

**Regular Borough Council Meeting**

**January 9, 2017**

The Regular Meeting of Souderton Borough Council, held on Monday, January 9, 2017, was called to order by President Brian Goshow at 7:00 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Councillor Kevin Souder
Vice President D. Jeffrey Gross	Junior Councillor E. Shane Myers
Councillor Ned D. Leight	Mayor John R. Reynolds
Councillor Daniel Yocum	Solicitor Robert R. Bricker
Councillor Daniel Houser	Borough Manager P. Michael Coll
Councillor Tracy Burke	Police Chief James P. Leary
Councillor Richard Halbom	Public Works Director Steven R. Coll

Absent from the meeting was Councillor Richard Godshall. 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 December 5, 2016 Regular Borough Council Meeting. Borough Council did not hold any work sessions during the month of December, 2016. A motion was made by Councillor Jeffrey Gross, seconded by Councillor Daniel Houser, to approve the minutes of the December 5, 2016 Regular Borough Council Meeting as presented. The motion was approved.

Police Chief James Leary distributed the monthly statistical and narrative reports of police department activity for the month of December. He noted that the month of December was the most active for the department. Detailed discussion on the activities will be held at the January 16, 2017 work session.

The Borough Solicitor's report for the month of December, 2016 was distributed to Borough Council. The Borough Solicitor met with the Borough Council President and Borough Manager to review procedures for conducting a conditional use hearing. The Borough Solicitor also attended the January 5, 2017 conditional use hearing regarding property at 117 Noble Street. The Borough Solicitor completed all documentation for the \$500,000 general obligation loan for the restoration of the freight building and the 2017 tax anticipation loan. The Borough Solicitor reported all documentation for the Broad Entertainment sheriff's sale has been filed. The Sherriff's Sale is scheduled for March 29, 2017.

Public Works Director Steven Coll presented his monthly report to Borough Council. Steven Coll noted that overtime hours related to snow events with crews completing salting and plowing activities. Tree collection will continue through the week.

Borough Manager Michael Coll reported there will be only one work session for the month of January to be held on Monday, January 16, 2017. Borough Council will further discuss the Conditional Use Hearing application concerning property at 117 Noble Street. The Borough Manager reviewed the agenda items for the meeting. Recommendations have been made to re-appoint the Borough Auditor, Vacancy Board Chairman, and members to the Civil Service Commission and Zoning Hearing Board. A Resolution has been prepared to authorize the elimination of member contributions to the Police Pension Plan pursuant to the pension worksheets and collective bargaining agreement. A Resolution has also been prepared to reduce member contributions to the Non-Uniformed Pension Plan to three percent through 2017. This reduction has also been reflected in the pension work sheets and 2017 Budget. The Borough Manager also distributed copies of a proposed Ordinance to establish the tax collector salary from January 1, 2018 through December, 2021. A proposed ordinance setting user fees to become effective February 1, 2017 was also circulated. Both Ordinances will be scheduled for formal consideration at the February 6, 2017 Borough Council meeting.

Councillor Daniel Yocum distributed the monthly Historic Committee newsletter.

Consideration was given to paying the bills for the month of December, 2016.

