

**MINUTES TO THE MEETING OF
TRAPPE BOROUGH COUNCIL**

January 6, 2009

The regularly scheduled meeting of Trappe Borough Council was called to order at 7:02 p.m. by President Fred Schuetz.

Pledge of Allegiance to the Flag: The Pledge of Allegiance was led by Mayor Peck.

Announcement of Executive Session: President Schuetz announced there would not be an Executive Session conducted at the conclusion of the public portion of the meeting.

Roll Call by the Assistant Secretary: Those present were Mayor Connie Peck, President Fred Schuetz, Vice President Matt Watson, Nevin Scholl, Catherine Johnson, Lew DiPrete, Paul Edwards and Steve Kurcik. Also in attendance were Engineer John Sartor, Solicitor Dave Onorato, Treasurer Joe Lowe and Manager Tommy Ryan. Borough Secretary Pat Katona was an excused absence from the meeting.

Minutes of the Meeting of the December 30, 2008: All received a copy of the meeting minutes for December 30, 2008. Mr. Scholl noted a correction to page 3, line 4, so to specify the approved transfer from Borough's General Fund to the Borough's Municipal Capital Fund includes (1) the previously-approved a \$36,598 payment on the Trappe Volunteer Fire Company's ladder truck loan, and (2) an additional \$23,402 for other Company expenses, including the purchase of firefighting equipment and the planning for a replacement firehouse, for a total transfer of \$60,000.

N. Scholl motioned to accept the December 30, 2008 Monthly Meeting minutes, as presented and with the above-noted revision, second by L. DiPrete, all ayes. Motion carried 7 – 0.

Financial Reports (J. Lowe): All received a copy of Accounts Payable for checks 1337 to 1339, and noted electronic transfers.

N. Scholl noted the detail for check # 1339 should reflect payment for services provided in "December".

J. Lowe presented as additional payables:

- check #1342, in the amount of \$197.37, payable to Patricia Katona, for postage;
- check #1343, in the amount of \$20.00, payable to Michael Italia, for membership dues;
- check #1344, in the amount of \$30,099.00, payable to Allied Waste, for January services;

- check #1345, in the amount of \$990.00, payable to Print Copy, for winter newsletter;
- check #1346, in the amount of \$45.43, payable to Print Copy, for copies;
- check #1347, in the amount of \$40.00, payable to PSAoB, for membership dues;
- check #1348, in the amount of \$225.00, payable to PSAoB, for conference fees;
- check #1349, in the amount of \$33.99, payable to Staples, for office supplies;
- check #1350, in the amount of \$377.00, payable to Protection One, for 2009 services; and,
- check #1351, in the amount of \$2,700.00, payable to Kerns, Pearlstine, et.al., for December legal services.

J. Lowe noted check # 1341 was voided.

N. Scholl motioned to approve payment of bills for the checks noted above, and approval of the proposed wire transfers, second by L. DiPrete, all ayes. Motion carried 7 – 0.

M. Watson motioned to accept the Treasurer’s Report, second by P. Edwards, all ayes. Motion carried 7 – 0.

Manager’s Report (T. Ryan)

TSK Realty – Conditional Use Application 2008.3 – Mr. Ryan stated the Applicant seeks a conditional use approval so to establish an office use at 740 West Main Street. Mr. Ryan noted he had distributed to the Members proposal information, with review letters issued by the Borough Engineer and the Montgomery County Planning Commission. Mr. Ryan noted the matter was considered by the Trappe Borough Planning Commission on December 16, and that the Commission has recommended Council approve the Application, with conditions.

Mr. Ryan noted the conditional use hearing had been duly advertised. Mr. Ryan noted the hearing would be conducted by Solicitor Onorato.

S. Kurcik motioned to open the hearing, second by P. Edwards, all ayes. Motion carried 7 – 0.

A transcript of the proceedings was taken by a court reporter.

M. Watson motioned to close testimony, second by C. Johnson, all ayes. Motion carried 7 – 0.

S. Kurcik motioned to vote on the application, and to approve the application, and to direct the Borough Solicitor to draft an Order incorporating said approval, to be presented to Council at the February 3 meeting, second by M. Watson, all ayes. Motion carried 7 – 0.

Natural Lands Trust, Natural Areas Stewardship Report – Mr. Ryan noted the Members had received a draft stewardship report for Rambo Park and Main Street Park, as prepared by the Natural Lands Trust.

