

**Regular Borough Council Meeting**

**February 3, 2014**

The Regular Meeting of Souderton Borough Council, held on Monday, February 3, 2014, was called to order by President Brian K. Goshow at 7:30 p.m. Members of Borough Council present at the regular meeting included the following:

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|---------------------------|---------------------------------|
| President Brian K. Goshow | Junior Councillor Triston Loux  |
| Councillor Ned D. Leight  |                                 |
| Councillor Steven J. Toy  | Solicitor Robert R. Bricker     |
| Councillor Preston Miller |                                 |
| Councillor Richard Halbom | Borough Manager P. Michael Coll |
| Councillor Kevin Souder   | Police Chief James P. Leary     |

Absent from the meeting were Mayor John R. Reynolds, Borough Councillor Andrew Schlosser, Borough Councillor Richard Godshall and Borough Councillor Jeffrey Gross. The Invocation was given by Councillor Preston Miller, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the January 6, 2014 Reorganization and Regular Borough Council Meeting and the January Work Sessions. A motion was made by Councillor Preston Miller, seconded by Councillor Steven Toy, to approve the minutes of the January 6, 2014 Reorganization and Regular Borough Council Meeting and January 2014 Work Sessions as presented. The motion was approved.

Police Chief James Leary noted to Borough Council that statistical reports and narrative reports concerning police activity will be provided for review at the coming work sessions.

The Borough Solicitor’s report for the month of January, 2014 was distributed to Borough Council. The Borough Solicitor attended a staff meeting with the Berkeley Court development team. They drafted a lease agreement with Uninvest Corporation for the train station parking lot. The Solicitor completed the documents for the train station interim financing and they have been working with SEPTA over the final details of the train station lease agreement.

Borough Manager Michael Coll reported on the agenda items to be considered by Borough Council. The first item is formal consideration of a land development plan for Lacher Insurance located at 632 East Broad Street. Engineer Kirk Clauss of Schlosser and Clauss, is in attendance and will present this plan to Borough Council. The Borough received notice that our application for \$200,000 in funding assistance towards engineering and architectural expenses for the train station project has been approved by the Department of Community and Economic Development. A resolution authorizing execution of the funding agreement has been prepared for consideration. A recommendation has been made to appoint Edward Huber to the Civil Service Commission filling the vacancy of Larry Opdyke. The last item concerns authorization to bid various stone and blacktop materials for use by the Borough throughout the year. An in place road paving contract will be prepared for consideration and bidding later in the year. Borough Manager Michael Coll also noted that three candidates for the Code Enforcement Officer position have been scheduled for interviews before Borough Council at the February 10, 2014 work session.

Consideration was given to paying the bills for the month of January, 2014.

GENERAL FUND

Beatrice Kaizar	\$234.00	Wellington Sporting Goods	\$492.00
Bergey’s, Inc.	71.48	Wise Electric	1,154.56
Bow Wow Waste products	136.00	Beatrice Kaizar	400.00
Carl B. Stuart	115.00	Boucher and James, Inc.	262.50
Clemens Uniform Rental	108.93	C & S Lawn and Landscape, Inc.	960.00

Cope's Garage, Inc.	168.77	Carl B. Stuart	200.00
E. M. Kutz, Inc.	100.67	Clemens Uniform Rental	32.25
Freedom Systems Corp.	40.70	Comcast Cable	154.65
HISI	4,740.00	Cope's Garage, Inc.	1,941.03
Home Depot	143.78	Davidheisers, Inc.	26.00
Indian Creek Foundation	535.00	DCED	740.00
International Salt Company	5,119.34	Delta Dental	1,328.32
Jason M. Kelly	87.99	Good Plumbing Heating A/C, Inc.	333.58
McDonald Uniform Company	322.96	ICC	125.00
Metlife	9,581.29	International Salt Company	2,336.98
Moyer	2,166.54	McDonald Uniform Company	46.99
Naceville Materials	92.65	Metlife	2,348.20
Nationwide Trust Company	832.04	Montg Co Assoc Township Officials	75.00
Nationwide Trust Company	4,220.16	Montg County Boroughs Assoc	175.00
North American Benefits Co.	879.06	Montgomery County Lands Trust	250.00
North Penn Water Authority	285.81	Montgomery Newspaper	94.84
PA State Association of Boroughs	1,106.00	Moyer	749.62
PPL Electric Utilities	2,740.02	Nationwide Trust Company	200.32
PPL Electric Utilities	54.19	Nationwide Trust Company	931.03
Richter Drafting Office Supply	282.81	Nextel Communications	181.43
Suburban Propane	1,997.32	PA One Call System	9.35
Syna Tek	643.20	Suburban Propane	1,660.99
Temple University CJTP	594.00	Urban Partners	3,738.67
Univest VISA	675.10	Montg Co Assoc Township Officials	30.00
Unum Insurance Company	817.54	Total General Fund	\$59,871.06

