

Regular Borough Council Meeting

July 1, 2013

The Regular Meeting of Souderton Borough Council, held on Monday, July 1, 2013, was called to order by Borough Council President Brian Goshow at 7:30 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Junior Councillor Triston Loux
Vice-President Andrew Schlosser	Mayor John R. Reynolds
Councillor Ned D. Leight	
Councillor D. Jeffrey Gross	Solicitor Charlotte Hunsberger
Councillor Steven J. Toy	Borough Manager P. Michael Coll
Councillor Preston Miller	Police Chief James P. Leary
Councillor Richard Halbom	Public Works Director Seven Coll

Absent from the meeting were Councillors Richard Godshall and Edward Huber. The Invocation was given by Vice President Andrew Schlosser, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the June 3, 2013 Regular Borough Council Meeting and June Work Sessions. A motion was made by Councillor Richard Halbom, seconded by Councillor Preston Miller, to approve the minutes of the June 3, 2013 Regular Borough Council Meeting and June 2013 Work Sessions as presented. The motion was approved.

President Brian Goshow first recognized Walton Yoder and Robert Vail of the Souderton-Telford Rotary Club. Rotary Club President Robert Vail presented Borough Council with a check in the amount of \$5,000 to the Souderton Community Swimming Pool Capital Campaign. Mr. Vail noted that the Souderton-Telford Rotary Club made a commitment to raise \$100,000 for the Souderton Pool project, this contribution in conjunction with previous contributions shows that the club is substantially on their way to fulfilling this pledge. Borough Council members expressed their appreciation for this contribution and the support of the Rotary Club towards this important project.

President Brian Goshow next recognized Peter Stinson of Operation Homefront of Pennsylvania. Peter Stinson noted that Operation Homefront has just opened a facility on East Broad Street in the Borough and appreciated the opportunity to explain the mission of this organization. Operation Homefront provides emergency financial and other assistance to military families who are facing an immediate crisis. Families facing eviction, repossession or foreclosure can ask for assistance. The organization will provide direct payment to creditors to allow time for the families to find work or make alternative arrangements. Services are targeted to post Iraq and post Afghanistan veterans. The facility in Souderton primarily serves as a warehouse for support services.

Chief Leary commented on the fireworks event held in the Community Park on Sunday, June 23rd. He estimated nearly 8,000 in attendance with mostly positive comments. The event would not have been possible without the sponsors, police, fire police and the Souderton fire Company and neighboring companies. Generations and Ridgeline Church also played a major role in the event.

The Borough Solicitor's report for the month of June, 2013 was distributed to Borough Council. The Borough Solicitor reviewed the bid documents for the sludge hauling contract and discussed the matter with the Borough Manager. The Solicitor drafted a resolution honoring Jack Marden. They conducted some preliminary review of the draft property maintenance ordinance that has been circulated and they continue to monitor correspondence regarding the train station project.

Public Works Director Steven Coll presented his monthly report on public works activities. In response to a question from president Goshow, Steven Coll noted that record rainfall created some storm drainage related issues. Borough Council was also encouraged to review Fairview Avenue which has recently received a fog seal treatment.

Consideration was given to paying the bills for the month of June, 2013.

