

MINUTES OF THE MEETING
OF TRAPPE BOROUGH COUNCIL

August 1, 2006

President Stu Strauss called the regularly scheduled Council meeting to order at 7:15 PM.

Vice President Nevin Scholl led the Pledge of Allegiance to the Flag.

Roll Call by the Secretary: Those present were President Stu Strauss, Vice President Nevin Scholl, Mark Carrig, Ed Kane and Steve Kurcik. Excused were Paul Greco, Matt Watson and Mayor Connie Peck. Also in attendance were Engineer Jack Seber, Solicitor Dick Watt, Treasurer John Klink and Manager Chuck Sardo.

Minutes of the Meeting of July 11, 2006 – Everyone received a copy of the Minutes of July 11, 2006. N. Scholl noted that on Page 3, Personnel and Appointments, CTMA that the appointment of President Strauss to CTMA as a member would end December 31, 2010. There were no other noted amendments or corrections.

S. Kurcik motioned to accept the Minutes with the above noted amendment, second by N. Scholl, all ayes. Motion carried 5 – 0

Presentation of the Bills – J. Klink

Everyone received a copy of the July Accounts payable. There were additional bills as follows:

R. Lang (Aux Police)	\$ 193.85
I. Simpson (Aux Police)	\$ 375.00
B. Stott (Aux Police)	\$ 168.75
All Cleaning Services & More	\$ 500.00
R. Kerns (Solicitor)	\$4,680.00
Collegeville Borough	\$ 51.41

N. Scholl motioned to approve the bills including the additional bills, second by S. Kurcik, all ayes. Motion carried 5 – 0.

Financial Reports – J. Klink

Everyone received a copy of the Treasurer's Reports. There were no further comments or questions.

N. Scholl motioned to approve the Financial Reports as presented, second by M. Carrig, all ayes. Motion carried 5 – 0.

MANAGER'S REPORT – C. Sardo (copy on file in Borough office)

Everyone received a copy of the July, 2006 Manager's Report

Borough Hall Playground Equipment – The Manager is working with a certified playground inspector from Camellian Playscapes for evaluation of the equipment as to

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whether it needs repair and/or replacement. President Strauss recommended that after all the information has been gathered, it be shared with the Property Committee.

Betcher Road – A phone call was received from the Perkiomen Township Engineer, Pamela Stevens, requesting Trappe help fund to pave Betcher Road. Perkiomen Township has placed the project out for material bids and they have an equipment contractor. The Trappe section of the road would cost \$16,570 for about 3,300 square yards or \$5.02 per square foot which is a decent price for 1.5 inch overlay. The work is to begin August 14 and the Township wants an answer tomorrow (Wednesday) morning. Further, Chuck indicated that considering the shape Betcher Road is in, for the dollar value, it was his recommendation that it would be money well spent.

There was discussion with regard to an Agreement stating Trappe is responsible for 1466 feet of the Betcher roadway from Rt. 113 west and becoming involved with the full half of the entire length of the roadway on the Trappe to Seventh Avenue and further responsibility of the roadway. Chuck suggested approval could be conditional with a meeting scheduled for tomorrow with the Engineer.

S. Kurcik motioned to approve the expenditure for \$16,570 for the paving of Betcher Road for Trappe's half based upon the approval of the Engineer and the Manager after they make a determination, second by M. Carrig, on abstention by N. Scholl, remainder of Council all ayes. Motion carried 4 – 1 (one abstention).

N. Scholl motioned to accept the Manager's Report, second by S. Kurcik, all ayes. Motion carried 5 – 0.

ENGINEER'S REPORT – J. Seber (copy of report on file in Borough office)

Silver Leaf – President Strauss asked if a punch list would be available for everyone. J. Seber indicated a listing of sidewalks and curbing to be replaced was recently received. It was understood that there will be one more final walkthrough. There was discussion regarding the quality of concrete. The Engineer advised it is not the quality of the concrete, but rather a tendency to over-finish the concrete. A remedy is that more inspection be made during the final work.

Community Music School – the inspection was completed and basically finished except for the clean up.

