

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

September 1, 2009

The regularly scheduled meeting of Trappe Borough Council was called to order at 7:03 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 and personnel would be held at the conclusion of the public portion of the meeting.

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

**Minutes of the Meeting of August 4, 2009:** All received a copy of the minutes for the August 4, 2009 meeting.

N. Scholl noted a revision to the following:

- page 8, line 40: *“there are 593 children in grades 6 and under residing in the Borough”*.

L. DiPrete noted a revision to the following:

- page 4, line 22: *“situated”*;
- page 7, line 37: *“On behalf of P. Edwards”*;
- page 8, line 43: *“develop”*; and,
- page 9, line 19: *“\$51,712.00”*

N. Scholl motioned to accept the August 4, 2009 Monthly Meeting, with the above-noted revisions thereto, second by C. Johnson, all ayes. Motion carried 7 – 0.

**Financial Reports:** All received a copy of Accounts Payable for checks 1658 to 1699, and noted electronic transfers.

Treasurer Lowe presented as additional payables:

- check #1702, in the amount of \$30,099.00, payable to Allied Waste, for September waste removal services;

- check #1703, in the amount of \$83.62, payable to Staples, for office supplies;
- check #1704, in the amount of \$157.00, payable to the USPS, for postage;
- check #1705, in the amount of \$600.00, payable to Czop Specter, for engineering costs as to the Laurel Drive and Lilac Circle Reclamation Project;
- check #1706, in the amount of \$21.00, payable to J-Tech Emergency Lighting, for equipment for the Fire Marshal;
- check #1707, in the amount of \$3,275.98, payable to the Colleeville-Trappe Joint Public Works Department, for July services;
- check #1708, in the amount of \$200.00, payable to Rubeo's Catering, for a deposit to the Borough Association dinner event;
- check #1709, in the amount of \$40.50, payable to the Montgomery County Recorder of Deeds, for public notary fee for Dianne Green;
- check #1710, in the amount of \$150.00, payable to the Thomas Insurance Group, for a public notary bond for Dianne Green;
- check #1711, in the amount of \$21,423.04, payable to Gilmore & Associates, Inc, for August engineering services;
- check #1712, in the amount of \$42.48, payable to Print Copy Design Solutions, for photocopies;
- check #1713, in the amount of \$9,204.97, payable to Environmental Landscape Services, Inc., for Rambo Park improvements
- check #1076, in the amount of \$118,644.84 (from the Liquid Fuels Fund), payable to RJ Sell, Incorporated, for the Laurel Drive & Lilac Circle Reclamation Project;
- check #1714, in the amount of \$19,555.10, payable to RJ Sell, Incorporated, for the Laurel Drive & Lilac Circle Reclamation Project;
- check #1715, in the amount of \$391.18, payable to Capital Promotions, Inc., for Trappe Community Day – yard signs;
- check #1716, in the amount of \$325.00, payable to the Philadelphia Eagles, for Trappe Community Day – mascot;
- check #1717, in the amount of \$175.00, payable to the Reading Phillies, for Trappe Community Day – mascot;
- check #1718, in the amount of \$100.00, payable to the Caitrin Academy of Irish Dance, for Trappe Community Day – dancers;
- check #1719, in the amount of \$210.00, payable to Gene Galligan, for Trappe Community Day – puppet show;
- check #1720, in the amount of \$200.00, payable to Michael Oelschlager, for Trappe Community Day – band;
- check #1721, in the amount of \$200.00, payable to Richie Blyweiss, for Trappe Community Day – mascot (Wings);
- check #1722, in the amount of \$150.00, payable to Brent LLC, for Trappe Community Day – mascot (Kixx);
- check #1723, in the amount of \$750.00, payable to Family Fun Productions, for Trappe Community Day – magic show;
- check #1724, in the amount of \$275.00, payable to the Student Transportation of America, for Trappe Community Day – bus service;