#### SEWER FUND

All-Industrial Safety Products	\$80.80	Unum Insurance Company	\$275.86
Clemens Uniform Rental	96.32	West Generator Services	1,217.19
Commonwealth of PA	220.00	Youngs	9.90
Coyne Chemical	5,250.48	Cintas First Aid & Safety	34.42
Empire Scale Corporation	263.00	Clemens Uniform Rental	93.54
Excelsior Blower Systems, Inc.	1,538.38	Comcast Cable	79.90
Hangley Aronchick Segal Pudlin	486.20	Commonwealth Precast, Inc.	377.00
HISI	997.00	Daniel L. Beardsley, Ltd.	18.00
Jesse Baro, Inc.	2,488.80	Delta Dental	358.30
Landis Block & Concrete	88.80	Hach Company	1,502.20
Lawson Products, Inc.	192.96	Hajoca Corporation	434.65
Metlife	92.28	Jesse Baro, Inc	3,089.28
Moyer	719.35	LRM, Inc.	410.00
North American Benefits Co.	324.89	Metlife	23.07
North Penn Water Authority	117.68	Nyco Corporation	80.00
Postmaster, Lansdale	200.00	PPL Electric Utilities	626.53
PPL Electric Utilities	19,379.71	Reuter & Hanney, Inc.	11,208.97
Schaners Wastewater Products	2,497.50	EVOQUA Water Technologies	3,388.37
Shelly Enterprises, Inc.	8.52	Total Sewer Fund	\$58,269.85

#### POOL FUND

Airgas National Carbonation	\$44.00
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#### LIQUID FUELS FUND

PPL Electric Utilities	\$6,783.73
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A motion was made by Councillor Preston Miller, seconded by Councillor Steven Toy, to authorize payment of the bills for the month of January, 2014, as presented. The motion was approved.

President Brian Goshow opened the floor to the audience who may wish to address Borough Council on any topic or matter of concern. There being no public comment, President Goshow moved to the first item of business scheduled for consideration.

Engineer Kirk Clauss of Schlosser and Clauss, reviewed the proposed land development plan for Lacher Insurance at 632 East Broad Street. The property is located primarily in a C-1 Commercial District and contains an existing office situated on a tract of 1.4 acres. The project involves a phased addition to the existing office with expansion of parking to the rear of the property. Storm water management is provided to the rear of the site and connects to an existing storm drain line that runs through this property. Borough Engineer Amy Montgomery of Boucher and James issued a review letter dated January 24, 2014. The application seeks a series of waivers from the Subdivision and Land Development Ordinance primarily concerning landscaping matters. The site has a number of existing nonconformities and the proposed plan seeks to improve the property and preserve existing trees along the rear property line. The waivers address location of plantings, not the number of plantings, which appear to be more appropriate to address and improve existing conditions. The applicant will comply with all other noted items by the Borough Engineer. The plan and requested waivers were reviewed by Borough Council members.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Preston Miller, to approve the land development plan as prepared for Lacher Family Limited Partnership, 632 East Broad Street, Souderton by Schlosser & Clauss Consulting Engineers, dated June 20, 2013 and last revised January 22, 2014, along with the noted waivers from the Subdivision and Land Development Ordinance. The motion was approved.

