite Church will be the lead sponsor and will provide indemnification for the event. The event will include games and events, art displays and music. Main Street will not be closed. The Souderton Police are requested to assist with pedestrian crossings. The group will handle trash clean up and disposal. Borough Council expressed concern that the children activities be kept to the rear of the parking lot to keep children away from the street and the group must coordinate this event with the Montgomery Theater who will have a play scheduled for that evening and they will not have the parking lot available to them. Any rain date must also be relayed. Borough Council expressed conditional support for the event and asked them to work with Police Chief Leary to finalize the permit.

ARK ANIMAL HOSPITAL, 201 N MAIN STREET

Representatives from the Ark Animal Hospital attended the work session to further discuss their proposal to purchase the Keystone Opportunity Center office building at 201 N Main Street. The property is located in the new C-2 Limited Commercial Residential District. The proposed use appears to meet the permitted use sections of the ordinance; however, interpretation is necessary on how to address the off street parking requirements. Presently there is room for up to three off street parking spaces to the rear of the building. The municipal parking lot is located directly to the rear of the property. This building has a long history of office use without off street parking. Borough Council members expressed concern with a blanket grandfathering of the off street parking requirements given the issues that have been experienced in the core downtown business district.

As requested by Borough Council, Borough Manager Michael Coll calculated the parking requirements for both the existing office building and the proposed animal hospital. Based on previous discussions, the Borough Manager noted that occupancy of the basement level will be prohibited. Both the office and animal hospital are required by the parking ordinance to provide a total of seven off street parking spaces. It was noted that up to three spaces may be located directly behind the building and a lease agreement is under negotiation to provide up to four additional spaces on a neighboring property. Borough Council agreed to the proposed arrangement, as stipulated in the parking ordinance, with a condition that the spaces directly behind the building be used by employees only. Clients can utilize the municipal parking lot or available street parking, which will naturally turn over throughout the day. Borough Council also expressed concern that the adjoining residential unit has access to the property with possible use of the garage. Handicapped accessibility will have to be determined and addressed with the Code

Enforcement Officer as a condition of occupancy. A motion will be prepared to approve the proposed change in use for consideration at the March 7 Borough Council meeting.

JOHN RALSTON, SITE CATS, 9 MAIN STREET

John Ralston attended the work session to express concern that his business cannot afford any lengthy down time with the proposed switch over of electric service as part of the Main Street Streetscape project. Borough Manager Michael Coll noted that preparations have been completed to the office building for the new service; however, PPL still has to install the new electrical lines to the Borough's new main electrical panel. The Borough will not proceed with any switch over of service until this work is fully completed. Worst case scenario will be a full day closure, which John Ralston felt he could work around.

Borough Council also discussed the updated web site that Site Cats is now working on for the Borough of Souderton. Some revisions remain, but generally the site looks good.

1. Police Committee

- a) The owner of the apartment complex at 389-392 W. Chestnut Street has formally withdrawn his request for an additional street light at the end of West Chestnut Street.
- b) Borough Council was provided with a copy of the proposed revised route for the Univest Grand Prix. The route extends along N Fourth Street to East Broad Street and contains an inner loop using Second Street. The race course no longer goes through Indian Crest but moves out to Cowpath Road and Erie Avenue. The expanded course presents far more challenge for traffic control, detour routes, and isolates a significantly larger portion of residents. Borough Council suggested that the Police Chiefs should determine the designated detour routes and the race course should be established within these parameters. Chief Leary noted that a meeting with Univest representatives and the adjoining police chiefs has been set for February 22nd and Borough Council members are invited to attend.
- c) A handicapped parking space has been requested by Dolores Donlon, 33 N Fourth Street. All supporting documentation has been submitted with the request. Formal authorization will be considered at the March 7 Borough Council meeting.

2. Administrative Committee

- a) No new items were discussed.

3. Development Committee

- a) Borough Manager Michael Coll noted that the proposed car wash at 24 N County Line Road did receive a preliminary review letter from PennDOT. In general the letter requests certain technical revisions to the plans but does not present any major obstacle that would drastically re-design the proposed land development. The applicants have requested to be placed on the March 7 Borough Council agenda. The review letter is attached to this report.
- b) Borough Manager Michael Coll confirmed that the planning priorities with the Montgomery County Planning Commission will be the development of a new comprehensive sign ordinance. In particular the Main Streets design committee has made a number of recommendations for sign standards in the core business district that have not been implemented. Perhaps changeable letter signs might be appropriate in the peripheral commercial areas but not within the core downtown district. The other planning priority will be the completion of the new Souderton-Telford revitalization Plan.

4. Finance Committee

- a) The final 2010 year end budget reports were briefly reviewed by the Borough Manager. Styer Associates is currently working on the audit and preparation of the financial statements for the 2010 calendar year.

EXECUTIVE SESSION

Police Chief Leary and Mayor John Reynolds requested an Executive Session at 8:25 pm to discuss certain personnel matters. The Executive Session concluded at 9:20 pm and there being no further business the work session was promptly adjourned.