

MINUTES TO THE MEETING OF TRAPPE BOROUGH COUNCIL

November 4, 2009

The regularly scheduled meeting of Trappe Borough Council was called to order at 7:10 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 an Executive Session to discuss matters of litigation, land acquisition and personnel was held prior to this evening's meeting, and that a vote on a personnel matter was expected this evening.

Roll Call by the Borough Secretary: Those present were President Fred Schuetz, Vice President Matt Watson, Lew DiPrete, Paul Edwards, Catherine Johnson, Steve Kurcik, Nevin Scholl and Mayor Connie Peck. Also in attendance were Solicitor Dave Onorato, Engineer MaryLou Lowrie, Treasurer Joe Lowe and Manager Tommy Ryan.

Minutes of the Meetings of October 5, 2009 and October 6, 2009: All received a copy of the minutes for the October 5, 2009 and October 6, 2009 meetings.

C. Johnson motioned to accept the October 5, 2009 meeting minutes as presented, second by L. DiPrete, all ayes. Motion carried 7 – 0.

M. Watson motioned to accept the October 6, 2009 meeting minutes as presented, second by S. Kurcik, all ayes. Motion carried 7 – 0.

Open to the Public for Non-Agenda Items:

- There were no comments.

Financial Reports: All received a copy of Accounts Payable for checks 1793 to 1839, and noted electronic transfers.

Mr. Ryan presented the following additional payables:

- check #1840, in the amount of \$150.00, payable to Fred Schuetz, for Rambo Park mulch day volunteer expense reimbursements;

- check #1841, in the amount of \$300.00, payable to Asplen Signs, for a deposit on Rambo Park signage;
- check #1842, in the amount of \$250.72, payable to KDI, for the quarterly printing charge;
- check #1843, in the amount of \$520.00, payable to Brusca Landscape Supply, for Rambo Park mulch bed liner; and,
- check #1844, in the amount of \$5,250.00, payable to Corey’s Country Landscaping, for Rambo Park landscape improvements.

J. Lowe confirmed remitted earned income tax dollars received to date were included in the “earned income tax” line-item. This amount is approximately \$41,000.00.

Mr. Ryan confirmed the \$4,250.00 payment received from Gilmore & Associates represented Gilmore’s share of the Laurel Drive and Lilac Circle Change Order settlement agreement. Mr. Ryan confirmed that, of the \$4,400.00 previously paid to Carroll Engineering for a street light audit, \$2,400.00 had been reimbursed by Collegeville Borough.

N. Scholl motioned to approve payment of the bills and the electronic transfers as presented, and payment of the above-noted additional payables, second by M. Watson, all ayes. Motion carried 7 – 0.

N. Scholl motioned to authorize the Borough Treasurer to invest up to \$240,000.00 in a certificate of deposit, of a term up to thirteen (13) months, at a rate of 2.1%, with Superior Credit Union, second by S. Kurcik, all ayes. Motion carried 7 – 0.

C. Johnson requested the A/R Report be revised so to add an aging history for each account. N. Scholl requested the value for each account revert to the format of past reports. Mr. Ryan will provide for both revisions.

Manager’s Report: Mr. Ryan presented the below-noted matters:

Ordinance 414: Key Lock Box Systems – In accordance to discussion at the October 6 meeting, Mr. Ryan has advertised this Ordinance for consideration at this evening’s meeting.

P. Edwards motioned to approve Ordinance 414, amending the Subdivision and Land Development Ordinance and the Code of Ordinances of the Borough so to require the installation of key lock box systems at certain properties, second by M. Watson:

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

The motion carried, 6 ayes to 1 nay.

N. Scholl stated he voted against the ordinance because he believes efforts to install key lock box systems should focus on encouraging the owners of existing non-residential properties to voluntarily install said systems.

MS4 announcement – As part of the Borough’s ongoing efforts to protect and preserve our community’s watershed, Mr. Ryan noted the United States Department of Environmental Protection offers archived web-casts on various stormwater management issues. In specific, Mr. Ryan noted a seminar on the basics of stormwater management.

Laurel Drive HOA agreement – Mr. Ryan presented Council with a proposed agreement between the Laurel Drive Homeowners Association (LDA) and the Borough, so to set forth the repayment obligation of that portion of the Laurel Drive and Lilac Circle reclamation project due to the Borough.

