

**MINUTES OF THE OCTOBER 5, 2010  
MEETING OF TRAPPE BOROUGH COUNCIL**

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Trappe Borough Council conducted the Conditional Use Hearing of Sal and Michelle Moscariello for their property located at 435 West Main Street on October 5, 2010 at 6:40 p.m. and was presided over by David Onorato, Esquire. Court Reporter, Jon R. Pichelman, made the official record of the proceedings. Sal and Michelle asked if they could expedite their application so they could open before the holiday season. Whereupon discussion ensued.

*On a motion by P. Edwards, seconded by C. Johnson, and carried unanimously by those Council Members present, a Special Meeting of the Borough Council scheduled for October 21, 2010 at 6:30 p.m. was approved and the Borough Secretary was authorized to advertise same. Motion carried 6 – 0.*

After the hearing was concluded, David Onorato, Esquire turned the floor over to the President Schuetz to conduct the regularly scheduled Borough Council meeting.

Whereupon, President, Fred Schuetz called to order the regularly scheduled meeting of Trappe Borough Council on October 5, 2010 at 7:09 p.m. at Trappe Borough Hall, 525 West Main Street, Trappe, Pennsylvania. The Pledge of Allegiance followed, led by Mayor Connie Peck.

Roll Call was made by the Borough Secretary. Those present were: President Fred Schuetz, Vice President, Matthew Watson, Lewis DiPrete, Paul Edwards, Catherine Johnson, Nevin Scholl and Mayor Connie Peck. Also in attendance were Solicitor David Onorato, Esquire, Engineer John Sartor, P.E., Treasurer Joseph Lowe and Borough Manager, Jacqui Guenther.

Excused: Theodore Patrick.

**ANNOUNCEMENT OF EXECUTIVE SESSION:** President Schuetz announced that there would be an Executive Session following the Borough Council meeting this evening.

**APPROVAL OF THE MINUTES:** A true and correct copy of the Minutes of the September 7, 2010 Borough Council Meeting was provided to all and is available for review at Trappe Borough Hall. N. Scholl asked that the minutes be amended on page 4, second paragraph to correct the spelling of “loose” to “lose”.

*On a motion by L. DiPrete, seconded by N. Scholl, and carried unanimously by those Council Members present, the Minutes of the September 7, 2010 Borough Council Meeting were approved as amended. Motion carried 6 – 0.*

**PUBLIC FORUM/AGENDA ITEMS:** President Schuetz called for public comment.

**Randy Mullens**, Pastor of the Abundant Life Church, spoke about the good work his church is doing in Trappe. Pastor Mullens stated that the previous Manager, Tommy Ryan, stated that he could put his sign up and T. Ryan would perform a drive by and if he didn't hear anything from

T. Ryan he could leave the sign up. J. Guenther responded that the church sign is considered a “temporary sign” which requires a permit and that the Notes of Testimony of Edwina French, owner of the property where the Pastor conducts his business, stated at her Conditional Use Hearing that the Abundant Life Church sign would follow all Borough Codes and that they would obtain permits as required by the Borough Code. J. Guenther stated that Pastor Mullens should send his suggestions regarding the Sign Ordinance to Borough Council for consideration. Whereupon discussion ensued.

### **STAFF REPORTS:**

**Treasurer’s Report:** Joseph Lowe, Treasurer, presented the Treasurer’s Report dated September 30, 2010, which included check numbers 2300 through 2356 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.

*On a motion by N. Scholl, seconded by M. Watson, and carried unanimously by those Council Members present, payment of invoices included in the September 30, 2010 Treasurer’s Report, check nos. 2300 through 2356, and electronic transfers of funds were approved. Motion carried 6 – 0.*

*On a motion by N. Scholl, seconded by L. DiPrete, and carried unanimously by those Council Members present, the September 30, 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:

**Stormwater Coalition:** J. Guenther stated that at the August 3, 2010 Borough Council meeting Resolution 2010-9 was enacted which authorized the Borough of Trappe to contribute funds toward the legal fees, etc., for the Stormwater Coalition. J. Guenther stated that according to the spreadsheet recently received from the Stormwater Coalition, the Borough of Trappe’s contribution would be approximately \$617.23. J. Guenther stated that Borough Council also needed to execute the *Pennsylvania Stormwater Coalition Cost-Sharing and Cooperation Agreement*, which was provided to Borough Council for their consideration. J. Guenther advised that D. Onorato had reviewed the agreement. J. Guenther recommended that Borough Council approve the execution of the said agreement. Whereupon discussion ensued.

