

Regular Meeting

September 9, 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 | Mayor John R. Reynolds |
| Vice-President D. Jeffrey Gross | Junior Councillor Meg Cross |
| Councillor Ned D. Leight | |
| Councillor Richard Godshall | Solicitor Robert Bricker |
| Councillor Daniel Yocum | |
| Councillor Matthew Mscichowski | Borough Manager P. Michael Coll |
| Councillor Julie Munden | Police Chief James P. Leary |
| Councillor Edward Huber | Public Works Director Steven Coll |

Absent from the meeting was Councillor Richard Halbom. The Invocation was given by Borough Manager P. Michael Coll, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the August 5, 2019 Regular Borough Council Meeting and the August, 2019 Borough Council Work Sessions. A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Matthew Mscichowski, to approve the minutes as presented. The motion was approved.

Leon Moyer has devoted his time in promoting the Community Park Renovation Project at all of the Concert Sundaes events through the summer. The Souderton Telford Rotary Club will be assisting with the fundraising efforts for this multi-year project. Leon Moyer provided Borough Council with an invitation to attend the annual Souderton Telford Rotary Club Auction at the Indian Valley County Club on Thursday, September 26, 2019. Proceeds from this event will go towards a number of charitable causes throughout the community, including the park project.

Police Chief James Leary distributed the monthly statistical report for July and August, any questions can be addressed at the work session. Chief Leary noted that his staff was diminished by off duty injuries. All officers have now returned to full time active duty.

The Borough Solicitor's report for the month of August, 2019 was distributed to Borough Council. The Borough Solicitor drafted documentation for the general obligation loan for the Souderton Community park renovation project. They are awaiting a revised commitment letter from Univest Bank and Trust Company. The Solicitor responded to a zoning ordinance question regarding property at 415 East Broad Street. The Borough Solicitor advertised the revisions to the Subdivision and land Development Ordinance for

formal consideration by Borough Council at their September 9th meeting.

Public Works Director Steve Coll distributed his report of public works activities for the month of August, 2019. Crews are expected to complete brush collection tomorrow. Crews have completed the replacement of the sanitary sewer main on N. Fourth Street and will return to replace the individual house lateral connections. Crews will begin winterizing the pool starting next week. We are working on finalizing a paving schedule for Wile Avenue and Hillside Avenue for the month of October.

Borough Manager Michael Coll reviewed the meeting schedule of Borough Council for the month of September. There will be only one work session in September on September 16th, focusing on administrative, finance and development related items. The Borough Manager discussed the agenda items scheduled for consideration. A recommendation has been made to appoint Margaret (Meg) Cross, 373 W. Chestnut Street, Souderton to serve as our next Junior Councillor. She is a senior at the Souderton High School. Her term will run through June 30, 2020. Borough Council received the final signature draft of the proposed revisions to the Subdivision and Land Development Ordinance. Appreciation goes to Councillor Jeff Gross and the members of the Planning Commission for their thorough review of this document. A recommendation has been made to formally consider the enactment of the proposed Ordinance. Borough Manager Michael Coll reported that Blooming Glen Contractors have completed all public improvements, with the exception of some remaining landscaping, around the residential portion of the Berkeley Court Phase 1 project. The remaining landscaping will be completed in the fall. Blooming Glen completed this work without compensation. The Borough Solicitor prepared an amendment to the Development and Escrow Agreement removing all development requirements from the commercial portion of the site. The commercial portion of the site is now under separate ownership through a default action and will be the subject of a new land development application when the site is sold or under agreement. A motion to authorize the execution of the amendment to the Berkeley Phase 1 Development and Escrow Agreement has been prepared for formal consideration.

Councillor Daniel Yocum noted a few community events and further reported that representatives from the Broad Theater made a presentation at a recent Rotary Club meeting, this will be a very exciting project for Souderton.

Mayor John Reynolds noted that the Souderton-Telford Main Streets Art Jam will be held on Saturday, September 28th. The event will again be held along Wile Avenue by the Community Park and Pool from 10:00am to 5:00pm. Mayor Reynolds urged the community to support Main Streets which is a vital organization in support of our ongoing revitalization efforts.

