

**MINUTES OF THE MAY 6, 2014
MEETING OF TRAPPE BOROUGH COUNCIL**

President Nevin Scholl called to order the regularly scheduled meeting of Trappe Borough Council on May 6, 2014 at 7:00 p.m. at Trappe Borough Hall, 525 West Main Street, Trappe, Pennsylvania. The Pledge of Allegiance was led by Mayor Connie Peck.

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
Philip Ronca
Pat Webster

Also in attendance were:

Mayor, Connie Peck
Solicitor, David Onorato
Engineer, John Sartor, P.E.
Treasurer, Anne Bell, Smart Devine
Borough Manager, Jacqui Guenther

Excused/Absent: Paul Edwards

APPROVAL OF THE MINUTES: A true and correct copy of the Minutes of the April 1, 2014, 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 April 1, 2014 Meeting of Borough Council were approved, as presented. Motion carried 6 – 0.

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

F. Schuetz inquired about Jerry Gorski's proposed plans for the Trappe School property and stated that before J. Gorski invests anymore time or money into this project, Borough Council should give him an indication as to whether or not they will consider the zoning change requested. N. Scholl stated that Borough Council is waiting for J. Gorski to resubmit the plans as requested and then Borough Council may consider his request at that time. Whereupon discussion ensued.

Howard Lownes, who resides at 78 W. Fifth Avenue, asked if J. Guenther knew what was going into the old Clements Market. J. Guenther responded that she heard that the Bollywood Hair Salon was going to take over that space but that her information was not confirmed.

H. Lownes asked if anything was going on with the Stearly Tract. J. Guenther responded that she recently received inquiry to confirm that the approved plans meet all zoning requirements. Fire Chief, Brian Long, thanked J. Guenther for getting the historic Muhlenberg sign on E. Seventh Avenue reinstalled.

STAFF REPORTS:

Treasurer's Report: A. Bell, on behalf of Smart Devine, Treasurer, presented the Amended Treasurer's Report dated April 1, 2014, check numbers 2438 through 2473 from the PNC Bank General Fund, and electronic transfer of funds in the amount of \$130,464.31; and electronic transfer of funds to PECO from the PNC Bank Liquid Fuels Fund in the amount of \$4,992.98. The Treasurer's Report included check numbers 1125 and 1126 from the PNC Escrow Fund totaling \$4,108.04. A true and correct copy of the Treasurer's Report was provided to all and is available for review at Trappe Borough Hall. A. Bell further reported that the cash total was \$1,542,656.00.

On a motion by C. Johnson, seconded by F. Schuetz, and carried unanimously by those Borough Council Members present, payment of invoices included in the April 1, 2014 Amended Treasurer's Report, check numbers 2438 through 2473 and electronic transfers from the PNC Bank General Fund in the amount of \$130,464.31, were approved. Motion carried 6 – 0.

On a motion by C. Johnson, seconded by P. Ronca, and carried unanimously by those Borough Council Members present, electronic payment of the PECO invoice(s) included in the April 1, 2014 Amended Treasurer's report from the PNC Bank Liquid Fuels Fund in the amount of \$4,992.98, were approved. Motion carried 6 – 0.

On a motion by C. Johnson, seconded by T. Liberi, and carried unanimously by those Borough Council Members present, payment of invoices included in the April 1, 2014 Amended Treasurer's Report, check numbers 1125 and 1126, from the PNC Escrow Fund in the amount of \$4,108.04, were approved. Motion carried 6 – 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 2014-06 - MUTCD Sign Maintenance Program: J. Guenther stated that she provided proposed Resolution 2014-06 which will set forth the Borough's policy for the Manual Uniform Traffic Control Devices (MUTCD) Municipal Sign Maintenance Program as mandated by FHWA. J. Guenther recommended that the Borough implement a "blanket replacement" plan policy. J. Guenther stated that the Borough only needs to adopt a policy now and that sign replacement would begin in 2015 after those costs are added to the budget.

On a motion by T. Liberi, seconded by P. Ronca, and carried unanimously by those Borough Council Members present, Resolution 2014-06 setting forth the Trappe Borough Manual Uniform Traffic Control Devices Municipal Sign Maintenance Program, was approved. Motion carried 6 – 0.

