

MINUTES OF THE MEETING  
OF TRAPPE BOROUGH COUNCIL

May 2, 2006  
7:00 PM

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

Mayor Connie Peck Led the Pledge of Allegiance to the Flag

Roll Call by the Secretary: Those present were Mayor Connie Peck, President Stu Strauss, Vice President Nevin Scholl, Members Matt Watson, Mark Carrig, Ed Kane and Steve Kurcik. Paul Greco was excused from the meeting. Also in attendance were Treasurer John Klink, Engineer John Sartor, Solicitor Dick Watt, Planning Commission Chairman Fred Schuetz, Building Inspector Sal Capizzi and Chuck Sardo, Borough Manager. Fire Chief Brian Long was not in attendance.

Minutes of the Meeting of April 4, 2006 – Everyone received a copy of the April 4, 2006 Minutes. There were no corrections or amendments.

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

Presentation of the Bills – J. Klink

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

John Wentworth (Aux. Police)	\$ 278.31
Kerns Perlstine Onorato Fath	\$3,620.00
Borough of Collegeville (Insurance)	\$ 51.30
Russo Landscaping	\$ 520.00
Postmaster (stamps)	\$ 156.00

N. Scholl motioned to approve payment of the bills including the additional bills, second by M. Watson, all ayes. Motion carried 6 – 0.

Financial Reports – J. Klink

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

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

MANAGER'S REPORT – C. Sardo (Copy of Report on file in Borough office)

Everyone received a copy of the Manager's Report. The Manager called for questions or comments, there were none.

N. Scholl motioned to accept the Manager's Report as presented, second by M. Watson, all ayes. Motion carried 6 – 0.

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ENGINEER'S REPORT – J. Sartor

Everyone received a copy of the April 29, 2006 Engineer's Report.

Bentley Manor – N. Scholl inquired with regard to the dollar amounts (\$107,718.00 and \$95,500.40), John indicated the \$95,500.40 amount does include the paving to be done, on the wearing course in Bentley Manor.

Carriage Ridge – John updated Council regarding a meeting at the site with Mr. DiPrinzio, O. Jones, J. Sartor, O. Schiernback and Manager Chuck Sardo.

At the meeting, there was discussion regarding the remainder of the work to be done at the project. At that meeting, Mr. DiPrinzio indicated he would be preparing and delivering to G&A and the Borough a schedule of completion to complete the remaining work. Mr. DiPrinzio requested G&A provide a copy of the February 7, 2006 construction punch list update. The intent was Mr. DiPrinzio would pick up the list at the G&A office at the end of the day (May 2) and leave G&A a schedule of construction completion. J. Sartor advised that did not occur today or yesterday as arranged. There was no further communication from Andre DiPrinzio at this time.

At the site meeting, Mr. DiPrinzio offered to put two fountains in the retention basin if Council would consider granting a waiver of the depth requirement for the retention basin and have the project completed in 2 ½ weeks. Since there was no communication or documents presented yesterday or today, the Manager will follow up first thing in the morning. Council noted there will be no waivers until our Engineer is satisfied and comfortable.

G&A yesterday received a review with regard to the as-built plan. An item addressed on the plan was clarification between what was shown as design/volume vs. as-built volume. The idea being that the developer has to prove that the basin is as big or bigger than what the plan indicates has to be constructed; this plan does show that. The plan shows that the basin has more volume than what the plan originally showed.

Concerning the waiver, Mr. DiPrinzio is proposing that currently the basin has about 4 feet of water in it; the plan shows there should be 6 feet of water in the basin. He is proposing that in lieu of removing portions of the chain link fence to bring in a trackhoe, pump out the water in the basin, excavate and dredge the accumulated silt in the bottom of the basin, disrupt the plant areas and lives of the residents of the development to leave things as they are. In turn he will put in two fountains and allow a 4-foot water depth to remain in the basin, which is currently the existing condition.

President Strauss stated Council needs more input with regard to the waiver for the water level – 4 or 6 feet. J. Sartor indicated he watched the level of the basin for the past three/four years and does not feel it to be a problem keeping water in the basin. There are times the level is lower than others depending on weather conditions. The Engineer noted that the level now is consistent with the way it has been over the past three/four years. The silt level in the bottom of the basin will not increase because the construction is essentially done.

Catherine Kovac, 318 Apian Way – was before Council with regard to water in the middle of her basement and asked Council for direction.

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President Strauss advised that there are certain items that Council can help with and others that Council cannot control. The items that are homeowners/builders issues Council cannot assist with as opposed to public improvements, i.e. the basin Council can assist with. Manager Chuck Sardo has Mrs. Kovac's name and will look into the matter and be back in touch with her.

