

COOPERSBURG BOROUGH COUNCIL
Regular Meeting Minutes
November 17, 2015

The meeting of the Coopersburg Borough Council was held on Tuesday, November 17th, in Council Chambers at Borough Hall and called to order by Council President Felch at 7:00 p.m.

OPENING CEREMONIES

The Pledge of Allegiance was recited. After the pledge, Felch acknowledged the attacks on Paris the week prior.

Roll call was taken by Manager Paashaus. All present were Mayor Hovis, Council Members Balascak, Felch, Greenland, Mack, Pica, Thrapp, Engineer Erdman, and Solicitor Alpert. Council Member Lundy was absent.

AGENDA

A Motion was made by Pica and seconded by Thrapp to adopt the Agenda as printed. **The Agenda was adopted by a vote of 6-0.**

PUBLIC COMMENT

No Public Comment

CONSENT AGENDA

A Motion was made by Balascak and seconded by Mack to receive the Monthly Financial Statements, receive the Monthly Reports (Council information, Police report, Vehicle roster, Fire Report), and approve the Previous Meeting Minutes from October 20, 2015. **Consent Agenda passed by a vote of 6-0.**

ACTION ITEMS

1. A Motion was made by Thrapp and seconded by Mack to accept the resignation of Council Member Lundy. **The Motion passed by a vote of 6-0.**
2. Felch stated that a resignation letter was submitted by Council Member Mack and that Council had 45 days to accept this resignation. No action was taken.
3. A Motion was made Balascak and seconded by Thrapp to appoint Dick Poot to the vacant Council position created by Lundy's resignation. Felch explained that Poot would be filling the remainder of the term until December 31, 2015. At the November election, 3 Council seats were elected for the next term. These 3 seats will be filled by Felch, Poot, and Thrapp. All new Council members will be sworn in at the January reorganization meeting. **The Motion to appoint Poot to fill the vacant Council position passed by a vote of 6-0.** Mayor Hovis proceeded to swear in Poot to his Council position.
4. Erdman gave a background on the S&L Development Lot Line Adjustment request. Prior to the meeting, the documentation for the Lot Line was not recorded at the courthouse correctly to create 2 lots. Erdman stated that forcing the developer to finish 7th Street would likely kill any type of building project and that Council should consider how to handle utilities to any proposed housing. Erdman stated that no action was being taken by Council at the current meeting. Attorney Metzger, representation for the developer, stated that at this time the plan was not in proper form to submit for approval. Metzger inquired if the developer could receive a building permit for the single lot at the present time. Erdman stated that if it is an existing conforming lot, there is no issue with granting a permit. However, Erdman advised Council to consider the utility services before issuing permits. The Committee will review this matter further.
5. A Motion was made by Thrapp and seconded by Mack to approve the Final Reading of the 2016 Budget. Felch clarified that the vote was for acceptance of the summary budget. **The 2016 Budget was passed by a vote of 7-0.**

COOPER FARMS PRESENTATION

Engineer Erdman gave a summary of the current plan submission for Cooper Farms Subdivision Phase II. This phase includes over 30 residential lots, and was resubmitted after addressing several of the engineer's comments regarding the initial submission. DeFrank, representative from VanCleaf Engineering, stated that the plan was for the 16 acre field, subdivided into 31 residential lots, with 2 lots for storm water, 2 access points on Hillside Drive, an emergency access from West State Street, and the proposed utility service locations. DeFrank stated that the developer needs direction from Council regarding the requested waivers for sidewalks, road width, and several other proposals. There was further discussion regarding safety concerns, emergency access, off-site improvements, walk-ability to the center of town, crosswalk safety, and traffic. Balascak inquired about a buffer between the subdivision and the Grogan property to the north. DeFrank stated that although it was not a requirement by ordinance, the developer would be willing to discuss potential privacy options between these 2 properties. Felch asked if there was a possibility to install sidewalks on the north side of West State Street. Erdman stated that it was not impossible, but would be very difficult, expensive, and not likely to be a viable option. There was further discussion regarding the road access, emergency service review, a break-away entrance on West State Street, and how many residences could be on a cul-de-sac. Erdman stated that the developer was requesting that the Borough accept the 3 detention ponds. The Borough has the option of maintaining the ponds in the future with funds set up for by the developer, have the developer maintain the ponds and BMPs, or have the developer setup a homeowners association to maintain the storm-water management. Balascak stated that the committee is adamantly against the Borough accepting the responsibility and liability for the detention ponds and BMPs. Erdman gave a summary of the common issues with storm-water management, future maintenance, the fact that the same request is being made for another development in the Borough, and what other municipalities have done. There was further discussion regarding safety concerns, and sight lines on West State Street. Several residents (Dykhouse, Vogt, Morgan), voiced concerns regarding the number of homes being allowed on a single cul-de-sac and access roads. Felch stated that Council would have several issues to work through and no action was being taken at the current meeting. Johnston, of Hillside Drive, stated that he had concerns regarding Freedom Drive being open on Hillside Drive. Erdman stated that it was for the circulation of traffic and safety concerns. Grogan, of Mill Road, reiterated the safety and preservation concerns regarding the property line between the development and his property. Grogan requested a physical and visual barrier, protection for children, and gave a brief explanation of the wildlife living in the area. DeFrank inquired if any action was being taken on the waiver requests for the development. Felch stated that the committee would review the waivers and would address these requests at a future meeting. Moore, of Hillside Drive, requested further information regarding Freedom Drive, if the rights to the street were actually lost to the abutting residents, and who would have to do the research to prove this issue. Alpert stated that the resident would need to prove their right to the property known as Freedom Drive. There was further discussion regarding the unopened road, if it was dedicated to the Borough, and adverse possession as it relates to a governing body. Moore stated concern regarding sight distance on West State Street. Balascak inquired about erosion control on Gun Club Road. DeFrank stated that they were moving some embankments for sight distance according to the PennDot permits. Erosion controls will be addressed for these 7 lots. No action was taken on the Cooper Farms Subdivision Phase II.