J. Guenther stated that J. Sartor proposed hiring an intern at the rate of \$45.00 per hour to populate the sign inventory for Trappe Borough. Whereupon a lengthy discussion ensued.

On a motion by F. Schuetz, seconded by P. Ronca, and carried unanimously by those Borough Council Members present, authorization for Gilmore & Associates to engage the services of a

summer intern at the rate of \$45.00 per hour to populate the Trappe Borough sign inventory, was approved. Motion carried 6 – 0.

Borough Line Road Bid Contract Agreement/SJM: J. Guenther stated that Borough Council awarded the Borough Line Road project to SJM Construction, Inc. at their meeting on April 1, 2014. J. Guenther stated that she has received the executed bid contract Agreement, Performance Bond, Payment Bond, Certificate of Insurance and Public Works Employment Verification from SJM and that D. Onorato did review the documents and they have met with his approval. J. Guenther stated asked Borough Council to approve executing the bid contract Agreement with SJM Construction, Inc., with the removal of line item 2 of the bid tabulation sheet for the relocation of the existing pine trees for the sum of \$7,370.00. J. Guenther stated that the contract bid award amount was for \$531,332.80 and with the \$7,370.00 removed the total bid award would be for \$523,962.80.

On a motion by C. Johnson, seconded by F. Schuetz, and carried unanimously by those Borough Council Members present, authorization for President Nevin H. Scholl to execute the Borough Line Road bid contract Agreement with SJM Construction, Inc. with the removal of line item number 2 of the bid tabulation sheet for the relocation of existing pine tree in the amount of \$7,370.00, for a total bid contract award of \$523,962.80, was approved. Motion carried 6 – 0.

Website Update: J. Guenther stated that recent additions to the Trappe Borough website include the Borough Council page which is where the Action Items List is located. J. Guenther stated that she is currently working on Borough Council biographies that will also be posted on that page. J. Guenther stated the 2014 first quarter actual vs. budget financials were added to the Budget and Audit Reports page. J. Guenther stated the permit forms are being revised to include form numbers and are being adapted so that applicants can fill the forms out on their computer before printing them. J. Guenther stated she has added extensive information on the Stormwater Management page; updated the Trappe Community Day page and forms; added the discount theme park ticket prices for the PRPS 2014 Summer program; added the recently adopted Central Perkiomen Regional Comprehensive Plan; and added prescription drug disposal information on the Trash & Recycling page. J. Guenther stated that she will continue to monitor the website and make necessary changes and/or additions as they become necessary.

MS4 Statement: J. Guenther stated that residents can help report violations or problems they notice in their local streams before they cause more damage and pollution. J. Guenther stated that residents sometimes may be the first to recognize "illicit" discharges being directed into storm sewers or flowing out of storm sewer outfall pipes into streams. J. Guenther stated that "dry weather flows" (flows from storm sewer outfall pipes after 72 hours or more without rain) should be reported to the Borough for further investigation.

Street Sweeping Notice: J. Guenther stated that street sweeping in Trappe Borough is scheduled to begin on May 27th and asked that residents park their vehicles in their driveway if possible to help facilitate the street sweeping.

Carnival - Augustus Lutheran Church: J. Guenther stated that she has provided correspondence which outlines a proposal from Augustus Lutheran Church, seeking permission from Borough Council to hold its annual Community Carnival fundraiser beginning on Wednesday, July 30, 2014

through August 2, 2014. J. Guenther stated the attached proposal outlines the plans for the carnival which includes providing the Borough with the necessary Certificates of Insurance and obtaining all necessary permits from the Borough and Montgomery County. J. Guenther asked Borough Council to consider approving this request.

On a motion by P. Ronca, seconded by T. Liberi, the Augustus Lutheran Church Community Carnival to be held from July 30, 2014 through August 2, 2014, as outlined in their proposal dated April 25, 2014, was approved. Motion carried 5 – 0. N. Scholl abstained from the vote citing that he is a member of the church.