There was discussion and Council agreed that considerable time has elapsed and work is still not being done. Council was disappointed that Mr. DiPrinzio failed to appear at the meeting as promised. Further that enough time has been granted and elapsed and Council wants action from the developer. A date is to be set that these issues can be brought to closure. President Strauss indicated he wants to give the developer a couple of more days, his recommendation was to give DiPrinzio until Friday and if no response as of this Monday, the Manager will start getting quotes to bring closure. M. Carrig encouraged no more time should be granted to the developer.

M. Carrig motioned that Council get quotes and whatever is fair to proceed, not to exceed the escrow, need the quotes first, no second to the motion.

At this point, Andre DiPrinzio arrived at the meeting. President Strauss recapped the motion made by M. Carrig and stated the Borough is tired of waiting for action; we want the stuff done now. Basically, what M. Carrig motioned for is that if we don't have a schedule within a day or so, the Borough is going to get estimates to get the work done. Andre DiPrinzio presented a schedule for all of Council, President Strauss noted the schedule did not give dates that the work would be completed, but anticipated that by the 25<sup>th</sup> of May all the work will be done and everyone will be happy. Work to include landscaping, stone work, a gradual taper up (step up) on the surface of the walking trail up to the surface of the deck, provide a gradual taper with additional stone up to the bridge, removal of pile of dirt behind Mrs. Kovac's house, fire hydrant to be charged every year (President Strauss will follow up). The Manager will review and verify the schedule and telephone/contact the people named on the schedule to confirm the timing. The Manager suggested that Andre, before he leaves this evening, please talk to the people outside and satisfy the issues they are complaining about, Andre agreed.

- M. Watson motioned to approve a waiver,
- to require issues of the Engineer's letter of March 23, 2006 to be addressed in it's entirety,
  - show the fountains on the plan,
  - that the schedule of completion is approved, done properly and the Engineer's letter is being addressed,

second by M. Carrig, one nay vote by E. Kane, the remainder of Council all ayes. Motion carried 5 – 1.

Bentley Manor – Update given by Borough Manager and Engineer.

There was one issue that was to have been completed in accordance with the listing presented to the Manager; it has not been completed. Some quotes remain that can be followed up and get the money from the security. The Solicitor stated the Borough

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should get the money before getting the outside contractors in to do the work. It is best to get a quote and demand the money from the developer before getting the contractor.

Questions from Nevin as to whether the quote for roads is current or will costs skyrocket. Most recent paving quote was obtained from M&D's paving contractor of February 28, 2006 (Deleware Paving). Pickering Valley Landscaping is dated March 2, 2006. President Strauss said the next step now is to update the quotes and see how much we have in escrow and then make a decision. We can prioritize the quotes and send to the bank, once we have the money proceed with what is necessary.

Quote for the paving is for \$46,000 and does not include the wearing coarse, takes care of Bentley Drive a few driveways and does not include any of Williams Way. The above pricing is available until August, 2006.

The \$107,000 figure is comprised of asphalt work (\$46,150.00), completing repairs, flushing storm sewer system (\$4,000.00), removing, hauling away four storm sewer inlet hoods (\$10,000.00), concrete work associated with cracks along steps of the office building between the steps & sidewalk panels, three sidewalk panels damaged by sign posts, additional sidewalk panels, concrete work (\$28,200.00), tree dish(k) repair remove excess mulch around trees and shrubs where necessary (\$1500.00), tree transplant (\$168.00) additional trees and plants to replace the dead trees and plants (\$7,900.00), fertilizing, overseeding and broadleaf control (\$5200.00), top soil and seeding (\$4,600.00). M & D developer is the developer of record and they are responsible for all the concrete and paving work associated with the office building.

M. Carrig asked if there were any legal options that are available, the Solicitor advised there are and there was discussion. President Strauss felt Council should get the money now and prioritize exactly what is to be done.

N. Scholl motioned to submit the quotes to the bank, receive the money and then prioritize what it will be spent on of the group that was submitted and comprised as outlined above, second by M. Carrig, all ayes. Motion carried 6 – 0.

The Solicitor will communicate with the developer's counsel and their bank. Borough Line Road – The Manager advised receipt of a memo from FAZ Associates. Council can ask G&A or PennDOT to redesign the intersection with only two mast arms, both located on the Borough side of the roadway. PennDOT will do the design at no charge. There was discussion regarding PennDOT doing the design because although free, whatever they design do we have to use and/or will it become costly due to the status of the contractor, Carr and Duff. Upper Providence is having difficulty getting dedication of the property on their side of Borough Line Road. President Strauss stated one way or another, our Engineer has to be on board with his agreement to the plan.

