

Regular Meeting

March 4, 2019

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

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| President Brian K. Goshow | Councillor Edward Huber |
| Vice-President D. Jeffrey Gross | Mayor John R. Reynolds |
| Councillor Ned D. Leight | Junior Councillor Michael Jones |
| Councillor Daniel Yocum | |
| Councillor Matthew Mscichowski | Solicitor Charlotte Hunsberger |
| Councillor Julie Munden | Borough Manager P. Michael Coll |
| Councillor Richard Halbom | Police Chief James P. Leary |

Absent from the meeting was Borough Councillor Richard Godshall. The Invocation was given by Vice-President Jeffrey Gross, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the February 4, 2019 Regular Borough Council Meeting and the February, 2019 Borough Council Work Sessions. A motion was made by Councillor Richard Halbom, and seconded by Councillor Matt Mscichowski, to approve the minutes as presented. The motion was approved.

Mayor John Reynolds expressed appreciation to the Public Works crew for their salting and plowing efforts with the recent snow events over the past few days.

Police Chief James P. Leary noted that he is working to finalize various community events during the father’s day weekend in June. The community events will conclude with fireworks at the end of the Concert Sundaes program on Sunday, June 16, 2019. The February, 2019 monthly report of police department activities will be submitted and discussed at the March work session.

The Borough Solicitor’s report for the month of February, 2019 was distributed to Borough Council. The Solicitor reviewed the zoning issue concerning the Souderton Charter School proposed use and discussed the interpretation of the ordinance with the Borough Manager. The Solicitor reviewed and made initial revisions to the Civil Service Commission Rules and Regulations. The Borough Solicitor discussed the status of the Berkeley Court Phase 1 development with the Borough Manager. The Solicitor began review of interim financing for the proposed Community Park restoration project.

Borough Manager Michael Coll reviewed the meeting schedule of Borough Council for the month of March. The Planning Commission meeting will be moved to Wednesday, March 13 due to Ash Wednesday falling on the regular meeting date. The

Public Works Work Session will be held on March 11th and the Administrative Work Session will be held on March 18th both beginning at 7:00 pm. The Borough Manager also noted that the recent snow events will delay the normal monthly brush collection for the month of March. Crews responded to three separate snow events that ran nearly back to back over the past weekend. Our salt supply was depleted at the end of the last storm. Telford Borough has offered to loan us salt if necessary until we receive our deliveries which are on order.

The Borough Manager reviewed the agenda for the meeting, which will begin with formal consideration of the development of a subdivision plan for the Borough's property on Cherry Lane. The proposed work will be to create a parcel of approximately four acres fronting the Souderton-Hatfield Pike for future consideration of sale or lease. The remainder of the 10-acre parcel will potentially be developed with a new Public Works facility. The Borough received a quotation from our Borough Engineer to provide engineering for the entire development project. The recommendation under consideration is to move forward with the initial first three tasks to survey the entire parcel, perform initial storm water studies and develop the subdivision plan for the parcel. The Civil Service Commission is expected to meet later in March to formally consider revised Rules and Regulations. The revised Rules and Regulations will prohibit police officer candidates from having visible tattoos, piercings or markings when wearing a short sleeved, collared, uniform shirt; notifications will be permitted by first class mail or email and the eligibility list will remain valid for up to 2 years. The Borough Solicitor is also reviewing the regulations for any other necessary or recommended updates.

Borough Councillor Julie Munden reported that she, along with Police Officer Thomas Lawson and Council President Brian Goshow, attended the inauguration of a branch of the NAACP that will service several school districts within our area.

Consideration was given to paying the bills for the month of February, 2019.

GENERAL FUND

Advance Auto Parts	\$93.67	Bergey's, Inc.	\$270.00
Advanced Disposal	35,889.48	Boucher and James, Inc.	581.40
Airgas National Carbonation	57.00	Clemens Uniform Rental	314.45
Clemens Uniform Rental	144.78	Code Inspections, Inc.	220.50
Comcast Cable	487.84	Cope's Garage, Inc.	1,731.03
Delta Dental	1,212.22	E. M. Kutz, Inc.	1,797.85
Donald D. Bergey	3,428.09	Eagles Peak Spring Water, Inc.	29.76
Fromm Electric Supply Corp	179.00	Fastenal	75.81
George Allen Portable Toilets	77.00	George Allen Portable Toilets	77.00
Home Depot	69.97	H & K Materials	589.12
Independence Blue Cross	16,001.81	Home Depot	48.16
Lawson Products, Inc.	372.86	Indian Creek Foundation	441.00
Morton salt	8,805.32	J. P. Mascaro & Sons	781.80
Moyer Indoor/Outdoor	1,670.11	James P. Leary	569.87
NetCarrier Telecom, Inc.	481.04	K J Door Services, Inc.	332.00

