

**MINUTES OF THE JUNE 2, 2015  
MEETING OF TRAPPE BOROUGH COUNCIL**

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Council President Nevin Scholl called to order the regularly scheduled meeting of Trappe Borough Council on June 2, 2015 at 7:04 p.m. at Trappe Borough Hall, 525 West Main Street, Trappe, Pennsylvania. The Pledge of Allegiance was led by Councilmember Tammy Liberi.

**ANNOUNCEMENT OF EXECUTIVE SESSION:** Council President Scholl announced there had been an executive session prior to the meeting to discuss legal and personnel matters and there would be an Executive Session after the public meeting this evening to discuss personnel and legal matters.

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

**Those present were:**

President, Nevin Scholl  
Vice President, Cathy Johnson  
Tammy Liberi  
Scott Martin  
Phil Ronca  
Fred Schuetz  
Pat Webster

**Also in attendance were:**

Solicitor, David Onorato  
Engineer, John Sartor, P.E.  
Treasurer, John Klink  
Borough Manager, Robert Layman

**Excused/Absent:**

Mayor Connie Peck

**APPROVAL OF THE MINUTES:** The members of Council reviewed the minutes of the May 5, 2015 meeting of Borough Council.

*A motion was made by Councilmember Fred Schuetz, seconded by Councilmember Phil Ronca, to accept the Minutes of the May 5, 2015 Meeting of Borough Council as presented. Motion carried 7 – 0*

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

Anticipating the discussion of the Clahor Stormwater project, President Scholl asked Borough Engineer John Sartor to give a status report. Mr. Sartor stated the following actions had been completed to date:

Legal review of the deeds combined with the physical survey identified the location of the storm sewer pipes within the easements. The survey of the area was hindered by the severe winter weather.

The storm sewer pipes have been video inspected. Several discrepancies were found between the storm water management plan and the actual drainage pipes. A manhole had to be found and was eventually located, buried under several inches of dirt. The video was reviewed and damage was identified.

Mr. Sartor has a plan to address the damaged pipe and is currently evaluating differing remediation processes including dig and replace and slip lining. The required repair for each section of pipe is related to the differing levels of damage to the pipe as well as the construction of the original storm sewer and other technical issues as well as the conditions on the surface over the pipe (trees, proximity to a swimming pool, a fence, a propane tank and a building). The plan will try to minimize disruption to property and to the homeowners.

Mr. Sartor anticipates he will have a suggestion for a solution by the July Borough Council meeting.

Mike Ricci, 33 Clahor Drive, Trappe PA, asked about the solution to be used at his property.

Mr. Sartor said he would attend a meeting with all effected neighbors to make them aware of the potential disturbance to their property. President Scholl proposed a meeting for Monday, June 8, 2015 at Borough Hall. Since there is a potential conflict with the meeting room, Wednesday June 10, 2015 is the alternate date.

Mr. Ricci stated his driveway is deteriorating and paving contractors have told him it is due to water improperly draining under the driveway. Mr. Ricci confirmed the temporary repair to the sinkhole has had a positive impact on his property. He expressed concern about how the contractors will access the easement to perform the repairs.

Mr. Sartor indicated the contractors will likely use the easiest way to access the work sites while balancing concern for the homeowners' property. In response to a question posed by Councilmember Fred Schuetz, Mr. Sartor indicated most of the ditches would need to be 4 ½ to 9 feet deep.

Several council members expressed their desire to see this project completed before the winter of this year.

Ben Goldthorp, the potential developer of the residential portion of the Stearly Tract, stated he is proposing changes to the previously approved plan for the residential portion. He has added two housing units but has decreased the amount of impervious surface. He requested a review of the revised plan limited to the storm water management plan. It was pointed out that Gilmore & Associates was not the engineering firm that approved the original plan and a partial review may be difficult for the professional engineer. Solicitor David Onorato suggested the engineer do a preliminary review of the storm water management plan. Mr. Sartor should prepare a report for council, pointing out his concerns about the plan changes and allow council to act on the issues identified in the report. Mr. Sartor will estimate the cost of this review and make sure Mr. Goldthorp has enough funds in escrow to cover the cost.

