

MINUTES OF THE MEETING  
OF TRAPPE BOROUGH COUNCIL

November 13, 2007

The regularly scheduled meeting of Trappe Borough Council was preceded by a conditional use hearing at 6:00 PM for Harris Family Chiropractic.

Following the conditional use hearing, an Executive Session was held to discuss litigation issues.

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

The Pledge of Allegiance was led by Mayor Peck. Following the Pledge, President Strauss called for a moment of silence in honor of Veteran's Day celebrated November 11, 2007, Sunday prior to the Council meeting.

Roll Call by the Secretary: Those present were Mayor Connie Peck, President Stu Strauss, Vice President Nevin Scholl, Matt Watson, Steve Kurcik, Jim Durrell, and Ken Fulmer. Also in attendance were Engineer Doug May, Solicitor Dave Onorato, Treasurer John Klink and Manager Chuck Sardo.

The first order of business was to acknowledge the immediate resignation of Councilman Mark Carrig.

M. Watson motioned to accept Mark's resignation, second by S. Kurcik, all ayes. Motion carried 6 – 0.

To fulfill the unexpired term, a public meeting will be held Monday evening, November 26, 2007 at 7:00 PM to interview interested candidates for the vacant council seat. Letters of interest and resumes are to be presented no later than 3:00 PM, Monday, November 26, 2007

Main Street Park Presentation – Simone/Collins – Mr. Brian Styche representing Simone Collins was before Council for the public presentation of the Pre-Final Master Site Plan for the Main Street Park. The facilities presented on the plan are a response of the results from the Trappe Resident Recreational Survey mailed to all Borough residents early 2007. The improvements to the Park include multi-purpose ball fields, a walking trail with exercise stations, a playground, pavilion, multi-purpose courts, picnic areas, parking, and pedestrian connections to other Borough locations.

Brian's presentation included the project schedule, aerial photo, and site analysis including a trail(s). The initial concept included the existing conditions, out parcel acquisition(s), parking, and storm water management, shared driveway with Community Music School, sidewalk connections, park entrance(s), and trail extension to College Avenue.

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Development costs were presented: \$1,910,000+ and the plan to do in phases:  
Phase 1: \$786,253 (parking lot and driveway improvements), Phase 2:  
Phase 2: \$283,881 (fields, ball field dug outs, track and sidewalk),  
Phase 3: \$397,140 (play ground and pavilion),  
Phase 4: \$442,881 (multi purpose courts).

There was discussion as to whether the costs include engineer fees (affirmative), the prevailing wage and use of available funds. Nevin asked for clarification of the term “use it” (funding); a commitment is needed by April 15, 2008 or funding will be returned to a general redistribution fund. Other issues discussed were the trail on College Avenue and across 7<sup>th</sup> Avenue, sidewalks down 7<sup>th</sup> Avenue (grant funding), and a meeting with Augustus Lutheran Church officials. No word heard back from PennDOT with regard to the shared drive-way with Community Music.

Minutes of the Meeting of October 2, 2007

Everyone received a copy of the Minutes from the meeting of October 2, 2007. There were no noted amendments or corrections.

N. Scholl motioned to accept the Minutes as presented, second by J. Durrell, all ayes. Motion carried 6 – 0.

Presentation of the Bills – J. Klink

Everyone received a copy of Accounts Payable. There were two additional bills as follows:

Barry Stott (Aux Police)	\$192.86
Epps Beverage (Boro Hall)	\$ 37.00

N. Scholl motioned to pay the bills including the additional bills, second by S. Kurcik, all ayes. Motion carried 6 – 0.

Financial Reports – J. Klink

Everyone received a copy of the Financial Reports. There were no questions or comments.

N. Scholl motioned to accept the Reports as presented, second by S. Kurcik, all ayes. Motion carried 6 – 0.

Manager’s Report – C. Sardo (Copy of Report on file in Borough Office)

Snow Removal Contract – Recently the Boroughs of Colledgeville and Trappe advertised for bids for snow plowing and equipment leasing for both Boroughs. The new contract will begin December 1, 2007 through November 30, 2008.

The low bidder was B & M Landscaping, their hourly rates were included in the contract, B&M will have three vehicles available and salt will be supplied at Colledgeville

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and the cost of the salt will continue to be shared between Colledgeville and Trappe Boroughs.

J. Durrell motioned to accept the bid of B & M Landscaping for snow plowing and lease of road equipment through November 30, 2008, second by M. Watson, all ayes. Motion carried 6 – 0.

Codification – General Code has submitted a price of \$9,660.00 to update our Codification (Ordinance No. 249). Fifty percent of the costs to be paid at start of re-codifying and 50% at the completion of the codification. The time for the re-codifying will be approximately 22 weeks. The price includes e-code allowing our ordinances to be on their Web server with a link to our Web site; a term tracker is available as a separate issue.

N. Scholl motioned to accept the price of \$9,660.00 for re-codifying, second by J. Durrell, all ayes. Motion carried 6 – 0.