Mayor's Report: Mayor Peck stated that she received a letter from Boy Scout Troop 87 sharing that Ted Lewis will receive his Eagle Scout Badge on May 25, 2014 and that his project was "Cradles to Crowns" whereby he collected articles of clothing which were provided to the needy. Mayor Peck stated that she would purchase a plaque to commemorate this achievement.

Mayor Peck invited everyone to participate in this year's Bike Ride with the Mayor on May 17, 2014.

Engineer's Report: John Sartor presented the Engineer's Report dated April 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:

Borough Hall Sidewalk: J. Sartor stated that he received the Highway Occupancy Permit from PennDOT on April 7, 2014 and he began the preparation of the bid specifications on May 6, 2014.

Borough Line Road Project: J. Sartor stated PECO postponed the utility pole replacement because Verizon now needs to replace their utility pole with a higher pole.

2015 Road Project: T. Liberi asked about preparation for the 2015 Road Program Project. Whereupon discussion ensued.

On a motion by T. Liberi, seconded by P. Ronca, and carried unanimously by those Borough Council Members present, J. Sartor was directed to provide a cost estimate for the design plans for the 2015 scheduled road project E. Seventh Avenue. Motion carried 6 – 0.

1501 Sports Complex: John Sartor stated that he is waiting for the legal descriptions from Tom Ludgate, the developer's engineer, so that he can review them and have D. Onorato prepare the easements.

Solicitor's Report: D. Onorato stated that he provided Borough Council with a Memo dated April 25, 2014 which outlined his findings regarding the issuance of temporary Use & Occupancy Permits. D. Onorato stated that the issue is that there is a conflict between two laws, the UCC and PA Municipal Code and Compliance Act. D. Onorato stated that the BCO is governed by the UCC and that it would be at the BCO's sole discretion whether or not to issue temporary Use & Occupancy because he is an agent of L & I and because he is certified to do so. Whereupon discussion ensued.

On a motion by C. Johnson, seconded by T. Liberi, and carried unanimously by those Borough Council Members present, J. Guenther was instructed to implement the use of the two new Letter of Intent forms for the issuance of temporary Use & Occupancy permits, was approved. Motion carried 6 – 0.

On a motion by F. Schuetz, seconded by C. Johnson, and carried unanimously by those Borough 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 stated that it is time for J. Guenther's annual performance evaluation and provided forms for Borough Council to fill out within the next two weeks.

Communications: P. Webster stated that the Communications Committee met in April and discussed many items, but they were not able to come to an agreement on any of them. P. Webster stated that she would like to use social media as a form of public outreach by creating a Facebook page for Trappe Borough. D. Onorato stated that the Borough should not engage in social media unless there is a clear policy for this type of communication.

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 Key Indicators indicate that Earned Income Tax is down \$32,000.00. President Scholl stated that solid waste removal is down \$37,000.00 from 2013 due to the new trash hauling contract and that snow removal is \$3,000.00 over budget due to the extreme winter.

Parks & Open Space: F. Schuetz stated that they held a work weekend at Rambo Park on May 3rd and 4th, and there is about 90 cubic yards of playground mulch left over. J. Guenther was instructed to contact CTJPD and ask them to use the remaining mulch to fill in the Borough Hall Tot-Lot and bring the existing mulch at Rambo Park to a depth of 16" in the playground area.

Planning, Zoning & Ordinances: T. Liberi stated that the Planning Commission did not meet during the month of April, 2014.

Sign Ordinance: T. Liberi stated that the Sign Committee met on April 8, 2014. T. Liberi stated that she sent an email to Borough Council to inquire whether or not they wanted to permit electronic lights in the Sign Ordinance. T. Liberi discussed all of the letters that were received from various entities regarding electronic signs and that the survey that was conducted concluded with the residents not wanting electronic signs in Trappe. Whereupon discussion ensued.

D. Onorato stated that the Borough could legally ban electronic signs in the Village Commercial District due to the historic nature of the Borough. D. Onorato stated that you must have a valid

reason to regulate electronic signs if you permit them and that you could not regulate without cause.

On a motion by F. Schuetz, seconded by T. Liberi, and carried unanimously by those Borough Council Members present, Borough Council agreed to table this discussion until the June 6, 2014 Borough Council Meeting. Motion carried 6 – 0.