Seventh Avenue Flashing Light – letter sent to PennDOT two weeks ago, one phone call received from PennDOT but have not received an upgrade to date, situation presently in hands of PennDOT – looking for final approval hopefully before winter sets in – J. Seber to contact them for follow up.

Bentley Manor – Follow up on the punch list, meeting held July 7, 2006, certain items agreed that have to be done and there are homeowner complaints that are not totally resolved as far as the developers are concerned. As far as the contractors' work on those items, all have been completed.

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Carriage Ridge – there was a meeting with the developer’s homeowners’ association and discussion of the remaining items from the punch list. It appears they have not all been taken care of, although they are working on them.

Silvia Bair, 352 Apian Way – was before Council regarding the landscaping of trees and shrubs. Andre DiPrinzio was present at the meeting and advised there will be some landscaping and hydro seeding done. With regard to the fountain – Andre advised that PECO has failed to install the power for the fountain,

Owen Jones, President of Carriage Ridge HOA, addressed drainage and realignment of the swale to funnel surface water to the swale and noted that two handicapped parking spaces have been striped. At this point President Strauss indicated that any remaining issues will be addressed by the Engineer to try to resolve them.

M. Carrig advised the Carriage Ridge residents to communicate with O. Jones and then Owen can work with Chuck; it will be easier to come to resolution by working one-on-one than collectively appearing at a Council meeting. The communication chain could be residents concerns to HOA President Owen Jones and Owen take the issues to Borough Manager Chuck Sardo. Andre will continue to address the issues on the table by working with the residents.

East Seventh Avenue Maintenance Period – S. Kurcik indicated that the maintenance period for East Seventh Avenue is about to come to an end in August and he wants to be certain there are no outstanding issues on the punch list and that the Borough is satisfied before the end of the period. The Engineer to follow up and advise Chuck.

M. Carrig motioned to accept the Report, second by S. Kurcik, all ayes.
Motion carried 5 – 0.

SOLICITOR’S REPORT – D. Watt (copy of report on file in Borough office)
JTW Associates-229 West Seventh –Information for the Developer’s Agreement and Financial Security has not been received from the attorney for the developer. The Solicitor will contact their attorney to get things moving along and have the information sent to the Engineer.

S. Kurcik motioned to accept the Solicitor’s Report, second by M. Carrig, all ayes. Motion carried 5 – 0.

MAYOR’S REPORT – C. Peck (copy of report on file in Borough office)
Everyone received a copy of the Mayor’s Report. Mayor Peck was excused from the meeting.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS

Ray Spaid, 70 Oak Road – Mr. Spaid a member of the Trappe Borough Planning Commission was before Council to express concerns with regard to the proposed Wismer

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Tract trail. Ray was heard on behalf of the residents of Oak Road expressing their opposition to the trail. He stated he walked the proposed trail and found it to be uneven; sections were sloped and covered with brush making it unsafe for walking. Further to be considered is the maintenance of the trail; there are trees that would have to be taken out, problems with erosion and growth. There is money available in the amount of \$300,000 and Ray indicated there are better ways to spend this money. There will be maintenance down the road. Hunsberger Park purposes are for people that walk their dogs, the college uses it as a training field for athletic events and the trail that is there is a muddy path that goes straight down and then up the hill. Ray was skeptical in that Hunsberger Park will not cooperate with what we are doing. Developers are required to plant trees and in all fairness if you cut down trees to support this trail, we have to re-plant more trees, more expense, everything they've looked into has run into expense. Another issue was the concern of people along the trail and their loss of privacy – cannot let children walk around in the backyard, they don't know who is on the trail, they might get hurt.

Ken Fulmer, an Oak Road resident and professional engineer registered in Pennsylvania questioned the lack of detailed engineering needed for an accurate cost estimate. He stated he felt the majority of people were against the trail.

Beverly Spaid, 70 Oak Road – A letter was received in response to their questions regarding the trail. Some things are in the air, some remain to be “iffy”. The questions were not adequately answered to her satisfaction.