*On a motion by L. DiPrete, seconded by N. Scholl, and carried unanimously by those Council Members present, execution of the “Pennsylvania Stormwater Coalition Cost-Sharing and Cooperation Agreement”, was approved. Motion carried 6 – 0.*

**Meeting Reminders:** J. Guenther stated that the next Borough Council Meeting would be held on the second Tuesday of the month, November 9, 2010 due to a conflict with Election Day.

**Road Painting:** J. Guenther stated that she provided to Borough Council with a proposal for repainting the existing “Slow - 25 mph” on the roadway from Guidemark in the amount of \$5,500.00; PSX in the amount of \$1,975.00; and, State Line Services, Inc. in the amount of \$2,887.50. J. Guenther further stated that PSX painted them back in early 2009 and they didn’t last very long. Whereupon discussion ensued. Borough Council directed J. Guenther to go back to these companies and request bids indicating the material to be used as double coated paint with traffic beads and that they include traffic control for their consideration at the special meeting on October 21, 2010.

**MS4 Statement:** J. Guenther stated that as part of the Borough’s ongoing efforts to protect and preserve our community’s watershed, residents should never rake leaves into or near a storm drain, ditches, creeks or rivers because decaying leaves use up the water’s oxygen thereby harming aquatic inhabitants. J. Guenther also stated that residents could also opt to mulch their leaves by running over them with a lawn mower. J. Guenther stated that leaves and grass clippings are the best fertilizer for your lawn. J. Guenther stated that residents might also want to consider raking their leaves into a compost pile for a nutrient-rich fertilizer for use in gardens next spring.

**Borough Line Road/Upper Providence:** J. Guenther reported that at the direction of Borough Council, she wrote to George Waterman regarding the reconstruction of Borough Line Road and provided a copy of same to Borough Council. J. Guenther also provided Borough Council with a true and correct copy of Mr. Waterman’s response wherein he stated that he would consider paying for the portion of Borough Line Road that Upper Providence currently maintains. J. Guenther stated that if we insist that they pay under the existing Agreement, they can negate the Agreement within 90 days and then each municipality would go back to maintaining one side of the street which can be problematic. Whereupon discussion ensued. Borough Council directed J. Guenther to send correspondence to Upper Providence describing our interpretation of the Road Sharing Agreement and request a meeting to discuss the issue.

**DeMutis Pre-Construction Meeting:** J. Guenther stated that the DeMutis pre-construction meeting was held on September 27, 2010 and that for those residents who asked to be advised, construction is scheduled to begin within the week.

**Crosswalks:** J. Guenther stated that she has provided Borough Council with a newly prepared Crosswalk Map which she based on information provided by Joe Hastings. J. Guenther stated that she asked four companies to provide proposals as follows: Guidemark, State Line Services, Inc., PSX and Alpha Space Control. J. Guenther stated that to date she has received two proposals, one from Alpha Space Control for the sum of \$13,600.00 (\$400.00 per crosswalk) and the other from State Line Services, Inc. for the sum of \$67,290.00. J. Guenther stated that she also provided to Borough Council with a report from Signal Service who conducted their annual preventative maintenance, and pointed out items that need to be addressed such as crosswalks that need to be repainted. J. Guenther stated that she will continue in her efforts to obtain the additional two proposals and will get back to Borough Council with the results. Borough Council directed J. Guenther to ask Public Works to see if they could paint the crosswalks.