North American Benefits Company	988.77	Lawson Products, Inc.	416.13
Nucitrus	275.00	Marriotts Emergency Equipment	369.50
Nyco Corporation	12.48	Maryjane Yoder	88.00
PECO Energy	273.04	Metlife	5,487.78
PennBOC Region 1	25.00	Morton Salt	6,872.83
PA One Call System	71.04	Moyer Indoor/Outdoor	3,203.05
PPL Electric Utilities	947.44	Nationwide Trust Company	1,872.35
PPL Electric Utilities	1,830.54	Plasterer Equipment Co., Inc.	196.44
Shelly Enterprises	174.73	Richter Drafting Office Supply	120.77
Suburban Propane	358.25	Robert E. Little, Inc.	71.38
Univest Bank & Trust Company	816.67	Security Service Co., Inc.	764.61
Univest VISA	2,483.26	Shelly Enterprises	37.86
Univest VISA	19.98	Suburban Propane	26.72
Univest VISA	692.92	Sudz in a Bucket	16.50
Unum Insurance Company	1,009.28	The Harrison Group, Inc.	195.00
Verizon	71.21	Thomas A. Lawson	344.00
Verizon Wireless	399.86	Triad Truck Equipment	1,037.00
21 st Century Media	541.43	William Powis	89.00
Advance Auto Parts	573.96	Total General Fund	\$109,603.72

SEWER FUND

Bergey's Electric, Inc.	\$1,167.50	Farm Bureau Garage, Inc.	\$516.74
Clemens Septic Services	1,125.00	Gouldey Welding	244.72
Clemens Uniform rental	81.90	Graphic Controls LLC	740.30
Comcast Cable	86.90	Hach Company	366.89
Delta Dental	321.47	Hangley Aronchick, Segal	346.50
Independence Blue Cross	3,336.14	Home Depot	53.02
NetCarrier Telecom, Inc.	145.94	J. P. Mascaro & Sons	726.00
North American Benefits Company	257.86	Jesse Baro, Inc.	2,941.29
PPL Electric Utilities	705.31	Keith H. Koehler	154.52
Schaners Wastewater Products	2,550.05	Mary M. Koehler	309.89
Shelly Enterprises	82.52	Metlife	138.42
Suburban Water Testing Labs	2,125.70	Moyer Indoor/Outdoor	372.18
Unum Insurance Company	250.82	NAPA Auto Parts	43.96
Verizon	74.36	NYCO Corporation	56.61
Cintas First Aid & Safety	76.55	PA Rural water	260.00
Clemens Uniform Rental	\$122.85	PPL Electric Utilities	\$4,380.83
Coyne Chemical	8,185.45	The Harrison Group, Inc.	45.00
ES2 Environmental Systems	592.50		
EVOQUA Water Technologies	3,405.15	Total Sewer Fund	\$37,005.44

POOL FUND

CAPITAL RESERVE FUND

A M Goshow & Son, Inc.	\$3,220.78	Home Depot	\$54.71
Home Depot	94.07	Shelly Enterprises	51.87
Landis Block Nycecrete Co	204.45	Sherwin Williams	18.99
Shelly Enterprises	71.95	Smith Wilbert Vault, Inc.	10,910.00
Univest Capital	3,155.23		
Boucher & James, Inc.	3,132.40	Total Capital Reserve Fund	\$20,914.45

LIQUID FUELS FUND

PPL Electric Utilities	\$1,011.92	Signal Control Products, Inc.	\$525.00
PPL Electric Utilities	6,024.34		
George's Tool	105.59	Total Liquid Fuels Fund	\$7,666.85

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Ned Leight, to pay the bills for the month of February, 2019, as presented. The motion was approved.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Ned Leight, to authorize the payment of recurring monthly bills for the month of March, 2019, as presented. The motion was approved.

President Brian K. Goshow opened the floor to the audience for public comment. There being no public comment from the audience, President Goshow moved to the scheduled items of business, with the first item being formal consideration of the development of a subdivision plan for the Borough's property on Cherry Lane in Franconia Township.

