

MINUTES TO THE MEETING OF  
TRAPPE BOROUGH COUNCIL  
March 7, 2006

President Strauss called the regularly scheduled meeting of Trappe Borough Council to order at 7:00 PM.

Mayor Connie Peck led Pledge of Allegiance to the Flag.

Roll Call by the Secretary: Those present were Mayor Connie Peck, President Stu Strauss, Vice President Nevin Scholl, Matt Watson, Paul Greco, Mark Carrig, Ed Kane and Steve Kurcik. Also in attendance were Treasurer John Klink, Engineer John Sartor, Solicitor Bob Kerns, Planning Commission Chairman Fred Schuetz, Building Inspector Sal Capizzi and Fire Chief Brian Long.

The DeMutis property conditional use hearing that was to take place this evening was postponed until the next Borough Council meeting at 6:00 PM.

President Strauss advised that an executive session was held at Borough Hall on March 1, 2006 at 7:00 PM and adjourned at 8:15. All Council members were in attendance. The purpose of the executive session was for personnel matters.

Minutes of the Meeting of February 7, 2006: Everyone received a copy of the Minutes for the February 7, 2006 meeting. There were no noted amendments or corrections.

M. Watson motioned to approve the Minutes as presented, second by M. Carrig, all ayes. Motion carried 7 – 0.

Presentation of the Bills – J. Klink

Everyone received a copy of March Accounts Payable. There are additional bills as follows:

Nextel (cell phones)	\$ 37.49
Kerns Pearlstine	\$5,180.00
Berkheimer Assoc	\$1,128.76
Signal Service	\$ 590.00
Perkiomen Watershed Cons	\$1,000.00
Harleysville Bank (IRA)	\$3,000.00

N. Scholl motioned to approve payment of the bills and additional bills, second by S. Kurcik, all ayes. Motion carried 7 – 0.

Financial Reports – J. Klink

Everyone received a copy of the Financial Reports. There were no noted amendments or corrections.

N. Scholl motioned to accept the Financial Reports as presented, second by M. Watson, all ayes. Motion carried 7 – 0.

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

Manager's Report – President Strauss

At the end of December the former borough manager resigned. In January a committee was formed to search for a replacement. Those working on the committee were President Strauss, N. Scholl and M. Carrig (Chairman). Applications were reviewed and interviews were conducted. All of Council was able to interview this individual. M. Carrig advised approximately 19 or 20 applicants were considered. Of those received two were chosen to be interviewed. One was outstanding and as a result an executive session was called and all Council was able to interview the candidate. Everyone one was satisfied and a background check was performed and the candidate was introduced at the meeting. His name is Charles Sardo. He has 13 years of municipal experience, most recently with Worcester Township and has experience with construction, an engineering background and received excellent references. We look forward to strong leadership.

M. Carrig motioned to hire Charles Sardo to begin Monday, March 13, 2006, second by N. Scholl, there was one nay vote by M. Watson, the remainder of Council all ayes. Motion carried 6 – 1.

OPEN TO THE PUBLIC – NON-AGENDA ITEMS

Fred Schuetz – Fred was before Council to comment on a newspaper article pertaining to the Lower Providence Regional Sewer Authority that indicated Trappe wanted to stop the sewer project to upgrade the Oaks sewer treatment plant expansion. The only recognizable name in the article was that of a council member. There was no reference made to operating reports or permitting forms. Part of the upgrading is replacement of approximately 2.5 miles of interceptor from the plant along the Perkiomen up to Skippack Creek due to one problem infiltrating into the line.

President Strauss stated that Trappe is not going to join Lower Providence in a lawsuit. It was never stated to a reporter that Trappe was going to join in this lawsuit. This suit is between other municipalities and Lower Providence. What was in that article questioning two things: plant expansion and up grades. President Strauss indicated he researched CTMA and we do have a representative that serves on the sewer authority. The question with this proposed plant project is what is necessary in this project for upgrades. Upgrades are necessary and how much of this project is necessary for its expansion. Under current proposal the Regional Authority is saying that a 50% expansion is necessary in the plant. That means that the six municipalities in this authority population or use are going to double. My question is can we only do a 25% expansion and save the ratepayers money.