**Land Development/W. First Avenue/R5 Zoning/Dr. Fugo:** J. Guenther stated that Dr. Fugo sent correspondence asking Borough Council if they would consider adopting an “R-5” high density zone for development of his 25.3 acre parcel located at West Third Avenue. J. Guenther reported that Dr. Fugo is looking to build an age restricted community on his lot and that some of the positive reasons Borough Council might consider this are as follows: over 55 communities bring in tax money to the school district without having any impact on the schools; they would shop locally; the high density could help to entice a food market to come back to the Trappe Center; we could have the developer install sidewalks along First Avenue, Third Avenue and Clahor Avenue; and it would have a low impact on traffic. J. Guenther stated that Van Rieker expressed his support for this and hoped that Borough Council would take this under serious consideration. Whereupon discussion ensued.

D. Onorato stated that Borough Council could not make a legislative decision on this issue until Dr. Fugo comes before Council with a proposed set of plans and a proposed Ordinance for their consideration at which time Borough Council could if they chose to do so, set a hearing date on this issue.

**Mayor’s Report:** Mayor Peck presented the Mayor’s Report, a true and correct copy of which was provided to all and is available for review at Trappe Borough Hall. Mayor Peck made the following comments:

Mayor Peck stated that the Trappe Community Day Committee had their review meeting on September 27, 2010 and that this was the first year that a survey was given to the vendors and other participants. Mayor Peck reported that N. Scholl took them and broke down the analysis. Mayor Peck stated that they received 37 responses and of those, 95% were positive. Mayor Peck stated that those that had concerns will be addressed and where possible the committee will make appropriate changes to improve next year’s event. Mayor Peck stated that overall it was a great day and gave a great big thank you to the committee and all who gave up their Saturday and worked to make it a success. Mayor Peck personally thanked everyone who helped, especially, Earl. MacIlwain, Kathleen McDowell and John Pelosi.

Mayor Peck stated that she and Mr. Ken Fagley spoke to Congressman Jim Gerlach at a recent fund raiser and expressed our desire to have Trappe recognized by the United State Post Office using our Trappe name rather than Collegeville. Mayor Peck stated that Jim Gerlach’s office contacted her last Monday and informed her that Trappe can now be on our mail but the zip code would remain the same. Mayor Peck advised that the postal service now has the ability to break each address down into its preferred name and a list of all street addresses are being sent to the post office to accomplish this service. Mayor Peck stated that she contacted Dianne Green and J. Guenther regarding this issue and they are seeing to the requirements.

Mayor Peck stated that on September 14, 2010 she swore in Ammon Espenship as a Trappe Auxiliary Police Officer.

Mayor Peck stated that she received correspondence from Dr. Eric Hans who has requested the use of Trappe Borough Hall’s parking lot October 31, 2010 from 12:00 p.m. to 3:00 p.m., rain date November 1, 2010 from 2:00 p.m. to 5:00 p.m. Mayor Peck further stated that Dr. Hans

requested the use of auxiliary police Sunday, October 31, 2010 from 11:45 a.m. to 3:15 p.m., rain date Monday, November 1, 2010, from 1:45 p.m. to 5:15 p.m.

*On a motion by P. Edwards, seconded by L. DiPrete, and carried unanimously by those Council Members present, authorization for Dr. Hans to use Borough Hall Parking Lot on October 31, 2010, rain date November 1, 2010 for his Halloween event, was approved. Motion carried 6 – 0.*

*On a motion by P. Edwards, seconded by L. DiPrete, and carried unanimously by those Council Members present, authorization for use of Auxiliary Police for Dr. Hans' Halloween event on October 31, 2010, from 11:45 a.m. to 3:15 p.m. or rain date Monday, November 1, 2010, from 1:45 p.m. to 5:15 p.m. at Dr. Hans' expense, was approved. Motion carried 6 – 0.*

Mayor Peck stated that in past years the auxiliary police have driven around the Borough of Trappe during the evening hours of Mischief Night and Halloween and asked if Borough Council would like to consider doing that again this year but with some limitations on the hours and mileage. Whereupon discussion ensued.

*On a motion by P. Edwards, seconded by M. Watson, and carried unanimously by those Council Members present, authorization for use of Auxiliary Police on Mischief Night, October 30, 2010 and Halloween, October 31, 2010, for three police officers, three hours each during the evening hours, with mileage reimbursement not to exceed 50 miles, was approved. Motion carried 6 – 0.*

Mayor Peck stated that November 2, 2010 is Election Day at Trappe Borough Hall and requested the use of auxiliary police to direct traffic in the morning and late afternoon.