Paul Benensky, LDA president, provided Council with recommended revisions to the agreement.

There was general discussion regarding the agreement. The consensus of Council was to amend the agreement per the following:

1. the LDA will pay the Borough \$5,984.71 on or before December 31, 2009;
2. the balance due will be subject to interest at the rate of three percent (3%) per year; and,
3. should the LDA receive additional payments from homeowners, these funds will be remitted to the Borough within five (5) days of receipt by the LDA, and the Borough will then calculate a new amortization schedule that lowers the monthly payment to the Borough, and retains a monthly payment schedule to February 2014.

N. Scholl motioned to direct the Borough Manager to amend and execute an agreement as discussed, second by P. Edwards, all ayes. Motion carried 7 – 0.

Mr. Benensky requested the Borough review water that is percolating between the two southeastern townhouse buildings at Laurel Drive. Mr. Ryan will follow-up as to this matter.

2010 – 2015 Budget draft – Mr. Ryan noted he had revised the budget so to include the comments of the Finance Committee, and to incorporate Borough financials for the year-do-date up to October 31.

The consensus of Council was to conduct a Special Meeting on the budget on Tuesday, November 10; the meeting will be held at Borough hall, and will start at 7:00 p.m.. Mr. Ryan will provide for required advertisement.

Mayor’s Report: Mayor Peck noted various happenings and events during the prior month.

Engineer’s Report: All received a copy of the Engineer’s Report. There were no questions.

Solicitor's Report: There was no Solicitor's Report.

M. Watson motioned to approve the reports as presented by the Borough Manager, Mayor Peck, Borough Engineer and Borough Solicitor, second by P. Edwards, all ayes. Motion carried 7 – 0.

Open to the Public for Non-Agenda Items:

- Ken Anderson, Allied Waste, addressed Council, and thanked the Borough for the opportunity to serve as the municipality's contracted waste hauler. Mr. Anderson noted he and Mr. Ryan had discussed the Borough re-bidding this service, and stated that, upon his initial review of the current contract, a re-bid would not impact the Borough's ability to execute the option year under the current contract.

Committee Reports:

Finance (N. Scholl) – N. Scholl noted the Borough was able to extend its waste removal contract with Allied Waste for a one-year term beginning on January 1, 2010. As the extension is the final option year under the current contract with Allied Waste, the Borough will be required to bid waste removal services for a new contract term beginning no later than January 1, 2011.

So to determine any benefit in securing a longer-term agreement at this time, N. Scholl recommended the Borough Manager bid the service for a new minimum three-year contract beginning January 1, 2010, provided said bid does not affect the Borough's ability to execute the final option year under the current contract.

S. Kurcik motioned to direct the Borough Manager to bid waste removal service as discussed, conditioned upon said bid not affecting the Borough's ability to execute the final option year under the current contract, second by L. DiPrete, all ayes. Motion carried 7 – 0.

President Schuetz recommended the Borough conduct an independent audit for the year ending December 31, 2007, approximately the time of the most recent change in the position of Borough Treasurer. N. Scholl noted that, per the determination of the Borough Solicitor, the Borough is not required to conduct an independent audit for this period. President Schuetz noted he supports an independent audit be conducted on regular intervals.

P. Edwards voiced support for the proposed independent audit. An escrow error made by the previous Borough Treasurer was cited.

N. Scholl stated a prior Borough Auditor and the current Borough Treasurer do not believe an independent audit is required to be conducted at this time. But should Council desire to conduct an independent audit, N. Scholl is agreeable to earmarking the required funds in the 2010 – 2015

budget. N. Scholl questioned the potential impact of having a regular independent audit on the position of elected auditor.

J. Lowe stated that, sans the above-noted escrow error, he does not know of another budgeting irregularity that would warrant an independent audit.

M. Watson motioned to direct the Finance Committee to obtain three proposals to conduct an independent audit for the year ending December 31, 2007, second by P. Edwards:

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

The motion carried, 4 ayes to 3 nays.

Public Works & Recycling (M. Watson) – M. Watson noted new lease agreements at the West Seventh Avenue water tower. Mr. Ryan stated the agreements would be presented to Council at a future meeting.