Eileen Johnson, Manager of Perkiomen Valley Library thanked the council for financial donations to the library. She introduced Dave Douglass, a resident of Trappe who is the treasurer of the library. She spoke of a current project to rebuild the handicapped ramp. Ms. Johnson also pointed out the summer reading programs for children, teens and adults. All of these programs will give prizes. She encouraged all present to participate.

## **STAFF REPORTS:**

**Treasurer's Report:** John Klink presented the Treasurer's Report dated June 2, 2015. Check number 2884 from the PNC General Fund was voided and will be used for the Customers Bank conversion. Check numbers 2885 through 2911 from the PNC Bank General Fund, and electronic transfer of fund account fees to PNC Bank and Payroll charges were presented for payment in the amount of \$80,857.31.

Two electronic transfers of funds to PECO from the PNC Bank Liquid Fuels Fund were presented in the amount of \$2,602.81.

The Treasurer's Report included check numbers 1163 through 1167 from the PNC Escrow Fund totaling \$5,304.77 for payment. Check numbers 1159 through 1162 were voided due to printing error. A copy of the Treasurer's Report was provided to all and is available for review at Trappe Borough Hall.

*A motion was made by Councilmember Tammy Liberi, seconded by Councilmember Phil Ronca, to make payment of invoices included in the June 2, 2015 Treasurer's Report, check numbers 2885 through 2911 and electronic transfers from the PNC Bank General Fund and payroll charges in the amount of \$80,857.31. Motion carried 7 – 0.*

*A motion was made by Councilmember Tammy Liberi, seconded by Councilmember Pat Webster, to make electronic payment of the PECO invoices included in the June 2, 2015 Treasurer's Report from the PNC Bank Liquid Fuels Fund in the amount of \$2,602.81. Motion approved. 7 – 0.*

*A motion was made by Councilmember Tammy Liberi, seconded by Councilmember Pat Webster to make payment of invoices included in the June 2, 2015 Treasurer's Report, check number 1163 through 1167 from the PNC Escrow Fund in the net amount of \$5,304.77. Motion approved. 7 – 0.*

Treasurer John Klink announced early in May the Borough received significant tax revenues from Berkheimer.

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

**Penn DOT Overhead Banner Application for Trappe Day:** Robert Layman presented a copy of the application to place a banner over Main Street advertising Trappe Day. The banner will be in place August 23 – September 13, 2015. Robert Layman asked Borough Council to consider approving execution of the Overhead Banner Application for this event.

*A motion was made by Councilmember Scott Martin, seconded by Councilmember Tammy Liberi, to authorize the execution of the Penn DOT Overhead Banner Permit Application for the 2015 Trappe Day Banner. Motion approved. 7 – 0.*

### **Emergency Operation Plan and Appointment of Emergency Management**

**Coordinator:** Council President Nevin Scholl suggested these items be sent to the Safety Committee for review before consideration by council. President Scholl received agreement to this strategy from Councilmember Scott Martin, chairman of the Streets and Safety Committee, prior to making his suggestion. It was noted Councilmember Pat Webster has had extensive professional experience with emergency plans and is willing to discuss the plan with any council members who may have questions or concerns.

**Borough Hall Step Repair:** Robert Layman presented an estimate from RMW Construction, Inc. for \$1,300.00 for repair of the concrete stairs at Borough Hall. The repairs are expected to be safe and complete, though the contractor did mention to Mr. Layman he may find more significant repairs will be needed once he gets into the project.

