

MINUTES OF THE MEETING  
OF TRAPPE BOROUGH COUNCIL

September 5, 2006

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

President Strauss acknowledged the passing of Charles Wismer on Friday, September 1, 2006. Mr. Wismer served on the Borough planning commission, was a former mayor, tax collector, life member and president of the Trappe Historical Society and served as a Republican Committeeman. President Strauss asked that after the Pledge of Allegiance a moment of silence be offered for Mr. Wismer.

Mayor Connie Peck led the pledge of Allegiance to the Flag

President Strauss stated that at the Executive Session held following the August 1, 2006 meeting, a legal matter was discussed and no action taken.

Paul Greco Resignation – Council received a letter of resignation from Paul Greco whose term would terminate December 31, 2007. The resignation was unanimously accepted.

Ken Fulmer Appointment – M. Carrig nominated Mr. Ken Fulmer to fulfill the unexpired term of Paul Greco, second by N. Scholl. There were no other nominations.

M. Carrig motioned to appoint Mr. Ken Fulmer to fulfill the term vacated by Mr. Paul Greco until December 31, 2007, second by N. Scholl, all ayes. Motion carried 4 – 0.

Mayor Connie Peck administered the Oath of Office to Mr. Ken Fulmer who took his seat with Council.

Roll Call by the Secretary – Those present were President Stu Strauss, Vice President Nevin Scholl, Mark Carrig, Ed Kane, and Ken Fulmer. Steve Kurcik and Matt Watson were excused. Also in attendance were Engineer Doug May, Solicitor Bob Kerns, Treasurer John Klink and Manager Chuck Sardo.

Minutes of the Meeting of August 1, 2006 – Everyone received a copy of the Minutes of August 1, 2006. There were no noted amendments or corrections.

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

Presentation of the Bills – J. Klink

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

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Bob Lang (Aux Police)	\$ 28.13
CTMA (medical insurance)	\$698.15

M. Carrig motioned to approve the bills including the additional bills, second by N. Scholl, 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.

N. Scholl reviewed the August Year-to-Date Budget vs. Actual Receipts and the financial status now that we are two-thirds through the year. He commented that Sovereign Bank is looking to reduce the Borough's rate.

Manager's Report – C. Sardo (copy of report on file in Borough office)

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

Park and Recreation Conference – Fred Schuetz requested to attend a conference regarding Parks and Recreation, the cost is \$79.00.

M. Carrig motioned to approve the expenditure of \$79.00 plus mileage and food for F. Schuetz's attendance at the conference, second by N. Scholl, all ayes. Motion carried 5 – 0.

Mike Italia, Fire Marshall – requested an amount of \$2,000 for Fire Prevention materials. This is an annual event, the budgeted figure for the Fire Marshall is \$4,000 and \$900 has been used.

N. Scholl motioned to authorize the expenditure of \$2,000 for Fire Prevention materials, second by E. Kane, all ayes. Motion carried 5 – 0.

Williams Way Bid Opening – the bid opening date was September 1, 2006. There was one bid offered in the amount of \$236,506.00, quote is for repaving concrete work, curbing, handicap ramps. The bidder was E J Brenaman and after consideration he agreed to replace the first concrete figure with another from a second subcontractor that saved \$39,506.00 which brings the total bid down to \$197,000.00. The work can be done this year; will offer an 18 month maintenance bond and performance bonds.

M. Carrig motioned to award the bid to EJ Brenaman as outlined above, second by N. Scholl, one nay vote by E. Kane, the remainder of Council all ayes. Motion carried 4 – 1.

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

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

The Report was reviewed by D. May.

Hearthstone Valley preliminary plan review is in process.

229 West Seventh Avenue revision will be reviewed when received.

Carriage Ridge Estates – The fountains arrived and remain at the subcontractor's location until the electrical contractor can install and PECO can energize, there are punch list items that remain such as replacing of shrubs and trees and some grading. The recommendation to consider going into the maintenance period will be delayed until everything on the punch list is completed and acceptable.

Bentley Manor – S. Skelly commented on the repair of the sidewalk being too far into the driveway. Chuck would like to proceed with getting the sidewalk repaired/replaced and back bill the developer. This work can be done in conjunction with a small job planned on Borough Line and Fifth Avenue on the crest of the hill, a small area to be repaired. Also noted was that the baseline of the basin should be raised. Manager will follow up. Final clean-up remains to be done.

Silver Leaf Farms – there was a question with regard to spalling of the concrete sidewalks. There was discussion of the CTI epoxy coating vs. replacement on some of the sidewalks. Engineer May stated he was familiar with the process and found it to be successful, more economical than complete replacement. The Engineer was asked to make an evaluation and return with a decision by the next meeting, October 3, 2006.