GENERAL FUND

Clemens Uniform Rental	\$113.06	Kurt Scherzberg	\$200.00
Code Inspections, Inc.	315.00	Kurt Scherzberg	30.00
Cope's Garage, Inc.	952.74	Kurt Scherzberg	200.00
Country-fair Cleaners	308.80	Markey Paper & Packaging	53.17
GALCO Business Communications	139.90	Meals on Wheels of IV	6,000.00
George Allen Portable Toilets	73.00	Netcarrier Telecom, Inc.	353.53
GME Landscape Management	250.00	North American Benefits Company	1,032.38
Good Plumbing Heating A/C, Inc.	105.00	North Penn Goodwill Service	4,250.00
Highway Materials, Inc.	520.48	PECO Energy	103.42
Indian Creek Foundation	441.00	Pendergast Safety Equipment	100.56
Jeffrey C. Lukens	28.37	PA One Call System	48.38
Keystone Health Plan East	34,862.37	Perkiomen Watershed Conservatory	500.00
Metro Technology Services, Inc.	2,328.00	PPL Electric Utilities	1,632.52
Moyer Indoor/Outdoor	2,423.83	Ricoh	287.08
North American Benefits Company	1,032.38	Shelly Enterprises-USLBM, LLC	126.32
North Penn Water Authority	40.50	Souderton Ambulance Assoc	4,500.00
Old Dominion Brush	503.55	Sudz in a Bucket	11.00
PA One Call System	86.92	Thomas A. Lawson	198.50
Perseverance Volunteer Fire Co.	10,000.00	Univest VISA	500.36
Plasterer Equipment Company	342.00	Univest VISA	276.94
PPL Electric Utilities	27.30	Unum Insurance Company	890.00
SEPTA	6,180.00	Verizon	72.66
Suburban Propane	535.78	Verizon Wireless	263.65
Trumbauers Lawn & Rec, Inc.	59.45	William Powis	164.99
Youngs	278.40	Boucher & James, Inc.	3,177.78
21 <sup>st</sup> Century Media	1,274.37	Bow Wow Waste Products	136.00
Altek Business Systems, Inc.	1,375.60	Clemens Uniform Rental	113.06
Assoc of Mayors of PA	70.00	Commonwealth of PA	35.00
Clemens Uniform Rental	113.06	Cope's Garage, Inc.	239.74
Cope's Garage, Inc.	97.82	Detlan Equipment, Inc.	398.51
Davidheisers, Inc.	30.00	E. M. Kutz, Inc.	8.50
Delta Dental	1,307.10	Freedom Systems Corp	1,687.50
Eagles Peak Spring Water, Inc.	30.65	Fretz Enterprises	39.95
Freedom Systems Corp	2,729.75	George Allen Portable Toilets	73.00
George Allen Portable Toilets	223.00	Good Plumbing Heating A/C, Inc.	35.28
Home Depot	5.06	Home Depot	439.74
Indian Valley Regional Planning	3,000.00	Indian Creek Foundation	441.00
J. P. Mascaro & Sons	36,044.56	Indian Valley Chamber of Commerce	205.00
Landis Block Nycecrete Co	13.70	Indian Valley Country Club	1,395.94
Metlife	16,740.50	J. P. Mascaro & Sons	36,084.38
Metlife	1,976.57	Keystone Health Plan East	34,862.37
NAPA Auto Parts	27.08	Lawson Products, Inc.	242.55
Nationwide Trust Company	7,422.25	McDonald Uniform Company	205.99
PA State Assoc of Boroughs	130.00	Metlife	3,617.91
PA State Assoc of Boroughs	1,106.00	Midlantic Machinery	150.29
PSAB- CDL Testing Program	75.00	Moyer Indoor/Outdoor	2,037.00
Richter Drafting Office Supply	133.00	NAPA Auto Parts	63.61
Souderton-Telford Main Streets	7,125.00	Nationwide Trust Company	2,196.74
Styer Associates	400.00	Old Dominion Brush	122.38
Altek Business Systems, Inc.	5,502.40	Penn-Holo Sales & Service	38.60
Ciocca Ford of Souderton	600.59	Petty Cash Fund	146.37
Comcast Cable	348.45	Postmaster, Lansdale	746.70
Freedom Systems Corp	843.75	Richter Drafting Office Supply	1,049.89
Generations of Indian Valley	6,000.00	Suburban Propane	541.17
George Allen Portable Toilets	77.00	Sudz in a Bucket	11.00
Home Depot	190.86	William Albany	500.00
Kurt Scherzberg	30.00	Total General Fund	\$269,829.36

SEWER FUND

Begery's Electric, Inc.	\$250.25	Good Plumbing Heating A/C, Inc.	\$287.06
CHL Systems	2,650.00	Graphic Controls, LLC	537.41
Clemens Uniform Rental	85.50	Hach Company	24.04
Derstine Company, Inc.	28,700.00	Home Depot	12.49
Environmental Resource Assoc.	226.06	J. P. Mascaro & Sons	480.00

Evoqua Water Technologies	\$5,198.40	Jesse Baro, Inc.	\$930.82
Fromm Electric Supply Corp.	496.78	Maryland Biochemical Co., Inc.	763.76
Good Plumbing Heating A/C, Inc.	2,100.27	Netcarrier Telecom, Inc.	150.11
Irvin G. Tyson & Son, Inc.	1,180.00	North American Benefits Company	253.82
Jesse Baro, Inc.	4,767.26	PPL Electric Utilities	329.14
Keystone Health Plan East	9,216.26	Richter Drafting Office Supply	175.60
Moyer Indoor/Outdoor	203.05	Suburban Water Testing Labs	1,363.95
North American Benefits Company	253.82	Unum Insurance Company	234.82
North Penn Water Authority	116.29	Verizon	69.75
PPL Electric Utilities	17,515.12	Coyne Chemical	3,022.15
Clemens Uniform Rental	42.75	ES2 Environmental Systems	210.70
Coyne Chemical	3,260.65	Home Depot	15.97
Delta Dental	321.47	Jesse Baro, Inc.	1,103.49
Evoqua Water Technologies	2,599.20	Keystone Health Plan East	9,216.26
Metlife	322.98	Metlife	92.28
Altek Business Systems	62.25	Moyer Indoor/Outdoor	150.46
Cintas First Aid & Safety	71.84	PA DEP	125.00
Clemens Uniform Rental	128.25	Quality Environmental	596.00
Comcast Cable	84.90	Shelly Enterprises-USLBM, LLC	39.99
Essex Service Corporation	2,615.00	Suburban Water Testing Labs	1,363.95
Evoqua Water Technologies	2,643.66	Total Sewer Fund	\$106,661.03

