

**MINUTES OF THE DECEMBER 29, 2010 CLOSE OUT
MEETING OF TRAPPE BOROUGH COUNCIL**

ORDINANCE HEARING:

Trappe Borough Council conducted a hearing on a proposed ordinance approving the annual appointment of an independent auditor on December 29, 2010 at 7:00 p.m. The hearing was called to order by President, Fred Schuetz.

J. Guenther provided Proof of Publication of the hearing on the proposed ordinance which was advertised in the December 21, 2010 edition of "The Mercury" newspaper.

J. Guenther read the proposed ordinance and asked Borough Council to approve Ordinance 416 Approving the Annual Appointment of an Independent Auditor.

On a motion by C. Johnson, seconded by M. Watson, and carried unanimously by those Council Members present, Ordinance No. 416 Approving the Annual Appointment of an Independent Auditor, was approved. Motion carried 6 – 0.

On a motion by M. Watson, seconded by C. Johnson, and carried unanimously by those Council Members present, the hearing was adjourned at 7:05 p.m. Motion carried 6 – 0.

YEAR END CLOSE OUT MEETING

After the hearing was concluded, President, Fred Schuetz called to order the special close out meeting of Trappe Borough Council on December 29, 2010 at 7:06 p.m. at Trappe Borough Hall, 525 West Main Street, Trappe, Pennsylvania. The Pledge of Allegiance followed, led by Mayor Connie Peck.

Mayor Peck then called for a moment of silence to pay respect to Vic Bougon, a former Trappe Borough councilman, who recently passed away.

Roll Call was made by the Borough Secretary. Those present were: President Fred Schuetz, Vice President, Matthew Watson, Lew DiPrete, Paul Edwards, Catherine Johnson, Nevin Scholl and Mayor Connie Peck. Also in attendance was the Borough Manager, Jacqui Guenther.

Excused: Councilman, Theodore Patrick, Solicitor, Dave Onorato, and Engineer, John Sartor.

PROOF OF PUBLICATION:

President Schuetz provided Proof of Publication of the Special Meeting which was advertised in "The Mercury" newspaper on December 10, 2010.

APPROVAL OF THE MINUTES: A true and correct copy of the Minutes of the December 7, 2010, Borough Council Meeting was provided to all and is available for review at Trappe Borough Hall.

On a motion by L. DiPrete, seconded by N. Scholl, the Minutes of the December 7, 2010 Borough Council Meeting were approved as presented. There were five ayes and M. Watson abstained due to the fact that he was not in attendance at the said meeting. Motion carried by majority rule 5 – 1.

PUBLIC FORUM: President Schuetz called for public comment.

FIFTH AVENUE SIDEWALK: J. Guenther presented Borough Council with the proposed plans and construction costs in the amount of \$42,804.00 and engineering fees in the amount of \$8,200.00 for the Fifth Avenue Sidewalk project. J. Guenther asked Borough Council to approve the construction of the Fifth Avenue Sidewalk for a fee not to exceed \$51,004.00. N. Scholl asked how much maintenance of the sidewalk would cost on an annual basis. Whereupon discussion ensued.

On a motion by N. Scholl, seconded by M. Watson, and carried unanimously by those council members present, authorization for Engineer, John Sartor to gather the documents necessary for the Solicitor to prepare the easement agreements for the construction of the Fifth Avenue Sidewalk project, was approved. Motion carried 6 – 0.

STAFF REPORTS:

Treasurer's Report: Joseph Lowe, Treasurer, presented the Treasurer's Report dated December 23, 2010, which included check numbers 2451 through 2492 inclusive and electronic transfers of funds. There were no additional payables. A true and correct copy of the Treasurer's Report was provided to all and is available for review at Trappe Borough Hall.

N. Scholl asked the dates of the electronic transfers. J. Lowe responded that the dates were December 2, 2010 and December 20, 2010.

On a motion by N. Scholl, seconded by L. DiPrete, and carried unanimously by those council members present, payment of invoices included in the December 23, 2010 Treasurer's Report, check nos. 2451 through 2492, and electronic transfers of funds were approved. Motion carried 6 – 0.

N. Scholl asked about the legal fees for Cohen Law Group.

J. Guenther responded that the Cohen Law Group fees were for the Comcast Franchise Agreement negotiations.

On a motion L. DiPrete, seconded by N. Scholl, and carried unanimously by those council members present, the December 23, 2010 Treasurer's Report was accepted as presented. Motion carried 6 – 0.

Borough Manager's Report: Jacqui 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 2010-16/Adoption of the 2011-2015 Budget: J. Guenther presented Borough Council with the 2011-2015 Budget. J. Guenther asked Borough Council to approve Resolution 2010-16 adopting the 2011-2015 Budget. Whereupon discussion ensued.

On a motion by N. Scholl, seconded by L. DiPrete, Resolution 2010-16 Adopting the 2011-2015 Budget with the addition of \$28,000.00 for road striping and \$10,000.00 for engineering fees for the road program to the 2011 Budget, was approved. There were 5 ayes and P. Edwards dissented with a nay. Motion carried by majority rule 5 – 1.

