

**Regular Meeting**

**August 1, 2022**

The Regular Meeting of Souderton Borough Council, held on the above date, was called to order by Council President Tracy W. Burke at 7:00 p.m. President Burke reminded the members and audience that the Borough Council meeting is being recorded and will be posted to the Borough web site.

Councillor Courtnee Wampole provided the Invocation, which was followed by the Pledge of Allegiance to the Flag.

Borough Secretary P. Michael Coll conducted a Roll Call with the following members of Borough Council and staff present:

President Tracy W. Burke	Mayor Daniel L. Yocum
Vice-President Edward M. Huber	
Councillor Matthew J. DiNenna	
Councillor Daryl W. Littlefield	
Councillor Julie Munden	Solicitor Robert G. Bricker
Councillor Donna Rogers	
Councillor Matthew R. Sholly	Borough Manager P. Michael Coll
Councillor Richard M. Walczak	Police Chief Brian Newhall
Councillor Courtnee Wampole	Public Works Director Steven Coll

Council President Tracy Burke noted that Borough Council is planning to hold an Executive Session at the conclusion of the scheduled presentations concerning police personnel matters. Borough Council will not conduct any formal business following the conclusion of the Executive Session.

Consideration was given to the minutes of the July 11, 2022 Regular Borough Council Meeting and the July 18, 2022 Borough Council Work Session Meeting.

A motion was made by Councillor Daryl Littlefield, and seconded by Councillor Courtnee Wampole, to approve the minutes of the July 11, 2022 Regular Borough Council Meeting as presented. The motion was approved.

Council President Tracy Burke recommended consideration of an amendment to the minutes of the July 18<sup>th</sup> Council Work Session regarding the discussion on weed control practices. A motion was made by Councillor Daryl Littlefield, seconded by Councillor Courtnee Wampole, to amend page 3 of the July 18, 2022 Council Work Session minutes by adding the following statement at the end of the section regarding weed control: “The Borough Council will request that the Public Works Department and all Borough subcontractors inform the Borough Office of the date of application, type and name of any herbicide or weed control agents used in the performance of their duties or

tasks.” The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Daryl Littlefield, to approve the minutes of the July 18, 2022 Borough Council Work Session Meeting as amended. The motion was approved.

Mayor Daniel Yocum noted that July 30, 2022 marked the 100<sup>th</sup> anniversary of the Broad Theater. The renovation of the Broad Theater and the adjoining Broad Street Italian Restaurant has provided a remarkable improvement for the Souderton Borough business district. Mayor Yocum extended the “Key to the Borough” to each of these businesses in recognition of the great investment that was made in our business district. Kyle Hoff and Charles crown of the Broad Theater were present, David Sowhanger of the Broad Street Italian Restaurant was unable to attend. Mayor Yocum made the following presentation:

*Picture it, it's July of 1922. Warden G. Harding is President, the Roaring 20's are in full swing, speakeasies and flappers are all the rage, and right here in Souderton, the doors of the Broad Theater open for the first time. Now, almost exactly 100 years later, we are honoring three people that are helping give the Broad Theater and its block another 100 years of success in Souderton; Kyle Hoff, Charlie Crown and Dave Sowhanger are all being honored with a Key to the Borough this evening.*

*When Kyle and Charlie bought the Theater a few years ago, people probably thought they were crazy. Many of us have fond memories of the Broad Theater. But by the time I came around to spend my childhood there, those memories are mostly of crumbling infrastructure and sticky floors. And then it sat vacant in a state of partial completion for nearly a decade. How could Souderton succeed with that huge eyesore in the center of town? But finally came along two people that saw the value in the Broad Theater and in Souderton, together, Kyle Hoff and Charlie Crown have transformed the Broad Theater into the cultural epicenter that it once was. And better! It has a beautiful lobby that has become a popular gathering place, three modern and fully equipped theaters, and an awesome variety of first run and vintage movies sure to please everyone in the family. They give a nod to their theaters impressive history, while having transformed it in to a modern place where the next generation of Soudertonians can enjoy the Broad Theater with their families.*