President Schuetz noted he would request a copy of the *Stewardship Handbook for Natural Lands in Southeastern Pennsylvania*, as referenced in the report. President Schuetz likewise

noted topography lines on the 2005 aerial seemed incorrect, and he recommended the report be revised to include a location key for site photographs. President Schuetz noted the report would be reviewed at the January meeting of the Open Space Committee.

N. Scholl noted he liked the report, and would like cost estimates provided for the listed stewardship recommendations. Both L. DiPrete and M. Watson stated the report was well done.

2009 Fee Schedule – Pursuant to previous discussion, Mr. Ryan presented a fee schedule for 2009, highlighted to denote new fees and terms. N. Scholl recommended Council adopt the new fees for the Residential Rental Registration, Inspection and Licensing Program, and defer the adoption of the balance of new fees until such time as these are reviewed and reported by the Finance Committee.

There was general discussion on the permit requirements of the Uniform Construction Code. Mr. Ryan noted the building inspector confirmed that the replacement of sinks, commodes and like plumbing fixtures was not required to be permitted under the UCC, provided pipes and/or valves were not altered or relocated. The building inspector's comments were in-line with the requirements enumerated in the International Residential Code Section 403.62.d.4, as read by P. Edwards.

In addition to the fees proposed for the Residential Rental Registration, Inspection and Licensing Program, Mr. Ryan recommended Council amend the current fee schedule to include: (1) fees and charges pertaining to the reproduction and delivery of public records, pursuant to Act 3 of 2008, and, (2) fines to be assessed when a permit applicant or his/her representative fail to show for scheduled inspection, and fines to be assessed when a permit applicant or his/her representative prematurely schedule an inspection. Mr. Ryan likewise recommended Council decrease the conditional use application fee to \$250 from \$1,000, and to establish a \$1,000 conditional use application escrow.

As to the conditional use application fee and escrow, N. Scholl recommended the fee schedule be revised to enumerate the expenses funded by the fee and the expenses to be drawn from the escrow. Mr. Ryan stated he would make this revision to the fee schedule.

L. DiPrete motioned to (a) approve Resolution 2009-1, amending the current fee schedule to include the above-noted four (4) revisions, with the explanatory language as to the conditional use application fee and escrow, and (b) direct the Borough Manager to assess the balance of standing fees, and to provide this assessment to the Finance Committee, for the Committee's review and recommendation to Council, second by N. Scholl, all ayes. Motion carried 7 – 0.

Adoption of the Official Zoning Map – Pursuant to previous discussions, Mr. Ryan presented a proposed Zoning Map for Members consideration. Mr. Ryan noted the proposed map corrected the zoning districts at several West Third Avenue and West Seventh Avenue properties. The proposed map likewise incorporates three previously approved re-zoned properties – the Stearly parcel (West First Avenue), the New Covenant Church parcel (West Third Avenue) and Neborlea Way.

Mr. Ryan provided members with a review letter prepared by the Montgomery County Planning Commission. On December 16 the Trappe Borough Planning Commission had recommended the map be adopted by Council, stated Mr. Ryan.

Mr. Ryan noted notices had been mailed to affected property owners, and that properties had been posted in accordance to the Pennsylvania Municipalities Planning Code. Mr. Ryan noted the Ordinance had been duly advertised, and was ready for consideration at this evening's meeting.

P. Edwards motioned to adopt the Official Zoning Map, as prepared by Gilmore & Associates and as dated November 11, 2008, second by N. Scholl.

A roll call was conducted:

President Schuetz	YES	N. Scholl	YES
Vice President Watson	NO	C. Johnson	YES
L. DiPrete	YES	S. Kurcik	YES
P. Edwards	YES		

The motion carried 6 – 1.

Network Printer – Mr. Ryan presented an overview of the lease, purchase and maintenance expenses for his recommended network printer.

N. Scholl motioned to approve the purchase of the network printer recommended by Mr. Ryan, second by L. DiPrete, all ayes. Motion carried 7 – 0.

Mr. Ryan sought direction as to the disposal of the current copy machine. Mr. Ryan noted the Trappe Volunteer Fire Company did not want this equipment. It was the consensus of Council this equipment be offered, as-is and at no cost, to the following non-profit organizations, in order: (1) the Speaker's House; (2) the Historical Society; (3) the Perkiomen Valley Library; and, (4) the Montgomery County Geriatric Center at the Parkhouse.