A motion was made by Councillor Richard Halbom, seconded by Councillor Edward Huber, to authorize Boucher and James, Inc., pursuant to their quotation dated November 20, 2018, to proceed with the survey of the Cherry lane property in Franconia Township, conduct initial storm water infiltration testing and prepare a minor subdivision plan to create a separate lot fronting on the Souderton-Hatfield pike. The motion was approved by a vote of 7 yeas and 1 dissenting vote from Councillor Daniel Yocum.

A motion was made by Councillor Julie Munden, and seconded by Councillor Matt Mscichowski, to approve proposed revisions to the Police Civil Service Commission Rules and Regulations restricting police officer candidates from having visible body markings or piercings, permitting notifications by regular first class mail and email and extending the life of a certified eligibility list of police officer candidates from one to two years. The motion was approved.

There being no further business, the meeting was adjourned at 7:18 pm.

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – March 11, 2019 (7:00pm-8:25pm)

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

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

1. Sanitation Committee

- a. The Discharge Monitoring Report for the month of February, 2019 will be filed with no exception to permit limitations.
- b. Engineer Fred Ciottoni is working to complete the annual Chapter 94 report to be filed with PaDEP prior to March 31, 2019. Our engineer noted that excessive rainfall through 2018 yielded some of our highest recorded flows, with the average flow during the maximum 3-month period exceeding our rated plant capacity. Despite high flows, treatment quality remained consistently good throughout the year. Although this is not a technical hydraulic overload, DEP might require some corrective action. The Borough experienced similar circumstances in 2011 and in 2014 without any mandated action. The Chapter 94 report projects that flows will return to more historic levels assuming the region experiences historical average rainfall. Flows are projected to remain below the rated capacity over the next five years, however, Borough Council should begin consideration of flow equalization improvements and upgrades to the waste water treatment plant. These improvements will greatly reduce operational challenges during periods of high flow.
- c. Sal DeSimone, with assistance from Steve Coll, have researched and are recommending consideration of quotations to purchase a new utility truck for the waste water treatment department. The recommended chassis is a Ford F-550 which is available through a COSTARS contract with Sands Ford of Red Hill at a delivered price of \$34,568.24. E. M. Kutz of Reading, PA has experience in fitting out utility bodies with service cranes. In our case, we recommend that the crane from our current truck be re-mounted on the new truck. The truck will include a snow plow package and plow. The cost for the body fit out will be \$31,893.00 and is also available under a COSTARS contract. The total complete cost of the new truck will be \$66,461.24, well under the estimated budget price of \$85,000. A motion to approve this purchase will be prepared for formal consideration at the April Borough Council meeting.

2. Highway Committee

- a. Public Works Director Steven Coll reviewed public works department activities. Crews used a few tons of cold patch to fill potholes. Brush collections will begin later in the week now that the snow has cleared. The cost for cold patch is approaching \$100 per ton.
- b. The Borough has now ordered 450 tons of salt for this season, which is similar to last year's quantity.
- c. Arrangements have been made with P. K. Moyer and Sons to rent a dozer to address several stone alley complaints. The West Broad Street alley will be addressed first by the crews.
- d. Steve Coll noted that he planned to sandblast and paint the older leaf machine this year, however, the dump body on the smaller Ford dump truck is in poor condition. He suggested that \$2,750.00 be allocated to have Derstine Company sandblast and paint the dump body of the truck. A few repairs will also have to be made to the dump body. The dump body will be painted grey. Borough Council agreed with the work but noted that the sandblasting and painting of the leaf machine should also be considered if the budget will permit.
- e. Steve Coll reported on scheduled projects for the month. The fence along the Wait Building platform will be installed. Debris to the rear of the train station will be removed in preparation to extend the parking lot. A storm drain line will be installed to the rear of the Freight Building to collect ponding storm water. This work must be completed ahead of the planned extension of the platform around the Freight Building that we will be working on in early summer. Crews will be returning to finish the storm drain work on Wile Avenue from Green Street to Diamond Street. Crews will work on storm drain connections ahead of the Woods Alley paving project with the adjoining residents. Following completion of the water main replacement project on N Fourth Street, we will be scheduling the sanitary sewer replacement project along Fourth Street from Chestnut Street to Central Avenue.
- f. Borough Council reviewed proposed road paving projects for 2019. Wile Avenue will be milled and paved from Hillside Avenue to Diamond Street. Base repairs are planned along Wile Avenue from Diamond Street to Summit Street. Borough Council members noted that Wile Avenue along the Community Park should also be temporarily repaired for the summer. Hillside Avenue will be milled and overlaid later in the fall following completion of the curb and sidewalk project. N. Fourth Street from Chestnut Street to Central Avenue will be milled and based after the sewer and storm drain improvements. The final wearing course will be delayed until next year to allow time for the trenches to settle.
- g. Telford Borough is looking at a joint project to oil and chip School Lane, which is a boarder street. The project will also include a fog seal coat which is

now approved by PennDOT. N. Fourth Street from Broad Street to Chestnut was suggested as another oil and chip project.