SWIMMING POOL FUND

North Penn Water Authority	\$593.79	Netcarrier Telecom, Inc.	\$121.11
PPL Electric Utilities	243.34	PECO Energy	50.20
Airgas National carbonation	58.00	PA DEP	50.00
Comcast Cable	203.57		
Moyer Indoor/Outdoor	162.40	Total Pool Fund	\$1,482.41

CAPITAL RESERVE FUND

H & K Materials	\$2,619.46	CC Construction Services	\$388,174.45
Univest Bank & Trust Co.	1,458.34	Phillips & Donovan Architects	4,620.00
Univest Capital	3,155.23	SEPTA	523.21
CC Construction Services	65,390.00	Boucher & James, Inc.	3,369.04
Verizon, Inc.	5,912.00	Total Capital Reserve Fund	\$457,221.73

LIQUID FUELS FUND

Armour & Sons Electric, Inc.	\$1,232.00	P. K. Moyer & Sons, Inc.	\$12,674.25
PPL Electric Utilities	332.78	PPL Electric Utilities	7,474.83
Highway Materials, Inc.	20,687.76	Total Liquid Fuels Fund	\$42,401.62

A motion was made by Councillor Richard Halbom, seconded by Councillor Daniel Yocum, to authorize payment of the bills for the month of December, 2016, as presented. The motion was approved.

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

Richard D'Amico of Consign for Design on Main Street commented that he appreciates the opportunity to highlight Souderton businesses and the community is taking notice. He noted that Tilley's Tea Room, Consign for Design and Bakers on Broad have all been listed and recognized as best shops in the area. He then introduced Randy Moyer of Moyer Specialty Foods.

Randy Moyer provided a brief history of Moyer Specialty Foods which started in 1977 as a farmers market in the Olney section of Philadelphia. In 1998, they bought out the business and moved into Telford Borough. The business steadily grew and was relocated to Hatfield. In 2012, Moyer Specialty Foods relocated to 20 South Second Street in Souderton Borough, which was formally Groff Candy Company. They established a small retail store to sell directly to the public and they package and sell up to 10,000 containers of mixed snacks per week. They have ten to fifteen employees and have been voted one of ten top sweet spots in Montgomery County.

There being no further public comment, Borough Council President moved to the

business portion of the agenda.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Ned Leight, to approve the engagement letter of Styer Associates, dated November 4, 2016, to complete the audit of Borough accounts and prepare the general purpose financial statements for the year ending December 31, 2016. The motion was approved.

A motion was made by Councillor Ned Leight, and seconded by Councillor Daniel Yocum, to appoint William Yocum, 258 Highland Avenue to another six year term as a member of the Souderton Civil Service Commission through December 31, 2022. The motion was approved.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Tracy Burke, to appoint William Collier, 329 North Second Street, to another three year term as a member of the Souderton Zoning Hearing Board through December 31, 2019. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Daniel Houser, to appoint Edward Huber, 312 Main Street, to serve as Chairman of the Vacancy Board through December 31, 2017. The motion was approved.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Daniel Houser, to adopt Resolution 2017-01 waiving member contributions to the Police Pension Plan for the 2017 calendar year. The motion was approved.

A motion was made by Councillor Daniel Yocum, and seconded by Councillor Jeffrey Gross, to adopt Resolution 2017-02 reducing member contributions to the Non-Uniformed Pension Plan to three percent (3%) of gross wages for the 2017 calendar year. The motion was approved.

There being no further business, the meeting was adjourned at 7:35 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

## **WORK SESSION MINUTES AND COMMITTEE REPORTS**

### ***Public Works Work Session – Cancelled due to Council Meeting***

The monthly Public Works Work Session was cancelled for the month of January to accommodate the re-scheduled meeting of Souderton Borough Council on Monday, January 9, 2017. The Borough Council Meeting was re-scheduled because of the New Year's Day Holiday.