As part of the Engineer's Report the subject of a Wismer Trail was brought up. Mr. Seber had provided a cost estimate of \$48,000 for an eight foot wide stone surface trail being approximately 2400 feet in length. A question was raised concerning ADA compliance and grades and that slopes could be as much as 12%. F. Schuetz inquired if this slope referred to the cross-slope of the land or the length of the trail. He agreed that the overall slope of the land could, in some places be in excess of 12%; however, the overall grades within the length would not be that great. There was no further discussion of this matter.

N. Scholl motioned to accept the Engineer's Report, second by K. Fulmer, all ayes. Motion carried 5 – 0.

SOLICITOR'S REPORT – B. Kerns (copy of report on file in Borough office)

Everyone received a copy of the Solicitor's Report.

Jolinda Kusy Resolution – an amended conditional use decision Resolution for Jolinda Kusy was presented to Council for approval.

M. Carrig motioned to accept the amended Resolution, second by N. Scholl, all ayes. Motion carried 5 – 0.

JTW Associates – 229 West Seventh Avenue – the applicant was before Council for approval of waivers from the SALDO and of the Preliminary Final Resolution. Eric Frey, attorney and John Aston, architect for the applicant at 229 West Seventh Avenue were before Council for presentation of the proposed plan and requested waivers from

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SALDO requiring a 30-foot curb line, sidewalk along the Spinozzi tract, planting of shade trees not less than 40 feet apart, and permit an aerial photograph in lieu of existing features within 400 feet of the property. There was discussion regarding placement of storm water inlets, handicap accessible ramps on the street, and road type emergency access. Fire Chief Brian Long expressed concern regarding access for emergency vehicles for the protection of the homeowners and inquired as to the location of fire hydrants. Another issue was that of a permanent base for the roadway. With regard to the Resolutions:

Preliminary/Final Plan Resolution – Resolution recommended by the Planning Commission, N. Scholl motioned to adopt the Resolution, second by M. Carrig, one nay vote by E. Kane, the remainder of Council all aye votes. Motion passed 4 – 1.

Subdivision and Land Development Ordinance – Ordinance is to make provision for emergency access N. Scholl motioned to adopt the SALDO, second by M. Carrig, one nay vote by E. Kane, the remainder of Council all ayes. Motion carried 4 – 1

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

MAYOR'S REPORT – C. Peck (copy of report on file in Borough office)  
Every received a copy of the Mayor's Report – Mayor Peck reviewed her report. There were no further comments or questions.

OPEN TO THE PUBLIC

Mr. Joe Cassel, 342 Laurel Road – was before Council and advised he would be in touch with the Council president.

Ralph Zollers, 386 West Main Street was before Council regarding the property at 167 West Main Street, owner Richard Czop. Mr. Zollers advised that presently the apartment does not exist, the proposal has not gone through the planning commission and there is a question as to whether or not there will be enough EDUs; before renovations, to check with J. Hastings at Public Works first.

Mr. Czop was present and advised Council that there is a real estate office in the building. Permits issued in 1999 for the purpose of remodeling the upper level to be used for storage; there is no occupancy at this time. President Struass indicated permits were issued by the building inspector who made favorable comments with regard to the structure of the building. There was discussion of a conditional use hearing and neighbors, and that the original plans are on file in the office. F. Schuetz advised Council that the issue came up last winter regarding a statement on the 1999 plan indicating "for future improvements" in accordance with the Village Commercial Ordinance, specifically addressed on the plan was driveway parking and shared driveway.

There was discussion with regard to this project and that there should have gone to conditional use hearing, but in 1999 the building inspector under direction of Council was told to check with the chairman of the Planning Commission to make a

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determination if a building permit should have been given. The building inspector was told by President Strauss that rules will be followed according to Borough ordinances and in the future if change of land use a conditional use hearing must occur. Mr. Czop, even though a building permit was granted, is willing to do this project according to Borough ordinances and will apply for a conditional use hearing.

Beverly Spaid, Oak Road – Beverly was before Council inquiring about traffic between Main Street and College Avenue on East First Avenue. There were signs indicating no parking is permitted to the corner and presently there is parking on both sides of the street. There is an Ordinance (No. 324), Chuck will follow up.

COMMITTEE REPORTS

Finance, Waste Recycling, Streets – N. Scholl

Resolution 2006-08 – Everyone received a copy of the Resolution 2006-08 that was presented to Council for adoption as it pertains to the Borough's revision of the fee schedule regarding permit applications, inspection fees, registration, SALDO, and zoning fees. Nevin stated the Resolution was reviewed by the Borough Manager and Treasurer.

M. Carrig motioned to adopt Resolution 2006-08, second by N. Scholl, all ayes. Motion carried.

Property, Open Space and Traffic – E. Kane

Open Space Plan - F. Schuetz reported for Peter Stormer Chairman of the Open Space Committee. The County Open Space Board has approved the Borough's Open Space Plan. It will be before Council for adoption at the October 3, 2006 meeting.