- check #1725, in the amount of \$1,000.00, payable to Rita O’Vary, for Trappe Community Day – pony rides;
- check #1726, payable to Bette’s Bounces, in the amount of \$2,088.00, for Trappe Community Day – inflatables;
- check #1727, in the amount of \$3,500.00, payable to Clouser Productions, for Trappe Community Day – band;
- check #1728, in the amount of \$750.00, payable to What-Knott Farm, for Trappe Community Day – petting zoo;
- check #1729, in the amount of \$200.00, payable to Marilyn Schassberger, for Trappe Community Day – gift;
- check #1730, in the amount of \$800.00, payable to the Sixty Sense Band, for Trappe Community Day – band;
- check #1731, in the amount of \$2,017.00, payable to the Party Center, for Trappe Community Day – tent and chair rental.

Mr. Ryan confirmed Additional Payable check #1705 was for re-bid expenses as to the Laurel Drive and Lilac Circle Reclamation Project.

Joe Lowe will delete Additional Payable check #1076, and in lieu thereof prepare a check in same amount of \$118,644.84, from the Borough General Fund, and payable to RJ Sell. It was agreed the Borough will reimburse this expense from the Liquid Fuels Fund at year’s end.

Mr. Ryan confirmed the funds per check #1660 would be maintained by Colledgeville Borough pursuant to the Comcast franchise negotiation intergovernmental agreement.

Mr. Ryan confirmed check #1665 was for lane markings on Betcher Road, East Seventh Avenue and North Borough Line Road. Mr. Ryan will send Perkiomen Township a thank you note for their contribution to the lane markings on Betcher Road.

Mr. Ryan confirmed check #1684 was the premium payment to the Borough’s short-term and long term disability insurance policy, and life insurance policy.

Mr. Ryan confirmed check #1689 was for legal research to determine ownership of, and maintenance responsibilities for, a right-of-way that abuts two Linden Avenue properties.

N. Scholl motioned to approve payment of the bills, electronic transfers and above-noted additional payables, minus Additional Payable check #1076 and to provide for this payment as noted above, second by C. Johnson, all ayes. Motion carried 7 – 0.

N. Scholl noted certificates of deposit would be maturing in the coming month, and recommended the purchase of longer-term certificates, so to better the interest rate paid on same.

N. Scholl motioned to direct the Borough Treasurer to invest up to \$250,000.00 in certificates of deposit for a period up to one (1) year, second by S. Kurcik, all ayes. Motion carried 7 – 0.

**Manager's Report:** Mr. Ryan presented the below-noted issues:

Public Hearing: CUA 2009-2, Olock (389 West Main Street) – Mr. Ryan provided an overview of a conditional use application to establish a music school use at 389 West Main Street.

Solicitor Onorato opened the Public Hearing.

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

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

P. Edwards motioned to grant conditional use approval of a music school use at 389 West Main Street, pursuant to the hearing testimony as presented, and subject to the Borough Solicitor drafting the required Conditional Use Order, with said Order subject to the review and approval of Council at the October 6 meeting, second by M. Watson, all ayes. Motion carried 7 – 0.

Public Hearing: CUA 2009-3, Stearly Amendment – Mr. Ryan provided an overview of a conditional use application to confirm the responsibility to design and install a traffic signal at West Main Street and First Avenue.

Solicitor Onorato opened the Public Hearing.

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

At 8:10 p.m. Council entered into Executive Session to discuss a matter of potential litigation as to this application.

At 8:35 p.m. Council adjourned from Executive Session.

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

M. Watson motioned to table this application for additional consideration at Council's meeting on October 6, second by N. Scholl:

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

The motion carried, 6 ayes to 1 nay.

CUA 2009-1, Providence Property Holdings, LLC – Mr. Ryan presented a Conditional Use Order, noting said Order, as drafted by the Solicitor, properly reflected Council’s decision on this application, as made at the August 4 meeting.

C. Johnson motioned to execute the Conditional Use Order as presented, second by S. Kurcik, all ayes. Motion carried 7 – 0.