*And just as much a part of transforming that block of Broad Street is Dave Sowhanger, owner of Broad Street Italian Restaurant. Now tonight is about celebrating successes, so I won't dwell on the negatives, but Dave had quite a time acquiring that building. Some people stood right here in this very room and told us “Souderton doesn't need another pizza place.” Well Dave, I'd say you have proven them wrong. Broad Street Italian Restaurant is a fine dining experience that rivals any other. With a diverse menu, a welcoming environment, and, most importantly to me, a great bar. Broad Street Italian*

*Restaurant has become a premier spot for lunch, dinner, and events in Souderton.*

*When I called Kyle Hoff to tell him we wanted to give this recognition to him and Charlie in honor of the theater's 100<sup>th</sup> anniversary, Kyle agreed, but without hesitation said that Dave Sowhanger must be included as well. And that is what is great about this. These people with separate businesses, separate interests, and different ideas, have come together for the betterment of both and for the betterment of Souderton. And I think that exemplifies why our town is seeing such success right now. We have lots of different interests that are finally coming together around one common goal; to make Souderton thrive!*

*When I am sitting at the bar at Broad Street, or playing trivia in the lobby of the Broad Theater, I obviously see a lot of people I know; our friends and neighbors from here in Souderton. But I also see a lot of people that I know are NOT from Souderton; coming from Harleysville, Hatfield, Lansdale and North Wales. Which means that, thanks to the efforts of Kyle, Charlie and Dave, people are coming to Souderton for their entertainment needs and to spend their money. And THAT is pretty damn cool.*

*So Thank you Charlie, Kyle and Dave for everything you have done and continue to do for Souderton. And in recognition of your hard work and success, I would like to honor all of you with a Key to the Borough.*

Charles Crown addressed Borough Council expressing their sincere appreciation for this honor. He also expressed his support for the efforts of David Sowhanger who purchased their side of the building first. They are happy to be a part of the growth and thriving revitalization of Souderton Borough.

Police Chief Brian Newhall summarized the July, 2022 monthly report to Borough Council. Chief Newhall reported that the department is working in conjunction with the Montgomery County District Attorney's office to provide resources and assistance for substance abuse, domestic violence and homelessness. Chief Newhall will be selling the old camera system through Municibid. Councillor Matt Sholly questioned the amount of incidents going back to 2019 pre-pandemic. Chief Newhall noted that incidents have been steadily rising. Councillor Courtnee Wampole noted that she recently attended the Legal Update seminar hosted by the Pennsylvania State Association of Boroughs. Part of the seminar addressed internal affairs policies. She will share some of the information and notes with Chief Newhall. Chief Newhall reported that he is working with an agency to review all policies of the Souderton Police Department for the purpose of achieving accreditation status.

The Borough Solicitor's report for the month of July was distributed to Borough Council. The Borough Solicitor has had communication with SEPTA regarding approval of the Lease Agreement for the Freight Building. The Solicitor researched and prepared a

memorandum to Borough Council regarding ambulance services within the Borough. The Borough Solicitor reviewed additional responses regarding an employee matter.

Public Works Director Steven Coll summarized public works activities. Crews spent a majority of the month on park, tree and playground maintenance. Crews completed normal daily swimming pool maintenance and cleared weeds from all three rain gardens inside the pool. Crews began some maintenance work in the Chestnut Street municipal parking lot. During August, crews will start site work in the Community Park to prepare for the fall installation of the new playground equipment. Street and crosswalk line painting will be completed ahead of the beginning of the school year. The street sweeper will be out most of the month to complete a more comprehensive street sweeping program. The sweeper has been fitted with a new side broom designed to help cut weed growth along the curb line.

Borough Manager Michael Coll noted that Borough Council will hold their monthly work session on August 15, 2022. The Souderton Planning Commission will be meeting on August 3 to conduct a cursory review of revisions to a previously approved development plan to construct a five unit townhouse building on a vacant lot at Second Street and Reliance Road. The plan revisions will locate an access drive entirely on the property, while the prior plan utilized a shared driveway. Access to a shared driveway is no longer an option to the developer. The Planning Commission will further review sign ordinance and other zoning ordinance matters. The next Borough Council meeting will be Monday, September 12, 2022 due to the Labor Day Holiday. The Souderton Community Pool will be open through Labor Day, which will be the end of the pool season.