*On a motion by P. Edwards, seconded by C. Johnson, and carried unanimously by those Council Members present, authorization for use of Auxiliary Police on Election Day, November 2, 2010, from 7:00 a.m. to 10:00 a.m. and from 4:00 p.m. to 7:00 p.m. was approved. Motion carried 6 – 0.*

**Engineer's Report:** John Sartor presented the Engineer's Report dated September 30, 2010, 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.

**Greenwood Avenue Extension:** J. Sartor reported that Gilmore & Associates provided their review letter dated September 30, 2010 of the Greenwood Avenue/Linfield-Trappe Road Improvement Plans to Borough Council. J. Sartor stated that the flow of stormwater run off will increase because the size of the pipe they are extending is larger and could potentially flood the Garber property. J. Sartor stated that the drainage system needs to be fine tuned. J. Sartor also stated that an updated traffic study for this project was not performed. Whereupon discussion ensued. Borough Council directed J. Guenther to forward J. Sartor's review letter to Upper Providence and to contact PennDOT immediately to make certain the project doesn't move forward until such time as they have considered Trappe engineer's input.

**Malikkal Land Development:** J. Sartor stated that he is in receipt of Escrow Release No. 2 from Jacob Malikkal for the property located at 115 West Main Street, requesting the release of \$5,067.00.

*On a motion by M. Watson, seconded by P. Edwards, and carried unanimously by those members present, Escrow Release No. 2 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 \$5,067.00 was approved. Motion carried 6 – 0.*

**West Fifth Avenue Sidewalk:** J. Sartor stated that he provided a concept plan for a proposed sidewalk to be located on W. Fifth Avenue in front of the properties owned by Mr. and Mrs. Lownes and Mr. Kalmbach. J. Sartor asked Council if they would like him to prepare the same type of plan for the other side of W. Fifth Avenue at a cost not to exceed \$6,500.00. J. Sartor stated that he does not believe a sidewalk on the other side of W. Fifth Avenue is optimal because the sight distance at the crest of the road is not very good and drivers would not be able to see pedestrians clearly from that vantage point.

J. Sartor gave a presentation explaining the concept plan he prepared for the proposed sidewalk along W. Fifth Avenue. Whereupon discussion ensued.

Howard Lownes, who resides at 78 W. Fifth Avenue, stated that he would prefer that Borough Council consider a bike lane on the roadway instead of the sidewalk. H. Lownes also pointed out that there are other ways to get to Rambo Park. Whereupon discussion ensued.

**Solicitor's Report:** Dave Onorato, Esquire stated that he did not have anything to report.

*On a motion by M. Watson, seconded by P. Edwards, and carried unanimously by those Council Members present, the Borough Manager's Report, Mayor's Report and Engineer's Report were approved as presented. Motion carried 6 – 0.*

### **COMMITTEE REPORTS:**

**Finance:** N. Scholl presented the Finance Committee Report and made the following comments:

N. Scholl stated that last month Borough Council discussed paying off its portion of the ladder truck debt. N. Scholl stated that the interest savings of the Borough would amount to \$4,159.00 and the Fire Company's interest savings would amount to \$2,777.00. N. Scholl stated that the Fire Company is considering this proposal. N. Scholl further stated that he would bring this before Borough Council during its November meeting.

N. Scholl stated that the Finance Committee met regarding a proposal from Collegeville on the pension issue. The Finance Committee agreed to request more information from Collegeville and they are awaiting that additional information. President Schuetz asked what additional information they are looking for. N. Scholl responded that he asked about the prior years, 1997

through 2002. Whereupon discussion ensued. L. DiPrete suggested we allow N. Scholl to collect the information on the prior years and revisit this at the November Borough Council meeting.

N. Scholl stated that he attended a meeting with Trappe Volunteer Fire Company regarding the merger and was informed that the Collegeville Fire Department voted 27-0 against the merger. Whereupon discussion ensued.

