

**MINUTES OF THE October 07, 2014
MEETING OF TRAPPE BOROUGH COUNCIL**

President Nevin Scholl called to order the conditional use hearing on application of Pyong Sun Isaacs before the Trappe Borough Council on October 07, 2014 at 6:30 p.m. at Trappe Borough Hall, 525 West Main Street, Trappe, Pennsylvania. Mr. Scholl turned the meeting over to the Solicitor, Dave Onorato, who led the hearing. The meeting was recorded by means of transcription.

Upon Completion of the hearing, a follow up hearing was scheduled for 7:00 p.m., November 11, 2014. The hearing was adjourned at 7:06 p.m.

The regular session of the Trappe Borough Council was called to order by President Nevin Scholl at 7:13 p.m. Mr. Scholl announced that there would be an executive session at the conclusion of the meeting. The Pledge of Allegiance was led by Mayor Connie Peck.

ROLL CALL:

Roll Call was made by the Municipal Secretary.

Those present were:

President, Nevin Scholl
Vice President, Cathy Johnson
Tammy Liberi
Phil Ronca
Fred Schuetz
Pat Webster
Mayor Connie Peck

Also in attendance:

Solicitor, Dave Onorato
Engineer, John Sartor, P.E.
Treasurer, Anne Bell
Borough Manager,
Robert Layman

Excused/Absent:

Scott Martin

APPROVAL OF THE MINUTES:

The members reviewed the minutes of the August 2, 2014 Council Meeting. Council Member Pat Webster suggested that on page 6, paragraph 2, line 2, the word “menu” be used rather than the word “schedule”. Also on page 6, paragraph 10, 1st line, it was noted that the word “call”, should be changed to “called”.

On a motion by Councilman Fred Schuetz, seconded by Councilman Phil Ronca, the Minutes of the September 2, 2014 Meeting of Borough Council as amended were moved for approval. The motion was approved 6-0.

The members reviewed the minutes of the September 9, 2014 council meeting.

On a motion by Councilwoman Tammy Liberi and seconded by Councilman Phil Ronca, the Minutes of the September 9, 2014 Meeting of Borough Council were moved for approval. The motion was approved 6-0.

PUBLIC FORUM/AGENDA AND NON-AGENDA ITEMS:

Tammy Fulmer, 46 Oak Road inquired about the minutes of the September 2nd meeting. Specifically, she noted that during the discussion on the Old School New House LLC matter, several residents had provided comments, but none were included in the minutes. A discussion ensued over the level of comments that should be included in the minutes.

Mike Ricci, 33 Clahor, indicated that he wanted to go on record as to the purpose of his being at this meeting. He came to listen to the discussion on the storm pipe problem adjacent to his property.

STAFF REPORTS:

TREASURER'S REPORT:

Ann Bell, on behalf of Smart Devine, Treasurer, presented the Treasurer's Report dated October 7, 2014, check numbers 2607 through 2644 from the PNC Bank General Fund, and electronic transfer of funds in the total amount of \$435,492.13; and electronic transfer of funds to PECO from the PNC Bank Liquid Fuels Fund in the amount of \$2,768.39; and the issuance of check numbers 1135 – 1136 from the escrow account in the amount of \$1,534.53. Copies of the Treasurer's Report were provided to all and the Report is available for review at Trappe Borough Hall. Ann Bell further reported that the cash in all funds totaled \$1,590,015.

On a motion by Councilwoman Tammy Liberi and seconded by Councilman Fred Schuetz payment of invoices included in the October 7, 2014 Treasurer's Report, check numbers 2607 through 2644 and electronic transfers from the PNC General Fund in the amount of \$435,492.13 were moved for approval Motion carried 6 – 0.

On a motion by Council Vice President Cathy Johnson and seconded by Councilwoman Pat Webster electronic payment of the PECO invoices included in the October 7, 2014 Treasurer's report from the PNC Bank Liquid Fuels Fund in the amount of \$2,768.39, were moved for approval.. Motion carried 6 – 0.

On a motion by Councilwoman Tammy Liberi and seconded by Councilwoman Pat Webster, payment of invoices included in the October 7, 2014 Treasurer's Report, check numbers 1135 and 1136 from the PNC Escrow Fund in the amount of \$ 1,534.53 were moved for approved. Motion carried 6-0.

BOROUGH MANAGER'S REPORT:

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

Resolution supporting Street Light re-lamping: The Borough is making application for funding of the re-lamping of the street lights throughout the Borough. The funding, which if granted, would provide 67% of the project cost, would come through the Commonwealth's Multimodal Grant Program. As part of the application, the Borough Council is required to express its support for the project by passing a resolution.