On a motion by N. Scholl, seconded by C. Johnson, Real Estate Taxes for 2011 to be set at 0%, was approved. There were 5 ayes and M. Watson dissented with a nay and explained that this was not because he disagreed with setting the real estate tax at 0%, but rather that he did not feel that you should make a motion on a moot point. Motion carried by majority rule 5 – 1.

Resolution 2010-17/Appointment of Independent Auditing Firm: J. Guenther presented Borough Council with proposals from the following auditing firms: (1) Leitzell & Economides for a fee of \$9,000.00; (2) Mallie, Falconiero & Company for the sum of \$10,000.00; and (3) Styer & Associates for the sum of \$5,300.00. J. Guenther asked Borough Council to approve Resolution 2010-17 appointing an independent auditing firm to conduct the 2010 audit of all Borough funds.

P. Edwards asked why the costs were so different between the proposals. P. Edwards further inquired if Styer & Associates would be in conflict of interest because Styer & Associates audits the Collegeville-Trappe Joint Public Works. Whereupon discussion ensued.

On a motion by N. Scholl, seconded by C. Johnson, Resolution 2010-17 Appointing Styer & Associates as the Borough of Trappe's Independent Auditor for the 2010 audit of Borough Funds, for a fee of \$5,300.00, was approved. There were 5 ayes and M. Watson dissented with a nay. Motion carried by majority rule 5 – 1.

2011 Meeting Schedule: J. Guenther provided to Borough Council the proposed 2011 Meeting Schedule as follows:

Borough Council Meetings: January 4, 2011; February 1, 2011; March 1, 2011; April 5, 2011; May 3, 2011; June 7, 2011; July 5, 2011; August 2, 2011; September 6, 2011; October 4, 2011; November 1, 2011; December 6, 2011.

Planning Commission: January 18, 2011; February 15, 2011; March 15, 2011; April 19, 2011; May 18, 2011 (*Wednesday*); June 21, 2011; July 19, 2011; August 16, 2011; September 20, 2011; October 18, 2011; November 15, 2011; December 20, 2011.

J. Guenther asked Borough Council to approve the 2011 Meeting Schedule and to authorize the Borough Manager/Secretary to advertise same.

N. Scholl suggested that December 29, 2010 be added to the 2011 Meeting Schedule for the annual close out meeting.

On a motion by N. Scholl, seconded by M. Watson, and carried unanimously by those council members present, the 2011 Meeting Schedule, as amended, was approved and the Borough Manager/Secretary was authorized to advertise same. Motion carried 6 – 0.

Malikkal Land Development: J. Guenther stated that she is in receipt of Escrow Release No. 4 from Jacob Malikkal for the Providence Property Holdings, LLC Land Development located at 115 West Main Street, requesting the release of \$16,343.55.

On a motion by L. DiPrete, seconded by M. Watson, and carried unanimously by those council members present, Escrow Release No. 4 was granted and authorization to Phoenixville Federal Bank and Trust Company to reduce the Letter of Credit for the Malikkal/Providence Property Holdings, LLC Land Development located at 115 West Main Street by the sum of \$16,343.55, was approved. Motion carried 6 – 0.

Resolution 2010-18/Comcast Franchise Agreement: J. Guenther presented Borough Council with the Comcast Franchise Agreement which is a 12 year contract along with proposed Resolution 2010-18 which authorizes execution of the Comcast Cable Franchise Agreement between the Borough of Trappe and Comcast of Southeast Pennsylvania, LLC. J. Guenther stated that the solicitor has reviewed the contract and it has met with his approval. J. Guenther asked Borough Council to approve Resolution 2010-18 authorizing the execution of the Comcast Franchise Agreement as presented.

On a motion by P. Edwards, seconded by M. Watson, and carried unanimously by those council members present, Resolution 2010-18 authorizing execution of the Cable Franchise Agreement between the Borough of Trappe and Comcast of Southeast Pennsylvania, LLC, as presented, was approved. Motion carried 6 – 0.

PUBLIC FORUM (Non-Agenda Items): President Schuetz called for public comment. There was no public comment.

OLD BUSINESS: President Schuetz called for new business. There was no old business discussed.

NEW BUSINESS: President Schuetz called for new business.

N. Scholl stated that he appreciated the assistance of the residents of Trappe who stopped to help him when his vehicle slid off Route 113 into a ditch after the recent snow storm. N. Scholl said he is very thankful for the people of this community.

Ann Cornell, Editor of Perkiomen Valley Patch, which she explained is an online local news website, spoke about their mission and invited Council to visit their website.

M. Watson said he took the time to look at the website and found it very informative. M. Watson thanked Ann Cornell for coming to the meeting to speak to Borough Council.

There being no additional business to conduct, at 8:30 p.m. a motion to adjourn was made by M. Watson, seconded by P. Edwards and carried unanimously by those Council Members present. Motion carried 6– 0.

Respectfully submitted,

Jacqui Guenther
Borough Manager / Borough Secretary.