Community Music School – Conditional Use Application 2008.1 – Mr. Ryan presented Members with a Conditional Use Order, as prepared by Solicitor Onorato, pursuant to the hearing conducted at the December 9 meeting, and in accordance to the motion approving the proposed use, with conditions, having been made at same meeting.

N. Scholl noted a correction at page 1, paragraph 6, the spelling of the name of the Borough Engineer.

P. Edwards motioned to execute the Conditional Use Order, with the above-noted correction, second by S. Kurcik, all ayes. Motion carried 7 – 0.

M. Watson motioned to accept the Manager's Report, second by L. DiPrete, all ayes. Motion carried 7 – 0.

MAYOR'S REPORT (C. Peck): There was no report.

ENGINEER'S REPORT (J. Sartor): All received a copy of the Engineer's Report.

Mr. Sartor provided members with an update on the stormwater sewer project at 227 and 237 East Seventh Avenue. Solicitor Onorato noted the orphan lot at the rear of 227 East Seventh Avenue would likely not impact the project, and that this appeared to be the result of inconsistent deed language; Solicitor Onorato is working to confirm this to be so.

M. Watson motioned to accept the Engineer's Report as presented, second by P. Edwards, all ayes. Motion carried 7 – 0.

SOLICITOR'S REPORT (Solicitor Onorato): All received a copy of the Solicitor's Report. There were no questions or comments.

L. DiPrete motioned to accept the Solicitor's Report as presented, second by P. Edwards, all ayes. Motion carried 7 – 0.

OPEN TO THE PUBLIC

- There was no public comment.

COMMITTEE REPORTS

Finance (N. Scholl) – N. Scholl noted current PLGIT rates.

Public Works and Recycling (M. Watson) – There was no report

Collegeville-Trappe Municipal Authority (N. Scholl) – N. Scholl noted current PLGIT rates.

Property, Streets, Traffic & Safety (P. Edwards) – P. Edwards noted the Committee will meet on January 20, at which time 2009 objectives would be discussed.

P. Edwards reviewed the monthly report provided by the Pennsylvania State Police, and P. Edwards reviewed the monthly and year-end reports provided by the Trappe Volunteer Fire Company.

Brian Long, Trappe Volunteer Fire Company Fire Chief, noted the year-end report of the Ambulance Corps would be forwarded to Council. Chief Long stated the Corps responded to approximately 2,100 calls for aid in 2008.

President Schuetz noted a recent break-in at the former school at East First Avenue and College Avenue.

Planning, Zoning & Open Space (President Schuetz) – S. Kurcik noted the Regional Planning Commission will meet at Borough Hall on January 12.

Personnel, Appointments & Ordinances (L. DiPrete) – Mr. Ryan noted Members were provided with a list of persons proposed for, or otherwise expressing interest in, various posts and positions, as listed below:

<u>position:</u>	Treasurer
<u>term:</u>	12/31/09
<u>presently at post:</u>	Joe Lowe
<u>candidates for post:</u>	Joe Lowe
<u>position:</u>	Borough Manager
<u>term:</u>	at will
<u>presently at post:</u>	Tommy Ryan
<u>candidates for post:</u>	Tommy Ryan
<u>position:</u>	Zoning Officer
<u>term:</u>	at will
<u>presently at post:</u>	Tommy Ryan
<u>candidates for post:</u>	Tommy Ryan
<u>position:</u>	Solicitor
<u>term:</u>	12/31/09
<u>presently at post:</u>	Kerns, Pearlstine, Onorato & Hladik, LLP
<u>candidates for post:</u>	Kerns, Pearlstine, Onorato & Hladik, LLP
<u>position:</u>	Engineer
<u>term:</u>	12/31/09
<u>presently at post:</u>	Gilmore & Associates
<u>candidates for post:</u>	Gilmore & Associates
<u>position:</u>	Zoning Hearing Board Solicitor
<u>term:</u>	12/31/09
<u>presently at post:</u>	Robert L. Brant & Associates
<u>candidates for post:</u>	Robert L. Brant & Associates
<u>position:</u>	Building Inspector
<u>term:</u>	12/31/09
<u>presently at post:</u>	Gilmore & Associates
<u>candidates for post:</u>	Gilmore & Associates
<u>position:</u>	Plumbing Inspector
<u>term:</u>	12/31/09
<u>presently at post:</u>	Gilmore & Associates
<u>candidates for post:</u>	Gilmore & Associates

