

MINUTES OF THE MEETING OF
TRAPPE BOROUGH COUNCIL

March 6, 2007

President Stu Strauss called the regularly scheduled Council Meeting to order at 7:20 p.m. The delay of the Call to Order was due to the preceding Conditional Use Hearing which began at 6:00 p.m.

President Strauss mentioned that the Borough Secretary, Patricia Katona was on vacation and in her absence Nancy Eppley, former Township Supervisor and Borough Secretary will be filling in for her at the office and at tonight's meeting.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Mayor Connie Peck.

ROLL CALL: By acting Secretary, Nancy Eppley

Those present: Mayor Connie Peck, President Stu Strauss, Vice President, Nevin Scholl, Members: Mark Carrig, Steve Kurcik, Jim Durrell, Matt Watson and Ken Fulmer. Others in attendance were Engineer, Doug May, Solicitor, Bob Kerns, Treasurer, John Klink, and Manager, Chuck Sardo.

Before the regular scheduled business takes place there are two proposed ordinances for adoption tonight and since a court reporter was present for the previous hearing she was asked to stay and record the proceedings on these proposals. Her report will be forthcoming.

Both proposal ordinances have been duly advertised prior to tonight's meeting.

1-Amending Ordinance #132 enacted on February 3, 1964. This proposed ordinance refers to the Planning Commission member's terms. Five members will serve being appointed by Borough Council. The terms of each member shall be four years commencing from the first Monday of January of the year of the appointment. Appointments to fill vacancies shall be only for the unexpired portion of the term.

Terms of one member each shall expire December 31, 2007, and December 31, 2009 respectively and the terms of two members shall expire December 31, 2010.

Except as expressly amended, Ordinance No.1132 shall remain in full force and effect.

Fred Schultz former member of the Planning Commission spoke and had some questions and felt that clarification was sorely needed.

Fred originally served on the Planning Commission and was serving a term that was due to expire in 2009. Another member also had a term that expired in 2006. Neither member (Schultz and Obrecht) were appointed in January. Mr. Schultz did not know that any investigation was on going until he noticed the solicitor's December invoice. The

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search revealed that the law determined that any appointment may be considered null and void if not under the MPC rules.

He feels that additional information should be added to the January meeting minutes, which do not clearly state all the facts. Feels that procedure was not followed in the appointing and re-appointing process.

The solicitor mentioned that once the minutes are written and approval that is where they stand. He stated that in his appointed position, he represents the governing board. Matt Watson felt that something should have been done in the past to correct the problem.

Hearing closed.

2-An ordinance amending zoning in various respects to achieve consistency with the Central Perkiomen Valley Regional Valley Regional Comprehensive Plan. This will add new provisions requiring that all new development be connected to public sewer and water and provide the necessary infrastructure to do so. It also adds provisions with respect to CC (Community Commercial District) requiring square footage. This proposed ordinance also will eliminate the Mobile Home District. These changes are necessary to bring the Zoning Ordinance in compliance with the Central Perkiomen Valley Regional Comprehensive Plan.

No comments or questions from the audience.

Board members Nevin and Steven had questions on the Regional Plan. Jim questioned the well situations.

Hearing closed.

MOTIONED BY STEVEN KURCIK AND SECONDED BY MARK CARRIG IT WAS VOTED TO ADOPT THE ORDINANCE 395 (BOROUGH PLANNING COMMISSION TERMS). MATT WATSON CAST THE LONE NO VOTE (as mentioned previously, felt this issue should have been settled previously). MOTION CARRIED.

MOTIONED BY STEVEN KURCIK AND SECONDED BY MATT WATSON IT WAS VOTED TO ADOPT THE ORDINANCE 394 (AMENDING ZONING ORDINANCE TO ACHIEVE CONSISTENCY WITH THE CENTRAL PERKIOMEN VALLEY REGIONAL COMPREHENSIVE PLAN) ALL WERE IN FAVOR AND THE MOTION CARRIED.

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MINUTES OF FEBRUARY 6, 2007: Everyone received a copy of the minutes.
MOTIONED BY MARK CARRIG AND SECONDED BY JIM DURRELL. MATT
WATSON ABSTAINED. MOTION CARRIED.

PRESENTATION OF BILLS: John Klink

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

Kerns/Pearlstine: \$ 3,500.00
Czop/Specter: \$4,483.00
Berkheimer: \$1,225.09
Sacks Contr. \$1,500.00
Pottstown Trap Rock: \$211.46
Simone/Collins \$ 721.63
P.Katona/Citizens Bank: \$3,000.00 (2006 pension contribution)

Borough Manager: Chuck Sardo has reviewed the bills.

MOTIONED BY NEVIN SCHOLL, SECONDED BY MARK CARRIG IT WAS
VOTED TO PAY THE BILLS, INCLUDING THE ADDITIONAL BILLS AS
PRESENTED. ALL WERE IN FAVOR AND THE MOTION CARRIED.

Zoning Hearing Fees: What is the procedure?

Fees that are charged for a hearing are the only ones collected. There is no refund of monies. There was one case that the applicant withdrew the request.