A motion was made by Councillor Preston Miller, and seconded by Councillor Ned Leight, to adopt Resolution 2014-03 authorizing the execution of a grant agreement with the Pennsylvania Department of Community and Economic Development for funding assistance in the amount of \$200,000 relating to the Souderton Train Station project. The motion was approved.

A motion was made by Councillor Ned Leight and seconded by Councillor Steven Toy, to appoint Edward Huber, 312 N. Main Street, to fill the unexpired term of Larry Opdyke on the Civil Service Commission through December 31, 2014. The motion was approved.

A motion was made by Councillor Richard Halbom and seconded by Councillor Preston Miller, to authorize the advertisement of bids for various road materials for consideration at the March 3, 2014 Borough Council meeting. The motion was approved.

There being no further business, the meeting was adjourned at 8:00 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

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

### ***Public Works Work Session – February 10, 2014 (7:00pm-9:25pm)***

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Richard Godshall, Richard Halbom and Kevin Souder.

Staff Attendees: Public Works Director Steven Coll, Code Enforcement Officer Carl Stuart and Borough Manager Michael Coll.

## **Interviews- Code Enforcement Officer Position**

The work session opened with Borough Council conducting interviews with three candidates for the Code Enforcement Officer position. Candidates interviewed included Steven Toy, Martin DiVergigelis and Mark Lewis. The interviews were open to the public and lasted for approximately 20 minutes for each candidate. Following the interviews, President Brian Goshow requested an Executive Session at the conclusion of the agenda items to further discuss the candidates.

### **1. Sanitation Committee**

- a. The Discharge Monitoring Report for the month of January will be filed with no exceptions to permit limitations. Sal DeSimone has been working with our engineers on evaluating a new mechanical rake system to be installed at the head of the plant. Following several plant tours to review available technologies, a recommendation has been made to move forward with specifications to install a Duperon FlexRake system at the plant. The engineers will prepare plans and specifications for formal bidding later in the year.
- b. Borough Manager P. Michael Coll noted that legal counsel is working with DEP staff to finalize the DEP Consent Assessment concerning violations that were cited in 2012.
- c. Borough Council discussed the model Sewer Use Ordinance and Sewer Use Permits as recommended by DEP for industrial and commercial users of the sanitary sewer system. Members authorized the Borough Solicitor and Borough Engineer to proceed with drafting the proposed ordinance for formal consideration.
- d. Members further discussed the issue of a single hauler contract service for residential trash collection. A suggestion was made to obtain sample bid documents, perhaps using Silverdale, Chalfont and Sellersville as models. Discussions were held concerning possible methods of implementation, collection frequency, collection days and billing for services. A suggestion was made to develop a draft RFP, hold a public hearing with area haulers, hold a public hearing with residents, seek formal bids and depending on the results, seek to implement the system beginning of 2015.

### **2. Highway Committee**

- a. Steven Coll reported on activities of the highway department and projects scheduled for the coming month. Brush collection was not completed due to the snow storms. Borough forces did remove two trees that fell into the roadway during the snow and ice storms. Fortunately Borough forces completed leaf collection from all Borough streets by January 15<sup>th</sup> just in time for the various snow events.
- b. The Borough purchased a total of 318.5 tons of salt already this winter season, with an additional 75 tons still on order. The active snow events across the region are affecting salt deliveries and salt supplies are expected to get even tighter over the coming weeks. Public Works Director Steve Coll reviewed salting and plowing strategies with this very active winter pattern. To maintain salt supplies crews are salting within 100 feet of all intersections and are only salting entire sections of major state roads along with Wile Avenue, Second Street and School Lane. Alleys will be coated with screenings but will not be salted. The unusually cold weather and lower use of salt will result in snow pack hanging on the secondary streets for a longer period of time than usual.
- c. This winter weather is already affecting roads; crews will maintain pot holes with cold patch as weather conditions permit.

### **3. Sidewalk Committee**

- a. No new items were discussed.

#### **4. Recreation Committee**

- a. A pre-construction meeting was held on Friday, January 31<sup>st</sup> with Borough and Montgomery County staff and Puhl's Landscaping Company for the Chestnut Street Playground project. Jennifer Ruggiero and Montgomery County requests that the Borough set up a ground breaking ceremony for the project. Borough forces will look to demolish existing playground equipment as soon as weather and site conditions permit.