*A motion was made by Councilmember Fred Schuetz and seconded by Councilmember Phil Ronca to authorize RMW Construction to repair the concrete stairs at Borough Hall for the cost of \$1,300.00. Motion approved. 7 – 0.*

**East 7<sup>th</sup> Ave Traffic Signal Detection:** Mr. Layman presented a quote from Signal Service Inc to replace the traffic control system at the intersection of East 7<sup>th</sup> Avenue and West Main Street. The current Loop system will be removed when East 7<sup>th</sup> Ave is paved this summer. Signal Service provided an estimate of \$2,736.00 for the replacement of the loop system and \$3,814.00 to install a video camera system. John Sartor pointed out the installation of a video system is independent of the road reconstruction project and a Penn DOT permit would be required for the installation. Obtaining the permit could take a considerable length of time.

*A motion was made by Councilmember Scott Martin and seconded by Councilmember Pat Webster to authorize Gilmore & Associates to file for the Penn DOT permit for the installation of the video traffic detection system and to authorize Signal Services Inc to install a video camera traffic detection system at the intersection of East 7<sup>th</sup> Ave and West Main Street at the estimated cost of \$3,814.00. Motion approved. 7 - 0*

**MS4 Statement:** Borough Manager Robert Layman made the following MS4 statement. Residents should plant “flowering plants” to attract beneficial predators. Plants of all kinds help to reduce storm water runoff from residential properties. Their roots absorb water and break up and aerate the soil as they grow. Flowering native perennials will attract beneficial predators and pollinator birds, butterflies and other insects. Perennials also develop extensive root systems to hold and enrich the soil.

**Wisner Property Subdivision:** Mr. Layman told council Mr. Wisner has applied to subdivide a lot from his farm. The plan has been submitted to both the borough and the Montgomery County Planning Commissions. While Mr. Wisner is planning to sell the lot as 1 single lot, there is a possibility the property may be further subdivided depending on the nature of the agreement Mr. Wisner entered into to protect his farmland. Another concern was voiced by Council President Nevin Scholl regarding the possible location of a driveway out of the lot onto Betcher Avenue since it is a very dangerous stretch of road for a driveway access.

**Mayor's Report:** Mayor Connie Peck was not present. A copy of her submitted written report was provided to all and is available for review at Borough Hall. Councilmember Fred Schuetz noted he attended the Eagle Scout Court of Honor for Justin Turner on May 31 on behalf of the Mayor. He noted a recent Eagle Scout recipient who made bluebird boxes is asking permission to hang a commemorative plaque on the boxes. Councilmember Scott Martin knows the Scout and he will talk to the Scout about the plaques.

**Engineer's Report:** John Sartor presented the Engineer's Report dated May 28, 2015, a copy of which was provided to all and is available for review at Trappe Borough Hall. John Sartor made the following comments:

**Cherry Ave Paving Project:** John Sartor stated he had reviewed the storm water sewer videos and they do not require repairs. He pointed out there is approximately 1,600 feet of roadway requiring repair that break evenly into two (2) portions, each measuring approximately 800 feet in length. Each of the two (2) portions needs a very different type of work. In light of this, he proposed the creation of two (2) bids for the repair of the road. The 1<sup>st</sup> 800 feet of the road, starting at Main Street, requires excavation and re-building with a mill and overlay process. The 2<sup>nd</sup> portion of the road, starting at about 800 feet from Main Street, will need crack repair and sealing. There is a small triangular shaped "gully" of eroded road to be added to the excavation and rebuilding bid. John Sartor noted he discussed a sidewalk on Main Street which, per Penn DOT, will not need to be repaired as part of this project.

*A motion was made by Councilmember Phil Ronca and seconded by Councilmember Scott Martin to authorize Gilmore & Associates to upload the bid documents for both Cherry Avenue repair projects to PennBID. Motion approved. 7-0.*

**West First Ave Storm Sewer Extension Project:** John Sartor reported the cost of engineering work for this project to prepare design, plans, and bid documents including an Estimate of Probable Construction Cost would be \$5,500.00.