### ***Administrative Work Session- January 16, 2017 (7:00pm-9:15pm)***

Council Attendees: John Reynolds, Brian Goshow, Ned Leight, Jeffrey Gross, Richard Godshall, Daniel Yocum, Daniel Houser, Tracy Burke, Richard Halbom and Kevin Souder. Junior Councillor E. Shane Myers.

Staff Attendees: Police Chief James P. Leary, Borough Solicitor Robert Bricker and Borough Manager Michael Coll.

#### **1. Police Committee**

- a. Chief Leary reviewed his narrative report of police activity through the

month of December, 2016. Chief Leary noted that the month of December was singularly the most productive and intense month for the department.

- b. The Souderton Police Department raised \$1,500 from the August, 2016 Community Night Out event, which was donated to the North Penn Goodwill Service.
- c. The Souderton police Department rendered some assistance to the family on West Street displaced by a house fire.
- d. Chief Leary reviewed two significant police cases. The first case involved a juvenile well known to the department who resides on Summit Street with his grandparents. The juvenile has been the subject of a number of domestic assaults, some with edged weapons. In this latest case, Souderton Police confiscated a bb gun from the juvenile that resembled a military assault rifle. Chief Leary showed the bb gun to members of Borough Council. This action could very well have prevented a tragic situation. The juvenile is incarcerated at this time. The second case involved a violent domestic at 215 Washington Avenue. The husband has a military assault rifle in his position and pointed a laser at a Souderton Police Officer. Fortunately he was distracted and officers were able to take the individual into custody without incident. The professional restraint by officers was exceptional. The assault rifle was confiscated by the department and also shown to members of Borough Council. Chief Leary noted that the weapon is by far the most deadly in the military arsenal.

## **2. Administrative Committee**

- a. Borough Manager Michael Coll reported that several meetings were held with the prospective tenants of the Souderton Train Station. Meetings with Liquor Control Board representatives have been promising. The Letter of Intent with the tenants has been extended by sixty days to accommodate the LCB review process. The Borough Manager will be working with the Borough Solicitor to address comments on the formal lease agreement.

## **3. Development Committee**

- a. President Brian Goshow opened discussion of the Conditional Use application for property at 117 Noble Street, continued from January 5, 2017, by stating that no public comment from the parties or public will be received on this matter. President Goshow noted that the first matter of discussion is the application itself. Technically the property at 117 Noble Street does not have frontage on Broad Street as required by the Zoning Ordinance. The application could be denied on this basis, however, testimony was received from the applicant that the property can be merged with the Charter School property at 110 East Broad Street, which will serve to remedy the technical deficiency. Borough Council members concurred with the proposed remedy. President Goshow further commented that the application lacks a proposed concept plan showing existing conditions and proposed improvements. Borough Council discussed moving forward with the application with appropriate conditions.

Borough Solicitor Robert Bricker summarized possible conditions for Borough Council to consider:

- Applicant will need to complete the normal subdivision and land development process.
- Applicant will need to demonstrate compliance with building code requirements, including accessibility codes to occupy the property at 117 Noble Street for the intended use.
- During the Subdivision and Land Development process, Borough Council may determine any additional waivers from the Subdivision and Land Development Ordinance.
- The Applicant will have to file a Deed consolidating 117 Noble Street with the property at 110 East Broad Street.

Borough Council members discussed the outline of proposed conditions regarding the conditional use application. A general recommendation was made to have the Borough Solicitor draft an approving resolution for formal consideration at the February 6, 2017 regular Borough Council meeting.

- a. Borough Manager Michael Coll reviewed the status of the Berkeley Court development. The Borough Manager is also in discussion with the Borough Solicitor, developer Tim Hendricks and Clayton Heckler of Select properties on matters involving the completion of Phase 1. The stacked townhomes are complete but site work remains incomplete. There is discussion to divide the phase to have Select properties take over the site work associated with the commercial pad site. Developer agreements will need to be revised and bonds will need to be revised. We are looking for a resolution in order for the remaining site work to be completed in early spring.
- b. Councillor Jeffrey Gross circulated a brief summary of a mixed use development named “The Lofts at Town Center”, set in Robbinsville Township, Mercer County, New Jersey. He noted that the development has some features envisioned for the high school parcel.

b. **Finance Committee**

- a. Borough Manager Michael Coll reviewed the 2016 year end budget comparison reports for all Borough Funds. He will be working with Styer Associates to complete the audit and formal financial statements.