The Borough Manager further noted that the agenda for the Borough Council meeting this evening consists of a Resolution that restates and expands the position of Junior Councillor to up to two positions, followed by the appointment of two Junior Councillors who will begin their terms at the September 12, 2022 Borough Council meeting. A recommendation has been made to reappoint John Young to serve another five year term as a member of the Souderton Industrial Development Authority, he currently serves as their treasurer. A recommendation has been made to advertise bids for the Chestnut Street Green parking Lot project which will be funded in part by a \$140,000 grant from Montgomery County. An Executive Session will follow the listed business items to discuss personnel matters and the police collective bargaining agreement. No further business is expected to follow the conclusion of the Executive Session.

Councillor Daryl Littlefield reported that the Public Outreach Committee will have a table at the August 19<sup>th</sup> Third Fridays event on Main Street. Borough Council Office Hours will be held in the lobby of the Souderton Municipal building on Saturday, August 20 from 11:00 am to 1:00 pm.

Councillor Edward Huber noted that the Souderton Community Pool will host a

Movie Night on Saturday, August 13<sup>th</sup> for pool members.

Councillor Richard Walczak commented that a draft outline of a proposed Noise Ordinance was provided to the Borough Solicitor for review and comment.

Councillor Courtnee Wampole reported that the Economic Development Committee met last month with Brass Collar Brewing. Construction plans are now being finalized for the completion of the Freight Building and associated site work.

Councillor President Tracy Burke reported that the selection committee is reviewing the proposals received from several engineering firms for the position of Borough Engineer. The committee will be meeting later this week.

President Burke further noted that Telford Borough Council has extended an invitation to attend each other's Borough Council meetings.

Consideration was given to paying the bills for the month of July, 2022.

#### GENERAL FUND

Petty Cash	\$173.61	Moyer Indoor/Outdoor	\$292.23
Advance Auto Parts	32.18	Nationwide Trust Company	986.05
Allan Myers	240.15	NetCarrier Telecom, Inc.	319.00
Altek Business Systems, Inc.	151.96	North American Benefits Co.	1,212.59
Altek Business Systems, Inc.	3,014.89	Nyco Corporation	82.27
Barnside Farm Compost Facility	63.12	Old Dominion Brush	336.22
Clemens Uniform Rental	161.95	PECO Energy	28.84
Code Inspections, Inc.	390.00	Penn-Holo Sales & Service	372.00
Comcast	589.28	PA One Call System	46.54
Cope's Garage, Inc.	2,605.36	Perkasie Regional Authority	1,250.00
Crystal Springs	129.80	PPL Electric Utilities	1,095.41
D. L. Beardsley, Ltd.	256.90	PPL Electric Utilities	106.37
Delta Dental/Gettysburg Benefit	1,498.39	Scooters Bike Shop	55.00
E M Kutz, Inc.	324.13	Something Better, Inc.	2,520.00
FP Finance Program	359.00	Steven R. Coll	317.36
George Allen Portable Toilets	146.00	Suburban Propane	1,167.57
Gouldey Welding & Fabrication	1,475.00	Uninvest VISA	432.80
Highway Materials, Inc.	500.00	Uninvest VISA	1,227.26
Home Depot	131.68	Uninvest VISA	2,010.41
Independence Blue Cross	19,163.92	Unum Insurance Company	1,172.05
Maryjane Yoder	167.42	Verizon	75.80
McDonald Uniform Company	780.37	Verizon Wireless	352.02
Metlife/Brighthouse/GASB	2,838.12	Total General Fund	\$50,651.02

#### SEWER FUND

Bearing & Drive Solutions	\$30.55	Metlife/Brighthouse/GASB	\$92.28
Clemens Uniform Rental	94.74	NetCarrier Telecom, Inc.	109.13