Ordinance 412 – Fill Materials for Residential and Non-residential Driveways – Mr. Ryan presented an ordinance to establish fill material standards, compaction practices and sub-base specifications at certain residential and non-residential driveways. Pursuant to Council’s direction at the August 4 meeting, the ordinance has been advertised for consideration at this evening’s meeting.

Mr. Ryan confirmed the proposed language affects only those properties subject to an application for land development.

N. Scholl motioned to approve Ordinance 412, establishing fill material standards, compaction practices and sub-base specifications at certain residential and non-residential driveways, second by P. Edwards, all ayes. Motion carried 7 – 0.

MS4 announcement – As part of the Borough’s ongoing efforts to protect and preserve our community’s watershed, Mr. Ryan recommended residents attend to oil leaks in automobiles.

M. Watson motioned to approve the Treasurer’s Report and Manager’s Report, second by S. Kurcik, all ayes. Motion carried 7 – 0.

At 8:40 p.m. Council entered into Executive Session to discuss a matter of potential litigation and land acquisition.

At 8:55 p.m. Council adjourned from Executive Session.

**Open to the Public for Non-agenda Items:**

- Stu Strauss provided an update as to Trappe Community Day. Mr. Strauss noted a greater-than anticipated number of donations and sponsors have been received as of this date. Mr. Strauss thanked event co-chairwoman Kathleen McDowell and several other event volunteers for their efforts to date.
- Stu Strauss commented on public water rates, and stated his support for holding the line on same.
- Stu Strauss voiced opposition to the potential acquisition of a compost facility.
- Dan Picinich, President of the Rosewood Homeowners Association, voiced opposition to a proposed trail connection linking Williams Way to the development’s existing loop

trail. Mr. Picinich inquired as to other potential connections, and the current status of each connection.

President Schuetz provided a brief summary as to efforts to connect Rambo Park to neighboring communities. President Schuetz likewise provided a brief history of the off-road trail connections discussed at the time the Rosewood plan was being considered for land development approval.

Mr. Picinich noted three concerns as to the proposed link to Rosewood's existing loop trail: (1) increased pedestrian traffic along the trail; (2) increased cost of trail maintenance incurred by the HOA; and, (3) increased liability incurred by the HOA.

Mr. Ryan provided an overview of the five options he has presented to Council: (1) a sidewalk to link the existing sidewalk at West Main Street to the existing sidewalk at Rosewood; (2) a sidewalk to link the existing sidewalk at Rosewood to the existing sidewalk at Rittenhouse; (3) an off-road trail along the sanitary sewer easement, connecting Williams Way to the existing sidewalk at Rosewood; (4) an off-road trail connecting Williams Way to the existing loop trail at Rosewood; and, (5) an off-road trail across the Accellent property, connecting the existing sidewalk at Rittenhouse to the existing loop trail at Rambo Park.

Mr. Ryan stated the Rittenhouse HOA had agreed to provide an easement to allow for the construction of above-noted option (4). Mr. Ryan stated the Rittenhouse HOA had likewise agreed to own and maintain that portion of the trail situated on property owned by the Rittenhouse HOA.

N. Scholl stated he does not favor a vote on any option at this evening's meeting, and called for additional study of the options presented.

Howard Lownes, West Fifth Avenue, voiced opposition as to above-noted option (2). Mr. Lownes stated he did not believe there is sufficient demand to warrant the installation of a sidewalk at this location.

Albert Kalmbach, West Fifth Avenue, voiced opposition as to above-noted option (2).

Mayor Peck noted that both residents and the Perkiomen Valley School District favor the extension of sidewalks, and that same has been a topic of discussion for several years.

Mayor Peck addressed safety concerns for properties abutting off-road trails. Mayor Peck noted an off-road trail is located approximately twenty feet from the boundary line her property shares with Rambo Park, and stated she has experienced no adverse matters relating to this trail.

M. Watson stated he does not favor a vote on any option at this evening's meeting.

Mr. Ryan provided an overview of some of the advantages and disadvantages for each of the five options.