Ralph Zollers – Mr. Zollers was before Council to address a letter he received from the building inspector regarding a violation for Ordinance 315, heavy equipment on sale on his property at 386 West Main Street. Mr. Zollers' counsel responded to the violation stating that placing an object on a front lawn for sale is not a violation of Ordinance No. 315. President Strauss acknowledged receipt of the letter and advised that Solicitor Kerns will be looking into the matter.

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

The second issue was with disbelief that a member of the CTMA was not re-appointed on behalf of Trappe. President Strauss advised the public that according to the bylaws of CTMA you must be a resident of the Borough to serve in this position. Ernie Schmitt is not a resident of the Borough.

Shawn Skelly, 213 Bentley Drive – Mr. Skelly was before Council to inquire as to the responsibility for installation of address plaques that were not put out in accordance with the ordinance that addresses plaques. Temporary signs were put up but are not visible at night. The building inspector advised the signs were on back order and in conversation with the developer Mr. Skelly was advised they are not on back order, that it is the responsibility of the homeowner. Shawn questioned why is the homeowner's association (HOA) responsible for the plaques? The HOA recently installed address plaques in compliance with the ordinance that cost the HOA over \$2,000. The question is should M&D not have the responsibility or can money be taken out of the escrow money or have M&D comply with the address plaques. Engineer J. Sartor stated that address plaques are not in the developer's escrow account, those items were never escrowed. The Solicitor advised that basically, the developer is required to put the numbers on the house, anything other than that would be between the HOA and developer as to whether they want to upgrade with plaques or something else. The requirement is that the developer has to put on numbers for fire/ambulance/emergency vehicles can find and locate the house. A conditional U&O was issued, if the ordinance says specifically what should be put up, that is what he has to put up – there is an issue as to how much the Borough can enforce if the HOA wants to upgrade beyond the requirement of the ordinance. President Strauss advised Shawn that Council would look into the matter to determine what we can do legally and be in touch with Shawn.

Sam Mancuso, Harvard Drive, College Woods HOA President – S. Mancuso was before Council to request a copy of the Minutes that addressed the executive session. President Strauss advised that the Minutes reflect in the same letter that Mr. Kerns previously mailed to Sam. The letter addressed what took place in executive session that was mentioned to you assuming both parties agree, you and Pedens. It is up to the Pedens or College Woods to pay for arborist's recommendations. If they cannot agree, Trappe will pay for arbitration.

Paul Edwards Regional Police Force – Mr. Edwards was before Council with regard to a regional police force. President Strauss offered a copy of the contract/concept for comparison to determine exactly what was going to be on the police study. Paul was invited to come to President Strauss' home or Borough Hall to review with him the contract/concept for comparison purposes. He further noted it does not cover everything from A to Z. He had the actual executed agreement with the signatures because when he did his research it helped to determine how he would vote. Paul was in agreement to do the comparison and President Strauss stated he would be in touch with Paul. President Strauss offered to distribute a copy of the contract and turn it over to Solicitor for his evaluation after a vote is taken to do so. No further discussion or comment on the matter.

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

At this time, President Strauss introduced PSP Lt. David Miller of the Skippack Barracks. Comments from the President included that there is controversy in our Borough whether or not we should have a police study. Everyone knows what the feeling of the President is and that of Paul; we want a better community. The PSP is the best police department in the State and deserves the respect of everybody. The meeting was turned over to Lt. Miller.

