

**MINUTES OF THE FEBRUARY 4, 2014
MEETING OF TRAPPE BOROUGH COUNCIL**

President Nevin Scholl called to order the regularly scheduled meeting of Trappe Borough Council on February 4, 2013 at 7:00 p.m. at Trappe Borough Hall, 525 West Main Street, Trappe, Pennsylvania. The Pledge of Allegiance was led by Vice President Cathy Johnson.

ANNOUNCEMENT OF EXECUTIVE SESSION: President Scholl announced that there would be an Executive Session this evening to discuss legal matters.

ROLL CALL: Roll Call was made by the Municipal Secretary.

Those present were:

President, Nevin Scholl
Vice President, Cathy Johnson
Tammy Liberi
Fred Schuetz
Pat Webster

Also in attendance were:

Solicitor, David Onorato
Engineer, John Sartor, P.E.
Treasurer, Justin Nepo, Smart Devine
Borough Manager, Jacqui Guenther

Excused/Absent:

Paul Edwards
Mayor, Connie Peck

CANDIDATE INTERVIEWS FOR BOROUGH COUNCIL VACANCY: President Scholl opened the nominations for qualified candidates for the vacancy on Borough Council. President Scholl stated that there are two requirements to sit on Borough Council and they are that the candidate has been a resident of the Borough of Trappe for at least one year and that the candidate must be registered to vote.

J. Guenther presented the Proof of Publication of advertisement of the vacancy from The Mercury on January 9, 2014.

Philip Ronca, who resides at 326 Nicholas Lane, presented himself for the vacant seat.

On a motion by T. Liberi, seconded by F. Schuetz, and carried unanimously by those Council Members present, the nominations were closed. Motion carried 5 – 0.

On a motion by F. Schuetz, seconded by C. Johnson, and carried unanimously by those Council Members present, Philip Ronca was appointed to fill the vacancy on Borough Council, for a term to expire December 31, 2015. Motion carried 5 – 0.

APPROVAL OF THE MINUTES: A true and correct copy of the Minutes of the December 30, 2013 Year End Closeout Meeting of Borough Council was provided to all and is available for review at Trappe Borough Hall.

On a motion by T. Liberi, seconded by C. Johnson, the Minutes of the December 30, 2014 Year End Closeout Meeting of Borough Council were approved, as presented. Motion carried 5 – 0.

A true and correct copy of the Minutes of the January 6, 2014 Reorganization Meeting of Borough Council was provided to all and is available for review at Trappe Borough Hall.

On a motion by T. Liberi, seconded by F. Schuetz, the Minutes of the January 6, 2014 Reorganization Meeting of Borough Council were approved, as amended. Motion carried 5 – 0.

A true and correct copy of the Minutes of the January 6, 2014 Meeting of Borough Council was provided to all and is available for review at Trappe Borough Hall.

P. Webster objected to F. Schuetz's "clarification of the minutes" wherein he made what P. Webster believed to be inaccurate statements. Whereupon discussion ensued.

On a motion by F. Schuetz, seconded by C. Johnson, the Minutes of the January 6, 2014 Meeting of Borough Council were approved, as presented. Motion carried by majority rule 4 – 1. P. Webster cast the dissenting vote.

PUBLIC FORUM/AGENDA AND NON-AGENDA ITEMS: President Scholl called for public comment.

Dave Perlin, who resides at 116 Joan Drive, stated that Borough Council should not offer opinions and that they should only give facts for purposes of the minutes.

STAFF REPORTS:

Treasurer's Report: J. Nepo, on behalf of Smart Devine, presented the Amended Treasurer's Report dated February 4, 2014, check numbers 2339 through 2374 from the PNC Bank General Fund, and electronic transfer of funds in the amount of \$114,499.48; and electronic transfer of funds to PECO from the PNC Bank Liquid Fuels Fund in the amount of \$2,327.81. The Treasurer's Report included check number 1120 from the PNC Escrow Fund totaling \$232.30. A true and correct copy of the Treasurer's Report was provided to all and is available for review at Trappe Borough Hall. J. Nepo further reported that the cash total was \$1,219,451.00 and certificates of deposit totaled \$244,025.00 for a total balance of \$1,463,476.00.

