

Regular Meeting

March 2, 2009

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 Brian Goshow	Junior Councillor Daniel Yocum
Councillor Katherine M. Grubb	Solicitor Robert G. Bricker
Councillor Jonathon C. Gardenier	Borough Manager P. Michael Coll
Councillor Richard Halbom	Chief Charles A. Quinn, Sr.

The Invocation was given by President John U. Young, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the February 2, 2009, regular Borough Council Meeting and the February Work Sessions. Councillor Brian Goshow noted a grammatical error on page two of the work session minutes. A motion was made by Councillor Andrew Schlosser, and seconded by Councillor Brian Goshow, to approve the minutes of February 2, 2009 Borough Council Meeting and the February Work Sessions as corrected. The motion was approved.

There was no correspondence.

The Borough Solicitor's Report for the month of February was distributed to members of Borough Council. The Solicitor had several discussions with the Borough manager and the Solicitor of Hilltown Township regarding the Sewer Service Agreement with Hilltown Township. They are in the process of satisfying two sewer liens for properties at 177 S. Front Street and 430 Railroad Avenue. They presided over the signing of the Subdivision Plan regarding the Scott Moyer and Maria Liberati property at 23 N. Front Street.

Borough Manager Michael Coll reviewed the scheduled agenda items for consideration. Bids for the roof replacement project at the Waste water Treatment Plant, bids for various road materials and bids for various equipment rentals were opened at a public hearing at 2:00 pm on March 2nd. Tabulation sheets have been prepared and circulated for each of the three contracts. The bids for the roof project are very competitive with a recommendation that consideration of an award be tabled until additional information is obtained from the low bidder. Recommendations for award of the road materials and equipment rental contracts are noted on the tabulation sheets. Borough Council has been working on a revised Curb and Sidewalk Ordinance and a recommendation has been made to move forward with advertisement for formal consideration at the April Borough Council Meeting. The last item is a recommendation to post a two hour parking restriction for the center parking spaces in the new municipal parking lot on Main Street.

Councillor Jonathan Gardenier questioned the time for homeowners to clear their sidewalks from today's snow storm. Borough Manager Michael Coll noted that the ordinance requires homeowners to clear their sidewalks within twenty four hours after the cessation of the snow storm. The storm ended this afternoon, giving homeowners all day tomorrow to clear their sidewalks. The Code Enforcement Officer will begin posting warning notices on Wednesday morning.

Councillor Brian Goshow reported that several members of Borough Council attended a recent presentation on another brand of a sludge drying unit. This unit is known as a Therma-Flite IC 800 Bio-Scru Dryer System, marketed through Wastewater Technical Services. Perhaps this is the best technology that we have looked at so far. Councillor Goshow noted that the capital cost is comparable to the initial electrical unit that the committee evaluated. This unit appears to be operator friendly and can continuously run. The unit produces a dryer sludge. Councillor Goshow noted that he has asked Chief Operator Sal DeSimone to follow through on isolating operational costs and how this unit can blend within the confines of the mechanical building and our existing equipment. Councillor Edward Hunsicker noted that he attended this presentation and supports the unit as it will reduce operating expenses in the long run. Borough Manager Michael Coll further reported that staff is evaluating the existing belt filter press and how it can be adapted to the sludge dryer or whether it would be better to consider replacing the press with a centrifuge unit. The Borough Manager further noted that substantial work will be required at the head end of the plant to remove unwanted debris that now finds its way into the dewatered sludge. The end sludge product will have to be cleaner especially if the Borough is

considering a Class A dewatered sludge that can be applied on farms and other landscapes.

Consideration was given to paying the bills for the month of February, 2009.