Lt. David Miller, PSP – Lt. Miller has been with the PSP Skippack barracks since July 2004 and a much longer history in Montgomery County and operations with the PSP since 1981. He is familiar with Trappe and the growth-taking place within the Borough. The gathering of information that is provided to the PSP gives them the ability to take a comprehensive look at what is going on in Trappe with regard to crashes and crime. Since December 1, 2005 to February 28, 2006 there were a total of 168 calls.

The crime rate in Trappe has a very low incident. In February 2006 there were a total of 168 calls in Trappe Borough. This includes EMS responses, fire responses and other mundane things that do not amount to criminal offenses but still a request for PSP to respond. A small number of responses were criminal offenses that involve crime against a person, vandalism and other property crimes.

Lt. Miller addressed issues with regard to residents being unhappy with comments from the responding officer. He advised that those comments as well as inappropriate response time should be addressed to him. Their records show the response time is just over 4 minutes from the time it is received at the dispatch center, logged in by the computer, passed on to dispatcher. From dispatch for the Trooper the average time is 18 minutes. There is a lot of municipal square mileage that has to be covered.

The PSP policy on regionalization is neutral. If a municipality has a primary response or secondary response location, everything is based on the nature of the call; crashes with injury and crimes against a person, crimes that are in progress receive the highest priority for dispatch. Lower priorities are dispatched as secondary issues.

With regard to the police study, President Strauss asked Lt. Miller that should Perkiomen Township go with the police study would Trappe be isolated by itself; would we be the last for a police call if we are by ourselves or not? Lt. Miller responded that should other municipalities drop out of their jurisdiction by way of joining a municipal department/regionalization, it actually means the PSP would have more resources to divert to the remaining areas. Therefore it would mean the PSP would no longer have to respond to calls in Perkiomen Township and Collegetown because there would be fewer demands on their resources and they could respond to Trappe.

Lt. Miller fielded questions relative to response time and reporting of incidents. President Strauss advised the public that there are various committees in the Borough and if there is a complaint or suggestion to notify the various Committees, i.e. the Traffic Committee. The Committees look at different situations regarding speeding, it is

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

important that if there is a complaint, please give to the different committees and Stu will personally get involved to look into the issue.

Council thanked Lt. Miller for his presentation and he exited the meeting.

FIRE CHIEF – B. Long (Copy of Report on file in Borough office)

Everyone received a copy of Brian's report. Brian reviewed the report.

Proposed Emergency Service Cost Reimbursement Ordinance – The Ordinance identifies certain calls made by the Fire Company that can possibly be billed to an insurance company for reimbursement.

The Solicitor will review the proposed ordinance. President Strauss asked Council if they want to advertise the ordinance for adoption at the next meeting. The Solicitor indicated there were questions and offered to review the ordinance and come back to Council with recommendations.

Nevin stated that he felt there should be some reference point with what other municipalities are doing and questioned whether it should be something the Fire Company should do or request of our Solicitor. The Solicitor will review the ordinance; come back to Council, once approved, and then it shall be advertised and adopted two months from this meeting.

ENGINEER'S REPORT – J. Sartor

Bentley Manor – The street light installation has been completed and all lights are activated at Bentley Manor. Also solicited proposals from Pickering Valley Landscaping and Realty Landscaping. Information has been provided to Council via email on both of the proposals along with a summary spreadsheet that breaks down by category of work to be completed, top soil, seeding, concrete, paving, storm sewer, miscellaneous and landscaping. Based on the spreadsheet provided you can determine the cost differences between the contractors. Realty Landscaping quotes did not include the work on concrete, paving and storm sewer and some miscellaneous items, (only covered topsoil, seeding and landscaping) and if compared, Pickering Valley is the cheaper price. President Strauss stated he would like the Borough Manager to make recommendations for the above.