GENERAL FUND

Univest Bank and Trust Company	\$110.59	Naceville Materials	\$102.94
Bishop Wood Products, Inc	356.61	Nationwide Trust Co.	202.04
Boucher & James, Inc	489.74	Nationwide Trust Company	1,115.03
C & S Lawn and Landscape, Inc	5,500.00	Nextel Communications	280.87
Clemens Uniform Rental	176.47	North Penn Water Authority	20.09
Comcast Cable	51.95	P. Michael Coll	175.00
Comcast Cable	84.85	PECO Energy	31.48
Cope's Garage, Inc	1,776.35	Petty Cash Fund	179.91
Daniel L. Beardsley, Ltd	160.20	PPL Electric Utilities	412.72
Davidheisers, Inc	26.00	Profile Images	535.00
Delta Dental	1,233.44	Public Agency Training Council	260.00
Dischell, Bartle, Yanoff & Dooley	3,146.42	Richter Drafting/Office Supply	1,180.99
Elyse/Berben Insignia	25.00	Ricoh	323.14
Fredericks Flowers	3,117.50	Shelly Enterprises, Inc	153.96
Good Plumbing Heating A/C, Inc	308.85	Souderton Independent	38.95
HISI	4,921.00	Suburban Propane	1,061.28
Home Depot	80.35	Sudz in a Bucket	110.00
Jacob Schmidt and Son, Inc	16.00	The Partnership TMA	355.00
Kopp Equipment Sales	528.00	Trumbauers Lawn & Rec, Inc	49.71
Landis Block & Concrete	7.50	Univest VISA	75.23
McDonald Uniform Company	74.94	Univest VISA	21.90
Metlife	2,375.06	Verizon Wireless	40.01
Montgomery Newspaper	161.27		
Moyer Indoor/Outdoor	2,053.80	Total General Fund	\$33,507.14

SEWER FUND

Bergey's Electric, Inc	\$60.30	Metlife	\$23.07
Boucher & James, Inc	1,142.16	Moyer Indoor/Outdoor	323.12
Cintas First Aid & Safety	78.87	North Penn Water Authority	110.31
Clemens Uniform Rental	143.00	Perkasie Regional Authority	875.00
Comcast Cable	87.85	PPL Electric Utilities	19,560.17
Comcast Cable	76.95	Shelly Enterprises, Inc	2.32
Commonwealth of Pennsylvania	150.00	Siemens Industry, Inc	2,174.15
Daniel L. Beardsley, Ltd	179.95	Synagro Central, LLC	4,795.04
Delta Dental	358.30	Univest VISA	276.00
Good Plumbing Heating A/C, Inc	1,345.20		
Home Depot	24.97	Total Sewer Fund	\$31,786.73

POOL FUND

First Class Entertainment	\$275.00	Moyer Indoor/Outdoor	\$75.00
Comcast Cable	100.18	Moyer Specialty Foods, LLC	689.60
Davidheisers, Inc	37.75	Nelsons Ice Cream	127.54
Derstines	1,802.66	North Penn Water Authority	13.15
Fastenal	3.83	PPL Electric Utilities	1,380.23
Fiona Melissen	91.58	Pyrz Water Supply Co., Inc	307.00
Home Depot	0.37	Richter Drafting/Office Supply	608.86
Kathy Armitage	155.51	Shelly Enterprises, Inc	10.62
Kick-n-Wear	2,635.00	Univest VISA	29.67
Laura Aquilante	16.90	Wellington Sporting Goods	922.55
Letterco	232.50	Total Pool Fund	\$9,515.50

CAPITAL RESERVE FUND

Boucher & James, Inc	\$1,873.76	Shelly Enterprises, Inc	\$208.77
C & S Lawn and Landscape, Inc	14,778.00	Shelly Enterprises, Inc	2.64
Fastenal	27.11	Sherwin Williams	281.46

Gouldey Welding & Fabrication	99.00		
Home Depot	58.12	Total Capital Reserve Fund	\$17,328.86

SEWER CAPTAL FUND

LIQUID FUELS FUND

PPL Electric Utilities	\$181.93	Signal Control Products, Inc	\$109.00
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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 June, 2013, 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.

Eric Boynton, 21 Hillside Avenue expressed appreciation for the fireworks display. Mr. Boynton expressed concern about the Business Improvement District Planning and the ultimate voting process. He noted that the property owners within the district, not the tenants, will have the ultimate vote which he believes constitutes taxation without representation. Mr. Boynton noted that he continues to oppose this effort regardless of the funding stream. He further noted that he continues to have issues with the Granite Knitting Mills building and stray cats in his neighborhood.

Albert DeGennaro, Deputy General Counsel for J. P. Mascaro & Sons, commented on the bids received for the sludge disposal contract. He expressed concern over the recommendation to reject all bids. Based on the history of the Borough with their land application program, the Mascaro bid for landfill disposal may be the best option.