Public Works & CTMA: C. Johnson stated that the Intermunicipal Agreement for Water Service to Upper Providence Township was invalid because what Trappe Borough approved and what Upper Providence Township approved are not the same. C. Johnson stated that D. Onorato was taking the lead on correcting this problem.

N. Scholl stated that he asked Paul Mullin not to work on the Intermunicipal Agreement with Upper Providence Township because he represents the CTMA and not Public Works.

C. Johnson stated that the cell tower revenue will continue to be distributed between the Boroughs and CTJPWD.

C. Johnson stated that they have hired a new negotiator to engage in the collective bargaining with CTJPWD.

Traffic & Safety: No report was offered.

OLD BUSINESS: President Scholl called for any old business.

LED Street Lighting: President Scholl stated that he provided an LED Street Lighting Executive Summary outlining the cost savings with a seven year payback period. President Scholl asked Borough Council to consider authorizing the Street Light Survey. President Scholl stated that the return on investment payback would be seven years.

On a motion by T. Liberi, seconded by P. Ronca, and carried unanimously by those Borough Council Members present, authorization to contract with Phillips to conduct an LED Street Light Survey in Trappe Borough for a fee not-to-exceed \$1,165.00 was approved. Motion carried 6 – 0.

CTMA Meeting Day: President Scholl stated that CTMA moved their meeting to the third Wednesday of each month to accommodate Paul Mullin. President Scholl asked that F. Schuetz find out from CTMA if they would be willing to change their meeting night so that CTMA and CTJPWD could meet on the same night. F. Schuetz stated that he would ask CTMA if they would consider an alternate meeting night.

NEW BUSINESS: President Scholl called for any new business.

Pension Review Committee Appointments: President Scholl stated that paragraph 6 of the Agreement for Appointment of State Aid for Non-Uniformed Pension Participants, requires Collegeville Borough and Trappe Borough to appoint two representatives each to form a joint Non-Uniform Pension Oversight Committee to meet annually to review the investment

performance of the Non-Uniformed Pension Plan. President Scholl nominated himself and Charles G. Rogers, CPA, CIA to fill the two vacant seats on the Non-Uniform Pension Oversight Committee for a one year term to expire on December 31, 2014. President Scholl stated that he authored a letter to the Borough of Collegetown regarding these appointments dated May 6, 2014 and asked if Borough Council would agree to have the letter sent.

On a motion by F. Schuetz, seconded by T. Liberi, and carried unanimously by those Borough Council Members present, Charles G. Rogers and President Nevin H. Scholl were appointed to the Pension Review Committee for a one-year term to expire on December 31, 2014 and to send the letter dated May 6, 2014 to the Borough of Collegetown. Motion carried 6 – 0.

Regional Police Study: President Scholl stated in response to Perkiomen Township's inquiry to see if Trappe Borough would participate in a regional police study, he provided a spreadsheet outlining *Police Cost Estimates Per Household Based On Trappe Household Size*. Whereupon a lengthy discussion ensued.

F. Schuetz made a motion to authorize Trappe Borough's participation in the regional police study. There was no second to the motion. Motion was moot.

Municipal Structure: President Scholl stated that he has prepared a Municipal Structure spreadsheet of the Trappe Borough Local Government and would like to post it on the website. P. Webster did not like the format used. President Scholl granted P. Webster thirty days to make changes to the form.

EXECUTIVE SESSION:

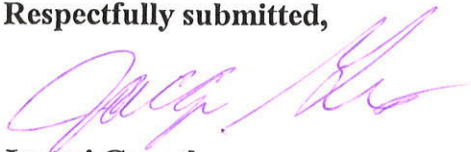
At 11:00 p.m. Council entered into Executive Session.

At 11:14 p.m. Council adjourned from Executive Session.

ADJOURNMENT:

There being no additional business to conduct, at 11:15 p.m., a motion to adjourn was made by P. Ronca, seconded by T. Liberi, and carried unanimously. Motion carried 6 – 0.

Respectfully submitted,



Jacqui Guenther
Borough Manager/Municipal Secretary