At this point, we have accumulated legal and engineering bills in the about of about \$15,000, is there anything subsequent to that we should be doing since we made an objection. The Solicitor stated that one of the things that has to be figured out is what has to be done, and there has to be enforcement of what we do, there should not be a problem with obtaining some of the escrow, it takes time to do it this way. There was a question with regard to what Council wanted to do as far as Pickering is concerned. There was discussion with regard to the landscaping and whether M&D can be convinced to do some of the landscaping because if the Borough does it because we are doing it without M&D being involved in it. The Solicitor suggested that the new Borough Manager sit to

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

work something out with M&D, get someone involved on a day to day basis and Council approve the conditions as worked out by the Manager that way he'd have the authority to bring Pickering in after looking at it and getting back to Council President and/or the Engineer.

M. Watson motioned that the Manager sit down with M&D and give him the authority, basically to come back and talk to the Council President and make a decision whether they go with Pickering or not, second by M. Carrig, all ayes. Motion carried 7 – 0.

Betcher Road Realignment – There has been some communication between Perkiomen Township and the Borough and Council should advise whether they want G&A to communicate with the Perkiomen Township Engineer regarding their proposed repaving project to get more technical information or if any other assistance is needed from G&A.

N. Scholl stated he believed the Borough Manager could work on this with the Township Manager. For some reason their letter directly contradicts the agreement between Perk Twp and Trappe which divides the road across both lanes giving half the responsibility to Perk Twp and for some reason they have been on the wrong path of dividing it down the center double yellow line; so they have complete misunderstanding of the agreement. To have the two municipal managers review, work through the Agreement and find out what their intentions are, if they want to void the Agreement or if they want to follow the Agreement, then they should not pave half the street up to the double yellow line. There is a fundamental problem at the present with the paving issue and the managers should confer.

E. Kane exited the meeting at 9:00 PM

New Covenant Church – Fred Schuetz addressed the issue of providing a second driveway access for Council to consider. Waivers will be considered at this month's Planning Commission meeting and then for Council action at the April meeting.

Borough Line Road/West 7<sup>th</sup> Avenue/Lewis Road Intersection Flashing Traffic Beacon Design – B. Kerns – This is an issue of ownership of the property in Upper Providence Township (UP). What the Kerns office is trying to do is track down who the owner of that piece of property is and make contact with them. There was a transfer and they are presently doing research on that now by going to the Court House to determine who the owner is and make contact with them to work out something with them, this is the best approach we have at this time.

There was discussion regarding the lost time and demobilization costs in the amount of \$3,518.00 as a result of the ownership of the right of way vs. ultimate right of

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

way being established. Question regarding the cost to back out of the contract completely; this can be looked at and checked out by the Solicitor.

Rittenhouse Square Community Association (RSCA) Williams Way Light Standards – A draft letter was prepared, and one last look at the lights was taken today and some photos were emailed to Council; available was the photographs and light standards. One light standard opposite Bentley Manor with a damaged fixture and loose at the base, that is the only one recommended that something be done – the hole should be filled, base looked at to determine the condition, if not in good condition, the Engineer is recommending that it be set in a concrete base and the fixture be remounted, at least taken off the pole and the one glass panel be taken down and replaced.

M. Watson motioned to fix one lamp because it is a safety issue and have the Borough Manager contact the Homeowner's Association and landscaper, let Chuck talk to the landscaper and Public Works and HOA, second by M. Carrig, all ayes. Motion carried 7 – 0.

G&A was directed to contact MJ Electric to request a price quote to evaluate/replace the existing pole to be set in concrete, re-mount the fixture, and replace the broken glass panel.