There being no further public comment, President Goshow moved to the business portion of the agenda.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Andrew Schlosser, to reject all bids received on June 3, 2013 for disposal of dewatered sludge from the Souderton Waste Water Treatment plant. The motion was approved.

Timothy Hendricks, representing Turnersville Estates, discussed the status of the Berkeley Court land development plans for the high school parking lot. He noted that they continue to work on the land development plan for the main school parcel. They do have an agreement of sale on the property at 637 E. Broad Street. He expects that they will be submitting formal development plans for the main parcel in the coming month. Turnersville Estates received conditional preliminary approval from the Souderton Planning Commission on June 19, 2013. Mr. Hendricks requested Borough Council to consider similar action this evening.

President Goshow opened the floor to Borough Council for questions. Andrew Schlosser questioned the status of PennDOT permit applications. Timothy Hendricks noted that Langan Engineering is also handling all traffic studies and permitting with PennDOT. An application has been made with PennDOT with additional information required. Councillor Steven Toy expressed concern with the proposed drive through lane for the commercial restaurant. He commented that he is concerned that there is not sufficient room for stacking and sees cars backing up onto School Lane to enter the facility. Timothy Hendricks noted that a restaurant use is a permitted use within the district. The drive through component requires a conditional use hearing and he understands Borough Council's position that this must be done with a known tenant. Depending on the tenant, the drive through may or may not be required. Turnersville Estates continue to negotiate with interested parties.

A motion was made by Councillor Andrew Schlosser, and seconded by Councillor Jeffrey Gross, to extend conditional preliminary approval of the Turnersville Estates, Berkeley Court land development plan dated June 5, 2013 subject to the following conditions and waivers:

1. A Conditional Use Hearing to formally approve a drive through service window

shall be required prior to final plan approval and at such time as the owner determines the actual tenant and associated details of the proposed restaurant use. Final land development plans shall be revised as may be required to address any conditions of Borough Council resulting from this hearing.

2. Pursuant to the Stipulation dated April 9, 2013 between Turnersville Estates and Souderton Borough Council, Turnersville Estates shall submit a comprehensive land development plan for the entire former Souderton Area High School property in the Borough of Souderton according to the requirements of the MUR-Mixed Use Redevelopment District.
3. The required Open Space/ Amenity Plan pursuant to SALDO section 306.12.A.1 shall be deferred until submission of the stipulated comprehensive land development plan.
4. The required Streetscape Plan pursuant to SALDO section 306.12.B shall be deferred until submission of the stipulated comprehensive land development plan.
5. The required full width overlay of School Lane to restore utility trenches shall be deferred until completion of all utility construction on N. School Lane associated with the comprehensive land development plan, but not more than 18 months from the recording date of the plans. Interim trench restoration shall be with bituminous base material to the existing road surface.
6. A waiver is approved from SALDO section 408.2 to permit grading along the northwest property line to extend up to the property line.
7. Pursuant to SALDO section 404.B.5, applicant is granted a waiver from SALDO section 418.5.B to allow a free-form screening buffer along the southwest property line to utilize shrubbery in lieu of evergreen trees.
8. A waiver is approved from SALDO section 418.6.C concerning certain dimensional requirements for landscaping around the perimeter of parking lots.
9. A waiver is approved from SALDO section 418.7.A concerning certain dimensional requirements for landscaping along the N. School Lane frontage of the proposed restaurant.
10. Applicant shall comply with all other comments of the Borough Engineer as detailed in their review letter dated June 12, 2013 and shall receive all required agency approvals as may be required by the Montgomery County Conservation District, Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.

The motion was approved.

Mayor John Reynolds read the following proposed Resolution in honor of retiring Chairman of the Zoning Hearing Board, Jack M. Marden:

RESOLUTION

Honoring Jack M. Marden

Jack M. Marden has announced his resignation from the Souderton Zoning Hearing Board after having served the residents of the Borough of Souderton as Chairman of the Board for more than 19 years. While living in Souderton, Jack also served as a board member of Generations of Indian Valley, helping to make Generations a nationally recognized model for senior adult centers.