#### **5. Property Committee**

- a. No new items were discussed

### **Executive Session**

Borough Council adjourned to Executive Session at 8:40pm for the purpose of discussing the candidates for the Code Enforcement Officer position. The Executive Session adjourned at 9:25pm without any further business.

### ***Administrative Work Session- February 17, 2014 (7:00pm-9:00pm)***

Council Attendees: John Reynolds, Brian Goshow, Ned Leight, Jeffrey Gross, Richard Godshall, Andrew Schlosser, Steven Toy, Preston Miller, Richard Halbom and Kevin Souder. Junior Councillor Triston Loux.

Staff Attendees: Police Chief Jim Leary and Borough Manager Michael Coll.

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

- a) Chief Leary presented and reviewed his narrative report on police department activities. Chief Leary noted that the Police Department is involved in a sensitive case and requested that Borough Council hold an Executive Session at the conclusion of the agenda to further discuss this matter.
- b) Chief Leary discussed the status of the hiring process for the replacement of two full time police officers. All members of the Civil Service Commission are now in place and work will continue on arranging the application process and written examination.

#### **2. Administrative Committee**

- a. No new items were discussed.

#### **3. Development Committee**

- a. Borough Manager Michael Coll reviewed the status of the development plans for the remainder of the high school property. Developer Tim Hendricks will be attending the Wednesday, February 19<sup>th</sup> meeting of the Souderton Planning Commission. No new plan submissions have been made to date and we believe he will be updating the Commission on the status of the concept plans, arrangements with the Detweiler property and revised schedules. The Borough Manager also noted that Montgomery County Community Planner Jean Holland has announced her retirement from the Planning Commission and she will be introducing Community Planner Marley Bice who will be assigned to Souderton Borough.
- b. Jeffrey Mauer, owner of Country Fair cleaners and the commercial stores at the corner of East Broad Street and South School Lane, has submitted a sketch plan to relocate the sidewalk along South School Lane against his building to create space for up to three indented parking spaces. Borough Council

commented that a parking stall should be 8' x 22', the sidewalk width should be a minimum of five feet, and the spaces shall remain open for public parking but may be restricted to 2 hour limits. The entrance to the front parking lot from School Lane should be restricted as an entrance only and the owner shall be responsible for all engineering and construction expenses.

- c. Councillor Richard Halbom discussed a proposal to re-adopt the 2009 International Property Maintenance Code, with provisions to amend and strengthen Section 308 of this code with a proposed "Junk Ordinance" to address matters by Chief Leary at several work sessions. The Borough Manager drafted a proposed ordinance following these suggestions and also copies the 2009 International Property Maintenance Code for Borough Council to review. Borough Council members discussed the proposed ordinance with suggestions to add further restrictions on combustible material storage, fire hazards, storage of fire wood, removal of dead trees, pruning of shrubbery and trees over sidewalks and repair or removal of deteriorated fencing. Borough Council discussed the Code Enforcement Officer as the primary person to investigate complaints. The Police Department can assist with enforcement in a coordinated effort with the Code Enforcement Officer. Another draft will be prepared for committee review.
- d. Borough Manager Michael Coll noted that some preliminary work was completed on the BID planning project and the consultant will be meeting with Main Streets Manager and Councillor Jeffrey Gross.
- e. Borough Council members discussed the status of the Broad Theater project, noting the lack of winter sidewalk maintenance without constant reminders and the overall unacceptable condition of the property with no real plan to restart construction or re-visit alternatives to the project. Borough Council asked the Borough Manager to discuss potential options with Uninvest Bank and Trust Company.

#### **4. Finance Committee**

- a. Councillor Kevin Souder suggested that Borough Council consider eliminating the defined benefits pension plan for all new non-uniformed employees and replace the plan with a defined contribution plan. Current non-uniformed employees will continue to maintain the current defined benefit pension plan. Borough Council authorized Councillor Kevin Souder and Councillor Richard Halbom to serve as a special committee to further review and evaluate this proposal. The Borough Manager was instructed to set up a meeting with our pension consultant in the coming week.