Chuck summarized PennDOT approval for a multi-way stop and modification to the flashing beacon for all-red signal faces also required if the intersection would be converted to a multi-way stop. In summary PennDOT recommends that the modified signal pole locations discussed in the field view with PennDOT be used for installation of the flashing beacon, that is to say, revise the plan, have four poles, one on each corner that will realize full signalization if required in the future.

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Council agreed to have G&A review the FAZ letter and offer whether they agree or disagree with the content of the letter.

SALDO Amendments and Building Permit Application Procedures – President Strauss noted that the amendments and procedures have to be advertised. There was an understanding that there will be more amendments and procedures. Council opted to wait until all are received and adopt all at one time.

New Covenant Church – Attorney Tom Keenan was before Council for final plan approval for new Covenant Church on Rt. 113. John Riebow and Jerry Gorski of Groski Engineering were also in attendance. Mr. Gorski referenced the G&A review letter of April 29, 2006 and indicated they intend to comply with the items issued in that letter. Council was provided with copies of revised plans and there was discussion with regard to an easement being provided by Heritage Park before granting full approval, emergency access, site distances along Rt 113, storm water management issues, fencing for safety reasons of children, landscaping, parking lot vs alternative paving surfaces, erosion and use of control blankets.

With no other comments or questions, President Strauss called for a motion for approval of the Preliminary/Final Plan Resolution for New Covenant Church.

S. Kurcik motioned to approve the Final Plan Resolution as outlined with regard to a Developer's Agreement being prepared and approved by the Solicitor, approval of Storm Water Management BMP Operations and Maintenance Plan, construction in accordance with the Plan, compliance with the Borough's Grading, Erosion and Sediment Control and Storm water Management Ordinance and all comments set forth in the Engineer's letter of April 29, 2006, second by M. Carrig, 2 nay votes by M. Watson and E. Kane, the remainder of Council all ayes. Motion carried 4 – 2.

With no other comments or questions, President Strauss called for a motion for approval of a Resolution approving waivers from the SALDO.

S. Kurcik motioned to adopt the Resolution approving waivers from provisions of the SALDO for:

Section 303(D)(B) – paving specs

Sections 305(E)(7)(11) – parking spaces

Section 309(B) – grading slope within 3 ft of property line

Section 310(L)(1) – installation of post and rail fence

Section 310(L)(6) – permit interior basin slope of 3H:1V

Section 310(M)(1) - installation of erosion control blankets

Section 402(1) and

(E)(1) - allow aerial photo,

motion second by M. Carrig, two nay votes by M. Watson and E. Kane, the remainder of Council all ayes. Motion carried 4 – 2.

Community Music School – Community Music School committed to replacing the front curbing in accordance with a note on the Plan to do so. Chuck will follow up.

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The issue of the wall has been resolved, the Borough is indemnified to the satisfaction of the Solicitor through an agreement that will be recorded, and the indemnification will be assumed by anyone who owns the property.  
Silver Leaf – Follow up to a G&A letter of last week to Gambone has not been responded to. The Solicitor advised it is appropriate to wait a couple of weeks and then follow up. John would like to call them in about two weeks and authorize to a site meeting, Council agreed.

M. Carrig motioned to approve the Engineer's Report, second by M. Watson, all ayes. Motion carried.

SOLICITOR'S REPORT – D. Watt

Everyone received a copy of the Solicitor's Report. Solicitor Watt indicated he wanted to discuss Meadowbrook development in executive session.

There were no further comments or questions for the Solicitor.

S. Kurcik motioned to approve the Solicitor's report, second by N. Scholl, all ayes. Motion carried 6 – 0.

MAYOR'S REPORT – C. Peck

The Mayor noted a thank you note from the Sardo family at their time of grievance. May 16, 2006 is Election Day and encouraged everyone to come out and vote. She noted that Dianne Green is leaving her position noting she was a dedicated employee, cordial and kind to everyone she came in contact with and she shall be missed.

COMMITTEE REPORTS

Finance/Waste/Recycling – N. Scholl

Negotiations for the Trash Contract with Allied are still underway through the Solicitor's office.

Property/Open Space/Traffic – E. Kane

Trappe Middle School – Ed noted that it is time to move forward with respect to what the Borough wants to do. President Strauss noted there was a meeting planned for today, but it was cancelled which is an indication that there is some interest in it, the meeting is to be rescheduled. F. Schuetz offered comments and stated there needs to be some commitment from the Borough's standpoint.