Flashing Beacon at 7<sup>th</sup> and Borough Line Roads – The work suggested by PennDOT has been completed at this intersection; however, what remains to be resolved is to bring termination of the contract the Borough signed with the contractor, Carr and Duff. The Solicitor to be directed to write a letter to terminate the contract.

N. Scholl motioned that the Solicitor generate a letter to Carr & Duff to terminate the contract, second by M. Watson, all ayes. Motion carried 6 - 0.

Accellant – Mr. Jeff Farina was before Council seeking approval for a permit to construct a 30 ft x 35 ft storage shed on a concrete pad to house a carbon absorption unit for Plant 2 degreaser. The carbon absorption unit reduces the TCE emissions and Accellant will be in compliance with DEP directives. Mr. Farina answered many questions from Council and the audience.

M. Watson motioned to grant approval for a permit for construction of the storage shed, second by J. Durrell, all ayes. Motion carried 6 – 0.

S. Kurcik motioned to accept the Manager's Report, second by M. Watson, all ayes. Motion carried 6 – 0.

ENGINEER'S REPORT – D. May (Copy of Report on file in Borough Office)

Everyone received a copy of the Report as reviewed by Doug.

Laurel Drive/Lilac Circle – A construction cost estimate for the Borough for the improvements on Laurel and Lilac were presented. The Borough's cost would be \$131,296.00 that would include curb replacement and repair, roadway/parking lot pavement reconstruction, and drainage improvements. The estimate was broken down to proportions of the Borough, HOA responsibilities, and Public Works. It is desirable to include the Homeowner's Association and work in conjunction with them; Council voiced no objections

M. Watson motioned to accept the Engineer's Report, second by J. Durrell, all ayes. Motion carried 6 – 0.

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SOLICITOR'S REPORT – D. Onorato (Copy on file in Borough Office)

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

Ordinance 401 – Lighting Ordinance – The Ordinance was appropriately advertised and reviewed by Council. Nevin suggested two changes relative to the time for compliance of and designated corrective action to read as follows:

Page 6, H. Compliance Monitoring, 1. b. "...that the corrective action has not been effected within 45 days of notification..." (change 30 days to 45 days) and

Page 6 H. 2.b. "... Nuisance Glare and Inadequate Illumination Levels b. If the infraction so warrants, the Borough may act to have the problem corrected in 90 days..." (remove as in H.1.b.above).

J. Durrell motioned to adopt Ordinance No. 401 with the noted changes, second by M. Watson, all ayes. Motion carried 6 – 0.

Council accepted the Solicitor's Report as presented.

MAYOR'S REPORT – C. Peck

LUCA – Mayor Peck recently attended the meeting for LUCA (Local Update of Census Addresses) reporting. There is a November 19, 2007 deadline for Trappe to commit to the 2010 census survey in order to receive the full 120-day review period. A commitment by November 19 entitles us to a full review which helps correlate funding dollars to census figures such as Community Development Block Grants, Special Ed Grants, Medicaid Grants, Highway Planning and construction. Census figures have a broad impact on funding decisions for government funding programs.

M. Watson motioned to make a commitment to participate in the program, second by J. Durrell, all ayes. Motion carried 6 – 0.

President Strauss acknowledged receipt of a Montgomery County GREEN FUTURES award by Montgomery County made to Trappe Borough for participation and commitment to the Central Perkiomen Valley Regional Planning Commission. S. Kurcik is Council's representative to the Regional Planning Commission.

OPEN TO THE PUBLIC

There were incidents reported to Council with regard to an unidentified person at PVSD South and a response time of 30 minutes by Pennsylvania State Police. Another concern was that of shooting deer at the back of their property and another of a possible intruder. They were advised that the State Police cover all incidents in the Borough on a priority basis. President Strauss referred the concerned citizens to the PVS Board and offered to have the Pennsylvania State Police back to address the concerns.

Sam Mancuso, College Woods HOA President – Sam reiterated the 3-part suggested solution for the drainage improvements at the intersection of Harvard Drive and Main Street as brought before Council by the Borough Engineer as follows:

1. Replace and enlarge an inlet in Main Street just east of the

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- driveway to College Woods.
2. Reconstruct and raise in elevation the handicap ramp on Main Street west of the driveway to College Woods.
  3. Mill and overlay to moderately raise the Harvard Drive exit driveway to Main Street. PennDOT has committed to replacing the Main Street inlet and Sam pressed Council to make a motion for the Borough to fund items #2 and #3. There were some comments and the Solicitor advised Council not to discuss the issue any further as dedication issues are in litigation between Council and College Woods. No motion was made or passed.

COMMITTEE REPORTS

Finance/Waste/Recycling/Streets – N. Scholl

Nevin reviewed the Borough's financial situation and presented budget highlights for the 2008 budget as follows:

- \$200,000 for park development transferred from Open Space Fund,
- \$131,000 to rebuild Laurel and Lilac (PA liquid fuels tax)
- \$100,000 to Fire Company for equipment replacement costs.
- \$1,022,000 General Fund Receipts- Expenditures of \$922,000
- \$3,000 increase to Fire Company funding in lieu of RE tax
- 30% decrease of interest income due to declining interest rates.

A review of the permitting fee schedule by Chuck: no changes at this time.