Fred Schuetz Comments – Introduced himself as a Civil Engineer registered in the State of Pennsylvania, retired from the Soil and Conservation Service after 38 years as a Project Engineer with responsibility for survey, planning, design, inspection and contract administration for development of Peace Valley Park and Core Creek Park in Bucks County, and Marsh Creek Park in Chester County. He is very familiar with sediment and erosion control and storm water management because current criteria was originated years ago and used by the US Department of Agriculture, the Agency from which he retired.

Fred stated that the Open Space Committee acknowledged that the questions raised warranted consideration. This was done in writing but apparently, not to the satisfaction of those opposing the project. Those issues related to engineering, such as grades, slopes, erosion, maintenance, tree removal and replacement and access can and will be addressed. Other issues, such as the presence of pedophiles, threats to children, and that children might get hurt are perceptions that may or may not over time prove to be valid.

A trail connection into Hunsberger Woods has been presented in all Open Space Plans since 1991; it should not be a surprise. Fred did not recall the muddy and steep Hunsberger Woods trail conditions described by Ray Spaid. With regard to cooperation, Collegeville Borough Council has indicated a willingness to permit a construction access through Hunsberger Woods.

Trappe has been allocated approximately \$660,000 for open space purposes. This is money from a County bond issue that created an Open Space fund for all

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municipalities. If Trappe does not use the money by 2008, it will be returned to be used by others.

Most plans that come before the Planning Commission are presented in sketch form with little engineering detail. Engineering details are provided in the planning stage after the concept has been accepted.

Fred publicly invited the audience to volunteer to become a member of a Park and Recreation Board that was authorized by Ordinance in October, 2004. This would provide the opportunity to become familiar with all of the Borough's open space and developed parkland. We already have fund allocations for planning of Main Street Park and development of Rambo Park. This would be an opportunity for five residents to present alternative ideas to Council for consideration.

The residents of Oak Road presented a petition with 40 signatures stating their opposition to the trail. Fred suggested that Council consider the response of approximately 200 residents who stated in the Community Needs Survey that the Borough needed more open space, sidewalks and connecting trails.

Shawn Skelly – Bentley Manor – inquired with regard to the last remaining items on the punch list and as to whether they have been completed, i.e. raising of the inlet, 100 block sidewalk not fixed – the Manager advised the most recent list is only a few days old, dated July 28th, and that he would be in touch with the Engineer to discuss the timeline for completion.

Sam Mancuso, College Woods – referenced a recent letter he wrote for support of a storm drain on Main Street to correct continuous water runoff problem. Sam gave a detailed route of the water from Borough Hall to the College Woods.

The President acknowledged receipt of the Mancuso letter and PennDOT's comments stating it is a Borough issue. President Strauss advised that the Manager and Engineer will look into the situation, again noting it is the responsibility of Trappe and that PennDOT is not going to take care of this issue, Trappe is going to take care of the issue. Further that once it is clear that this is Trappe's responsibility, our Engineer will analyze the situation and offer his recommendation one way or the other as to what needs to be done.

Engineer J. Seber offered that basically it is a problem connecting with output of some kind. The problem may be that the PennDOT system may have been designed for a normal ten year storm. The Engineer cannot say that there could be a connect with another rework into that system without checking the system that exists, it may not take anymore output. Because there is a ten year system, there is doubt that there is any benefit. There was a report issued by the Engineer with regard to the problem. Mr. Mancuso was advised to read the report and determine if there are any questions.

Ralph Zollers – Ralph stated that a month ago, Steve Fox and he were discussing Steve's conditional use hearing and issue of the apartments behind the property came up, property owned by Richard Czop. Ralph, having sat with Council 6 – 7 years ago, could not remember whether or not a conditional use hearing was ever held or whether it was

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through the Planning Commission. Property is next to the Muhlenberg House. Council will follow up.

COMMITTEE REPORTS

Finance/Waste/Streets – N. Scholl

Nothing further to report.