J. Nepo stated that there is a remaining balance of \$25.31 in the Superior Credit Union Cash Account. President Scholl stated that he would like to leave the remaining balance where it is in the event the Borough wanted to invest funds there in the future.

On a motion by T. Liberi, seconded by F. Schuetz, and carried unanimously by those Council Members present, payment of invoices included in the February 4, 2014 Amended Treasurer's Report, check numbers 2239 through 2374 and electronic transfers from the PNC Bank General Fund in the amount of \$114,499.48, were approved. Motion carried 5 – 0.

On a motion by T. Liberi, seconded by F. Schuetz, and carried unanimously by those Council Members present, electronic payment of the PECO invoice included in the February 4, 2014 Amended Treasurer's report from the PNC Bank Liquid Fuels Fund in the amount of \$2,327.81, were approved. Motion carried 5 – 0.

On a motion by T. Liberi, seconded by C. Johnson, and carried unanimously by those Council Members present, payment of invoices included in the February 4, 2014 Amended Treasurer's Report, check number 1120, from the PNC Escrow Fund in the amount of \$232.30, was approved. Motion carried 5 – 0.

Borough Manager's Report: J. Guenther presented the Manager's Report, a true and correct copy of which was provided to all and is available for review at Trappe Borough Hall. J. Guenther made the following comments:

Resolution 2014-02/PennDOT Permit for Bunny Hop 5K Run: J. Guenther stated that she provided Borough Council with proposed Resolution 2014-02 authorizing the Borough to execute the PennDOT Special Event Permit Application for the 2014 Bunny Hop 5K Run to be held on April 27, 2014. J. Guenther asked Borough Council to consider approving Resolution 2014-02.

On a motion by C. Johnson, seconded by T. Liberi, and carried unanimously by those Council Members present, Resolution 2014-02 authorizing the Borough to Execute the PennDOT Special Event Permit for the 2014 Bunny Hop 5K Run to be held on April 27, 2014, was approved. Motion carried 5 – 0.

PennDOT Overhead Banner Application for Bunny Hop 5K Run: J. Guenther stated that she has provided Borough Council with a true and correct copy of the PennDOT Overhead Banner Application for the placement of a banner over W. Main Street for the 2014 Bunny Hop 5K Run. J. Guenther asked Borough Council to consider approving execution of the Overhead Banner Application for this event.

On a motion by F. Schuetz, seconded by C. Johnson, and carried unanimously by those Council Members present, authorization to execute the PennDOT Overhead Banner Permit for the 2014 Bunny Hop 5K Run Banner, was approved. Motion carried 5 – 0.

Resolution 2014-03/Adoption of the CPVRPC Comprehensive Plan 2013 Update: J. Guenther stated that she provided Borough Council with proposed Resolution 2014-03 which would adopt the CPVRPC Comprehensive Plan 2013 Update. J. Guenther stated that during a joint CPVRPC meeting on November 18, 2013 a public hearing was held wherein Trappe Borough Council Members F. Schuetz, President Scholl, T. Liberi, and C. Johnson were all present and a motion to accept a Resolution to adopt the Central Perkiomen Valley Regional Comprehensive Plan 2013 Update was passed on a motion by C. Johnson, seconded by President Scholl. J. Guenther stated that the CPVRPC requires Trappe Borough to pass a Resolution for the adoption of the 2013 updated plan. J. Guenther asked Borough Council to consider approving Resolution 2014-03.

On a motion by F. Schuetz, seconded by C. Johnson, and carried unanimously by those Council Members present, Resolution 2014-03 adopting the CPVRPC Comprehensive Plan 2013 Update, was approved. Motion carried 5 – 0.

Life Insurance and Long and Short Term Disability Insurance: J. Guenther stated that she provided Borough Council with a spreadsheet indicating costs for a new life insurance, short term and long term disability policy. J. Guenther stated that because the Borough's current policy was terminated by Collegeville Borough on January 31, 2014, the Borough has contracted with Kelly Insurance Company for a new policy with Lincoln Financial at the cost of \$265.40 per month. J. Guenther asked Borough Council to ratify contracting with Kelly Insurance for Lincoln Financial Life and Disability Insurance Policies.