J. Durrell motioned to advertise the 2008 budget for public review, second by M. Watson, all ayes. Motion carried 6 – 0.

N. Scholl motioned to increase the hourly fee for persons using the Auxiliary Police services to \$20.00 per hour, second by J. Durrell, all ayes. Motion carried. The reason for the increase is the cost of workmen's compensation that the Borough is required to carry on the police and uniforms and equipment.

Property/Open Space/Traffic – J. Durrell

Nothing further to report

Public Safety – K. Fulmer

Pennsylvania State Police Report – Everyone received a copy of the PSP Report as reviewed by Ken.

Brian Long – On behalf of the Fire Company, fire Chief Brian Long was before Council to seek funding in the amount of \$6700 for an additional response vehicle. Council agreed that it is a good project, voiced no objections but to wait until December for their decision.

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OLD BUSINESS

M C Weeks Preliminary/Final Plan Approval – John Riebow, Gorski Engineering, representing M C Weeks was before Council seeking final plan approval for the addition to the Weeks' property at 183 West Main Street.

John indicated that his client will comply with all the comments in the Czop/Specter November 9, 2007 review letter with the following conditions:

Zoning:

- #2 Existing and proposed shared access easements are being developed and a note will be shown on the record plan.
- #10 Per discussion at the public meetings, the Solicitor and Engineer interpret the commercial calculation is correct as shown.

Subdivision and Land Development:

- #11. The following waivers were approved by Council:
  - a. Section 303.D.B – to permit a paving cross-section that differs from the SALDO requirements (asphalt and gravel cross sections).
  - b. Section 310.L.1 – to eliminate requirement for a fence around the detention basin.
  - c. Section 310.L.3 - to allow a detention basin bottom slope of 1% to promote infiltration.
  - d. Section 310.L.4 – to eliminate requirement for a sodded flow channel from inlet to outlet in the detention basin.
  - e. Section 310.L.5 – to permit 3H: 1Y side slopes on the detention basin berm exterior slope.
  - f. Section 310.L.6 – to permit the 3H:1Y side slopes on the detention basin berm interior slope.
  - g. Section 310.L.6 – to permit the installation of erosion control blankets on swales, in lieu of sod.
  - h. Section 319.1 – partial waiver to allow tree replacement as a combination of off-site mitigation and partial compensatory fee.
  - i. Section 402.C.1 and 402.E.1 – to accept an aerial photograph depicting features within 400 feet of the property.
- #13. Partial waiver consideration is covered in Item 11.as above.
- #18. No waiver for driveway width or grade is presently requested as PennDOT is currently reviewing the Highway Occupancy Permit Application.

The applicant said he will revise the plan and resubmit to the Borough Engineer to comply with all technical comments of the November 9, 2007 review letter.

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The Solicitor will prepare a final plan resolution, developer's agreement and financial agreement for approval by Council.

Longview/Stearly Revised Preliminary Plan (Bank) – Mark Clemm, Esq. was before Council with regard to the Stearly Conditional Use Decision for the bank property on the corner of First Avenue and Main Street. The Order was prepared and reviewed by the Solicitor; all of Council had a copy.

J. Durrell motioned to approve the Order as presented, second by N. Scholl, all ayes. Motion carried.

Proposed condo documents were forwarded to the Solicitor for review, D. Onorato confirmed he received and reviewed; after review had no problem with them.

Longview/Stearly Revised Preliminary Plan (Twins & Townhouses)

There was further review of the Engineer's review letter of November 9, 2007 regarding the revised preliminary plan. There were specific issues and waivers requested. Based upon the condo documents the following comments from the Borough Engineer's letter have been satisfactorily addressed in discussion with the Borough Solicitor:

- #3 additional facilities serving the entire development
- #4 access for future well
- #8 parking spaces per unit and easements
- #11 open space area
- #15 minimum lot widths
- #24 signs in village commercial district
- #34 ownership of Jacob's Way (Borough or HOA)

The other items the applicant has already complied with or will comply with, specifically Item 33 (a through i) – all of these waivers were extensively discussed by the Council and determined that the waivers were appropriate and should be granted:

- #37 changes in grade of more than 1%
- #38 minimum widths, right of way, residential road and proposed loop road
- #44 provide sidewalk along West First Ave in front of Public Works property
- #50 driveway locations, sight distance, stopping area
- #52 permitted angles of parking, number of spaces
- #62 elevations based on sanitary sewer system – minor deviation
- #65 fee in lieu of open space determined to be \$18,000
- #96 exterior basin slopes not steeper than 3:1, interior 3:1

The applicant has complied with or will comply with all other issues. At the end of the discussion concerning the plan, D. May confirmed that all of the engineering issues

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at this point were minor. The applicant said he will revise the plan and resubmit to the Borough Engineer to comply with all technical comments of the November 9, 2007 review letter.

The Solicitor will prepare the final resolution to grant subdivision approval and final land development agreement to be presented to Council for approval at the December 4, 2007 meeting.

With no other business to come before Council, the meeting adjourned at 11:25 PM.

Respectfully submitted,

Patricia Katona  
Secretary