GENERAL FUND

Clemens Uniform Rental	\$175.08	Freedom Systems Corporation	\$412.31
H. D. Sampey, Incorporated	30.00	North American Benefits Company	1,440.00
North Penn Water Authority	28.40	PPL Electric Utilities	9,612.97
Telford Press Printers	651.00	Trout Brothers, Inc.	325.00
MetLife	217.63	MetLife	1,675.84
Nextel communications	245.82	North American Benefits Company	920.59
Altek Business Systems, Inc.	312.37	AT&T	32.15
Comcast Cable	42.95	Dr. Larry J. Geller	124.00
E. M. Kutz, Inc.	672.20	Federal Express Corporation	44.50
HISI	4,089.00	Independence Blue Cross	14,145.21
Indian Creek Foundation	376.00	INTL Salt Company	2,132.20
Keystone Health Plan East	5,777.22	MetLife	217.63
NetCarrier Telecom, Inc.	1,252.16	Nextel Communications	107.60
PECO Energy	435.86	PPL Electric Utilities	322.21
The Home Depot	161.76	Univest Visa	168.00
Univest Visa	18.55	Verizon	181.09
Verizon Wireless	44.42	Comcast Cable	60.37
Cope's Garage, Inc.	1,581.10	David A. Freed	168.00
John R. Young & Co.	618.48	Lansdale Police Department	1,050.00
MetLife	1,675.84	Pennsylvania One Call System	11.70
Petty Cash Fund	173.81	Postmaster, Telford/Souderton	180.00
PPL Electric Utilities	7,016.53	Souderton-Telford Main Streets	11,250.00
Towamencin Township	4,500.00	Weldon Auto Parts	367.90
Weldon Auto Parts	215.01		
		Total General Fund	\$75,260.46

SEWER FUND

Chest-Mont Disposal, Inc.	\$90.75	Freedom Systems Corporation	\$412.31
J.P. Mascaro & Sons	3,911.63	North Penn Water Authority	103.13
PPL Electric Utilities	15,424.48	Siemens Water Technologies	3,347.02
MetLife	82.21	North American Benefits Company	293.59
Postmaster, Telford/Souderton	874.64	Carquest	115.69
Comcast Cable	42.95	Fisher Scientific	752.60
HISI	1,082.00	Independence Blue Cross	3,838.17
Independence Blue Cross	113.10	Keystone Health Plan East	2,235.00
Lawson Products, Inc.	293.93	MetLife	82.21
NetCarrier Telecom, Inc.	583.78	PPL Electric Utilities	689.24
Precision Solutions, Inc.	664.64	R & B Truck and Equipment Repair	453.15
S C Engineers, Inc.	496.75	State World Headquarters	343.32
Univar USA Inc.	3,747.96	Ven-Mar Sales, Inc.	401.80
Verizon	55.96	Bergey's Electric, Inc.	130.57
Hach Company	1,756.85	JWC Environmental	9,780.28
Pollu-Tech, Inc.	3,269.00	Richter Drafting/Office Supply	94.89
S P Solutions	35.00	Shelly Enterprises, Inc.	32.79
Stanley Heleniak, D.M.D.	132.00	Suburban Water Testing Labs	52.00
Warehouse Battery Outlet	32.85	West Generator Services	85.50
		Total Sewer Fund	\$55,933.74

CAPITAL RESERVE FUND

Ettore Ventresca & Sons, Inc.	\$22,210.00	Hunt Engineering Company	\$18,803.79
		Total Capital Reserve Fund	\$41,013.79

LIQUID FUELS FUND

Letterco	\$18.00	PPL Electric Utilities	177.49
Kelly-Creswell	179.20	PPL Electric Utilities	382.51
Total Liquid Fuels Fund			\$757.20

SANITARY SEWER CAPITAL FUND (PLGIT)

Bank of New York	\$57,355.94		
Total Sanitary Capital Fund			\$57,355.94

Councillor Jonathan Gardenier expressed concern with the first quarterly payment in the amount of \$11,250.00 to the Souderton-Telford Main Streets. A motion was made by Councillor Gardenier, seconded by Katherine Grubb, to pay the bills listed for the month of February, 2009, with exception of check number 37350 payable to the Souderton-Telford Main Streets. President John Young called for a roll call vote as follows:

J. Edward Hunsicker	Nay	Jonathan Gardenier	Yea
Richard Halbom	Nay	Katherine Grubb	Yea
John Young	Nay		
Andrew Schlosser	Nay		
Brian Goshow	Nay		

The motion was defeated by a vote of 5 nays to 2 yeas.