PECO bill: Nevin: Are the electric bills (traffic signals) down in cost? John feels that an adjustment hasn't taken place yet.

FINANCIAL REPORTS: John Klink

Everyone received a copy of the various reports.

MOTIONED BY NEVIN SCHOLL AND SECONDED BY KENNETH FULMER IT
WAS VOTED TO ACCEPT THE TREASURER'S REPORT AS PRESENTED. ALL
WERE IN FAVOR AND THE MOTION CARRIED.

BOROUGH MANAGER: Chuck Sardo

-Accellent An "air quality" meeting is scheduled for next week

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-Blinds for the Meeting Room: 2 Quotes have been received.

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M.C. Weeks: \$1,840.00 and Blinds 4 U: \$1,495.00

Chuck recommends going with M.C. Weeks even though it is not the lowest bid. There is a lifetime guarantee; it is local dealer there is no guarantee with Blinds 4 U.

MOTIONED BY JIM DURRELL AND SECONDED BY NEVIN SCHOLL IT WAS VOTED TO ACCEPT THE M.C. WEEKS QUOTE FOR \$1,840.00. ALL WERE IN FAVOR AND THE MOTION CARRIED.

-Storm Water Management: Chuck is working with the Borough Engineer on preparing the Storm Water Management Report for DEP.

The Borough Manager's complete report is on file at Borough Hall.

MOTIONED BY NEVIN SCHOLL AND SECONDED BY STEVE KURCIK IT WAS VOTED TO ACCEPT THE BOROUGH MANAGER'S REPORT AS PRESENTED. ALL WERE IN FAVOR AND THE MOTION CARRIED.

ENGINEER'S REPORT: Doug May

Development Reviews:

Stearly Tract: Reviewed TPD Traffic Study and issued a 2/27/07 review letter.

M.C. Weeks: Processed a 2/23/07 review for tonight's Conditional Use Hearing.

Construction:

New Covenant Church: Inspected work on final basin, coordinated PennDot HOP application.

Carriage Ridge: Issued a review letter, now back checking new 2/22/07 submission. Drainage and Electrical is okay.

Resident from Carriage Ridge: Concerned about the inlet from the basin. Is it the builder or the homeowner(s) expense? Mr. May: whoever caused the problem?

Electrical hookup not done (fountains). According to Mr. May it is not part of the original escrow.

Solicitor suggested that the association should speak to the builder and get things in writing. There is a punch list to conform to.

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Miscellaneous Items:

Standards and Specs: Started to prepare suggested revisions to ordinances and standards.

Building and Plumbing Inspections: 2 Plumbing Inspections

Zoning Map Amendments: Supplied Borough with 24 copies of revised map.

NPDES, Phase 2 Permit: Coordinated DEP response to last year's report. Deadline is coming up.

Doug read the report on inlets (copy on file) Part of the Borough's Phase II NPDES Permit with DEP requires public involvement and participation to help improve water quality.

This being that the Borough needs to solicit volunteers from the Borough and they need to become involved on a continuing basis, with the various programs and projects that will benefit water quality.

Anyone interested should contact the Borough Manager.

MOTIONED BY STEVEN KURICK AND SECONDED BY JIM DURRELL IT WAS VOTED TO ACCEPT THE ENGINEER'S REPORT AS PRESENTED. ALL WERE IN FAVOR AND THE MOTION CARRIED.

SOLICITOR'S REPORT: Robert Kerns

Borough Line Road-Traffic Easement: Upper Providence Township has accepted dedication of the area for the light standard. Carr and Duff who originally did the work feels that the price to complete the work should increase. Borough Manager will send a letter to Carr and Duff.

Brown v. Trappe Borough: The complaint re: Real Estate Tax Avoidance. The Commonwealth Court has affirmed the dismissal of the complaint. This matter is now concluded.

Carriage Ridge Estates: Letter from a neighboring property owner inquiring to the status of completing of public improvements. Response to the request is that solicitor's office is in the process of conducting the required inspections relating to initiation of the appropriate maintenance period for these improvements.

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Accellent (formerly Uniform Tubes, Inc.) The Borough will make sure that ALL RESIDENTS will receive all information on any concerns. Water quality is good, Air might be a problem. There is a meeting scheduled for the coming week.

The complete solicitor's report is on file at Borough Hall.

MOTIONED BY MARK CARRIG AND SECONDED BY JIM DURRELL IT WAS VOTED TO ACCEPT THE SOLICITOR'S REPORT. ALL WERE IN FAVOR AND THE MOTION CARRIED.

MAYOR'S REPORT: Connie Peck

Informed Chuck that 550 Main Street has been dumping landscaping material into Rambo Park. Chuck was given the property owners phone number. It was noted that there was some clean up. Chuck will keep an eye on the progress.

There are some problems with lack of snow removal on Neighborly Way. James White called and complained. Chuck was E-mailed, and he immediately looked into the matter and called Sacks to plow.

Several calls from residents on First Avenue informing that the Perkiomen Valley School District has not cleared the side walk in front of the old high school. It was also noted that numerous Main Street businesses did not clear their sidewalks.