Trained as a lawyer, Jack's public service includes 31 years in the United States Army Judge Advocate General Corps, during which service he rose to the position of Senior Appellate Judge of the US Army Court of Military review. Jack is also a decorated veteran having served in the Vietnam War and at numerous other posts and positions both in this country and around the world.

Jack's civilian career includes serving as Chief Bar Counsel for the Supreme Court of West Virginia and as a trial judge with the West Virginia Office of Workers Compensation. He has written, lectured, and taught extensively on matters of military and civilian law and has published a number of articles and commentaries on law-related subjects.

Jack is a fifty year mason and a member of Shiloh F. & A.M Lodge 558 in Souderton. He is the recipient of numerous recognitions and awards by masonic organizations.

Jack and his wife Joan have been married for more than 56 years and have two children, four grandchildren and one great grandchild.

The Borough of Souderton and particularly the Zoning Hearing Board has greatly benefitted from Jack's remarkable knowledge, experience and leadership. It is therefore fitting that the Borough recognize the contribution of this public-spirited citizen to the Borough and express its appreciation for Jack's many years of faithful and effective public service.

NOW, THEREFORE, the Borough Council of the Borough of Souderton, and John R. Reynolds, Mayor of the Borough of Souderton, on behalf of all of the residents of the Borough, do adopt this Resolution of Appreciation for the faithful service of Jack M. Marden to the Borough of Souderton and all of its citizens. Although Jack is leaving Borough government, his dedication should serve to inspire others to devote their talents and energies to advancing the public good. The Borough of Souderton is truly a better place when public-minded citizens such as Jack M. Marden become involved.

The Mayor, the Borough Council, the administrative staff, and members of the community join in wishing Jack all the best. RESOLVED this 1st day of July, 2013 by the Borough Council of the Borough of Souderton.

A motion was made by Councillor Ned D. Leight, and seconded by Councillor Preston Miller, to adopt Resolution 2013-07, honoring the community service of Jack M. Marden. The motion was approved by unanimous vote.

A motion was made by Councillor Jeffrey, and seconded by Councillor Ned Leight, to award the contract for the Business Improvement District Planning project to Urban Partners, 829 Spruce Street, Suite 204, Philadelphia, PA at a cost not to exceed \$30,000 as specified in their proposal dated May 30, 2013. Councillor Richard Halbom questioned the earlier comment concerning the process of voting to approve the creation of the Business Improvement District. Councillor Jeffrey Gross confirmed that the property owner is the designated voter, but the owner may give the tenant the proxy vote. There being no further comments, the motion was approved.

There being no further business, the meeting was adjourned at 8:45 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – July 8, 2013 (7:00pm to 8:15pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Steven Toy, Richard Halbom and Edward Huber.

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

1. Sanitation Committee

- a) The June, 2013 Discharge Monitoring Report which will be filed with no exceptions to permit discharge limits. Rainfall for the month amounted to 11.5" despite high flows, the plant performed very well during the month.
- b) Synagro has accepted a 60 day extension of the current contract to enable the Borough to

review the contract documentation and specifications for the sludge disposal contract. The Borough Solicitor has recommended that the Borough rebid for the services. A meeting will be held with our consulting engineer to review the land application permit requirements, contract and bidding documents. A motion will be prepared to authorize bids for sludge disposal at the August meeting.

- c) Concern has been expressed that the current practice of hauling sludge through roll off dumpsters is not the most cost effective option. Our consulting engineer provided some examples of conveyor systems to load dump trailers that will haul over twice the amount of sludge in a single load. Borough Council members supported the concept and authorized staff to move forward with a design for our plant. Discussions were also held over the future of the belt filter press and the options to produce a drier sludge.