A motion was then made by Councillor Andrew Schlosser, seconded by Councillor Richard Halbom, to approve payment of the bills listed for the month of February, 2009 as presented. President John Young called for a roll call vote as follows:

J. Edward Hunsicker	Yea	Jonathan Gardenier	Nay
Richard Halbom	Yea	Katherine Grubb	Nay
John Young	Yea		
Andrew Schlosser	Yea		
Brian Goshow	Yea		

The motion was approved by a vote of 5 yeas to 2 nays.

There was no Public Comment.

The first item of business was consideration of bids for various road materials and various equipment rentals. The Borough Manager referenced the tabulation of bids received for each contract. Members of Borough Council agreed to table consideration of the bids for the roof replacement project until the April 6, 2009 Borough Council meeting to provide further time to review the qualifications of the low bidder.

A motion was made by Councillor J. Edward Hunsicker, and seconded by Councillor Richard Halbom, to award the contract to supply stone to Naceville Materials and to award the contract to supply various bituminous materials to Highway Materials based on quoted unit prices. The motion was approved.

A motion was made by Councillor J. Edward Hunsicker, and seconded by Councillor Richard Halbom, to award the contract for paving and road construction equipment to P. K. Moyer & Sons and to award the contract for pipe and utility excavation and construction equipment to Scott A. Seifert Paving and Excavating based on quoted hourly rates. The motion was approved.

A motion was made by Councillor Jonathan Gardenier, and seconded by Councillor Katherine Grubb, to authorize the Borough Solicitor to prepare and advertise a new Curb and Sidewalk Ordinance for formal consideration at the April 6, 2009 regular Borough Council meeting. The motion was approved.

A motion was made by Councillor Jonathan Gardenier, and seconded by Councillor Richard Halbom, to authorize the posting of a 2 hour parking restriction for the 9 center parking spaces in the new Main Street Parking Lot between the hours of 8 am and 8 pm, daily, except Sundays and Holidays, for a 90 day trial period per Mayor's order. The motion was approved.

Councillor Richard Halbom noted that he has received three unsolicited complaints from elderly residents about the recent decision to enforce the parking restriction against the flow of traffic on residential streets, especially during this bad weather.

Councillor Jonathan Gardenier noted that he received several complaints about the position of the traffic signal control box at Main Street and West reliance Road. The tall box now blocks visibility for vehicles on reliance Road. Councillor Goshow questioned if this box could be relocated away from the intersection. Councillor Richard Halbom agreed that the placement of the controller box in regard to visibility and its appearance against the adjoining pocket park is atrocious.

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

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – Monday, March 9, 2009 (7:00pm-9:30pm)

Council Attendees: Mayor John Reynolds, John Young, Jeffrey Gross, Brian Goshow, Jonathan Gardenier, Richard Halbom and Edward Hunsicker. Junior Councillor Daniel Yocum.