Council President Nevin Scholl indicated that in working on the application, he had found that the prices involved in the re-lamping were higher than previously determined. Nevin Scholl indicated that he needed to refine his numbers in order to assure that it was economically feasible. As part of the process, Mr. Scholl had looked for other communities to partner with and was able to enlist the Borough of Schwenksville. In response to a question from Tammy Liberi, Nevin Scholl indicated that he intended to work with Schwenksville on their economic analysis of the project.

On a motion by Council Fred Schuetz, seconded by Council Vice President Cathy Johnson, approval of the resolution (Number 2014-8) indicating the Council's support for the grant application was moved for approval, conditioned on the determination that the economics of the project would be favorable. The motion was approved 6-0.

Equipment Leasing for Snow Plowing and Salting for Trappe Borough Roads: The previous contract has expired as of April 30, 2014. A new contract is necessary for 2014-2015 winter season. Bids were due and opened on October 1, 2014. One bid was received, this from MAK Services, Inc. The bid was as follows:

1- 10 ton dump truck with snow plow and salt spreader with operator	-----	\$ 135.00 per hour
2- 10 ton dump truck with snow plow and salt spreader with operator	-----	\$ 135.00 per hour
3- 1 ton utility truck with snow plow with operator	-----	\$ 110.00 per hour
4- Tractor – backhoe with operator	-----	\$ 95.00 per hour
Option: Salt storage: Borough supplies salt	----	\$ 1,800.00 per season

These prices are the same as those for the 2013-2014 winter season. A comment was made that the salt storage seemed high inasmuch as the 2013-14 season bid was elevated due to the need of the contractor to build a salt storage shed at that time. It was understood that the higher price (\$750.00 more than the prior year) was a one-time charge. The Borough Manager was instructed to look into this.

On motion by Councilman Phil Ronca seconded by Council Vice President Cathy Johnson approval of the bid of MAK Services, Inc., thereby awarding them a contract for the 2014-15 winter season contingent on the resolution of the validity of price for salt storage was moved for approval. Motion carried 6-0.

Fire Relief Association – State Aid: Trappe Borough has received \$ 31,163, 63 as aid to be provided to the Volunteer Fire Relief Association in accordance with Act 205 of 1984.

On a motion by Council Vice President Cathy Johnson, seconded by Councilwoman Pat Webster, acknowledgement of the receipt of \$ 31,163.63 from the Commonwealth and to authorize release of those funds to the Trappe Fire Company's Volunteer Fire Relief Association was moved for approval. Motion was approved 6-0.

Trappe Fire Company Event: It was announced that the Trappe Fire Company will be holding its “Oktoberfest Beef and Beer” event from 6:00 p.m. – 11:00 p.m. on Saturday, October 18, 2014 at the Trappe Fire Station.

Old School, New House LLC; Application for Re-zoning: An application has been made to the Borough Council for the re-zoning of the old Trappe School House property at the southeast corner College and First Avenues. Solicitor Dave Onorato went over the application and the process that would be followed in dealing with it. He noted that while they are seeking to re-zone the whole property to make it Village Commercial (the majority of the property is zoned R-2, Medium Density Residential), He noted that the school district has approved an agreement of restrictive covenants that would not allow the land to be developed for commercial use.

As to the process, Mr. Onorato suggested that the Board conduct its hearing at the next scheduled meeting, November 11th. This would allow time for it to be reviewed at the next regular meeting of the Borough Planning Commission (October 21st). While the regional planning commission might review it at their October 20th meeting, it is not expected that they would look at it in great detail. Also, their comments are not required.

Solicitor Onorato indicated that the application does not provide a great deal of details on the layout of the expected development, but that this would be expected as they proceed through the process.

In response to a question from Tammy Fulmer, 46 Oak Road, Solicitor Onorato indicated that a reason for the request might be to allow the applicant to develop more units which would allow them to save the school house and assure the economic viability of the project.

In response to a question on the minimum size of the lots in the different zoning districts, Councilman Phil Ronca pointed out that it is 30,000 square feet in the R-1 zone and 20,000 square feet in the R-2 zone. Fred Schuetz stated that under the restrictive covenant agreement, the minimum lot size is 10,000. Councilman Ronca stated that the minimum lot size in the VC district is 5,000 square feet.

Eva Jager, 210 Kelso Circle, asked about the pros and cons of the proposal. Councilman Fred Schuetz iterated that the zoning change, by allowing more homes, would make it more feasible for them to keep the school building.

Ann Mantey, 24 Oak Lane and President of the Perkiomen Valley School Board stated that the school district is financially constrained and needs to sell the property.