Collegeville-Trappe Municipal Authority (N. Scholl) – N. Scholl noted the Perkiomen Valley Regional Sewer Authority would likely hold rates for the upcoming year. N. Scholl stated the Collegeville-Trappe Municipal Authority was now reviewing rates for the upcoming year.

Property, Streets, Traffic & Safety (P. Edwards) – P. Edwards reviewed the monthly reports as prepared by the Trappe Volunteer Fire Department and the Pennsylvania State Police. P. Edwards thanked the Trappe Volunteer Fire Department for their efforts during fire prevention week.

P. Edwards updated Council on discussions had at the most recent Property, Streets, Traffic & Safety Committee meeting.

Mr. Ryan confirmed the SpeedSentry machine will be posted at Betcher Road, East Seventh Avenue and North Borough Line Road throughout the upcoming weeks.

General discussion was had regarding redevelopment efforts at West Main Street. If Council wishes to see something “different” happen along this corridor, Mr. Ryan recommended the Members determine if this encompasses streetscape improvements only, or if this likewise includes a review of current and potential uses, use densities and other zoning considerations.

Solicitor Onorato noted how similar planning efforts have been directed in other municipalities.

Mr. Ryan will distribute to Council several photographs of village commercial uses in Montgomery County and Chester County.

The Members discussed Pennsylvania State House Bill 1500, which would require municipalities that utilize State Police services to pay a per capita fee for said service. While the legislation is likely to be considered by the House Appropriations Committee in 2010, Mr. Ryan noted the bill will most likely not become law next year. Discussion was had as to whether funds for a police study should be earmarked in the 2010 – 2015 budget, and the consensus of Council was to continue this discussion at the November 10 Special Meeting on the budget.

Planning, Zoning & Open Space (President Schuetz) – President Schuetz reviewed a sketch of a proposed entrance sign and kiosk sign at Rambo Park. Discussion was had regarding whether either sign should specifically acknowledge taxpayers as a funding source for this park project. N. Scholl noted he prefers that “Trappe taxpayers” be acknowledged, but was agreeable a sign that denotes a contribution from the “taxpayers”. Noting the grant programs for this park project were funded in part by taxpayers, M. Watson believes a specific reference would be redundant.

M. Watson motioned to approve the proposed entrance sign and kiosk sign at Rambo Park, as presented to the Pennsylvania Department of Conservation and Natural Resources, second by L. DiPrete:

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

The motion carried, 6 ayes to 1 nay.

Personnel, Appointments & Ordinances (L. DiPrete) – L. DiPrete noted the Personnel Committee had reviewed salary adjustments for the positions of Administrative Assistant and Borough Treasurer, and the Committee unanimously recommended the following:

1. to increase the annual salary for the Administrative Assistant to \$35,700.00 per year from \$35,000.00 per year, effective October 30, 2009;
2. to award a two percent (2%) bonus to the Administrative Assistant, in the amount of \$700.00;
3. to increase the Borough’s retirement contribution for the Administrative Assistant to six percent (6%) from five percent (5%), effective October 30, 2009;
4. to increase annual personal days for the Administrative Assistant to three (3) days from two (2) days, effective October 30, 2009;
5. to increase the monthly stipend for the Borough Treasurer to \$1,100.00 per month from \$1,000.00 per month, effective December 1, 2009.

M. Watson motioned to approve the compensation recommendations of the Personnel Committee as noted above, second by P. Edwards:

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

The motion carried, 6 ayes to 1 nay.

N. Scholl stated he desired additional time in Executive Session so to review this matter.

Old Business:

- N. Scholl inquired as to a letter that was to have been sent to the owners of privately-held fire hydrants. Solicitor Onorato noted his firm had sent this letter, and stated he will provide a copy of same to the Borough.
- Brian Long, Fire Chief for the Trappe Volunteer Fire Department, inquired as to the ownership of hydrants at the College Woods subdivision. Mr. Ryan stated he believes these hydrants to be owned and maintained by the Collegeville-Trappe Joint Public Works Department; Mr. Ryan will follow-up on same.
- President Schuetz thanked the many volunteers who helped to spread mulch at the new tot-lot at Rambo Park.

New Business: There was no New Business.

At 9:25 p.m., there being no additional business, a motion to adjourn was made by M. Watson, second by L. DiPrete, all ayes. Motion carried 7 – 0.

Respectfully submitted,

Tommy Ryan
Borough Manager / Borough Secretary