- h. North Penn Water Authority has just awarded a contract to replace the water main along East Broad Street from Second Street to School Lane. This work is being completed ahead of the planned mill and overlay of Broad Street by PennDOT within the coming year. Borough Manager Michael Coll circulated a listing of water main replacement projects planned by North Penn Water Authority in various municipalities over the next few years. NPWA has continued with a rather aggressive water main replacement program throughout their system.

3. Sidewalk Committee

- a. Borough Council discussed the streetscape plan around the Broad Theater and the required PennDOT Highway occupancy permit. PennDOT will have to comment on the minimum traffic lane widths which will determine how far the sidewalk can be bumped out in front of the theater entrance. The Borough Engineer expressed concern with the location of the traffic signal mast arm at the corner of the Broad Theater on Washington Avenue. The mast arm is rather close to the building which will impact accessibility width requirements. Placement of mandatory ADA ramps will also be challenging. The mast arm may have to be relocated to provide a better sidewalk arrangement. The signal heads on the current mast arm have been hit several times by trucks.
- b. The CDBG contract for Hillside Avenue has been fully executed and the Borough Engineer will be instructed to proceed with plans and bid specifications for the replacement of the curb and sidewalk.

4. Recreation Committee

- a. President Brian Goshow updated Borough Council on the status of the final draft of the master plan of improvements, the need to initiate a letter of understanding with the Souderton-Telford Rotary Club and the need to secure interim bridge financing. The Borough Manager will begin work with the Borough Solicitor and Univest Bank to review financing alternatives for this project. The priority project for this year is improvements to the Town Clock pocket park which the Rotary club will dedicate to former Mayor Charles Allebach. Borough Council discussed repairs to the town clock and ways to either hide the traffic signal controller box or perhaps consider relocating the signal box if financially feasible.
- b. Spring Clean Up day will be scheduled for Saturday, April 27, 2019 in the Community Park from 9:00 am to 12:00 noon. The event will include general clean up and mulching. Lunch will be arranged.

- c. Borough Manager Michael Coll reviewed the final draft of membership rates and the rules and regulations for the Souderton Pool for the 2019 season. The Borough Manager noted increases in both resident and non-resident rates, and increased daily admission rates that remain competitive with the neighboring pools. The form includes a detailed schedule specifically noting abbreviated hours at the beginning and at the end of the season to work around the school year. The rules and regulations have been updated and categorized for better understanding. Sales will now go live to the general public.
- d. The Borough Manager discussed capital improvements planned for the pool facility. Fellman's Pool Service will be contracted to complete the tile replacement in the zero entry area of the activity pool. They completed the first half last season. Borough forces will assist with demolition to keep costs down. Fellman's Pool Service will rebuild the filter for the completion pool and replace the sand filter media. They rebuilt the activity pool filter last season. The Concession Stand will be run by the same personnel as last season. We will meet to discuss simplifying the menu and ways to improve food service.
- e. Borough Council discussed filing an application under the Schuylkill Highlands Mini-Grant program for potential funds to assist with improvements to the train station property.

5. Property Committee

- a. Borough forces are scheduled to begin work on completing the site improvements around the Freight Building. A bulk of the work will begin by early summer.

Administrative Work Session- March 18, 2019 (7:00pm-8:55pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Daniel Yocum, Matt Mscichowski, Julie Munden and Edward Huber.

Staff Attendees: Police Chief James Leary, Code Enforcement Officer Steven Toy and Borough Manager P. Michael Coll.