On a motion by C. Johnson, seconded by T. Liberi, and carried unanimously by those Council Members present, to ratify the contract with Kelly Insurance Company for the life insurance, short term and long term disability policy with Lincoln Financial for a fee of \$265.40 per month, was ratified. Motion carried 5 – 0.

Borough Hall Sidewalk Plans: J. Guenther stated that the 2014 Budget allows for the replacement of the Borough Hall sidewalks and curbs and asked Borough Council to authorize the Borough Engineer to begin preparing the engineered plans to include the sidewalks, curbs and handicapped ramps on both sides of the driveway. J. Guenther stated that once the plans are complete Borough Council may review them and consent to have J. Sartor apply for the PennDOT HOP and move forward with the bid documents. J. Guenther stated that because all of this will take some time she asked that Borough Council act on this as soon as possible so that the sidewalks could be installed during the spring or summer months when the weather is at optimal temperatures. Whereupon discussion ensued.

T. Liberi asked J. Sartor to provide a schedule for the Borough Hall sidewalk project.

On a motion by C. Johnson, seconded by F. Schuetz, and carried unanimously by those Council Members present, authorization for the Borough Engineer to prepare the engineered plans for the replacement of sidewalks and curbs at Borough Hall, was approved. Motion carried 5 – 0.

PECO Preventative Tree Work/Asplundh: J. Guenther stated that she provided Borough Council with information from PECO regarding preventive tree maintenance work they intend to perform beginning in February and that the work will take approximately six months to complete. J. Guenther stated the project will focus on circuits that feed from the Perkiomen Substation and that PECO plans to send out notification letters to their customers within the next week. J. Guenther stated that the tree work will be performed by Asplundh.

Proposed Ordinance 427/MS4 Stormwater Management: J. Guenther stated that proposed Ordinance 427 will amend Part II of the Trappe Borough Code of Ordinances by adding a new Chapter 178 to provide for the management of stormwater within the Borough of Trappe. J. Guenther stated that the proposed Ordinance will also repeal any provisions of Chapter 179 and Chapter 295, Section 15, of the Trappe Borough Code of Ordinances that are inconsistent with the proposed ordinance and will be repealed to the extent of inconsistency only. J. Guenther stated that all provisions of Chapter 179 and Chapter 295, Section 15, that are more stringent than the provisions of the proposed Chapter 178, shall supersede those provisions. J. Guenther asked Borough Council to consider setting a hearing date on March 4, 2014 at 7:00 p.m. to consider adoption of proposed Ordinance 427 for Stormwater Management and to authorize the Borough Manager to advertise same.

On a motion by C. Johnson, seconded by P. Webster, and carried unanimously by those Council Members present, authorization to schedule a hearing on March 4, 2014 at 7:00 p.m. to discuss adoption of proposed Ordinance 427 which purports to amend Part II of the Trappe Borough Code of Ordinances by adding a new Chapter 178, and for the Borough Manager to advertise same, was approved. Motion carried 5 – 0.

UCC Board of Appeals: J. Guenther stated that Trappe Borough is a member of the Central Perkiomen Valley Regional Planning Commission and that one of the requirements is that Trappe Borough appoint a representative to the UCC Board of Appeals. J. Guenther stated that the UCC Board of Appeals would be called to hear any challenges raised against building code requirements by any individual or developer and that whoever the Borough appoints to this position should have a good understanding of building codes. J. Guenther stated that anyone interested in filling that vacancy should contact the Borough Manager or any member of Borough Council. Whereupon discussion ensued.

Delayed Trash Collection: J. Guenther stated that Borough trash collection would be picked up on Thursday, February 6, 2014 and not on Wednesday due to the snow.

MS4 Statement: J. Guenther stated that February is a good time to test your soil and that healthy soil grows healthy turf which can absorb more rain water. J. Guenther stated that Residents may purchase a soil test kit from Penn State and submit soil samples from their lawn to determine the nutrients that may be lacking.