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

GENERAL FUND

ALS Association, Greater Phila	\$250.00	Landis Hunsberger Gingrich Weik	\$4,705.73
Comcast	549.23	Lansdale Police Department	300.00
Home Depot	122.54	Metlife	5,961.28
North Penn Water Authority	61.26	Montgomery County Consortium	250.00
Univest VISA	21.19	Moyer Indoor/Outdoor	2,488.02
Verizon Wireless	120.03	Nationwide Trust Company	1,995.18
21 st Century Media	155.51	NetCarrier Telecom, Inc.	357.44
Advance Auto Parts	45.31	North American Benefits Co	996.97
Advanced Disposal	36,301.83	North Penn Water Authority	33.66
Allan Myers	490.24	Oldcastle Lawn & Garden	2,409.60
Armour & Sons Electric, Inc.	1,486.00	PECO Energy	29.52
Bearing & Drive Solutions	154.56	Pendergast Safety Equipment	99.59
Bergey's, Inc.	174.34	PA One Call System	110.26
Blooming Glen Quarry	450.00	PPL Electric Utilities	1,428.05
Bow Wow Waste Products	157.33	PPL Electric Utilities	240.97
Clemens Uniform Rental	217.04	Ready Refresh	12.99
Code Inspections, Inc.	47.25	Richter Drafting Office Supply	334.90
Commonwealth Precast, Inc.	500.00	Robert W Harley, RPR	180.00
Cope's Garage, Inc.	3,042.80	Sealmaster	204.49
CPR Heart Starters, Inc.	137.00	Security Service Co., Inc.	878.01
D L Beardsley, Ltd.	216.35	Shelly Enterprises USLBM, LLC	51.34
David A. Freed	200.00	Souderton Telford Main Streets	5,937.50
Davidheisers, Inc.	27.75	Suburban Propane	651.50
Delta Dental/Gettysburg Benefit	1,212.22	Sudz in a Bucket, Inc.	33.00
Derstines	349.97	The Harrison Group, Inc.	195.00
Freedom Systems Corp	945.00	TRM Telford Recycling Materials	85.00
Fromm Electric Supply Corp.	14.68	Trout Brothers, Inc.	3,116.75
George Allen Portable Toilets	529.00	Trumbauers Lawn & Rec, Inc.	180.14
Glick Fire Equipment	80.00	Univest VISA	1,348.22
Good Plumbing Heating A/C	867.72	Univest VISA	256.10
Gouldey Welding & Fabrication	80.00	Univest VISA	59.08
H & K Materials	707.98	Univest VISA	902.70
Hajoca Corporation	293.52	Unum Insurance Company	1,009.28
Highway Materials, Inc.	992.48	Verizon	71.96
Home Depot	37.98	Verizon Wireless	282.14
Independence Blue Cross	16,001.81	Wisler Pearlstine, LLP	218.50
James P. Leary	303.79	Youngs	13.20
Landis Block & Nycecrete Co	135.03	Total General Fund	\$105,024.81

SEWER FUND

Comcast	\$86.90	Maryland Biochemical Co., Inc.	\$395.05
North Penn Water Authority	108.65	Metlife	138.42
ALL Industrial Safety Products	42.40	Moyer Indoor/Outdoor	183.87
Cintas First Aid & Safety	99.03	NetCarrier Telecom, Inc.	164.82
Clemens Uniform Rental	129.43	North American Benefits Co	259.65
Commonwealth Precast, Inc.	540.00	North Penn Water Authority	72.36
Coyne Chemical	8,133.72	NYCO Corporation	388.75
CP Rankin Inc.	481.33	PA Rural Water	130.00
D L Beardsley, Ltd	79.70	Pennsylvania State University	395.00
Delta Dental/Gettysburg Benefit	321.47	PPL Electric Utilities	12,036.89
Derstine Company, Inc.	2,261.00	Richter Drafting Office Supply	179.14

Essex Service Corporation	\$1,057.24	Rodney Shoemaker Plumbing, Inc.	\$148.09
EVOQUA Water Technologies	10,419.00	Shelly Enterprises USLBM, LLC	65.07
H Keith Koehler	290.02	Suburban Water Testing Labs	3,162.63
Independence Blue Cross	3,336.14	The Harrison Group, Inc.	45.00
J P Mascaro & Sons	606.00	Unum Insurance Company	250.82
Jesse Baro, Inc.	5,007.07	Verizon	79.29
Lawson Products, Inc.	177.82	Wise Electric	208.50
Mary M Koehler	309.89	Total Sewer Fund	\$51,790.16