Auxiliary Police for Election Day – Traffic control for the Auxiliary Police normally covers Tuesday, May 16.

M. Carrig motioned to have Auxiliary Police from 7:00 to 10:00 AM and again from 5:00 PM to 8:00 PM, second by S. Kurcik, all ayes. Motion carried 6 – 0.

Ordinances/Personnel/Appointments – M. Carrig

Resignation – M. Carrig acknowledged that Dianne Green resigned effective this Friday, May 5, 2006. It was the recommendation of the Manager that this position not be filled at this time, mutually agreed to by the Secretary. Thoughts and recommendations for the Planning Commission will be considered.

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Public Works/CTMA – M. Watson

Compost Site – Noted policy change in order to drop off waste proper. ID is required, a driver's license or something to show you are from Trappe or Collegeville.

Planning and Zoning – S. Kurcik

Nothing further to report.

F. Schuetz noted with regard to timing for plan submission for review by the Commission, Engineer, and Council, perhaps they may want to consider a longer period of time for review than the present 10 day allotted time which is not enough to do a detailed review for a fair analogy. President Strauss asked that Fred and Chuck communicate on this and come up with a recommendation at the next meeting.

Stearly Zoning Hearing – F. Schuetz advised the applicant was before Commission three times with the same sketch plan. One recommendation was that they deal with the zoning of R2 and another was to leave VC as it is and R3 to Heritage Park to provide for higher density, does not allow a town house. All zoning issues are referred to Borough Council. This application went to the ZHB before going to Council.

President Strauss stated he felt the applicant should come before Council and there is no need to go before the ZHB – Chuck can work with the ZHB.

OLD BUSINESS

Main Street Corridor – There was a special meeting regarding this project; in fact, there were three meetings, one prior to the March Council meeting, a planning commission meeting in April, a special meeting/presentation in May. Eric Kaufman of G&A provided additional information regarding cost estimates, and addressed other concerns Council might have. One important question is there anyway we could do all lights instead of all trees/benches - Eric responded that yes all lights can be done, but we will have to reapply for changes in the grant. The other question was relative to easements for installation of lights/signs, etc. and the cost to get the easements and legal descriptions.

The County can help to keep the project move along. Nevin expressed his disappointment in Planner Matt Schelly was taken out of Trappe and reassigned. He is of the opinion that Matt does a good job and we pay the bill and with this issue, Nevin would like some continuity. There was discussion and Fred acknowledged that the project does not have enough support and enough doubts have been raised.

M. Carrig motioned to discontinue the Main Street Project, forward any funds we are holding back to Collegeville in order to allow them to proceed, second by N. Scholl, one nay vote by M. Watson, the remainder of Council all ayes. Motion to discontinue carried 5 – 1. Chuck to write letter to advise Collegeville.

Berkheimer Resolution – There is a need for the Borough to adopt standard Resolutions in order for Berkheimer to collect the EMS tax. One Resolution is appointing Berkheimer as our tax collector, tax officer to adjudicating any tax appeals, authorizing Berkheimer as part of the tax collection effort to impose and retain costs of collection of income taxes and a liaison as a contact person for the Borough.

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N. Scholl motioned to adopt Resolutions 2006-01, 02, 03 as described above by the Solicitor, second by M. Watson, all ayes. Motion carried 6 – 0.

Zoning Hearing Fees – There was discussion with regard to increase the application fee for a zoning hearing. The changes suggested by the Solicitor to increase the commercial fee to \$1500 and residential to remain at \$500.

M. Carrig motioned to increase the commercial application fee to \$1500 and the residential application fee to remain at \$500, plus \$75 per hour if the hearing goes over three hours, second by N. Scholl, all ayes. Motion carried 6 – 0.

NEW BUSINESS

Conditional Use Hearing – MacCauley – The date for set for the MacCauley conditional use hearing for 6:00 PM at the June meeting – June 6, 2006 at 6:00 PM.

OPEN TO THE PUBLIC

Tot Lot PlayGround behind Borough Hall – T. Haley stated that something should be done about the playground in the back. The Manager is having someone come over to look at the maintenance outside, mulching, edging, and some tree work in the back. The situation in the back (Tot Lot) needs to be addressed before there is a formal complaint. There is money available set aside in the budget and from open space; whatever we want to do.

10:30 PM with no other business to come before Council, the public meeting was adjourned and Council had an executive session.

Respectfully submitted,

Patricia Katona  
Secretary