2. Highway Committee

- a) The Borough Manager presented a recommendation to seal coat West Summit Street, Franklin Avenue and Madison Avenue. The process will include rubberized crack seal and a second fog seal application. The total estimated cost for this maintenance work will be \$33,759 paid through Liquid Fuels and Capital Reserve Funds. The oil will be purchased through COSTARS, stone will be purchased from Naceville Quarry and the contractor will be paid on the basis of equipment rental.
- b) A discussion was held concerning recommendations for paving and overlay projects. The Borough Manager noted that a number of the streets that can be considered for paving have significant storm water maintenance issues that need to be addressed prior to paving. Paving may have to be lighter this budget year to allocate more funds towards storm drain repairs and replacement.

3. Sidewalk Committee

- a) A recommendation was made to complete the crosswalk and curb ramps at Main and Chestnut Streets this fall. Carl Stuart will make himself available to assist with the granite block installation. A fair amount of material is in stock to complete this work, but additional flush granite curb will have to be ordered.

4. Recreation Committee

- a) Borough Council approved a request to host an “Appreciation Night” at the Souderton Pool for all employees, volunteers and family members serving the Borough in August. This is viewed to be an annual event to replace the previous Borough Appreciation dinners. The event is scheduled for Sunday, August 11 beginning at 6:00 pm.
- b) The Borough manager noted that the platforms for the drop tube slides are deteriorating. Crews made some temporary repairs to the platform for this season. The tube slide was salvaged from the former pool. Staff will investigate whether parts are available to replace the platforms during the off season. The equipment has been in use for nearly 15 years, a replacement piece may need to be considered in a future budget year.
- c) Borough Manager Michael Coll noted that the Montgomery County Department of Housing and Community Development received a copy of the final specifications for the West Chestnut Street Playground Project. The project has been authorized for bidding and bid notices will be published on July 19 and on July 26. A mandatory pre-bid meeting will be held on August 5 and bids will be received and opened on August 26, 2013. A formal recommendation for award will be made at the September 3, 2013 Borough Council Meeting.

5. Property Committee

- a) Borough Solicitor Robert Bricker and the Borough Manager attended a meeting with SEPTA Real Estate managers and legal staff at their main office in Philadelphia on May 23 to discuss the lease agreement. A summary of the discussions was circulated to Borough Council. SEPTA will complete an appraisal of the rental value and they anticipate bringing this matter to their Board in July.

6. Other Matters

- a) Police Chief Jim Leary presented his monthly statistical and narrative reports for the month of June, 2013.

Administrative Work Session – July 15, 2013 (7:00pm-8:50pm)

Council Attendees: John Reynolds, Brian Goshow, Jeffrey Gross, Richard Godshall, Steven Toy, Preston Miller, Richard Halbom and Edward Huber. Junior Councillor Triston Loux.

Staff Attendees: Police Chief James Leary; Borough Manager Michael Coll.

Souderton Train Station Project

Joseph Phillips, AIA with George J. Donovan & Associates along with Ken Bissinger, P. E., with Renew Design and Engineering made a formal presentation to Borough Council concerning their proposal to serve as consultants for the Souderton Train Station rehabilitation project. They discussed their experience, previous projects and presented and discussed a concept plan for this project. The presentation followed a series of questions from members of Borough Council.

Following their presentation, Brian Goshow noted receipt of correspondence from Simone Collins. Borough Council agreed to schedule a presentation from Simone Collins at one of the August work sessions.