*A motion was placed by Councilmember Fred Schuetz and seconded by Councilmember Phil Ronca authorizing Gilmore & Associates to perform the engineering work for the West First Avenue storm sewer repair or replacement at the cost of \$5,500. Motion approved. 7-0.*

**West Main Street Sidewalk and Curb Evaluation:** John Sartor has communicated with a contact at Penn DOT regarding driveway cuts and modifications. Mr. Sartor pointed out some of the sidewalks and driveway curb cuts do not have ADA compliant sidewalk ramps at the driveways. He is waiting for this input before completing his estimate for repairs to Main Street sidewalks. Councilmember Fred Schuetz pointed out the placement of utility poles could be an issue when rebuilding sidewalks on Main Street.

**Solicitor's Report:** Dave Onorato reported on the following:

**Old School New House Conditional Use Decision:** Solicitor David Onorato presented a Conditional Use decision to Council based on the testimony and the discussion at the Conditional

Use Hearing on May 5, 2015. A copy was provided to all and is available for review at Borough Hall. The Applicant was looking for permission to create two (2) lots for residential units on each lot. The first lot, fronting on Main Street will have two residential buildings on the single lot. The second lot, currently the building known as the Trappe School, will have 30 units. These are approved Class 1 conditional uses for this property. Reasonable considerations included in the decision include the following:

- Adherence to plans submitted and supported by the testimony and exhibits presented at the hearing
- Obtain all necessary permits and approvals required by the borough
- Adhere to the decision of the borough zoning officer, or seek relief from the Zoning Hearing Board regarding maximum footprint of the existing building, the number of parking spaces, curb cuts onto 1st Ave
- Comply with all comments of the Gilmore & Associates subdivision and land development review letter dated April 15, 2015.
- Comply with all Gilmore & Associates transportation review comments dated May 1, 2015.
- All signage will comply with Borough code.

***A motion was placed by Councilmember Pat Webster and seconded by Councilmember Fred Schuetz to approve the conditional use agreement as prepared by Solicitor David Onorato. Motion approved. 7-0.***

**Trappe Village vs. Trappe Borough Litigation Settlement:** Solicitor David Onorato reported the settlement of this case involves replacement of an 8 inch water meter with a 6 inch meter. The cost of this installation will be shared by the public works department and Trappe Village Corporation. The Public Works Committee has already approved this settlement and requested the boroughs accept the settlement as well.

***A motion was made by Council member Scott Martin and seconded by Councilmember Pat Webster to approve the settlement of this case. Motion approved. 7-0.***

**Appointment of Borough Solicitor:** Solicitor David Onorato informed council his law firm has changed name and is now known as Hladick, Onorato and Federman. He requested the borough solicitor be reappointed to be consistent with the name change.

***A motion was placed by Councilmember Scott Martin and seconded by Councilmember Pat Webster to appoint David Onorato of the law firm Hladick, Onorato and Federman to the post of Trappe Borough Solicitor. Motion approved. 7-0.***

**Oak Road Connector to Collegeville Park:** Solicitor David Onorato reported the Deeds of the parcels at the bulb of the cul-de-sac abutting the park in Collegeville do not include the area between them that has been reserved on the plan. The plans for the College Acres subdivision show the area as “reserved” but without indication of who the land area is reserved for and for what purpose it was reserved. It was noted, one of the neighbors of this area has been mowing the grass and the other neighbor has built a fence on his edge of the property. The next step is to continue research into the proposed use of the reserved

*A motion was placed by Councilmember Phil Ronca and seconded by Councilmember Tammy Liberi to approve the business reports. Motion approved. 7-0.*

## **COMMITTEE REPORTS:**

**Administrative Services:** No Report

**Communications:** Councilmember Pat Webster presented the Communications Committee Report, providing the following comments:

**Borough Facebook Page:** Viewership is growing! The most popular post recently was the Bunny Hop 5K with 260 hits. Other popular posts included pictures of the repaired sidewalk at Kelly Insurance, The Bike Ride with the Mayor, the welcome to the new president at Ursinus College, the Memorial Day Celebrations and the police presentation on identity theft. Councilmember Pat Webster indicated she would like to post a “Welcome to Trappe” message to new businesses. Discussion among council members pointed out the non-commercial policy of the borough Facebook page. Council President Nevin Scholl asked Councilmember Pat Webster to develop a policy statement regarding how this would be implemented. One idea voiced was to allow new business to notify Trappe if they wish to be “Welcomed” on the Facebook page.