S. Kurcik noted there had been several discussions as to trails and sidewalks over the years, but stated the five options discussed at this evening's meeting had been presented to him the week before the meeting. S. Kurcik likewise noted he was not aware the Borough Manager had requested the Borough Engineer to review one of the options.

S. Kurcik recommended another option be considered, specifically the construction of an on-road trail along the shoulder of West Fifth Avenue.

N. Scholl requested sidewalk and trail connections to Rambo Park be included on the agenda for upcoming Council meetings.

As to above-noted option (2), Mr. Lownes stated President Schuetz had indicated the Borough would acquire the right-of-way and construct a sidewalk therein, even if the affected property owners were against the construction of a new sidewalk. President Schuetz stated this was not accurate.

Mark Carrig, Jefferson Court, stated the Rittenhouse HOA had not asked the Borough to consider a trail or sidewalk connection to Rambo Park. Mr. Ryan read an October 24, 2008 letter to Trappe Borough, as received from the Rittenhouse Square HOA Board of Directors, in which the Board requested the Borough to consider a trail or sidewalk connection to Rambo Park.

Mr. Picinich questioned the need for a sidewalk or trail connection to Rambo Park.

A resident of the Rosewood development requested Council discard above-noted options (2) and (4). No motion was made on this request.

Several additional residents of the Rosewood development voice opposition to above-noted options (2) and (4).

N. Scholl recommended the options be distributed to affected property owners and HOAs. Mr. Ryan will provide for this distribution.

President Schuetz invited residents to attend the Planning, Zoning and Open Space Committee meeting on September 2.

N. Scholl stated President Schuetz had devoted considerable time and efforts to the planning and development of Rambo Park.

- Becky Finberg, manager of the Perkiomen Valley Library at Schwenksville, thanked Council for the Borough's financial support in 2009, and requested the Members consider providing like support in the coming year. Ms. Finberg noted state funding for public libraries had regressed to 1987 levels.

N. Scholl asked if the library could identify patrons by municipality. Ms. Finberg confirmed the library maintained such data; she will forward this information to Mr. Ryan.

- Jim Krinsky, owner of the Sign Studio, introduced himself and provided Council with a brief overview of his West Main Street business.

**Mayor's Report:** There was no Mayor's Report.

**Engineer's Report:** All received a copy of the Engineer's Report.

S. Kurcik asked how much time was required to review the connection option to Rambo Park. Engineer Sartor stated this work required approximately one hour of time.

Mr. Ryan provided an update on the status of the land development and improvement inspections at 167 West Main Street. Mr. Ryan confirmed the land development agreement for this project had been executed, and the required financial security for the improvements had been posted.

**Solicitor's Report:** All received a copy of the Solicitor's Report. There were no questions.

S. Kurcik motioned to approve the Mayor's Report, Engineer's Report and Solicitor's Report, second by N. Scholl, all ayes. Motion carried 7 – 0.

**Committee Reports:**

**Finance (N. Scholl)** – N. Scholl noted a Special Meeting would be scheduled for the purpose of interviewing residents interested in being appointed to the two vacant positions of Borough Auditor.

Solicitor Onorato confirmed the 2007 year-end audit prepared by the then-Borough Auditors satisfied any audit requirements at the time of a change in Treasurer, as may be required by the Borough Code.

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

**Collegeville-Trappe Municipal Authority (N. Scholl)** – There was no report.

**Property, Streets, Traffic & Safety (P. Edwards)** – On behalf of P. Edwards, L. DiPrete noted P. Edwards would provide a Committee report to the Members in the near future.

S. Kurcik inquired as to conversations had regarding the acquisition of land. Solicitor Onorato confirmed discussions regarding the potential purchase of real estate may be discussed in Executive Session.

Brian Long, Trappe Volunteer Fire Department Fire Chief, provided Members with an update on the department's ongoing merger talks with Collegeville Volunteer Fire Company. Chief Long noted the next merger meeting was scheduled for September 3. N. Scholl recommended officials in Upper Providence Township be contacted so to best coordinate planning efforts on this front. It was agreed that Mr. Ryan will contact Upper Providence Township.