1. Souderton Charter School

- a. Attorney Francis Buschman, and Souderton Charter School Directors Wendy Ormsby and Jennifer Arevalo attended the work session to discuss the use of 27 S. Front Street which was recently purchased directly by the Souderton Charter School. The property was used as a salon with two residential apartments. Attorney Frank Buschman, by letter dated March 6, 2019, argues that the C-2 Limited Commercial/Residential Zoning ordinance permits philanthropic offices within the district by right. Attorney Buschman

noted that the Souderton Charter School is a designated 501 (c)(3) organization and therefore fits the definition of philanthropic. They requested confirmation from Borough Council to authorize the use without necessity of an appearance before the Zoning Hearing Board. Borough Councillor Jeffrey Gross argued that every school building will have an administrative component as part of its normal daily use. This proposed use is not a separate philanthropic office but simply an extension of the Charter School use that already exists within the neighboring properties, which by ordinance is only authorized as a conditional use. After significant discussion, Borough Council members reached a majority consensus that the proposed use is not a separate philanthropic office use but rather an extension of a school use and must be authorized as a conditional use or through interpretation or variance from the Zoning Hearing Board. Borough Council President Brian Goshaw offered to waive the application fees should the Charter School decide to pursue a hearing before the Zoning Hearing Board.

2. Police Committee

- a. Police Chief Leary distributed the February, 2019 statistical report for review of Borough Council. Staff continues to work with the new report format.
- b. Chief Leary recommended consideration of posting a handicapped parking space in the vicinity of 126 E. Summit Street for a 90-day trial period.
- c. Borough Council discussed the one-way traffic restriction on S. School Lane to facilitate student drop off and pick up at the E M C Elementary School. The current restriction is posted throughout the day during school days. Further discussion will be made with school district staff, emergency responders and Borough Council about the continuation of this restriction. Borough Council discussed a possible option to implement the one-way traffic restriction during a certain time frame in the morning and again in the afternoon, similar to a previous restriction used for the High School. The issue with this option is to find and maintain consistent school staff to raise and lower signage. Further review and discussion will be held on this issue.
- d. Borough Manager Michael Coll reported that the revised Civil Service Rules and Regulations have been completed by the Borough Solicitor. The Solicitor noted one additional change in the notification procedure. The regulations require a three-week notification process, however, this can be reduced to a notification period of two weeks. Borough Council agreed with the shorter notification period. A meeting will be scheduled with the Civil Service Commission on March 29th to formally adopt the revised Rules and Regulations and begin developing the schedule for applications and testing. The Borough Manager suggested that Borough Council formally approve the revised Rules and Regulations, with the shorter notification period, at their

April 1 Borough Council meeting. The Commission will now be able to move forward with the eligibility list for the police officer position.

3. Code Enforcement Department

- a. Code Enforcement Officer Steven Toy reported that he issued 26 notices to property owners for failure to clear snow from their sidewalks. Out of the 26 warning notices, four failed to respond and were issued citations.
- b. We are working with our IT company Freedom Systems Corporation, to install a tablet system to allow access and input of data from the field. This is a pilot program being developed and tested by Freedom Systems. The support services are being provided at no cost to the Borough.
- c. The Code Enforcement Officer has developed a listing of punch list items associated with Berkeley Court Phase 2A. The developer has been extremely slow in addressing the outstanding issues, as a result only temporary occupancy permits will be issued for the remaining units contingent upon the completion of outstanding punch list items.
- d. EMC Elementary School is coming up on the end of their temporary occupancy permit. A few accessibility items remain within the building and there are outstanding issues with the site work. Another extension will be issued at the end of the month.

4. Administrative Committee

- a. No new items were discussed.

5. Development Committee

- a. The Souderton Planning Commission has made very good progress on revisions to the Mixed Use Redevelopment Zoning District and the MUR provisions within the SALDO. The Planning Commission is very close to recommending a draft MUR Zoning and SALDO ordinance to Borough Council. The next meeting of the Souderton Planning Commission will be held on Wednesday, April 10, 2019.
- b. Borough Council discussed the need to clarify the C-2 Zoning ordinance to permit the use of brewpubs. The current ordinance will not permit the establishment of a brew pub on S. Front Street without some revision. The Planning Commission is discussing potential revisions.
- c. Borough Manager Michael Coll circulated a conceptual plan to place a new sign and marque at the Broad Theater. The sign is a replica of the former sign that was used by the Theater, but the size will require relief from the Zoning Hearing Board and there are potential conflicts with the current location of overhead power lines. Borough Council supported the sign plans as presented.

6. Finance Committee

- a. Borough Manager Michael Coll noted recommended that two additional accounts be opened with the Pennsylvania Local Government Investment Trust. The accounts will be for the Sewer Operating Fund and the Capital Reserve Fund.