Comcast	\$138.39	North American Benefits Co.	\$314.75
Commonwealth of PA	220.00	PPL Electric Utilities	601.25
Commonwealth of PA	150.00	Richard D. Nelson	940.37
Delta Dental/Gettysburg Benefit	399.68	Salvatore DeSimone	174.00
EVOQUA Water Technologies	4,190.40	Suburban water Testing Labs	6,774.00
Farm Bureau Garage, Inc.	80.95	Univar Solutions USA, Inc.	4,609.35
Good Plumbing Heating A/C, Inc.	325.45	Unum Insurance Company	269.87
Independence Blue Cross	4,735.23	USA Blue Book	142.68
J P Mascaro & Sons	3,788.62	Verizon	81.92
L/B Water Service, Inc.	930.00	Total Sewer Fund	\$29,193.61

#### POOL FUND

Airgas National Carbonation	\$406.44	PECO Energy	\$5,767.74
Buckmans, Inc.	3,377.25	PPL Electric Utilities	1,912.34
Cintas First Aid & safety	818.56	Pyrz Water Supply Co., Inc.	855.00
Comcast	173.92	Richter Drafting/Office Supply	122.94
Diversified Refrigeration	7,980.00	Univest VISA	229.07
Markey Paper & Packaging	316.06		
NetCarrier Telecom, Inc.	92.33	Total Pool Fund	\$22,051.65

#### CAPITAL RESERVE FUND

Allan Myers	\$242.21	Highway Materials, Inc.	\$30,724.67
CKS Engineers, Inc.	409.50	Naceville Materials	325.90
Franconia Township	3,902.85	Total Capital Reserve Fund	\$35,605.13

#### LIQUID FUELS FUND

PPL Electric Utilities	\$825.87	Signal Control Products, Inc.	\$42.00
PPL Electric Utilities	6,383.77	Total Liquid Fuels Fund	\$7,251.64

A motion was made by Councillor Edward Huber, and seconded by Councillor Daryl Littlefield, to authorize the payment of bills for the month of July, 2022 and the recurring expenses for the month of August, 2022, as presented. The motion was approved.

President Tracy Burke opened the floor to the audience for public comment.

Lucy Ruth, 237 Washington Avenue, expressed a traffic concern on Green Street at the intersection with Main Street. Two large pickup trucks park on either side of Green Street which provides limited space for cars turning onto Green Street from Main Street. She suggested that the parking restriction be moved further from the intersection. President Tracy Burke requested Chief Newhall to evaluate the placement of signs. Lucy Ruth also requested consideration in adding more handicapped parking spaces in the Community park to support Concert Sundaes. She further requested an evaluation of the traffic signal at Broad and Front Street. President Burke asked Police Chief Newhall to

evaluate the operation of the signal.

Brianna Bennett, 20 N. Fifth Street expressed concern and frustration with an ongoing sewer lateral clog and overflow from a neighboring property fronting east Broad Street. The overflowing sewer runs across the alley and into her property. The Borough has been out several times to open the line, but the owner has not taken steps to correct the problem Public Works Director Steven Coll explained that there appears to be a broken vent cap that has fallen into the lateral. This is most definitely the property owners responsibility to repair. Attempts have been made by the Borough to remove the obstruction and most recently a large piece of the broken cap was removed by the Borough. Hopefully this last piece that was removed will resolve the issue.

Charles Crown of the Broad Theater also suggested that an evaluation of the Broad and Front Street traffic signal would be beneficial. At times there seems to be an unwarranted signal change for Front Street without any visible cars within the intersection. The Borough Manager will contact our traffic signal service company to evaluate the signal operation.

Souderton Connects Manager Christina DiVergigelis reported that there were three Third Fridays events so far in 2022. Souderton Connects is working with Chief Newhall, public works and neighboring municipalities to obtain a PennDOT permit to close Main Street for the October event. The Souderton Connects Art Jam will be held on Saturday, September 24. They are still looking for vendors and event sponsors.

Mayor Daniel Yocum discussed the potential of closing Main Street for all Third Fridays events. Christina DiVergigelis noted that October will be a test event to consider the potential for further road closures.