**Public Works & Recycling:** M. Watson reported on the Public Works and Recycling Committee and stated that there was nothing to report as most of the discussions took place in executive session. M. Watson stated that he was the only representative from Trappe at the CTJPWD meeting.

**Collegeville-Trappe Municipal Authority:**

President Schuetz stated that the Borough of Collegeville would like to borrow \$500,000.00 from CTMA for their Main Street Revitalization Project. President Schuetz stated that this money would be reimbursed to Collegeville through grants and that Collegeville would draw on it as needed with a 3.5% secured loan for a one year term. Whereupon discussion ensued.

*On a motion by N. Scholl, seconded by C. Johnson, and carried unanimously by those Council Members present, the Borough Solicitor was authorized to negotiate the loan documents for the \$500,000.00 loan at 3.5% secured loan for a one year from CTMA to the Borough of Collegeville at Collegeville's expense. Motion carried 6 – 0.*

**Streets, Traffic & Safety:** P. Edwards presented the Streets, Traffic and Safety Report, a true and correct copy of which was provided to all and is available for review at Trappe Borough Hall. P. Edwards stated that a STS meeting was held on Thursday, September 16, 2010. P. Edwards made the following comments:

P. Edwards asked J. Guenther about a crosswalk from Borough Hall to the other side of W. Main Street. J. Guenther replied that the Borough would have to procure a PennDOT permit to put in a crosswalk. J. Guenther advised that PennDOT would be reluctant to put a crosswalk in the middle of the street unless there was a good reason to do so. J. Guenther stated that when the trail to Rambo Park in completed the Borough would have a better chance of getting the crosswalk approved and recommended to Borough Council that they wait until then to apply. Whereupon discussion ensued.

P. Edwards asked about the door hangers that Hank has been giving to property owners who are in violation of Borough Code. J. Guenther stated that they have been having a positive effect in that most of the violations have been rectified. J. Guenther stated that Hank will follow up with the ones that do not comply.

P. Edwards asked about the formation of a Main Street Committee. President Schuetz stated that he had the names of six people who are interested in sitting on that committee. Where upon discussion ensued.

*On a motion by P. Edwards, seconded by C. Johnson, and carried unanimously by those Council Members present, the formation of a “Main Street Committee”, with a minimum of five members, was approved. Motion carried 6 – 0.*

**Planning, Zoning & Ordinances:** C. Johnson reported that the Planning Commission did not meet during the month of September and accordingly there was nothing to report.

**Property & Open Space:** President Schuetz stated that there would not be an Open Space meeting on October 6, 2010. President Schuetz thanked Connie, Kathleen and Nevin for their assistance during the Rambo Park clean up day.

President Schuetz announced that the Borough of Trappe was the recipient of the Green Futures Award for Rambo Park and that six people who helped with Rambo Park were invited to attend the award ceremony on October 20, 2010 as follows: Mayor Connie Peck; Kathleen McDowell; Joe Hastings; Bill Reiff; Ed Reiff and Fred Schuetz.

President Schuetz stated that there are trees at Rambo Park that need to be removed because they cause a potential hazard. President Schuetz stated that he received a quote from Superior Tree to remove three trees and perform some trimming for a fee of \$3,500.00.

*On a motion by P. Edwards, seconded by M. Watson, and carried unanimously by those Council Members present, authorization to contract with Superior Tree to remove the trees at Rambo Park as described in their proposal dated September 27, 2010, for the sum of \$3,500.00 was approved. Motion carried 6 – 0.*

President Schuetz stated that he sought three quotes for the Water Garden feature at Rambo Park as follows: Behmerwald Nursery for the sum of \$7,500.00 up to \$25,000.00; Chesco Landscaping for the sum of \$5,939.15; and Tranquility Water Gardens for the sum of \$4,800.00. President Schuetz recommended that the Borough contract with Tranquility Water Gardens and asked for a motion to approve this expenditure.