Property/Open Space/Traffic – E. Kane

Park and Recreation Committee – Ed advised about a year and a half ago, such a Committee was created to be staffed by volunteers whose responsibility was to check old parks periodically and make recommendations to Council

Trappe High School (Old middle school) – Ed noted on August 7, 2006 there will be a meeting to discuss the closing of the building to occur not less than 3 months of this date. Resolution 2006-06 was presented to Council for adoption that authorizes approval to apply for grant funding in the amount \$163,600 through Montgomery County Green Fields/Green Towns Municipal Grant program for the development of the property at 69 West Fifth Avenue, Rambo Park.

E. Kane motioned to approve Resolution 2006-06 authorizing the approval for application for the funding, second by M. Carrig, all ayes. Motion carried 5 – 0.

Disc Location – Fred stated that at the beginning of plans for Rambo and Main Street Park, there were two discs with pertinent information on them with regard to the Parks. They have not been located either at Borough Hall or with Gilmore and Associates. The bottom line is if they are not located, we will have to duplicate information and expense.

Public Safety – P. Greco

Excused from the meeting, President Strauss read the State Police report

Ordinance/Personnel/Appointments – M. Carrig

Nothing further

Public Works/CTMA – M. Carrig

Mark reported on the dissolution of CTMA. Following are his comments so that everybody would understand – CTMA and Public Works are two entities, one CTMA being the sewer, created in 1968 and as far as we can tell the joint water system probably goes back further because there is an operations agreement in 1964.

It has been the contention of the current council that CTMA is not (needed), the way it is structured now. Public Works, the by-laws were never adopted, so PW as a whole is operating under a 1964 joint water agreement and nothing more. In 1990 there was a sewer expansion done in Trappe Borough. As a result of that expansion there was a law suit that was started by Trappe Borough to stop the expansion for various reasons, the settlement agreement that basically stated that CTMA no longer exists.

To bring it to present day, the way it is structured is Public Works collects the money and CTMA takes 50% of the money from the bills that are disbursed. The people of PW that work there work under a contract that expires at the end of this year. Highlights of that contract are medical benefits that cost \$2,000 a month for a family plan per employee. Nevin, Stu and I (Mark) are all members of CTMA and PW Committees.

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There was a gentleman on CTMA, who was not a resident of either Borough and Collegetown incurred a lot of legal bills defending him only to lose in court. So that meant that Collegetown had 3 votes all those years and basically Trappe had only 2 votes, so no matter what they did it went Collegetown's way. When Collegetown objected to Trappe removing this gentleman we were bewildered, we said "why would you care who we have on our Committee". When we looked at some of the financial statements, as I reported last month, we found a mistake of \$45,000 Collegetown came into our meeting at CTMA in June and said they made a mistake in their calculation and that they owed PW \$45,000 money that had been routed to the pension fund for the Police Department that should have come back to PW. At the July CTMA meeting Collegetown said they are not paying the money – so we are in the midst of trying to get that under control. Looking at financial statements, CTMA/PW and the water system are working in the red, borrowing money from what they had in the bank, so they are going to raise rates. We don't think they need to raise rates. We don't think they need CTMA and PW, we think we need one operational authority called PW that operates the sewer and water system and other residual things. We found out that when they were doing work in Collegetown and Trappe, i.e. when they cleaned storm drains they were charging back \$15 per hour, when it was really costing them well over \$40 per hour, so we challenged them on that and said why are you charging Collegetown Borough (which is getting the lions share of the services), only \$15 per hour when it costs \$40 per hour and you taking that out of the rate payers what Collegetown should be paying? Our borough manager asked them to come up here and put mulch down in the park and they can't because they don't have a truck to transport it. So it has been sitting there for three months. These are the kinds of problems that we have observed since being on Council

Collegetown has a fair say because Collegetown has control of that body down there, in fact, the Chairman of CTMA is a gentleman named Dick Landis. Mr. Douglas tells me that Mr. Landis was not the first chairman, but he has been chairman ever since the first chairman, so that was since 1968; Trappe has never been chairman of CTMA. We got a suggestion from Collegetown that they should continue to control the chairmanship, treasurer and assistant treasurer which are all positions that carry weight.