POOL FUND

Comcast	\$141.27	NetCarrier Telecom, Inc.	\$142.45
North Penn Water Authority	1,659.57	PECO Energy	152.16
Airgas National Carbonation	546.64	Penn Jersey Slush, LLC	110.00
American Red Cross	152.00	Pepsi Beverage Company	277.18
Buckmans, Inc.	2,935.69	PPL Electric Utilities	2,183.38
Derstines	3,657.60	Richter Drafting Office Supply	40.80
Derstines	121.19	Shelly Enterprises USLBM, LLC	8.47
Fastenal	29.52	Souderton Pizza & Pasta	820.00
Harleysville Party Rental	127.25	Univest VISA	22.90
Home Depot	20.94	Univest VISA	746.81
Kathy Armitage	320.05	Univest VISA	65.67
Leslies Pool Supplies, Inc.	40.76	Wise Electric	89.50
Markey Paper & Packaging	102.48	Total Pool Fund	\$16,315.12

CAPITAL RESERVE FUND

C & S Lawn & Landscape	\$780.00	Univest Capital	\$3,155.23
Commonwealth Precast, Inc.	1,432.00	Display and Sign Center, Inc.	1,397.50
Gouldey Welding & Fabrication	3,801.45	Total Capital Reserve	\$10,566.18

LIQUID FUELS FUND

Fromm Electric Supply Corp	\$103.59	PPL Electric Utilities	\$6,033.55
Hajoca Corporation	1,073.73	Sealmaster	1,823.05
Lane-King of Prussia	95.00	Signal Control Products, Inc.	78.00
PPL Electric Utilities	802.44	Total Liquid Fuels Fund	\$10,009.36

A motion was made by Councillor Matt Mscichowski, and seconded by Councillor Richard Godshall, to pay the bills for the month of August, 2019, as presented. The motion was approved.

A motion was made by Councillor Richard Godshall, and seconded by Councillor Matt Mscichowski, to authorize the payment of recurring monthly bills for the month of September, 2019, as presented. The motion was approved.

President Brian K. Goshow opened the floor to the audience for public comment.

Curtis and Lisa Freed, 29 N Fourth Street, requested a handicapped parking space in front of their residence for the benefit of their handicapped grandson who is picked up

by Transportation Services to attend Vernfield Elementary School. Their initial request was made to the Police Chief in February without a resolution and they asked Borough Council to intervene into their request.

Bea Smith, Souderton business owner, commented that she has leased her building at 9 N Main Street for a new business. She expressed appreciation to the Borough for not spraying weeds and plans to continue her efforts to spray vinegar around her properties as an alternative. Bea Smith further noted that her architect and engineer are revising plans for the North End Market building at 142 N Main Street.

Priscilla Newman, 17 ½ Franklin Avenue, suggested that more effort should be made to advertise the various community events.

Craig Silsbee, 138 S Front Street, commented that the weed growth throughout the Borough seems to be out of control with some areas terribly overgrown in weeds. He requested that the Borough set aside sufficient funding in the budget to control weeds along the Borough streets.

There being no public comment, Council President Goshow moved to the business portion of the agenda beginning with the appointment of a Junior Councillor.

A motion was made by Councillor Julie Munden, and seconded by Councillor Jeffrey Gross, to appoint Margaret (Meg) Cross, 373 W. Chestnut Street, Souderton, PA to the position of Junior Councillor for a term of one year through June 30, 2020. The motion was approved by unanimous vote.

Mayor John Reynolds administered the Oath of Office to newly appointed Junior Councillor Meg Cross, who was accompanied by her parents. Junior Councillor Meg Cross then took her seat with Borough Council.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Edward Huber, to enact Ordinance No. 19-743-05 amending the Subdivision and Land Development Ordinance by adding certain definitions; revising and adding parking requirements and standards; and revising and adding requirements for mixed use developments. The motion was approved.

President Brian Goshow expressed appreciation to the Planning Commission and members of Borough Council for the hard work and the many hours spent on reviewing and recommending the revisions and updates to the SALDO.

A motion was made by Councillor Richard Godshall, and seconded by Councillor Julie Munden, to authorize the execution of an amendment to the Improvement Construction and Escrow Fund Agreement with Blooming Glen Contractors, Inc. for the

Berkeley Court Phase 1 development. The motion was approved.