There being no further public comment, President Burke moved to the business portion of the agenda. The first item is formal consideration of a Resolution to expand the number of Junior Councillor positions. Mayor Daniel Yocum supports this action and presented the following resolution to Borough Council for consideration:

RESOLUTION No. 2022-04

*A RESOLUTION OF SOUDERTON BOROUGH COUNCIL  
CREATING, RESTATING AND EXPANDING THE  
POSITION OF JUNIOR COUNCILLOR.*

*WHEREAS, local government best serves the community when opportunity is provided to seek and obtain input and opinion from residents and our business community; and*

*WHEREAS, a significant sector of our community seldom heard is our youth and in an effort to encourage participation from our youth, Souderton Borough Council created the position of Junior Councillor by Resolution No. 2-00 of September 5, 2000; and*

*WHEREAS, the position of Junior Councillor has brought a student representative to Souderton Borough Council for the purpose of hearing a youth perspective in matters concerning the governance of Souderton Borough; and*

*WHEREAS, the position of Junior Councillor has proven to be a very successful resource to Souderton Borough Council and most recent interest in this position has provided an opportunity to expand the position to include up to two (2) Junior Councillors serving during any given term. Adding additional youth participation to Borough Council will enhance both our community vision and interest by our youth in serving local government.*

*NOW, THEREFORE, BE IT RESOLVED that Souderton Borough Council hereby creates, restates and expands the position of Junior Councillor, subject to the following terms and conditions:*

- 1. A Junior Councillor must be a resident of Souderton Borough at time of appointment and throughout the term of office.*
- 2. A Junior Councillor must be a High School Junior or Senior.*
- 3. A Junior Councillor must have a recommendation from the High School Principal.*
- 4. Souderton Borough Council, by majority vote, shall appoint up to a maximum of two (2) Junior Councillors with a term of one year beginning with commencement of the school year.*
- 5. Junior Councillors must take the "Oath of Office" at the beginning of their term.*
- 6. Junior Councillors shall attend Borough Council meetings, work sessions and other committee meetings as assigned. Junior Councillors will be seated on Borough Council and will participate in all discussions and business, however, the Junior Councillor shall not formally vote or be permitted to attend Executive Sessions of Borough Council.*
- 7. Junior Councillors shall observe the same rules of conduct as regular members of Borough Council.*
- 8. A Junior Councillor may attend conferences hosted or sponsored by the Pennsylvania State Association of Boroughs.*

*BE IT FURTHER RESOLVED that the Junior Councillor position may be expanded, modified or terminated at any time by majority vote of Borough Council.*

A motion was made by Councillor Julie Munden, and seconded by Councillor



Donna Rogers, to adopt Resolution No. 2022-04 creating, restating and expanding the position of Junior Councillor. The motion was approved.

Following approval of the Resolution, Borough Council considered the appointment of two Junior Councillors to begin their terms at the September Borough Council Meeting.

A motion was made by Councillor Julie Munden, and seconded by Councillor Daryl Littlefield, to appoint Estrela T. Sadiboko, 21 N. Second Street, Souderton to serve as a Junior Councillor for the term September 1, 2022 through August 31, 2023. The motion was approved.

A motion was made by Councillor Julie Munden, and seconded by Councillor Donna Rogers, to appoint Elijah S. Steglik, 346 Railroad Avenue, Souderton to serve as Junior Councillor for the term September 1, 2022 through August 31, 2023. The motion was approved.

A motion was made by Councillor Daryl Littlefield, and seconded by Councillor Courtnee Wampole, to appoint John U. Young, 373 Harrington Way, Souderton to serve another five year term as a member of the Souderton Industrial Development Authority through August 4, 2027. The motion was approved.

A motion was made by Councillor Matthew Sholly, and seconded by Councillor Matthew DiNenna, to authorize the advertisement for bids for the construction of the Chestnut Street Green Parking Lot Project. The motion was approved.

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

Following a brief recess, Souderton Borough Council adjourned to Executive Session at 8:20 pm. Borough Council convened to public session at 9:14 pm and there being no further business, the meeting was promptly adjourned.

Respectfully submitted,

P. Michael Coll, Secretary