Councilman Phil Ronca stated that the restrictive covenants stipulate that they may not develop apartment units. However, it does not prohibit an owner of one of the developed units from renting out their unit.

A discussion took place on vehicular traffic in the area. Councilwoman Pat Webster stated that at the Council's February meeting, residents had expressed concerns about speeding in the area. The possibility of using the Boroughs speed display machine in the area was discussed. It was suggested that Mr. Gorski would do a traffic study as part of his land development application.

On a motion by Council Vice President Cathy Johnson, seconded by Councilwoman Pat Webster, a recommendation was made to schedule the Councils hearing on the application for 7:00 p.m. November 11, 2014 and to refer the matter to the Borough Planning Commission for review and recommendation. The motion was approved 6-0.

Municipal Separate Storm Sewer System (MS4): As winter approaches, residents who heat by oil should take precautions with their fuel storage tank. Prior to filling, the resident should inspect for possible deficiencies, such as signs of rusting of the tank or its structural supports and leakage from the tank fill lines and feed lines. Leaking oil tanks can cause indoor air problems and possibly contaminated ground water.

MAYOR'S REPORT:

Mayor Connie Peck presented her report for the month of September the report is as follows:

On September 15, 2014, the Central Perkiomen Valley Regional Planning Commission met at Trappe Borough Hall. A motion was made to continue meeting as a group.

Trappe Community Day went off as planned on September 13th, but Mother Nature was not kind. There was sporadic rain in the morning with a break of clear skies for about three hours. During that time, 800 to 1,000 people came through Water Works Park. The committee will meet soon to review this year's event and start making plans for a sunny Trappe Community Day 2015. Joan Holley and I are sending out "Thank You" letters this week to all who contributed and supported this yearly event. A huge debt of thanks goes out to Joan, John Pelosi, Pat Tomko, Pat Webster, Nevin Scholl and Fred Schuetz.

Doris Houck contacted me with a request. She has worked with Fred Schuetz for ten years planning, planting and maintenance of the beds at Water Works Park and five years planning at Rambo Park. She wants to provide a tree for Rambo Park to honor her friend Fred. Her intent is to pay for the cost of the tree and a plaque. She will choose a tree and its placement, if that is acceptable to the Council.

On a motion by Councilman Phil Ronca, seconded by Council Vice President Cathy Johnson, a motion was made to accept the donation of the tree and to have the Parks and Open Space Committee work with Ms. Houck on the proper placement of the tree. Motion carried 6-0.

Mayor Connie Peck stated that the Speaker's House will host the 3rd Annual Holiday Tree Lighting on December 3, 2014. Arrival time for participants is 5:30 p.m. and concludes around 8:00 p.m. The parking will be at the Trappe Shopping Center. It gets dark early and even with the cross walk and traffic light, it is very dangerous. Chairperson Sarah Bryan is requesting an Auxiliary Police to aid in slowing traffic and to help crossing safely for those attending.

On a motion by Council Vice President Cathy Johnson, seconded by Councilman Fred Schuetz, to authorize the utilization of an Auxiliary Police Officer for the event. The motion was approved 6-0.

Councilwoman Pat Webster expressed appreciation for those who had a hand in the success of the Trappe Community Day.

ENGINEER'S REPORT:

John Sartor presented the Engineer's Report dated October 03, 2014, which was provided to all and is available for review at Trappe Borough Hall. Mr. Sartor made the following comments:

Clahor Avenue Storm Sewer Investigation: Mr. Sartor had walked the area of the pipe with the Borough Manager. In reviewing the camera work of the inside of the pipe, it was determined that a large part of the pipe was deteriorated. In addition, the pictures showed that portions of the pipe had been intruded upon by individual drain pipes from homes. In response to a question from Council Vice President Cathy Johnson, John Sartor indicated that current practice would not allow any intrusion of this nature. Accepted practice is for storm water to have a chance to be discharged to the yards where it would have a chance to soak into the ground. Council member Fred Schuetz stated that he would not object to such intrusions for basement sump pumps.

Mike Ricci stated that he lived next to the storm pipe for 12 years with no problems. However, the problem cropped up over the last several years, with no resolution. Mr. Ricci passed around pictures that illustrated the extent of the problem. Council member Fred Schuetz indicated that a delay was caused by the fact that the Borough had to investigate the problem and determine who would be responsible for any repair. Council President Nevin Scholl stated that the Borough never held up action due to a lack of funding but that a number of problems needed to be handled. John Sartor stated that he would provide an estimate of the cost of developing a bid package and an estimate of the cost of the work to be done to correct the problem. He will have that for the November 11th meeting.