There being no further business, the meeting was adjourned at 7:43 pm.

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Administrative Work Session- September 16, 2019 (7:00pm-10:05pm)

Council Attendees: John Reynolds, Brian Goshow, Ned Leight, Jeffrey Gross, Richard Godshall, Daniel Yocum, Matt Mscichowski, Julie Munden, Richard Halbom and Edward Huber. Junior Councillor Meg Cross.

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

Presentations

The first presentation was from representatives of Everance Financial Advisors concerning plans for the redevelopment of a former warehouse building at 17 Penn Avenue. The property is located in an R3 Residential District and has a history of a lawfully nonconforming warehouse use. Managing Director Randy Delp, engineer Richard Mast and architect Constance Lezenby discussed plans to renovate the building into an office use for Everance Financial Advisors who currently have their offices at 121 N Main Street in Souderton Borough. The plans seek to retain the historic character of the building, orienting the main entrance to the rear of the building and restoring the front façade of the building. Parking will be located along the side alley and to the rear of the building, with the goal to have these spaces available for client parking. Everance currently has 15 employees and expects to grow to 21 employees in approximately five years. The full time employees will utilize offsite parking areas in relative proximity. They will be filing an application before the Souderton Zoning Hearing Board for an interpretation and/or variance to authorize the change of a lawfully nonconforming building to another nonconforming use of the same or higher classification as permitted within the Zoning Ordinance. Borough Council expressed support of the proposed project and agreed that the Planning Commission should perform a quasi-land development review. The group hopes to receive all necessary approvals and permits with a project completion date of August 2020.

The second presentation was made by Ron Ely, CPA with Styer Associates who reviewed the audit and general purpose financial statements for the calendar year ending 2018. He noted that this was another clean audit. He discussed changes in fund balances attributable to increased capital spending with a suggestion that the Borough continue to monitor capital expenses and take measures to grow cash reserves. Ron Ely also discussed losses within both pension plans due to volatile market conditions, which seem to be improving in 2019. Even with the down turn the pension plans remain strong with a funding percentage around 95%. A motion will be recommended at the October Borough Council meeting to accept and approve the 2018 audit and financial statements as prepared by Styer Associates.

1. Police Committee

- a. Chief Leary distributed his monthly report of police activities to Borough Council at their September 9th meeting.
- b. Chief Leary met with the top ranking police officer candidates for the purpose of reviewing the required background investigations. Two of the three ranking candidates are veterans.
- c. President Brian Goshow noted that the matter of handicapped accessibility at 29 N Fourth Street is on the agenda for discussion. However, a letter has been received from an attorney representing the Freed's, therefore there will not be any further public discussion and an Executive Session at the end of this work session to consult with the Borough Solicitor on this matter.

2. Code Enforcement

- a. Steven Toy reported on an ongoing neighborhood dispute at 39 and 41 Franklin Avenue. Code Enforcement and the Police Department have collaborated to reach a resolution to this matter.
- b. Considerable time has been spent in plan review and permitting for the reconstruction of 30 W. Broad Street and the Broad Theater at 24 W. Broad Street. All permits have been issued, construction is in progress at both properties and permit inspections are ongoing.

3. Administrative Committee

- a. Borough Manager Michael Coll noted that bids have been advertised for curb and sidewalk construction on Hillside Avenue, which will be funded in large part by a Montgomery County CDBG grant. A mandatory pre-bid meeting was held on September 9th with very good attendance. Bids are due and will be opened on Monday, September 23rd by the Borough Engineer. The

Borough Engineer will review the bids and forward a recommendation for award to Borough Council for consideration at the October 7 Borough Council meeting.

- b. Souderton-Telford Main Street will be attending the October 14th work session of Borough Council. Borough Council has been invited to attend the Main Streets Board meeting on Wednesday, October 16. Main Streets has just appointed an interim manager.
- c. Councillor Jeffrey Gross reported that the Delaware Valley Regional Planning Commission (DVRPC) Classic Towns program has been phased out.
- d. Councillor Daniel Yocum recommended the appointment of Craig Silsbee, 138 S. Front Street to serve as a member of the Souderton Industrial Development Authority. Craig Silsbee currently serves as a member of the Historic Committee. A motion will be prepared for formal consideration at the October 7 Borough Council meeting.
- e. Borough Manager Michael Coll reported that he received a certified letter from PennDOT ordering the removal of the animated sign at the Main Street parking lot that was installed in conjunction with the Souderton Business Improvement District. The sign advertises business within the Borough which appears to be in violation with PennDOT regulations. A response to PennDOT will be made, with possible permitting and fees required.
- f. Borough Council discussed the retirement of Public Works Foreman William Powis who has been with the Borough since May, 1979. Borough Council discussed an appropriate recognition for his 40 years of service to the Borough.