<u>position:</u>	UCC Code Officer
<u>term:</u>	12/31/09
<u>presently at post:</u>	Gilmore & Associates
<u>candidates for post:</u>	Gilmore & Associates
<u>position:</u>	Fire Marshal
<u>term:</u>	12/31/09
<u>presently at post:</u>	Mike Italia
<u>candidates for post:</u>	Mike Italia
<u>position:</u>	Assistant Fire Marshal
<u>term:</u>	12/31/09
<u>presently at post:</u>	William Wilfong
<u>candidates for post:</u>	William Wilfong
<u>position:</u>	Emergency Services Coordinator
<u>term:</u>	12/31/09
<u>presently at post:</u>	William Wilfong
<u>candidates for post:</u>	William Wilfong
<u>position:</u>	Planning Commission (#1)
<u>term:</u>	12/31/12
<u>presently at post:</u>	Brett Yeagley
<u>candidates for post:</u>	Brett Yeagley
<u>position:</u>	Planning Commission (#2)
<u>term:</u>	12/31/11
<u>presently at post:</u>	vacant
<u>candidates for post:</u>	Michelle Monaco
<u>position:</u>	Planning Commission Secretary
<u>term:</u>	12/31/09
<u>presently at post:</u>	Vordea Mingis
<u>candidates for post:</u>	Vordea Mingis
<u>position:</u>	Zoning Hearing Board, Member
<u>term:</u>	12/31/11
<u>presently at post:</u>	Al Douglas
<u>candidates for post:</u>	Al Douglas, Kathleen McDowell
<u>position:</u>	Zoning Hearing Board, Alternate Member (#1)
<u>term:</u>	12/31/09
<u>presently at post:</u>	Sue Leighton
<u>candidates for post:</u>	Sue Leighton
<u>position:</u>	Zoning Hearing Board, Alternate Member (#2)
<u>term:</u>	12/31/09
<u>presently at post:</u>	David Crist
<u>candidates for post:</u>	Richard Althouse

position: **Property, Streets, Traffic & Safety Committee**
term: none
presently at post: vacant
candidates for post: Michelle Monaco

position: **Vacancy Board**
term: 12/31/09
presently at post: Robert Manley
candidates for post: Robert Manley

P. Edwards motioned to present all persons noted above in nomination for the post or position so stated, second by L. DiPrete, all ayes. Motion carried 7 – 0.

President Schuetz called for other names to be considered for nomination. There were none.

P. Edwards motioned to appoint all nominated persons to the post or position so stated, and to the terms noted, with the exception of two offices, Zoning Hearing Board Member and Zoning Hearing Board Alternate Member #2, second by L. DiPrete, all ayes. Motion carried 7 – 0.

M. Watson motioned to appoint Kathleen McDowell to the position the Zoning Hearing Board, to a term to expire on December 31, 2011, second by L. DiPrete, all ayes. Motion carried 7 – 0.

L. DiPrete motioned to appoint Richard Althouse to the position the Zoning Hearing Board Alternate Member, to a term to expire on December 31, 2009, second by P. Edwards, all ayes. Motion carried 7 – 0.

Chief Long requested Committee memberships be posted to the Borough's website. President Schuetz confirmed there were no changes to current Committee memberships.

NEW BUSINESS

- P. Edwards motioned to direct the Borough Manager to visit a dozen or so communities similar to Trappe, including but not limited to Spring City, Elverson, Morgantown, Boyertown, Royersford, Phoenixville, Exton, Kennett Square, Downingtown, Harleysville, Souderton, Hatfield, Lansdale, Sellersville and North Wales, and to take photographs of various streetscape items including but not limited to curbs, sidewalks, street lights, traffic signals, signs, street trees, crosswalks, public art, other amenities and uses, and to present all information to the Property, Streets, Traffic & Safety Committee for review and comment to the Planning Commission, in effort to begin preparation of a redevelopment plan for West Main Street, second by L. DiPrete, all ayes. Motion carried 7 – 0.

Matt Watson thanked the Borough Mayor and Treasurer, and all the consultants and volunteers, for their efforts in 2008.

President Schuetz read from a statement, a copy of which is attached hereto. President Schuetz thanked the Mayor, Council and all for their efforts in 2008.

At 8:25 p.m., there being no additional business, a motion to adjourn was made by M. Watson, second by P. Edwards, all ayes. Motion carried 7 – 0.

Respectfully submitted,

Tommy Ryan
Borough Manager / Assistant Secretary