West Fifth Ave Reconstruction and repairs: John Sartor developed a final punch list of items which the contractor needed to repair. In addition there are a number of deficiencies that are not a result of the workmanship of the contractor. These involve the deterioration of the edge of the roadway caused by the closeness of the edge of the roadway to the edge of the pavement. An estimate received from Reading Site Contractors is \$44,080. Mr. Sartor has not received an estimate from SJM for the work. Mayor Connie Peck reported on a complaint of debris left in the yard of the property owner at West 5th and Borough Line Road. Much of the debris is stone, making it hard for the homeowner to properly maintain their yard. John Sartor indicated that he is having the contractor correct the problem.

Borough Line Road – Payment Request Number 3: The Council reviewed a recommendation from Gilmore and Associates, Inc. for payment to SJM Construction for work completed on the Borough Line Road Project. The recommended amount for release is \$154,574.55.

On motion by Councilman Phil Ronca, seconded by Councilwoman Tammy Liberi, Payment Request No. 3 from SJM Construction Co. was approved and payment in the amount of \$154,574.55 is to be made from the General Fund. Motion carried 6-0.

DeMutis Land Development Construction: John Sartor reported that the contractors are nearing completion of the land development construction.

East 7th Avenue Reconstruction: The Council instructed the Trappe Borough Manager to work with George Waterman, the Upper Providence Township Manager to determine if they will take the lead on this project and to work with Mr. Waterman in order to develop a written agreement for this project.

Laurel Drive Pavement Repairs: John Sartor reported that the pavement work is finished and that all that needs to be completed is the crack sealing.

SOLICITOR'S REPORT:

In regard to the matter of the repair work on West 5th Street, as reported by the Borough Engineer earlier, Solicitor Dave Onorato indicated that it would be considered maintenance and not subject to the prevailing wage requirement.

Verizon Lease Agreement: Dave Onorato presented information on a new lease between Collegetown and Trappe with Verizon for placement of electronic equipment on the water tower at West 7th Ave. The lease includes a payment of \$35,400 for the first year with a 3% increase annually thereafter. The payment will be made to the CTPWD for distribution. The lease is for a five year period with a five year extension and four additional five year extensions available. The Borough of Collegetown and the CTPWD have already approved the agreement.

Council Vice President Cathy Johnson made a motion, seconded by Councilwoman Tammy Liberi to authorize the Borough's approval of the lease. The motion was approved 6-0.

Trappe Village Corporation Settlement Agreement: Dave Onorato reported that this is settlement agreement relative to a dispute over monies owed relative to water rates, water billing and the size of the meter that serves the premises.

Council Vice President Cathy Johnson made a motion, seconded by Councilman Fred Schuetz to authorize the President of Council to sign the settlement agreement. The motion was approved 6-0.

On motion by Councilman Fred Schuetz seconded by Councilwoman Tammy Liberi the Treasurer's report, the Borough Manager's report, the Mayor's report, the Engineer's report and the Solicitor's report were accepted as presented. The motion carried 6-0.

COMMITTEE REPORTS:

Administrative Services:

Administrative Appointments: On September 9th, the Council voted to appoint Robert Layman as Borough manager. The Manager normally serves in a number of other positions these include: Borough Secretary, Zoning Officer, Act 32 Voting Delegate, and PSAB Conference Voting Delegate.

On motion by Councilman Phil Ronca seconded by Councilman Fred Schuetz, Robert Layman was appointed to the positions of Borough Secretary, Zoning Officer, Act 32 Voting Delegate and PSAB Conference Voting Delegate. The motion carried 6-0.

On a Motion by Council Vice President Cathy Johnson, seconded by Councilman Phil Ronca, the employment agreement of Borough Manager Robert Layman is to be made part of the public record by having it as part of the August 9th Council meeting minutes. The Motion was approved 6-0.

Interim Manager: Council Vice President Cathy Johnson expressed the Council's appreciation to Bob Umstead for all that he did to assist the transition of Managers. That sentiment was echoed by the other members of the Council.

Communications:

Communications Policy: Councilwoman Pat Webster stated that she had been she had been charged with the task of developing a policy related to the Borough's communications. In that, she developed a draft policy dealing with a wide range of communications. The Council had reviewed the draft and several suggestions were offered. First, Council Vice President Cathy Johnson suggested that there is a need to define what is intended by stating that communications need to be "content neutral". She was not objecting to the use of the phrase, only that it needed to be defined. Dave Onorato suggested the use of the terms of that which is "permissible" and what is "prohibited" could provide a means of defining the term. Cathy Johnson also raised the point of responsibility. Specifically, the draft policy stated that the Manager is one that would be responsible. As a counter point, it was suggested that the Councilmembers are ultimately responsible.