1. Police Committee

- a) Chief Leary distributed his narrative and statistical reports for the month of June at last week's work session. He further reported that an Emergency management Agency meeting is contemplated to begin in September with Souderton Borough hosting the meeting. He noted that Montgomery County will serve as a lead agency with our regional group being second in line.
- b) Chief Leary outlined alternatives to proceed with entry level civil service testing for patrol officers. Reviewing the various options, Chief Leary is recommending that Souderton Borough conduct stand-alone testing. Testing will begin this fall with an expectation to complete the hiring of two full time police officers in January, 2014.
- c) Chief Leary distributed copies of a press release from the Montgomery County District Attorney creating a County wide cyber bullying policy. The department participated in these discussions and is very proud that this effort resulted in this important county wide policy.
- d) Chief Leary summarized certain capital projects for the balance of the 2013 budget year based on the budget reports as of June 30, 2013. The department will move forward with the purchase of protective vests. Rifle and a possible vehicle purchase will be discussed with the mayor and Committee Chairman for a future recommendation. In regard to a vehicle purchase, the Chief noted that he desires to have an all SUV fleet; the Dodge

Charger will be predominately used and will be the next vehicle to be replaced.

2. Administrative Committee

- a) The Borough Manager reminded Borough Council that one vacancy remains on the Souderton Industrial Development Authority. The authority has not been active for some time. Representatives do not necessarily need to be residents of the Borough.
- b) Borough Manager Michael Coll noted that the Zoning Hearing Board will be meeting on July 16 to consider an application for a dimensional variance. The application will be heard with only two members. Borough Council should consider an appointment to fill the vacancy of Jack Marden as soon as possible. A few candidates were discussed and individual Councillors will follow up on their interest in this position.
- c) President Brian Goshaw appointed Councillor Preston Miller, Councillor Steven Toy and Mayor John Reynolds to assist him on the Police Negotiating Committee. Collective Bargaining sessions will be scheduled shortly.

3. Development Committee

- a) Timothy Hendricks and Turnersville Estates completed revised final plans concerning the Berkeley Court land development application representing the first phase of the redevelopment plan for the former high school property. The revised final plan addresses all comments from the Borough Engineer. The plans are scheduled for consideration by the Souderton Planning Commission on July 17. They continue to work at finding the commercial tenant. They have since indicated that Dunkin Donuts will not be relocating to this site. Turnersville Estates intends to submit initial formal land development plans for the main portion of the high school property prior to consideration of the final plans for the parking lot redevelopment.
- b) The Souderton Zoning Hearing Board will be meeting on Tuesday, July 16 to consider the variance application of Thomas and Marguerite Knowlan, 549 Colonial Avenue. The property is situated on the northeast corner of Colonial Avenue and Reliance Road. The property is a large "L" shaped lot. The applicants attended a meeting with Planning Commission members to discuss options to subdivide the lot to create a building lot at the corner of Colonial Avenue and reliance Road. There is sufficient lot width and lot area to create a second building lot but the subdivision will create an irregular boundary line to the side and rear of the existing dwelling owned by the Knowlans. The Planning Commission recommended that a dimensional variance be pursued to permit a more rectangular shaped lot that is marginally below the 10,000 sf lot area requirement. Borough Council elected not to participate in the application.
- c) Additional discussion was held on the proposed supplemental Property Maintenance Ordinance. It has been noted that the Borough currently utilizes the International Property Maintenance Code, however Chief Leary points out that this code is primarily enforced by the Borough's code enforcement officer. A supplemental ordinance could give the police department more discretion to enforce and may address certain issues not specifically cited in the international code.

4. Finance Committee

- a) Borough Manager Michael Coll noted that he has met with Univest Bank representatives about extending a \$500,000 line of credit for the Souderton Train Station project to serve as interim financing against the state and federal grants. A commitment letter has been received but contains some matters of concern. The Borough Solicitor and Borough manager will seek clarification on these matters.

- b) Souderton Borough utilizes the merchant service credit card program through the Pennsylvania Local Government Investment Trust. PLGIT has just notified the Borough that they will be changing administrators from Global Pay to Elavon, Incorporated. This change will require formal approval by Resolution to execute the new Merchant Services Agreement. This matter will be scheduled for consideration at the August 5 Borough Council Meeting.

- c) The Borough Manager provided Borough Council with a budget report as of June 30, 2013 for all funds. The report was briefly summarized. Borough Council was reminded that Greg Ede of Styer Associates will be attending the August 19th work session to review the audited financial statements for the calendar year ending December 31, 2012.