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

1. Sanitation Committee

- a) The February Discharge Monitoring Report will be filed with no exceptions to permit limitations. A brief update was made concerning the continued evaluation of a sludge drying unit.
- b) Committee members discussed the tabulation of the bids to replace the roof on the mechanical and chemical buildings. A Bidder Qualification form was sent to the three lowest bidders to gather further information on each company and their prior experience. The qualification forms are due before Monday, March 16th. Further discussion will be held at the Administrative Work Session.
- c) Committee members discussed the proposed Sewer Service Agreement between the Borough and Hilltown Township. Borough Solicitor Robert Bricker proposed additional language in the agreement requiring the Borough to be notified of any change in use that may generate additional flow or loading to the system. Members discussed more comprehensive language concerning inspection of facilities for excessive infiltration and grease. Members also discussed a desire to have the agreement reflect a base line consumption which will be useful in determining the need to purchase additional capacity with various renovations of the shopping center as we move forward.
- d) Committee members discussed the potential of the new Franconia Township waste water treatment plant not being operational by the beginning of the new school year. A contingency plan has been developed whereby the waste water from the new high school will be trucked and discharged to the Souderton plant via the Banbury pump station. A question was raised whether additional capacity fees should be charged, however, members felt that the school has been a customer of the Souderton system and the situation will be temporary. The general consensus was against any consideration to charge added capacity fees.

2. Highway Committee

- a) Public Works Director Steve Coll reported on the status of projects completed during the month of February and scheduled work for the month of March.

- b) Steve Coll reviewed the sewer main replacement project along N Fifth Street which is under consideration for this budget year. The sewer main along Fifth Street has been televised, along with the connecting sewer mains that are located in the alley to service the homes on the north side of East Broad Street. In particular this survey revealed substantial infiltration coming from the six inch sewer main located in a paper alley that services the rowhomes in the 500 block of East Broad Street. Replacement of this line will be complicated by a variety of access issues with sheds and fences that have been placed and constructed within this right of way.
- c) Committee members discussed the status of the connector ramp project between the Main Street parking lot and 121 N Main Street. A change order had to be issued to extend the retaining wall construction around an existing electric pole. The owner of 121 Main Street is making good progress on the renovation of the building and is asking for limited occupancy for the first floor of the building. Borough forces will install a temporary handicap ramp on the plaza side of the building to accommodate occupancy until the plaza is built.
- d) We met with representatives of the North Penn Water Authority to discuss their current and future water main replacement projects. North Penn water Authority has been receiving a growing number of dirty water complaints along Ridge Avenue. They believe the dirty water is connected to the small four inch water line along N. Second Street. To alleviate the problem they are planning to replace the water main on Second Street between Summit Street and Central Avenue. This will greatly improve water flow in the area and enhance fire protection. They would also like to extend the main replacement project to Chestnut Street within the next few years. We did not plan any road work on Second Street this budget year. The sewer main was televised which revealed a number of hammer tap laterals that should be replaced in conjunction with the water main project.
- e) The application period for Community Development Block Grants is open. The Borough has been successful in the past with grant applications for storm water improvements. A recommendation was made to apply for funding to line the existing metal arch culvert pipe along West Broad Street with a concrete floor. The pipe is approximately 12 to 14 feet deep, posing significant expense to replace. This option is viewed as the most economical approach to address the concern with the deteriorated pipe floor that led to the failure back in 2004. The application must be endorsed by Resolution of Borough Council. The deadline is April 15th. A Resolution will be prepared for consideration at the April 6th Borough Council meeting.

3. Sidewalk Committee

- a) Committee members discussed the status of the new Curb and Sidewalk Ordinance. Grass plots and street trees will be generally prohibited unless incorporated in an approved land development plan, streetscape plan or are well established within an existing neighborhood. A section providing for appeals to the Sidewalk Committee will be added and the Ordinance will recite some basic guideline for condemnation of curb and sidewalk. The Borough Solicitor will complete the draft and prepare a summary advertisement for consideration at the April Borough Council meeting.

Councillor Jonathan Gardenier raised the issue of the Borough providing financing for private homeowners with a payback between five to seven years. Further discussion will be held on this suggestion.

4. Recreation Committee

- a) The Pennsylvania Department of Conservation and Natural resources have announced the opening of grant applications for recreation construction projects. Applications are due on or before Wednesday, April 22, 2009. The application must be reviewed by DCNR staff and endorsed by Resolution of Souderton Borough Council prior to submission. A recommendation was made to apply for construction funds for a specific portion of the swimming pool rehabilitation project as outlined by Wade Associates. This is a very competitive grant program and the realistic maximum grant award for this round is estimated at \$250,000. A Resolution will be prepared for consideration at the April Borough Council meeting to endorse this grant application.