Rambo Park – Fred reported that he is drafting a Request for a proposal to seek a design consultant for Rambo Park. DCNR is to be advised of this selection before funds are released. An application will be re-submitted to the Natural Lands Trust for \$10,000 for design assistance. This grant was not funded last year. An application will be submitted to the County for funding from the Open Space allocation for approximately \$160,000.

Main Street Park – Fred also reported for Jeff Obrecht that the Open Space Review Committee received two proposals; Simon, Collins and DePallo Planning. The Review Committee recommended that the company of Simone-Collins Landscape Architecture be engaged to prepare the Site Master Plan for Main Street Park at a cost of \$30,870.00. Documentation in support of this recommendation is on file at Borough Hall and will also be submitted to DCNR for review and concurrence. This review is required before DCNR releases the funds. Fred suggested that funds be sent to the Borough periodically as reimbursement for work performed rather than receiving advance payments from DCNR. Advance funds would require set-up and management of a separate account for \$14,000. Treasurer John Klink agreed that since it is a small amount for work that could be completed within a years' time it would be easier to seek reimbursement from DCNR.

Sign – Council plans for a new sign for the front of Borough Hall – two proposals were received, one medium was of recyclable plastic that requires no maintenance in the amount of \$3550.00, not installed, and the second design was also of recyclable plastic in the amount of \$5,519.00, installed.

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E. Kane motioned to accept the installed version with a not to exceed figure of \$6,000, it is to have a brick frame.

Public Safety – K. Fulmer

PSP Report – everyone received a copy of the August PSP Report for their review.

Auxiliary Police Services – A request for the use of Auxiliary Police Services was for Trappe Days was approved on motion of N. Scholl, second by M. Carrig, all ayes. Motion carried 5 – 0.

Historical Society – A request was received for the use of Auxiliary Police services as a crossing guard was made by the Historical Society for Sunday, September 17, 2006 for their annual Heritage Day.

N. Scholl motioned to have Auxiliary Police present for Historical Day Sunday, second by M. Carrig, all ayes. Motion carried 5 – 0.

Ordinances/Personnel/Appointments – M. Carrig

Nothing further to report.

Public Works/CTMA – M. Carrig

At the August Council meeting, Mark gave a complete report of the status with regard to CTMA/PW – he acknowledged a letter received from Colledgeville Council President Chuck Draksler and reviewed some of the information from the previous month.

Fred Schuetz suggested that when the representatives to CTMA/Public Works are critical of the fact that operating costs are cutting into reserve funds they should keep in mind that water rates have not been raised since approximately 2001 and had not changed prior to that date since the mid to late 1980's.

Planning and Zoning – S. Kursik

M C Weeks Zoning Hearing – M C Weeks made application for a zoning hearing for a non-conforming use and it was the desire of Council to have counsel at the hearing for representation of the Borough in this matter.

E. Kane motioned to have our solicitor attend the zoning hearing on behalf of the Borough, second by M. Carrig, all ayes. Motion carried 5 – 0.

OLD BUSINSS

Stearly Tract – Mark Clemm, Counsel for the applicant, was before Council to present sketch plan changes and seek Council approval of the layout of the plan and move onto the next level of the development.

There was discussion regarding the 37 townhouses shown in the Village Commercial zone. F. Schuetz, Planning Commission Chairman indicated that the Planning Commission voted to change the R2 zone to R3 that would accommodate townhouses in the R3 zone and keep the Village Commercial district as is. Vice President Ray Spaid agreed that Village Commercial should stay as it is – allowing for town homes would open up the door for others that wanted to breach the VC zone.

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There was input from the audience regarding what would happen to Main Street and First Avenue regarding the traffic and a traffic study should be in order. There was discussion.

M. Carrig motioned to hold a public hearing regarding a zoning change on the portion of the tract to be considered for change of zoning from R-2 to R-3, second by N. Scholl, one nay vote by E. Kane, the remainder of Council all ayes. Motion carried 4 – 1.

J. C. Collier, Laurel Drive – J.C. was before Council regarding the roadway and parking areas in Laurel Drive and the possibility of having the driveway areas repaved at the same time as the roadway is reconstructed. Council was advised that Laurel Drive is a problem street but does not have jurisdiction over the parking areas; they are a Homeowner’s responsibility along with the curbing and sidewalks. J.C. stated that the development is primarily retired people and could not pay the proposed \$3300 per household for the repairs. He asked if there was grant money available or a reduction in price could be considered. J.C. is to be in touch with the Borough Manager for further information/advice/suggestions.

NEW BUSINESS

President Strauss announced that there would be a short executive session immediately following the regular Council meeting.

With no further business to come before Council, the meeting adjourned at 10:20 pm.

Respectfully submitted,

Patricia Katona  
Secretary