**Newsletter:** Councilmember Pat Webster reported the deadline for article submission is June 12, though she would appreciate ideas for articles as soon as possible. She is planning to have the next newsletter delivered to residents on or about July 5<sup>th</sup>.

**Finance & Streets:** No Report

**Parks & Open Space:** Councilmember Fred Schuetz noted a tree in the easement for the trail from Main St to Rambo Park was in need of immediate removal. He has obtained an estimate from Superior Tree Service for \$2,125.00 to take down the tree and clear out the stump.

*A motion was made by Councilmember Fred Schuetz and seconded by Councilmember Scott Martin to engage Superior Tree Service to remove the tree and clear the stump for the estimated cost of \$2,125.00. Motion approved. 7-0.*

**Planning, Zoning & Ordinances:** Councilmember Tammy Liberi indicated neither the Planning Commission nor the Ordinance Committee had met in the last month.

**Planning Commission Meeting:** Council member Tammy Liberi noted the Planning Commission is scheduled to meet on June 16, 2015 to discuss the Wismer subdivision application. Councilmember Fred Schuetz requested a letter of support from the Planning Commission for the DCED Grant application to assist with the funding for the Main Street to Rambo Park trail.

**Ordinance Committee:** Councilmember Tammy Liberi reported the Ordinance Committee will be meeting on June 15, 2015 to discuss the Sign Ordinance.

**Public Works & CTMA:** Council Vice President Cathy Johnson presented the Public Works and CTMA Report, providing the following comments:

**CTJPWD and CTMA Minutes:** Council Vice President Cathy Johnson stated that the minutes of the April 21, 2015 meetings of the Collegetown – Trappe Joint Public Works Department and the Collegetown – Trappe Municipal Authority is in the Council member's packet. Copies of the minutes are available for all to review at Borough Hall and at the CTJPWD offices.

**Cell Site Report:** Council Vice President Cathy Johnson submitted the financial activity report for the cell sites for April through May showing a closing balance of \$131,188.65. A copy of the report is available for all to review at Borough Hall.

**Capital Plan:** Council Vice President Cathy Johnson reported the engineer for CTJPWD and CTMA has updated the capital improvements plan and offered to have any council member review her copy. The significant work planned for the next few years is scheduled in Collegetown. Council Vice President Cathy Johnson also pointed out CTJPWD is in the process of purchasing and installing a gas powered generator to maintain water service to both boroughs in the event of a large regional catastrophe. She pointed out this was an idea initiated during a Trappe Borough Council meeting and was taken back to Public Works for implementation.

**Traffic & Safety:** Councilmember Scott Martin stated the next meeting is scheduled for June 18, 2015 at 7 pm at Borough Hall. This will be a joint meeting with the Walkable Community Committee. Some of the items on the agenda will include the intersection of Route 113 and Main Street, the First Avenue traffic data results from the speed sentry, and the borough Emergency Plan.

**Walkable Community:** Councilmember Phil Ronca stated the continuing priorities of the committee include the Main Street to Rambo Park Trail, Main Street sidewalks and other possible trail connections. The committee will be meeting on June 18, 2015.