- b) Souderton Borough was tentatively scheduled to appear before the Montgomery County Open Space Board on Tuesday, February 24th to formally present the application for grant funds to acquire the South Front Street Baseball Fields from Zion Mennonite Church. The County has been inundated with applications to meet the April 1, 2009 deadline and as such a decision was made to delay all presentations until they have been reviewed by staff. Souderton Borough is scheduled to meet with staff of the Montgomery County Planning Commission on Tuesday, March 10th to discuss our application for funding assistance.

Committee members also discussed a request from Upper Salford Township to consider pooling our earmarked funds to assist with an Open Space acquisition near Spring Mount. After much discussion, Committee members declined to consider participation in that it may have a negative impact on the success of any future Borough applications.

- c) Considerable discussion was held on a letter received from Darlene Palmer of Parkview Drive, expressing concern with the rash of vandalism in the West Street Park and the Wile Avenue Playground. Committee members discussed the need to improve lighting, improve police patrols and post rules and regulations on park use and even offer rewards for information leading to the arrest and conviction of individuals who vandalize Borough facilities. Borough forces will paint over the graffiti in the modular playground pieces at the West Street Park.

5. Property Committee

- a) No new items were discussed.

Administrative Work Session – Monday, February 23, 2009 (7:00 pm-8:50 pm, Executive Session 8:50 pm – 9:15 pm)

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

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

1. Police Committee

- a) Committee members discussed a complaint from residents at 23 W. Chestnut Street about the potential abuse of street parking and parking within the adjoining municipal parking lot. They believe that the automotive repair garage is using the parking lot to receive and store cars. Other vehicles have not been moved for extended periods of time, taking available spaces away from other adjoining properties. Chief Quinn will review this complaint.
- b) A request was received from Grace Clemmer, 209 West Broad Street, to consider restricting parking on West Broad Street from their driveway to the intersection with West Street. Pictures were submitted showing three vehicles parked in this area that restrict visibility at West Street and also restrict visibility when pulling out of their driveway. They were involved in a recent accident caused by restricted visibility. Consideration will be given to extending the No Parking restriction for a 90 trial period per Mayor's order.
- c) Council members discussed the need for stronger enforcement of abandoned vehicles parked on both public and private property. Code Enforcement Officer Carl Stuart has made some progress in the past three months, but Council members expressed a desire to make this a stronger priority. In particular, Committee members expressed a priority in cleaning up the Loveless property at 439 Main Street to remove a dump truck sitting in the front yard, and to remove an old ambulance vehicle that has been parked in the alley adjacent to the Community Park. Concern was again raised about the condition of the barn on this property and the continuation of a metal fabrication business being conducted within this barn.
- d) Chief Quinn informed Committee members about grant funds provided through the United States Department of Justice aimed at hiring and retaining police officers. The Chief noted that three of our current officers are nearing eligibility for retirement and this program may provide funds to cover the salaries of police officers for up to three years. Committee members

authorized the filing of a grant application under this program for up to three new police officers. Councillor Katherine Grubb noted that a comprehensive manpower staffing plan should be completed to justify the additional manpower. She would not support additional police positions unless such a plan properly justifies the need.

2. Administrative Committee

- a) The annual Borough Appreciation Banquet has been confirmed for Wednesday, April 8th at the Indian Valley Country Club. Invitations have been sent out with a reply due by March 31st. A buffet dinner has been arranged.
- b) Council members reviewed the completed Bidder Qualification forms for the three lowest bidders for the roof replacement project at the waste water treatment plant. All three bidders have experience installing and receiving certification for the specified Carlisle brand roofing system. After much discussion, the general consensus supported awarding the project to the low bidder Cronin North America, LLC at a base bid of \$27,750.
- c) Council members resumed discussion on the draft Curb and Sidewalk ordinance that was discussed at the prior work session. The Borough Solicitor has inserted an additional section regarding penalties for non-compliance and an option for the Borough to complete the work in the event a homeowner refuses to comply. The Ordinance will be advertised in summary form for formal consideration at the April 6th Borough Council meeting.

