



The Borough of Elverson
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May 3, 2016

The monthly meeting of the Elverson Borough Council was held on Tuesday, May 3rd, 2016 and called to order at 7:00 PM by Shirley Crehan who led the Pledge of Allegiance.

ATTENDANCE:

Shirley Crehan, Merle Stoltzfus, Jack Stewart, Bob French, Dwight Frizen, Doug Hoskins, Esther Prosser, Bob Broderick, Lori Kolb, Secretary / Treasurer

Also in attendance: Mark Stabolepszy, Borough Engineer, Jim Scheffey, Borough Solicitor, Joe Boulanger, Borough Zoning Officer

Residents in attendance: Mark and Katie Estes, Michael Breen, David and Diane MacElree, Michael Gage, Joe Sullivan, Mic Ruffner, Doug Braun and Angie Facciolo, Philip and Teri Tegtmeier.

MINUTES:

Motion was made by Dwight Frizen and seconded by Doug Hoskins to accept the April 2016 Minutes as submitted. Motion carried by all.

PERSONS TO BE HEARD:

David MacElree, the homeowner at 10 Parkside Drive, thanked Council for allowing Michael Breen, his tenant, to park his box truck in the parking lot at Livingood Park. Mr. MacElree explained his plans to move into the home at in about a year, but asked Council to consider allowing Mr. Breen, to continue parking his truck at Livingood Park. Shirley Crehan explained that it was not Council's decision to allow the truck to be parked in the lot. Esther Prosser said that the HOA rules did not allow for the truck to be parked at the home, so she felt that having the truck parked in the Livingood Park was a good resolution for Mr. Breen. There was discussion by Council and attendees suggesting the Borough might consider issuing parking permits. Shirley explained that Council will not make a decision at this meeting, but that they would look at the options and get back to the parties involved. Jack Stewart said the decision for allowing the truck to be parked at Livingood would be voted on at the next Council Meeting June 7th.

Mark Estes, the homeowner at 31 Park Avenue told Council that he was informed of a complaint from a Whitford employee about his car parked on the side of Park Avenue in a no parking area. Mark apologized and said he did not see the posted sign and assured Council he was no longer parking on the street. Mark asked Council to consider removing the "No Parking" sign on Park Avenue. Mark also expressed his concerns for the rate of speed at which vehicles travel on Park Avenue. Mark's wife, Katie Estes said that some of the neighbors have the same safety concerns

and she presented Council with a petition signed by homeowners from Park Avenue, in support of being able to park on both sides of Park Avenue. The residents feel it would slow traffic down and make it safer for the neighborhood children. Katie and Mark Estes respectfully asked Council to consider their request. Shirley said that Council would need to look into what the State regulates and that they will get back to them with a determination.

Mike Gage spoke on behalf of the Churchill HOA regarding concerns for a property maintenance issue at 21 Brick Lane. Mr. Gage said there is a huge pile of trash on the property and it is unsightly. Mr. Gage would like Council's support in coming up with a way to enforce clean-up of the property. Mr. Gage said he had contacted the Department of Health and further noted that Chapter 32 of the Borough Code allows the Borough to create a Property Maintenance Ordinance. Both Joe Boulanger and Jim Scheffey explained that the Borough has not adopted a property maintenance ordinance. Jim said there could possibly be something in the Borough Code that may apply to this situation. Joe Boulanger explained that Section 1002 of the Borough's Land and Use Ordinance could possibly apply to the concerns for Junk, and if Council requested, he could look into that further. There was discussion about the possibility of residents who might be able to assist the property owner with the clean-up. When asked by Merle Stoltzfus if he was hearing correctly that the residents would be willing to volunteer as neighbors to help the property owner, Mr. Gage replied "yes". Mic Ruffner said he could not make any promises, but he would inquire about the possibility of having this clean-up be part of a mission project. Philip Tegtmeier spoke to concerns that there was a need for intent for the property to be maintained. Teri Tegtmeier spoke about concerns for some homes for sale on Stable Drive and that prospective buyers would be turned off by the Brick Lane property. Joe Boulanger expressed his appreciation for the discussion by Council and residents in making efforts to work together to help resolve this situation, keeping in mind the property owners' situation. Merle will speak to the property owner and there will be further discussion about how to help with the clean-up. Shirley told Mike Gage that the Borough will look into what is currently in the Zoning and will let him know what they find.

Angie Facciolo, homeowner at 408 Stuben Drive, asked Council to clarify the process for the application for a driveway permit within a street managed by an HOA. Doug Braun, homeowner at 410 Stuben Drive, also asked for clarification of the process. Mark Stabilepszy explained that the Borough's driveway ordinance is a bit vague, in that it does not define being applicable to private streets. Both Mark Stabilepszy and Jim Scheffey felt that the driveway ordinance appeared to be intended for Borough streets, not private streets. Doug Hoskins mentioned he would like the driveway permit revised to specify that it does not apply to private streets. Shirley said that the Borough will not take any action to issue driveway permits for homes on private streets, however the Borough will continue to require driveway permits for Borough streets. Shirley further mentioned the HOA directors will need to meet to determine what they will require. Joe offered to reimburse the driveway permit fee to Doug Braun. There was discussion that there could be other residents who may be reimbursed. Shirley said that residents on private streets will still need to contact their HOA for any proposed driveway repairs. Shirley said that Council will look into any changes that may be necessary to clarify the existing driveway permit.