A meeting on February 15th Chuck met with representative Mike Verb and DEP in Lower Providence. This was to give officials a heads up on what to expect at the February 20, 2007 meeting to be held at the Perkiomen Valley Middle School South.

MOTIONED BY MARK CARRIG AND SECONDED BY STEVE KURIK IT WAS VOTED TO ACCEPT THE MAYOR'S REPORT AS PRESENTED. ALL WERE IN FAVOR AND THE MOTION CARRIED.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

Fred Schuetz discussed further the Planning Commission procedure that pertained to his removal from the Borough's Planning Commission Board. In November 2006 it was brought to the attention of council that the terms of members were in error. Legal research was conducted, and resulted in preparing a revised ordinance which was adopted at tonight's meeting.

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Fred has no problem with the person(s) appointed; it was how the terms were stated. Fred feels that there are many questions still unanswered. He will continue to perform a service to his community and in the best interest to the residents of the community.

Resident: (Name not heard) Re: Website: Is it getting updated. Yes

COMMITTEE REPORTS:

FINANCE/WASTE/RECYCLING/STREETS: Nevin Scholl Nothing to report.

PROPERTY/OPEN SPACE/TRAFFIC: Jim Durrell

Open Space: There will be a survey in the newsletter. Fred Schuetz working on Grants.

Traffic: There will be a meeting with PECO.

Resident (Name not heard) Questioned Silver Leaf Circle & Harvard Drive

PUBLIC SAFETY: Ken Fulmer

Monthly State Police Report –Borough received but they sent the wrong format. Will request proper report.

ORDINANCES/PERSONNEL/APPOINTMENT: Mark Carrig

Appointment of Planning Commission Member.

Interviews were conducted by Mark Carrig for the appointment to the Planning Commission.

MOTIONED BY MARK CARRIG, SECONDED BY STEVE KURCIK IT WAS VOTED TO APPOINT SHAWN SKELLY TO THE PLANNING COMMISSION. ALL WERE IN FAVOR AND THE MOTION CARRIED.

Matt Schelly is the Montgomery County Planning Representative.

PUBLIC WORKS/CTMA: Mark Carrig

Spoke re: Rt. 29 Dog Leg Project: Trappe Borough has not yet signed the agreement. Agreement needs to be signed by an April deadline. The Borough has not heard anything on the proposal given to Collegeville Borough. There was quite a discussion between council and the audience. At this point, the “ball is in Collegeville Borough’s Court”.

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PLANNING AND ZONING: Steve Kurcik

Also spoke on the Rt. 29 Dog-Leg Project.

Resident: Concerned about the sewer/water line.
This is a PennDot proposal.

Kathleen Embers of the Montgomery County Planning Commission is leaving to get married.

OLD BUSINESS: Nothing to report

9:15: Council adjourned to Executive Session

9:45 (approximate) Council returned. Mr. Kerns reported that Legal Issues were discussed.

Resident concerned light at First and Main Streets.

Stearly Conditional Use Decision and Order - Reference was made to and discussion followed with regard to the Decision and Order of the Stearly property conditional use hearing that was heard February 6, 2007 and approved by Council as it pertains to the Village Commercial District. The following conditions and improvements were recommended by Traffic Planning & Design in the Traffic Impact Study of January 30, 2007 as outlined in the Decision and Order approved by Council with the following conditions:

- the applicant shall re-grade the embankment along First Avenue to maximize the sight distance and to meet PennDOT's applicable site criteria,
 - applicant shall coordinate with the Borough the potential benefit of re-striping Main Street at First Avenue to provide a three-lane cross-section should it prove to be warranted and feasible,
 - applicant shall provide 25-foot minimum turning radii at the proposed site driveway intersections with First Avenue for safe and efficient ingress and egress to/from the proposed site,
 - any future development and use of Lot 1 shall comply with Sections 801 and 802 of the Zoning Ordinance.
 - applicant shall provide all residential units proposed in VC to comply with Section 802A (1) as it applies to restricting town houses to the satisfaction of the Borough Engineer and Solicitor
- Applicant shall design and construct a traffic light at First Avenue and Main Street if warranted by PennDOT within five years of the date of this decision.

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MOTIONED BY NEVIN SCHOLL AND SECONDED BY STEVEN KURICK IT WAS VOTED TO APPROVE TRAFFIC STUDY WITHIN THE VILLAGE COMMERCIAL DISTRICT, SEVEN UNITS HAVE TO COMPLY. ALL WERE IN FAVOR AND THE MOTION CARRIED.

NEW BUSINESS:

Jack Seber representing Dave Morgan. Re: Conversion of a parking lot. Is requesting 2 waivers. Driveway is 24 feet, 20 feet at intersection.

It was the feeling of council that they would like to review and wait until the next meeting before making a decision.

All business having been completed, the meeting was adjourned at 10:00 p.m.

MOTIONED BY NEVIN SCHOLL AND SECONDED BY MATT WATSON. ALL WERE IN FAVOR, MOTION CARRIED.

Respectfully submitted,

Nancy J. Eppley
Acting Secretary

March 20, 2007