Councillor Jonathan Gardenier continued discussion on developing a financing program whereby the Borough could extend loans to private property owners to complete replacement of curb and sidewalk. The term of the loan could be in a range of 5 to 7 years with interest assessed based on the municipal borrowing rate which is currently around 4%. The amount of financing was roughly estimated at \$500,000 or higher. Property owners who participate would have a municipal lien placed on their property to secure the loan. Some concern was expressed over the anticipated amount of loans that would end in default. An alternative method of assistance was suggested through the use of Borough forces to remove and dispose of existing curb and sidewalk. This alternative could reduce the overall expense by roughly \$20 per lineal foot. The average cost of curb and sidewalk construction is nearly \$80 per lineal foot, with a six foot wide sidewalk. Committee members noted the benefit of such a program, but did not reach a consensus on either of the suggestions.

3. Development Committee

- a) Confirmation has been received from Attorney William Benner that Metro Development Company completed their due diligence period and will proceed with the purchase of the Souderton High School property. Prior to preparation and submission of formal land development plans, the Borough must complete and formally enact the overlay zoning ordinance and design guidelines. The RFP used by the School District suggested a review and comment period with the developer on various aspects of the overlay district and the design standards. Victor DePallo, consultants for Metro Development Company and a few members of Borough Council will meet on Thursday, March 19th to review comments from Metro in regard to the draft regulations.
- b) DePallo Design and Planning is completing the expanded Economic Redevelopment Plan for the Borough. One of the most popular advantages is the ability to offer a Tax Increment Financing benefit to aid and encourage the construction of approved redevelopment projects. Committee members were provided with a package of information that was provided by the Montgomery County Redevelopment Authority to better explain the procedure to instituting a TIF program. A meeting was held with representatives of the School District Officials on Thursday, March 12th. The meeting was rather productive. Victor DePallo is working on scheduling a meeting with staff of the Montgomery County Planning Commission to advise them on the status of this plan and any comments or suggestions that they may have prior to submission for formal approval.
- c) Committee members discussed preparations to complete the design work for the second phase of the Main Street Streetscape Project, between Chestnut Street and Broad Street. Boucher and

James completed a survey of existing conditions. Over the past few months certain members of Borough Council have expressed dissatisfaction with some of the details of projects completed by the Borough Engineer, particularly with regard to landscape design. A recommendation was made to retain the services of Landscape Architect Peter Johnson to complete the streetscape design for this second phase. Peter Johnson is now a partner with a firm known as Think Green, and provided consulting services with the development of the first phase of the Main Street Streetscape Plan. The general consensus of Borough Council supported retaining Peter Johnson to consult with Boucher and James on this project. It is important to move forward with the completion of the design plans by the end of this year in order to preserve the County Implementation Grant to construct the project in 2010. The Borough will have to request a time extension to complete this project, since the grant will expire on January 31, 2010. Our chances for an extension will greatly depend on the design progress by the fall of this year.

- d) The special Zoning Sub-Committee has been meeting monthly to develop a new C-2 Commercial Limited Zoning District. A draft of their progress was submitted to Borough Council. The Sub-Committee recently modified their meeting schedule to the third Wednesday of each month beginning at 3:00 pm.
- e) The Souderton Planning Commission will meet on Wednesday, March 18 to conduct a second review of the plans to renovate the Broad Theater and add an adjoining restaurant and lounge.

4. Finance Committee

- a) No new items were discussed.

Executive Session

Borough Council went into an Executive Session beginning at 8:50 pm to discuss a potential real estate interest for a parcel located in Franconia Township. The executive session concluded at 9:15 pm and the work session was promptly adjourned.