**OLD BUSINESS:** Council President Scholl called for any old business.

**ARLE Grant Application:** Council President Nevin Scholl has prepared a grant application to fund the replacement of street signs. The total cost of the project is \$68,065.55 of which Trappe will be required to fund 20% of the cost. The application is being reviewed by the Borough Engineer, Councilmember Pat Webster and Rachael Morrison of The Collegetown Economic Development Corporation. The grant application deadline is June 30, 2015.

*A motion was made by Councilmember Fred Schuetz and seconded by Councilmember Phil Ronca to approve the submission of the ARLE Grant Application subject to the review of Pat Webster and Rachael Morrison. Motion approved. 7-0.*

**LED Lighting Grant Application:** Council President Nevin Scholl reported he is working on resubmitting a grant application for funding the conversion of street lamps to LED fixtures. Schwenksville will participate in the application. He is anticipating presenting the grant application for approval at the July Borough Council meeting.

**DCED Grant – Resolution 2015-06:** Council member Fred Schuetz presented a Resolution indicating Trappe Borough Council supported the grant application to DCED Greenways, Trails and Recreation Program for funding of the trail construction from Main Street to Rambo Park.



He pointed out the application is requesting \$22,395.00 and will require Trappe Borough to match the grant with \$48,000.00. Solicitor David Onorato suggested the resolution be modified to point out the \$48,000.00 of matching funds will be comprised of a DCNR grant of \$38,000 and \$10,000.00 from the borough.

***A motion was made by Councilmember Fred Schuetz and seconded by Councilmember Scott Martin to approve the Resolution 2015-06 as modified, submit a grant application to DCED Greenways, Trails and Recreation Program for the construction of the Main Street to Rambo Park Trail and to pay the application fee of \$100.00. Motion approved. 7-0***

**NEW BUSINESS:** President Scholl called for any new business.

**Trappe 300 Meeting:** Councilmember Scott Martin told council the next meeting of the Trappe 300 planning committee is scheduled for June 24 at Dewees Tavern.

**Sidewalk on West First Avenue:** Fire Company Captain Brian Long pointed out none of the driveway curb cuts through the sidewalks on First Avenue have pedestrian ramps. This requires anyone using a wheel chair (manual or motorized) to use the street rather than the sidewalks. This is a particular problem when there has been a community event at Water Works Park. Councilmember Phil Ronca will contact the property owner regarding this deficiency.

### **EXECUTIVE SESSION:**

At 9:04 p.m. Council entered into Executive Session to discuss legal and personnel issues.

At 9:58 p.m. Council re-opened the regular meeting. The Board considered the issue of the termination of employment of Mr. Layman from the position of Borough Manager and the hiring of Mr. Robert Umstead as interim Borough Manager. An employment agreement with Mr. Umstead states he will work 15-20 hours each week and will notify Council Vice President Cathy Johnson if there is a need for additional hours. He will work as a independent contractor and will be paid \$40.00 hourly. Mr. Umstead will not receive any benefits beyond pay and reimbursement for borough related work expenses.

***A motion was made by Council Vice President Cathy Johnson and seconded by Council President Nevin Scholl to terminate the employment of Mr. Robert Layman from the position of Borough Manager on June 3, 2015. Motion carried with a vote of 6 Aye and 1 Nay (F. Schuetz).***

***A motion was placed by Council Vice President Cathy Johnson and seconded by Council President Nevin Scholl to provide Mr. Layman with the equivalent of two (2) weeks salary as separation pay contingent on his signature on a Separation agreement. Motion approved with a vote of 6 Aye and 1 Nay (F. Schuetz).***

***A motion was placed by Council Vice President Cathy Johnson and seconded by Councilmember Pat Webster to hire Mr. Robert Umstead as interim borough manager***

*effective June 3, 2015 according to the terms stated in the employment letter. Motion approved 7-0.*

Council President Nevin Scholl asked if anyone else had business to bring before council at this time. Hearing none, the meeting was adjourned at 10:10 pm.

**Respectfully submitted,**

**Catherine A. Johnson**  
**Vice President, Trappe Borough Council**