Carriage Ridge Estates – An as-built plan was delivered to the Engineer and copies were distributed to Council. The plan indicated the actual contours and volume of the basin showing a design volume that appears to be comparing what was originally designed as to what has been built. However, it does not show what they are going to do with the standing water, no aeration system or other modification to the outlet structure that show that the basin will drain. Owen Jones, president of Carriage Ridge HOA, was before Council stating that residents are anxious have the basin situation solved. Each homeowner agreed that they did not want standing water in the basin. Owen indicated that a fountain which would solve the problem of aeration in the water. They are suggesting that DiPrinzio add a fountain into the plan. There was discussion with regard to the standing/still water and requirements are concerned. There was discussion regarding the landscaping and when action may be seen in this regard. John advised that he would contact the landscaper and hope within the next month or two there would be some activity; John will make the contact. There was mention with regard to the clean up of the landscaper and whose responsibility it is, he was advised it was that of the developer. J. Sartor advised that Strouse Landscaping sent three invoices to the Borough. Two invoices were paid a total of \$19,000, the third invoice was about \$4900.00, there was discussion at the January meeting about holding 10% retainage on the third invoice as well as an equivalent 10% retainage on the two previous invoices that were paid. If held, the Borough holds probably \$2500 worth of money on Strouse Landscaping, John did not know the status of the third invoice as to whether or not it had been paid; if it has not been paid, his recommendation was not to pay that particular invoice. Strouse

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

landscaping originally bid on the work to be done at Bentley Manor and they disappeared from the project, which prompted the Borough to approach Pickering and Realty Landscaping. John further stated that he had been in contact with DiPrinzio and G&A had been expecting an as-built plan of the basin, which was received today. As part of that plan G&A wants to see how they are going to maintain six feet of standing water in the basin, that is what the original approved plan states, it is DiPrinzio's responsibility as the builder to provide six feet of standing water. How he accomplishes that is up to him. There was mention of grass deficiency within the project, some bare spots. John noted G&A observed the tags on the bags of seed brought in for the project and noted there was a deficiency on the grade of seed. John spoke with the developer, and again this is a reason to withhold funds from the Strouse Landscaping and have him come back if the seed does not germinate and poor quality grass comes up and is not within spec on the plan. Caution issued with regard to seed not germinating in a dry spell, it is the developer's responsibility to maintain moisture. It was noted that trees that died in the project were not maintained (watered) properly and that is why the lawn areas look the way they look because they were not watered properly.

Connelly, Charlotte, 326 Apian Way appeared before Council to advise of cracked walls and infiltration of water in her foundation and asked what her recourse would be. President Strauss advised that Manager Chuck Sardo would look at it to see what can be done and who is responsible. Generally if it is a basement crack it is the responsibility of ownership going back to the developer for faulty workmanship, but we can look to see if it is a code issue as not having been built to code then there might be a code violation. In every situation, the developer has a specific time to do these improvements, if not done, the borough can fault the developer and get other contractors in to get the work done; generally it costs more money because time has gone by to get the work done, it is better that the developer comes back and withhold money because he wants to get his funds released, he will get the subcontractor back in to get the work done.

E. Kane returned to the meeting at 9:20 PM.

There was a question with regard to the remaining escrow in the Carriage Ridge account, John indicated his records show \$167,828.49, however that is minus the \$19,072 that has been paid to Strouse Landscaping. An additional \$53,400 contingency and \$18,300 retainage being held. He further elaborated on the status of the escrow accounts in that a summary is being prepared of all the projects currently under construction and will be available next month (April). We know where we stand with Bentley Manor and Carriage Ridge, the only other developments should be the Bycoskie development (417 W. Main/sold to DiPrinzio, not started) and Community Music School under construction, has not requested an escrow release to date, (wall, received phone call from their architect in response to fax sent to E. French and architect is attempting to get the information together that we asked for, to date have not seen anything). The owner's

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

engineer can put their seal on whatever documents they can produce to say they feel the wall was constructed, that would not satisfy Engineer J. Sartor because G&A inspectors were not present watching the wall go up and if the engineer were asked to release escrow money associated with that retaining wall, John will have to say he is unable to give that recommendation. All G&A has is another engineer's signature and seal which is not disputed, they are claiming that the information they submitted is sufficient, but G&A has no way of fully evaluating the condition of the wall and its foundation without having the opportunity of viewing the installation. The Solicitor stated that the borough has to allow the owner to satisfy the Engineer and if he is not satisfied, move on to the next step which is to remove the wall, but allow the opportunity to meet our Engineer's standards.