Councilman Phil Ronca suggested that all elected officials make suggestions to Councilwoman Pat Webster who can then incorporate those suggestions as appropriate and develop a final draft version for the Solicitor's review. Council President Nevin Scholl expressed his appreciation to Pat Webster for her effort.

Finance & Streets: Council President Nevin Scholl stated that the key indicators show that the earned income tax has increased by 5% in 2014. This is more than was expected. He also recommended that any capital expenditures which the elected officials would like considered in the 2015 budgeted should be forwarded to the Borough Manager or the Finance Committee Chairman.

Parks & Open Space:

Rambo Park Cleanup: Councilman Fred Schuetz announced that the Fall Cleanup day for Rambo Park is scheduled for October 18th. Volunteers are welcome. It is anticipated that there will be volunteers from Ursinus College through their UCARE program.

Trail Connection to Rambo Park from Main Street: Councilman Fred Schuetz gave an update on the possible funding for the trail connection between Main Street and Rambo Park. Funds had been applied through the Peco Green Region Program, but the Borough did not get an award. The Borough also applied for funding through the Commonwealth Greenways, Trails and Recreation Program as funded through the Marcellus Legacy Fund. Awards will be announced in November 2014.

Planning, Zoning & Ordinances: Councilwoman Tammy Liberi reported that the Planning Commission did not meet in September.

Public Works & CTMA: Council Vice Chairman Cathy Johnson reported on the Collegeville-Trappe Joint Public Works Department. As of September 18, 2014, their cell tower rental fund balance was \$125,506.12. It was decided that \$ 35,000 would be returned to both the Borough of Trappe and the Borough of Collegeville.

Traffic & Safety No Report

FIRE CHIEF REPORT:

Fire Chief Brian Long reported the Collegeville and Trappe Fire Companies are working to develop a stronger effort at coordination. They are starting to respond to each other's calls, improving their joint efforts.

On the negative side, Chief Brian Long stated that Bill Wolfong, Borough Fire Marshall and Emergency Management Coordinator is planning on stepping down at the end of the year. The Chief is concerned that we may not be able to get someone with his qualifications. This will be especially difficult as the FEMA/PEMA drills for the Limerick Power Plant will be scheduled for the next few years.

Complaint at Borough Park: Council member Phil Ronca reported on a complaint that had been received about activity at a Borough park. Fred Schuetz indicated that he was working to get Officer Crummy of the Pennsylvania State Police to work with the Parks and Open Space Committee to deal with such problems.

Walkable Community Committee: Phil Ronca presented the Walkable Community Plan to Council for its review. Listed as the highest priority goals were the connection between Main Street and Rambo Park and the repair of the Main Street sidewalks. Mr. Ronca expressed concern about the financial burden which the repair or replacement of sidewalk could cause residents. He suggested that the Borough needs to create a strategy for handling this matter and

that this should entail more than sending out 30 day notices. It was suggested that the Borough should check into grants.

OLD BUSINESS:

President Scholl called for any old business.

No Old Business reported.

NEW BUSINESS:

President Scholl called for any new business.

Traffic Signal Generators: Council President Nevin Scholl commented that the Borough will be receiving two generators that will supply power to traffic signals during a power outage. However, currently, there is no way to connect the generators to the signals. At the suggestion of John Wentworth, Auxiliary Policeman, the Borough has received a quote from Signal Services, providing connections to the four traffic signals in the Borough. The cost - \$ 3,800.

Councilman Phil Ronca made a motion, seconded by Council Vice President Cathy Johnson to authorize the expenditure of \$ 3,800 for the installation of a generator connection to each of the four traffic signals. The motion was approved 6-0.

Brian Long, Fire Chief stated that he might be able to obtain a trailer from the County. This would provide a house and a means of transportation for the generators.

Trucks at Main and East Third: Mayor Connie Peck stated that there have been problems with westbound trucks making a right hand turn from Main Street onto East Third (113 North) Penn DOT has been petitioned in the past to prohibit such turns, but to no avail. It was suggested that we try again.

Council recessed at 10:19 P.M.

EXECUTIVE SESSION:

At 10:22 p.m. Council entered into Executive Session.

At 10:38 p.m. Council adjourned from Executive Session and returned to regular session.

ADJOURNMENT:

There being no additional business to conduct, at 10:06 p.m., a motion to adjourn was made by Councilman Phil Ronca seconded by Councilwoman Tammy Liberi. The Motion carried 6 - 0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert Layman', with a stylized flourish at the end.

**Robert Layman
Borough Manager/ Secretary**