TREASURERS REPORT:

Motion was made by Jack Stewart and seconded by Bob French to accept the May 2016 Treasurers Report and pay bills as presented. Motion Carried by all. Doug Hoskins mentioned the income report that Lori had been providing to him, which charts the monthly income for 2014, 2015 and 2016 to date, has been a helpful resource. Shirley mentioned it could be necessary for Lori to transfer funds from Cash Management to cover the amount due to the Fire Company June 30th. Merle mentioned it would be okay to wait to send the check to the Fire Company rather than make a transfer of funds.

Shirley mentioned both the Ambulance and Fire Company are listed on the US Treasury as having funds due in amounts less than \$100 for which they could apply.

Council had further discussion about the request to park at Livingood Park. Jim Scheffey suggested Council may want to consider making a specific number of permitted parking spaces available. Mark suggested that the permit agreement state that it does not guarantee the space. Joe suggested that the permit should also state the vehicle have a current registration. Shirley Crehan suggested a committee be formed to discuss a resolution for the parking at Livingood Park. Esther Prosser, Jack Stewart, Doug Hoskins and Dwight Frizen will serve on the Livingood Park Parking Committee.

Council discussed the “No Parking” signs on Park Avenue. Mark mentioned the “No Parking” sign on Park Avenue is the correct sign, however it is not properly posted. Jim Scheffey explained the process for regulating no parking areas. Mark Stabolepszy explained PennDot’s requirements for being able to restrict or allow parking. Merle Stoltzfus proposed Council have a discussion with a representative from Whitford to request the tractor trailer drivers would slow down their rate of speed on Park Avenue. Shirley Crehan asked Mark Stabolepszy to create an estimate for the areas on all Borough roads that could be designated as No Parking.

SERVICES:

Shirley Crehan discussed Kraft Code Services Report. Council agreed to eliminate the extensive detail report for inspections. Future detailed inspection reports will be requested on an “as needed” basis.

Jim Scheffey and Mark Stabolepszy gave a brief overview of the Street Occupancy Ordinance, Resolution and Escrow Agreement.

Doug Hoskins made a motion to adopt the Street Occupancy Ordinance No. 01-2016, seconded by Bob French. Motion carried by all.

Merle Stoltzfus made a motion to adopt Resolution No.2016-02, seconded by Bob French. Motion carried by all.

Merle Stoltzfus suggested Sunoco be required to enter into an escrow agreement. Council agreed with Merle’s suggestion.

Mark Stabolepszy suggested Council might want to consider updating the driveway ordinance to provide clarity.

Mark Stabolepszy reviewed topics from his report with Council. Mark will inform Lori when he has a schedule for the street work.

Mark Stabolepszy recommended Council approve a change in the Street Project Plan to allow paving fabric to be put down instead of base repair, in areas where the cracks were marginal. Jack Stewart made a motion to authorize Mark Stabolepszy to complete the 2016 Street Project with any necessary changes at his discretion as long as every effort is made to stay within the original quoted cost of the work, seconded by Doug Hoskins. Motion carried by all.

Jack Stewart mentioned the Municipal Authorities bids for the Lagoon Closure were postponed until later this month. Jack said there were some infiltration concerns in the vent pipe at the end of the Borough Hall parking lot and there could be others that they are not aware of as well.

Merle Stoltzfus will be attending a meeting held by PSAB. The meeting will include a Representative from PennDot who will be discussing the topic of Stormwater.

BUILDING, GROUNDS, STREETS AND LIGHTS:

Bob French said that the insulated chimney liner was installed and the painter will be returning to finish the paint work. Bob said he will be contacting the contractor to get prices for a new door for the meeting room and to discuss the plan for installation of air conditioning units. Bob will also be meeting with the contractor to discuss the floor work for the meeting room.

Doug Hoskins said that the tennis courts have been removed and the grass seed was planted.

Doug explained the process for determining reserve funds that will be needed for future work.

Dwight Frizen suggested Council consider installing new speed limit signs on Pine Street. Shirley explained there are funds budgeted for sign replacement.

Bob French mentioned there were concerns for excessive traffic traveling too fast on Stable Drive. Merle said the Homeowners Association have the right to block off the road during those times when vehicles tend to drive at a high rate of speed, keeping in mind not to block entirely in case of an emergency.

BOROUGH EVENT PLANNING:

Esther announced Elverson Day at the Park will be held on June 25, 2016 beginning at 5:00 PM. Esther announced the Main Street Yard Sale will be held on May 7, 2016 beginning at 8:00 AM.

TREE COMMISSION:

Esther said they will be replacing a tree that was missing and also one near the Southwest end of Main Street, which was hit by a car. They are also considering mulching some of the trees on South Pine as needed.

PLANNING:

Shirley Crehan said the Zoning and SALDO Public Meeting will be held at Hopewell Manor on May 24, 2016 beginning at 6:00 PM.

NEW BUSINESS:

Shirley Crehan included information regarding Mini Cell Towers in Council's packets. Bob Broderick suggested Council review the Borough's regulation for where the towers can be placed. Mark Stabolepszy said it is regulated in the current ordinance and felt it does indicate limitations as to where a tower can be located. Merle Stoltzfus mentioned it will be reviewed further in the proposed Zoning and SALDO updates. Bob Broderick suggested it could be beneficial to purchase a property for the purpose of a Cell Tower. Shirley said she would investigate this.

Shirley said a resident thought it would be nice to have a bench near the sign at Livingood Park.

ADJORNMENT:

Jack Stewart made a motion to adjourn, motion seconded by Doug Hoskins. Motion carried by all. Meeting adjourned at 9:30PM

Respectfully submitted,

Lori Kolb
Secretary / Treasurer