Judge Cathleen Kelly Rebar arrived at 7:50 p.m. and administered the Oath of Office to Philip Ronca.

P. Ronca assumed his seat on Borough Council.

Mayor's Report: Mayor Peck was not present for the meeting. No report was offered.

Engineer's Report: John Sartor presented the Engineer's Report dated January 30, 2014, a true and correct copy of which was provided to all and is available for review at Trappe Borough Hall. J. Sartor made the following comments:

1501 W. Main Street Sports Complex: J. Sartor stated that on January 20, 2014 he performed a site inspection of the subject property as well as the adjacent properties in Trappe. J. Sartor stated that on January 29, 2014 he met with the Applicant's Engineer and the Upper Providence Township Engineer to express verbally his concerns about stormwater runoff on behalf of Trappe Borough.

Borough Line Road Project: J. Sartor stated that on January 24, 2014, PennDOT issued the HOP and that the bid documents have been revised to remove that portion of Borough Line Road between W. Seventh Avenue and North Borough Line Road from the project scope. J. Sartor stated that easement exhibits and legal descriptions were forwarded to the Trappe Borough and Upper Providence Township Solicitors for their use in preparing the easement agreements. J. Sartor stated that the Upper Providence Township Engineer completed his review of the design plans and has forwarded his letter of recommendation to the Upper Providence Township

Manager. J. Sartor stated that an additional set of plans was requested by PECO on January 29, 2014. J. Sartor stated that on January 29, 2014 he was directed to revise the bid documents to include the relocation of the stop bar on the south-bound approach of W. Fifth Ave. to the intersection with Borough Line Road, to within 30 feet of the perpendicular travel lane and to install R1-3P ALL WAY plaques under the stop signs at the intersection of W. Fifth Avenue and Borough Line Road. J. Sartor stated that he is in the process of making those revisions to the plans. J. Sartor stated that he provided Borough Council with an updated schedule for Borough Line Road.

President Scholl asked that J. Sartor provide an updated schedule for every meeting.

President Scholl stated that Joe Hastings should be directed to send a letter to the property owner in Trappe Borough who resides on Borough Line Road indicating that the sewer line is being installed and ask if they would like to tie in to the public sewer. F. Schuetz stated that the property owner's name was Mr. Moore. President Scholl stated that he would bring this up to J. Hastings at the CTJPD meeting but that he would rely on F. Schuetz to bring this matter up at the CTMA meeting.

LED Street Lighting Survey: J. Sartor stated that on January 13, 2014 he completed his review of the Stouch Lighting quote to prepare a survey for LED street lights. J. Sartor stated that on January 28, 2014 J. Guenther forwarded to him Stouch's response to his comments. J. Sartor stated that on January 30, 2014 he replied back to J. Guenther via email with his follow-up comments.

Solicitor's Report: D. Onorato stated the following:

1501 W. Main Street Sports Complex: D. Onorato stated that at the last meeting he suggested that the Borough require the developer to go through land development and based upon his review of the plans and his discussions with J. Sartor, President Scholl and C. Johnson earlier today, he stands by his recommendation that the developer be required to go through land development in Trappe Borough.

Lease Termination Agreements/Nextel: D. Onorato stated the CTJPD committee recommended a motion to approve the Lease Termination with Nextel. D. Onorato stated that the two Boroughs own the water tanks so the actual Lease Termination Agreement is between the two Boroughs. D. Onorato stated that Nextel has gone out of business and this agreement is to get them to remove their equipment off the water tank. D. Onorato asked Borough Council to consider a motion to approve the execution of the Lease Termination Agreement and General Release with Nextel.

On a motion by C. Johnson, seconded by P. Webster, and carried unanimously by those Council Members present, authorization to execute the Lease Termination Agreement and General Release with Nextel, was approved. Motion carried 6 – 0.

D. Onorato stated that he would give the remainder of his report during the Executive Session due to its legal nature and content.