*On a motion by N. Scholl, seconded by P. Edwards, and carried unanimously by those Council Members present, authorization to contract with Tranquility Water Gardens for the installation of a water garden at Rambo Park as described in their proposal dated September 30, 2010, for the sum of \$4,800.00 was approved. Motion carried 6 – 0.*

**Personnel & Appointments:** L. DiPrete stated that there was nothing to report at this time.

### **OLD BUSINESS:**

**Muhlenberg 300<sup>th</sup> Anniversary:** President Schuetz stated he received an email from Richard Buckmaster of Augustus Lutheran Church advising that they plan to celebrate the 300<sup>th</sup>

Anniversary of the birth of Henry Muhlenberg from 2011 to 2012. President Schuetz stated that Mr. Buckmaster will meet with a Lutheran Seminary representative to discuss the actual dates of the celebration which will begin in 2010.

**Recreational Vehicle Ordinance:** D. Onorato stated that he did meet with J. Guenther and they did make some changes to the ordinance. D. Onorato stated that he felt we should look at other municipal ordinances to see how we can best solve the problem. P. Edwards passed out photos memorializing code violations both in Trappe and in other locations. J. Guenther stated that she believed the door hangers discussed earlier would solve most of these types of violations.

**Roche Minor Sub-Division:** J. Sartor stated that he provided Borough Council with his final review of the Roche Minor Subdivision and recommended that Borough Council approve execution of the final plans.

*On a motion by C. Johnson, seconded by L. DiPrete, and carried unanimously by those Council Members present, the Roche Minor Subdivision Final Plans were approved. Motion carried 6 – 0.*

#### **NEW BUSINESS:**

**Sign Ordinance Enforcement:** Dave Duryea, owner of the Trappe Tavern, stated that he was informed by J. Guenther that temporary signs require permits and he did not think that removal of the temporary signs would help the business community in Trappe. D. Duryea asked Borough Council to consider changing the sign ordinance to allow temporary signs to be permanent and at no cost to the business owners.

President Schuetz, asked D. Duryea to send his proposed changes to the sign ordinance in writing to Borough Council for their consideration.

D. Onorato, asked D. Duryea if Borough Council were to approve of a sandwich board sign, one per business, would that satisfy his need for temporary signage? D. Duryea stated that would be satisfactory with him. Where upon discussion ensued.

Lynn Fleisher, co-owner of Main Line Chiropractic, stated that they have been using lawn signs for eight years and she wanted to know how many residents actually complained about the signs. L. Fleisher stated that she needs to advertise more then four times per year to keep her business running.

Steve Fleisher, co-owner of Main Line Chiropractic, stated that he uses his reader board to promote other businesses and non-profit groups. S. Fleisher stated that he did not agree with the exemptions for real estate signs and political signs being permitted.

P. Edwards, stated that the businesses do have a voice in Trappe and Borough Council is open to suggestions regarding the sign ordinance. P. Edwards stated that Borough Council is trying to improve Trappe not hurt the businesses. P. Edwards asked if L. Fleisher would be interested in

sitting on the Main Street Committee or heading up a business association. Whereupon discussion ensued.

Earl MacIlwain, owner of the property located at 518 W. Main Street, stated that he puts up his auction sign when he plans to have an auction and has never been asked to get a permit. E. MacIlwain stated that he would pay for a temporary sign but would do so under protest and would write that phrase on his check.

**Resignation of Jane Wismer, Judge of Elections:** President Schuetz stated that he received the resignation letter of Jane Wismer as Trappe Borough Judge of Elections. Whereupon discussion ensued.

*On a motion by L. DiPrete, seconded by M. Watson, and carried unanimously by those Council Members present, Borough Council accepted the resignation of Jane Wismer as Trappe Borough Judge of Elections, effective October 1, 2010. Motion carried 6 – 0.*

**PUBLIC FORUM FOR NON-AGENDA ITEMS:** President Schuetz called for public comment.

**PVSD Post Prom:** Nancy Plichta asked Borough Council if the Borough of Trappe would contribute to the Perkiomen Valley Post Prom Fund. J. Guenther advised that under the law Borough Council could not make a donation to the Post Prom because it is not a “civic program”. Members of Borough Council offered to make personal donations to the post prom fund in lieu of a donation from the Borough.

**EXECUTIVE SESSION:** An executive session was not held.

**ADJOURNMENT:**

There being no additional business to conduct, at 10:55 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**