Silver Leaf/Gambone – There are 20 pages of issues that need to be brought into compliance. We asked him to come in to do so, he has chosen not to, we are past the 18 month maintenance period of February 4, which means he has to come out and re-evaluate the situation. The Solicitor advised that he was aware of at least three other municipalities where Gambone is in the maintenance period. Our position now is that John has to go back, get and say we are now ready to take the maintenance money and see what has to be done. Just to be clear we are all in agreement to extend the maintenance period, because most of the work is concrete work. The problem with Gambone is they did not get back to the Borough and indicate they want to extend the maintenance period. At this point, the Solicitor wrote and asked if Gambone would be willing to extend the period, no response in this respect, at this stage we must go back to him to tell him he is in default and hopefully Gambone would come respond by extending the maintenance period. John indicated now we are pretty well through the winter and concrete may have deteriorated and it might make sense if council desires G&A can evaluate the development this month and have a report in time for the April meeting; council opted to wait until April for a re-evaluation.

Eye Designs – As-built plans have been received. G&A will review and provide a report for the April meeting.

M. Carrig motioned to accept the Engineer's Report as presented, second by N. Scholl, all ayes. Motion carried.

SOLICITOR'S REPORT – B. Kerns (Copy of Report on file in office)

Everyone received a copy of the Solicitor's report as reviewed by the Solicitor.

EMS Tax – this is the Agreement with Berkheimer as far as collection is concerned.

There is one change to the Agreement basically regarding the initial term of the Agreement in paragraph 1 in that the term specifying the term of appointment. The EMS tax ordinance eliminates the Borough real estate property tax ordinance to be advertised and adopted at the April meeting.

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

M. Carrig motioned to advertise the ordinance eliminating the real estate property tax, second by S. Kurcik, all ayes. Motion carried 7 – 0. (Solicitor will advertise)

Zoning Hearing Fees – There was discussion with regard to a Resolution that increases the zoning hearing application fee. In the past the charges were exceeding the present

application fee of \$500 leaving the Borough to pay the excess fees for the hearing. There was discussion with regard to Paragraph 4 and 5 of the Resolution, additional fees. There was no further action taken at this time.

CTMA Residency – The Solicitor referenced and that addressed in his report – President Strauss reiterated that the law states a member has to be a citizen of the Borough as substantiated by the Solicitor. The member on CTMA is not a resident of the Borough and according to the bylaws, that member has to resign. At the present, there is some resistance to resign and if there is no cooperation the next step would be a two step process. That would be to approach the District Attorney’s office and Attorney General’s office to determine if they intend to enact a civil action to determine whether or not that person has the right to fill the position. If the District Attorney’s office or the Attorney General’s office chooses not to do that, then it would be up to someone in the municipality to take the action. The first action would be to write a letter to the District Attorney’s office and Attorney General’s office. The next action would be through courts.

N. Scholl reviewed the petition of Andy Cantor for CTMA, whereby he maintains the citizenship requirement is applicable at the time of appointment and for the remainder of the five year term he can move wherever he wants. The Solicitor Kerns advised that case law says that is not true. There was discussion with regard to voting and residency that is a very important issue.

N. Scholl motioned to proceed with the next step writing a letter to the District Attorney/Attorney General’s office, second by M. Carrig, two nay votes by P. Greco and M. Watson, the remainder of Council all ayes. Motion carried 5 – 2.

M. Carrig motioned to accept the Solicitor’s Report as presented, second by E. Kane, all ayes. Motion carried 7 – 0.

MAYOR’S REPORT – C. Peck (Copy of Report in Borough office)  
Everyone received a copy of the Mayor’s Report as was reviewed by Mayor Peck.

COMMITTEE REPORTS

Finance/Waste/Recycling – N. Scholl  
Nothing further to report.