On a motion by C. Johnson, seconded by T. Liberi, and carried unanimously by those Council Members present, the Treasurer's Report, Borough Manager's Report, Mayor's Report, Engineer's Report and Solicitor's Report were approved as presented. Motion carried 6 – 0.

COMMITTEE REPORTS:

Administrative Services: C. Johnson presented the Administrative Service Report, a true and correct copy of which was provided to all and is available for review at Trappe Borough Hall. C. Johnson made the following comments:

Banners on W. Main Street: C. Johnson stated that the Speaker's House received grant funding for vertical banners on Main Street and that the Borough will send out a letter to all residents and businesses on W. Main Street asking them to attend a special meeting where Lisa Minardi will give a presentation and will provide samples of the banners.

Personnel Manual: C. Johnson stated that they are currently reviewing the proposed Personnel Manual and would like to release it to Borough Council for review in an attempt to get it approved at the March 4th meeting.

Tot-Lot Sign: C. Johnson stated that J. Guenther received a reasonable proposal from CTJPD to remove the sign and asked J. Guenther to go ahead and have them remove it.

Heater: C. Johnson stated that the HVAC at Borough Hall needs to be replaced and that J. Guenther provided two proposals from local vendors for replacement. C. Johnson said that there is a wide range in the bid options, that she is currently reviewing them and will make a recommendation.

Communications: P. Webster stated that the Communications Committee was established to look at areas of communication to see what the Borough is doing right, things that the Borough can improve upon and to incorporate and evaluate any ideas from Borough Council, staff members, Borough professionals and the public.

Finance & Streets: President Scholl presented the Finance Committee Report, a true and correct copy of which was provided to all and is available for review at Trappe Borough Hall. President Scholl made the following comments:

President Scholl stated that the Trumark Money Market fund is getting 1% in interest. President Scholl stated that two other CD's have matured and recommended that the Borough transfer \$245,000.00 into a Customers Bank Money Market Account which yields an interest rate of .7%; and to invest \$245,000.00 into a First Cornerstone Bank Money Market Account which yields an interest rate of .65%.

On a motion by C. Johnson, seconded by F. Schuetz, and carried unanimously by those Council Members present, authorization to transfer \$245,000.00 into a Customers Bank Money Market Account; and to invest \$245,000.00 into a First Cornerstone Bank Money Market Account, was approved. Motion carried 6 – 0.

President Scholl stated that the Key Indicators show that EIT Tax revenue is down from last year for the month of January, but J. Guenther informed him that the last couple of days were not included because of the early cutoff date and that there was approximately \$25,000.00 additional EIT Taxes collected. President Scholl stated the shortfall is not as big as indicated but is something to keep an eye on.

President Scholl stated that the expenditure for snow removal and salt is almost double what it was last year and have already expended 1/3 of the total budgeted amount for 2014.

Parks & Open Space: F. Schuetz stated that he has not heard back from the Natural Lands Trust regarding the installation of meadow grasses at Rambo Park.

F. Schuetz asked J. Guenther for the status of the installation of the Jenn Swing. J. Guenther responded that Tom Heisner reviewed the plans and conferred with Michele Stankunas and her architect. J. Guenther stated that T. Heisner explained what was needed, and they will need to revise the plans and resubmit them to the Borough.

Planning, Zoning & Ordinances: J. Guenther stated that the Planning Commission did meet during the month of January, 2014 and that John Sartor was present to discuss the proposed MS4 Stormwater Ordinance.

T. Liberi stated that work was continuing on the Sign Ordinance and that she would bring it before Borough Council in the next few months.

Public Works & CTMA: C. Johnson presented the Public Works and CTMA Report, a true and correct copy of which was provided to all and is available for review at Trappe Borough Hall. C. Johnson made the following comments:

C. Johnson stated that CTJPWD plans to establish a Personnel Committee and will appoint a President and Vice President. C. Johnson stated that some of the Personnel Committee work will include providing job descriptions and performance evaluations for non-union employees and provide oversight and communication to the Boroughs for union negotiations.