Planning, Zoning & Open Space (President Schuetz) – President Schuetz spoke to the installation of a kiosk at Rambo Park, and presented a proposal to construct same.

N. Scholl motioned to approve a contract to install a kiosk at Rambo Park, submitted by Halteman Brothers, dated August 26, 2009, at a cost of \$3,395.00, second by C. Johnson, all ayes. Motion carried 7 – 0.

President Schuetz spoke to the installation of trees and bushes at Rambo Park. In that the expected planting cost exceeds \$10,000.00, this project must be bid in accordance to the state law.

N. Scholl motioned to direct the Rambo Park tree and bush planting project, as discussed, be advertised for bid, second by M. Watson, all ayes. Motion carried 7 – 0.

Personnel, Appointments & Ordinances (L. DiPrete) – L. DiPrete stated his support for the two residents who had expressed interest in appointment to the two vacant positions of Borough Auditor. L. DiPrete noted both candidates would be interviewed at a Special Meeting of Council, said meeting's date to be scheduled.

S. Kurcik confirmed his acceptance of the position of Alternate Delegate to the Montgomery County Tax Collection Committee.

L. DiPrete noted the newly-codified Borough Code had been received, and that said Code is ready for adoption by ordinance, as required by state law. L. DiPrete presented a draft ordinance to duly adopt the Borough Code.

C. Johnson motioned to direct the Borough Manager to advertise the ordinance to adopt the Borough Code, second by S. Kurcik, all ayes. Motion carried 7 – 0.

**Old Business:** There was no Old Business.

## **New Business:**

- Council discussed providing for a public comment period earlier on the meeting agenda. It was agreed to amend the agenda for upcoming meetings so to include a public comment period for non-agenda items immediately preceding the presentation of the Financial Reports; it was additionally agreed that each speaker during this period be permitted to address Council for up to two (2) minutes. Council likewise agreed to retain the public comment period for non-agenda items immediately preceding the presentation of Committee Reports; there will be no time limit for speakers during this period.
- President Schuetz asked if the Members were agreeable to posting draft meeting minutes on the Borough website. The consensus of Council was to not post draft meeting minutes on the Borough website.
- N. Scholl noted the Borough's quarterly financial expenditures and receipts have been posted to the Borough website.
- Mr. Ryan recommended Council schedule a Special Meeting for the purpose of participating in a presentation on municipal budgeting. Mr. Ryan attended one-day seminar on this same topic, and the seminar instructor is available to provide an abbreviated presentation to Council. The consensus of Council was to schedule this Special Meeting. Mr. Ryan will see to meeting logistics, and will invite neighboring municipalities to attend the presentation.
- S. Kurcik read into the record a statement, a copy of which is appended to these minutes. There was general discussion regarding a past police study, past West Main Street redevelopment efforts, and past trail considerations at the Wismer Farm.
- C. Johnson noted the Trappe Borough PACE Car Program stickers were at the printer.
- Stu Strauss spoke to meeting decorum of past and current Councils.
- Stu Strauss requested Borough enforcement of the grass and weed ordinance, citing vegetation at the "Stearly residential" and DeMutis properties. Mr. Strauss likewise requested the Borough trim the grass at its Main Street Park site. Mr. Ryan will follow-up on these matters.
- P. Edwards requested Mr. Ryan to prepare information addressing commonly-asked property maintenance questions, for distribution at Trappe Community Day. Mr. Ryan will provide said information.

At 11:25 p.m. Council entered into Executive Session.

At 11:40 p.m. Council adjourned from Executive Session.

At 11:40 p.m., there being no additional business, a motion to adjourn was made by M. Watson, second by S. Kurcik, all ayes. Motion carried 7 – 0.

Respectfully submitted,

Tommy Ryan  
Borough Manager / Borough Secretary