Property/Open Space/Traffic – E. Kane

Planning Commission member, Pete Stormer, was before Council to review the working draft of the timeline for the open space planning process as presented from March 7<sup>th</sup>

through August 1<sup>st</sup>, 2006 (copy of timeline process on file in Borough office). Pete stated that recommendations, etc be directed to County Community Planner, Summer Frederick.

**Public Safety and Streets** – P. Greco

Paul acknowledged a notice from the Fire Marshal stating he seized a machine from the CMMC building that was causing a gas leak inside the building, the second time it happened.

Street Projects to be addressed by C. Sardo are Laurel Drive and Betcher Road – Paul to communicate with the Manager.

**Ordinances/Personnel/Appointments** – M. Carrig

Nothing further to report

**Public Works/CTMA** – M. Watson

Nothing further to report.

**Planning and Zoning** – S. Kurcik

Steve received a request for signage at Rambo Park prohibiting ATV usage of Borough property. Would like to install no motorized vehicle signs. Steve presented a quote from

three companies – 18” x 24” with post for \$30 each (quantity 2), without the post, \$20. Another quote for \$80 with no post, 24” x 24” – Steve recommended the signs to protect the property.

M. Carrig motioned for approval of two signs with the posts, second by S. Kurcik, all ayes. Motion carried 7 – 0.

**OLD BUSINESS**

**Sexual Predator Ordinance** – The Ordinance was before Council for adoption. The Solicitor referenced a letter for adoption. He indicated the issue is the enacting of the ordinance and in speaking with other solicitors of other municipalities, they appear to be backing off of the ordinance. Upper Moreland and Doylestown do not have it, a lot of municipalities are looking at it right now. There are constitutional rights for the offender’s right to live in certain locations. Should Trappe adopt the Ordinance, basically it precludes someone from registering inside Trappe because of the 2500-foot requirement. There is a statute making sexual offenders register, they have to do that as notice to the community that these people are living in certain locations; that is done by State statute. There is nothing in the State statute that enables a municipality to pass this type of Ordinance. Other municipalities would not pass this ordinance because it had not been tested, there will be a test case if a municipality passes this ordinance and there have been none in Pennsylvania. Therefore, the solicitors are looking at the ordinance to determine what is the best course for the community and that is a council decision. Council will have to decide if they want to deal with public policy and whether they want to pass this ordinance or not. The liability issue would be your carrier will cover this despite what they said when the opinion letters went out, they will cover it, somebody will be tested. There are issues of enforcement, litigation and responsibility, residency vs. residency rights, zoning and activities. There are no tested cases in Pennsylvania and it is up to Council whether they want to enact this ordinance or not. There was discussion and Council voiced their views.

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL  
TRAPPE BOROUGH HALL  
March 7, 2006

M. Watson motioned to enact the Ordinance, second by P. Greco, three nay votes by N. Scholl, E. Kane, S. Kurcik, the remainder of Council, all ayes. Motion carried 4 –3.

NEW BUSINESS

Verizon – The Verizon team was before Council to review a proposed Cable Franchise Agreement between Verizon and the Borough of Trappe. A summary of the cable franchise agreement included provisions for the service area, agreement grants and terms, upgrades of telecommunications network, terms of agreement, receipt of 5% of the gross revenues, public access, and other services provided for the Borough.

There was discussion and a question/answer provided for Council and the audience. After the period, council opted to table any decision for acceptance of the Agreement until a later date.

Increase for Auxiliary Police Fees for Backbilling – There was a suggestion by the Treasurer that an increase in the hourly rate from \$12.50 to \$15.00 per hour be considered for purposes of back billing the of Auxiliary Police services to cover our costs.

M. Carrig motioned increase the hourly rate to \$14.00 per hour, second by M. Watson, all ayes. Motion carried.

Council adjourned the meeting at 11:10 PM to go into executive session. The Secretary exited the meeting at that time.

Respectfully submitted,

Patricia Katona  
Secretary