President Scholl stated that he provided Borough Council with a proposed letter dated February 4, 2014, addressed to the Trappe Borough CTMA representatives, Bill Bryant, Fred Schuetz and Paul Edwards, which states that it is not economically feasible to have the CTJPWD meet on a different night than the CTMA and requesting that both meetings be held on the same night, which would be the fourth Tuesday of each month. President Scholl asked Borough Council to approve sending the letter.

C. Johnson stated that they are looking to change the By-Laws to make leadership roles more flexible to the needs of the committee and to have each Borough assign the committee members and one alternate member who can participate in the meetings, including voting, in the event one of the regular members cannot attend.

On a motion by C. Johnson, seconded by T. Liberi, and carried unanimously by those Council Members present, authorization to send the letter dated February 4, 2014, addressed to the

Trappe Borough CTMA representatives, Bill Bryant, Fred Schuetz and Paul Edwards, requesting that both the CTMA and CTJPWD meetings be held on the same night on the fourth Tuesday of each month, was approved. Motion carried 6 – 0.

Traffic & Safety: P. Edwards was not present at the meeting. No report was offered.

OLD BUSINESS: President Scholl called for any old business.

Trappe Borough Council Action Items: President Scholl stated that he provided Borough Council with a list of items that Borough Council will address during 2014 and who will spearhead each action item. President Scholl called for a motion to approve the 2014 Action Item List.

On a motion by C. Johnson, seconded by T. Liberi, and carried unanimously by those Council Members present, the 2014 Trappe Borough Action Item List, was approved. Motion carried 6 – 0.

LED Street Lights: President Scholl stated the Borough has received one sample LED Cobra head light and one sample LED ornamental street light at no cost which he would like to have installed so that everyone could see what they look like before considering an investment of thousands of dollars.

On a motion by F. Schuetz, seconded by P. Webster, and carried unanimously by those Council Members present, authorization to have Lenni Electric install the sample ornamental LED light at 320 Meadowview Drive and sample Cobra head LED light at the corner of E. Seventh Avenue and Michelle Lane, was approved. Motion carried 6 – 0.

Section 1008-A of the Borough Code: F. Schuetz stated that Section 1008-A of the Borough Code would have allowed him to step down as Council President and assume the duties of the Mayor at the Year End Closeout Meeting on December 30, 2013 and, therefore, had this information been available at the Close-Out meeting the resulting actions might have been different.

D. Onorato responded that under that section of the code the President of Borough Council could have assumed the duties of the Mayor, but the ordinances would have to be signed by the Mayor herself before they would become effective. D. Onorato stated that F. Schuetz could not have signed the ordinances on behalf of the Mayor and, as such, the outcome would have been the same in the Mayor's absence.

NEW BUSINESS: President Scholl called for any new business.

Borough Council Achievements: F. Schuetz stated that he provided a report of Borough Council Achievements over the last six years during his tenure as Borough Council President and wanted to have it included as part of the Minutes.

Borough Council engaged in a lengthy discussion about the pros and cons of allowing full statements to be included in the Minutes.

P. Webster made a motion to not accept the document outlining the alleged six years of accomplishments of the previous Borough Council. There was no second to the motion. Motion became moot.

On a motion by C. Johnson, seconded by P. Ronca, authorization for F. Schuetz's Statement of Borough Council Accomplishments be referenced only in the Minutes and made available for review at Borough Hall, was approved. Motion carried by majority rule 5 – 1. F. Schuetz cast the dissenting vote.

EXECUTIVE SESSION:

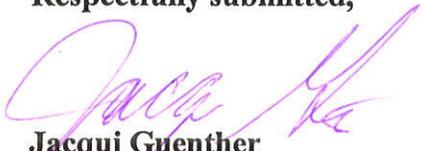
At 10:00 p.m. Council entered into Executive Session.

At 10:06 p.m. Council adjourned from Executive Session.

ADJOURNMENT:

There being no additional business to conduct, at 10:07 p.m., a motion to adjourn was made by C. Johnson, seconded by F. Schuetz, and carried unanimously, by those Council Members present. Motion carried 6 – 0.

Respectfully submitted,



Jacqui Guenther
Borough Manager/Municipal Secretary