Most of all that we get fair service and they are supposed to get a fair days wage, but when we have secretaries that earn \$55,000 a year and benefits you wouldn't believe, 16 paid holidays, the prescription plan is no co-pay so they have a slush fund to pay co-pay for prescription drugs, but they pay not one cent for the any of their benefits.

President Strauss asked Mark if there was a motion on the table to eliminate CTMA. The Solicitor advised to first look into the application and reiterated what Mark has said, structurally, it makes more sense to have one organization that operates both water and sewer, on the water side; you have a joint committee, 3 members for each Borough.

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There is no reason why that entity could also run the sewer and operate it just like it does the water. CTMA does not have any debt all bonds are held by Public Works, there is no reason for them to be in existence.

Solicitor indicated to go on public record to invite in resolution form to express your view that CTMA should be dissolved and then direct communication to Collegetown to dissolve the entity. N. Scholl indicated this was not on the agenda and wants to make sure that all Council members have had sufficient time to review this and if they wanted more information, that information be provided. Three of us are on the Committee and CTMA, but there are two that are not and he want to make sure if they want more time/information that it is provided to them

M. Carrig motioned to make the Resolution, seconded by S. Kurcik, all in favor of letting Collegetown know that is the motion to proceed with the dissolution of CTMA and assumption of the sewer operation by the Joint Public Works, all people that work there work for Public Works, all ayes. Motion carried 5 – 0.

A. Douglas commented that CTMA has no employees, “they have two salaried employees, treasurer and chairman who is being paid, they also hired a consultant, the chairman was hired as a consultant, so the chairman is the gentleman who is being paid but he’s been there since 1977 (or so), but the other gentlemen is the gentleman who did not live here but wrote his own contract and he currently being paid as the treasurer, but he’s also paid as an employee of theirs working 16 hours a week paid \$33,000 a year plus full benefits. Just want to make sure that is straight.” For clarification, S. Strauss said he does not get paid as treasurer of CTMA because, but he was being paid. - - there was mention of time sheets and how much time was spent on various time sheets and they could not tell us.

Planning and Zoning – S. Kurcik

Nothing further to report.

OLD BUSINESS

417 West Main Street – Final Approval – there was actually an approval of the project in 2004 that is carried over – basically waiting for prepay money for securities. Andre was asking council to sign off on the mylars – the project will be in diPrinzio’s name with Mr. Heller owning the house on the property.

Stearly Project – Mark Clemm presented sketches at the last meeting, there were a couple of modifications to the sketch, and forwarded to the Engineer for review of the sketch for any glaring issues that need to be addressed before moving forward with an essentially more detailed plan. The plan is now in the preliminary/final stage for 34 townhouses and a small commercial building. The only additional clarification being made is relative to parking and addressing the issue of guest parking which did not show up on the sketch plan. On sheet three, there is room for three spaces that have room for guest parking on the inside curb and on the opposite inside curb there is room for three, and between units

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29 and 30 there is room for four parking spaces. There was discussion of parking spaces, the elimination of a request for the variance relative to the change of zoning requirements addressing some sort of commercial use within the VC district. Also discussed was the range of traffic flow depending on the type of usage in VC, in that office use generates the least amount of traffic. Our engineer and traffic planners have not looked at the modifications. Also discussed was the location of the buffer and tree line. Storm water management – have not reached that point. Information was received this afternoon but not enough time for a review and comment by the Engineer, Solicitor and Planning Commission.

Planning Commission Chairman, Fred Schuetz suggested that traffic created by 39 additional townhouse units would create considerably more traffic congestion at the intersection of First Avenue and Main Street. Previously, Fred suggested that consideration be given to approaching Collegeville with the idea of opening the Chestnut Street cul-de-sac to improve the traffic flow between the two communities. The proposal needs to go back to the Planning Commission for discussion with regard to zoning. continued to next month's meeting for decision as to what direction Council will go.

NEW BUSINESS

Conditional Use Hearing – for Leanne Capetola was set for hearing at the September 5, 2006 meeting at 6:00 PM.

With no other business before Council, the regular meeting adjourned at 9:40 PM. and Council went into Executive Session. The Secretary exited the meeting at this time.

Respectfully submitted,

Patricia Katona
Secretary