REPORTS OF COMMITTEES

1. Infrastructure
 - a. Septic – No additional report.
 - b. Highway – Council Member Balascak reported that the committee was going to review the recent estimates for storm-sewer improvements on Main Street, leaf collection is continuing, and a “robo-call” was made regarding leaf collection and the compost site hours.
 - c. Water – Council Member Balascak stated that the waterline on West Station Avenue and 9th Street is beginning soon and will have minimal disturbance to residents. The Water Authority received 2 offers for the property on Station Avenue and will be considering them at the December meeting.

Felch commented on the Comprehensive Planning Committee's opinion of the property sale. The Committee endorsed the offer that would enable the continued consolidation of properties for future development on Station Avenue and Route 309. The Water Authority is considering a restructure to their large loan with Berkadia. Balascak reported that Upper Saucon Township agreed to pursue a water inter-connect with the Borough.

2. Public Safety/Governmental Relations

- a. Mayor Hovis stated that the Police Station was moving forward and that the fire company has received the new radios for communication with Bucks County.
- b. Health Inspector Lilley was present to answer questions from Council. Lilley stated that there are 23 permit holders in the Borough and all inspections are up to date. Felch inquired about the food truck located at Inside Scoop. Lilley stated that it has a separate permit and has been inspected. There was further discussion regarding inspections, farm stands, zoning concerns, the fire company social quarters, and reporting procedures. Council will request the health inspector's attendance in the future for periodical updates.

3. Administration and Finance

- a. Council President Felch gave a short update on the Comprehensive Planning Committee and their work on grant applications. A Motion was made by Mack and seconded by Thrapp to approve Resolution 2015-15, appointing Manager Paashaus as the official signer for the MTF grant application. There was further discussion regarding the grant, approval outlook, street improvements, crosswalk installations, and rail trail conversion. **The Resolution passed by a vote of 7-0.**

REPORTS OF PROFESSIONAL ADVISORS

1. Solicitor: No additional report.
2. Engineer: Engineer Erdman stated that Pinebrook Manor was moving forward, that the water and sewer improvements were being tested, and parking lot paving should be completed in the next week. Erdman stated that KCE met with Dennis Nace to look at the curb issues on West Fairmount Street and will meet with the committee to determine a plan for remediation.

MS4 Update – Engineer Erdman gave an update on the MS4 program and explained the program in detail. The federal program for monitoring NPDES storm water permits has increasing requirements and the EPA has been tightening its required activities to limit or eliminate discharge to waters in the Commonwealth of PA. The first important strategy is Public Outreach, hosting public meetings for residence to give input, improve website information, educated residents, and send special newsletters. The second strategy is to have a full list of discharges. Anytime a discharge happens, have a sight and smell observation and test it. This should be done multiple times annually. The Borough already has a storm-water management ordinance and will continue to improve its procedures. The Borough does not have a lot of new developments. This means that there are only a few BMP's to inspect. Many municipalities struggle with multiple inspections and the responsibility to have a PCSM (Post Construction Storm water Management Plan). The Borough has an M.O.U. with the LV Conservation District and this covers the required review of E&S plans. Erdman stated that it is a good practice to have mandatory employee training regarding the maintenance property, salt bin, floor drains at the property, and any testing required. The standards are increasing and the Borough is making strides to stay ahead of the requirements for this permit.

3. Borough Manager: Manager Paashaus stated that the Refuse bid specs were advertised, and 4 different agencies have picked up specs. The bid opening is scheduled for December 21st.

UNFINISHED BUSINESS

1. Compost site will remain on the Agenda.
2. Municipal Parking will remain on the Agenda.
3. RFP for Engineering/Zoning/Code Enforcement will remain on the Agenda

NEW BUSINESS

1. Council President Felch addressed Council regarding the pending Council vacancy. Felch shared that he was pleased to serve the Borough an additional 4 years and that Poot was now present. Felch challenged Council to consider the future and continuity of committee members as Council considers the eventual replacement for Mack's position. Council reorganizes in January of 2016.
2. Council Member Mack thanked Council and the advisors for the privilege of serving alongside and is encouraged that the Borough is headed in a good direction.

ADJOURNMENT

Council Member Balascak made a motion to adjourn which was seconded by Thrapp. The meeting was adjourned at 9:06 PM.

Timothy Paashaus – Borough Manager

John Felch, Jr. – Council President