4. Development Committee

- a. Borough Manager Michael Coll and Steve Toy will be meeting with representatives of the proposed winery for the freight building on Tuesday, September 17. We plan to discuss fit out requirements in more detail in order to develop cost estimates to complete the required construction. Once we finalize the cost estimates we will have a better understanding of the rental requirements and whether this will be a viable project for the Borough to consider.
- b. Steven Toy discussed the construction of the remaining platform along S. Front Street. He discussed the potential to add additional rental space on the platform through the use of retrofitted shipping containers. A number of examples were provided for review by Borough Council. Following considerable discussion, Borough Council elected not to pursue the shipping containers, but rather focus on the completion of the platform with rough in of utilities under the platform should some form of additional rental space be considered in the future.
- c. Borough Manager Michael Coll provided sketch plans for a proposed

Burrito Café at 20 Central Avenue. We expect to have more detailed plans for review by the Souderton Planning Commission.

- d. The Borough Engineer filed the proposed streetscape plan for the Broad Theater to PennDOT for formal review and approval. The streetscape plan proposes to retain the existing traffic signal system without any modification. The plan will include granite curb and a band of granite block pavers. The bulb out area in front of the theater will require the removal of street parking on the north side of W. Broad Street from Washington Avenue to Harbor Place. PPL Electric will be relocating the utility pole with offsets to extend the overhead wires away from the face of the building to accommodate the new marquee sign and renovations to the building façade.
- e. A time line was provided by project manager Brian Grant for the completion of public improvements in Berkeley Court Phase 2A. Work is expected to be completed during the fall.

5. Finance Committee

- a. Borough Manager Michael Coll noted he is working with the Borough Solicitor and Uninvest bank to complete the general obligation loan documentation for the Community park project. Some revisions will be required to the bank commitment letter will need to be completed to finalize the documentation. We do not believe that the documents will be ready for the October Borough Council meeting.
- b. Borough Council members reviewed the 2020 Minimum Municipal Obligation Work Sheets for the Police Pension and Non-Uniformed Pension Plans. The 2020 MMO is based on an estimate of 2019 W-2 wages of the employees covered by each pension plan. Girard Pension Services assisted in the determination of the normal plan cost and any other cost adjustments. The Non-Uniformed Pension Plan normal cost will remain at 8.9358% of covered payroll, based on the 2017 Act 205 report. We expect to have three employees in the DROP plan at the end of this calendar year. As a result, overall plan costs will slightly decrease from \$41,095 to \$37,144 in 2020. The Police Pension Plan normal cost will remain at 13.7654% of covered payroll, derived from the 2017 Act 205 Report. With projected increases in wages, the Police Pension Plan cost will increase from \$58,497 to \$64,226 in 2020. The Borough received \$91,389 in State Pension Aid in 2019 and we expect the same level of aid to follow into the 2020 budget year. Based on expectations, the 2020 MMO for the Police Pension Plan will be fully paid by State Aid and State Aid is expected to cover a majority of the 2020 MMO for the Non-Uniformed Pension Plan. Depending on actual State Aid receipts, Borough Council will need to include some nominal expenses in the 2020 Budget to cover any additional non-uniformed pension obligations.
- c. Borough Manager Michael Coll received a new five-year snow and ice

maintenance contract from PennDOT for the Borough to continue to provide winter maintenance services on Main Street, East and West Broad Street and County Line Road. The funding allocation has been increased and there is opportunity to receive severe winter weather adjustments. A recommendation to approve this agreement will be made at the October 7 Borough Council Meeting.

6. Executive Session

- a. Borough Solicitor Brian Gourley and members of Borough Council adjourned to Executive Session at 8:55pm to discuss the matter of handicapped accessibility in front of 29 N. Fourth Street. Borough Council concluded the executive session at 10:05pm and the work session was promptly adjourned.