

**BOROUGH OF WEST CONSHOHOCKEN
REGULAR MEETING
APRIL 14, 2009
7:00 P.M.**

Pursuant to the provisions of the "Open Public Meeting Agenda/Sunshine Act" public notice was provided to the Times Herald Newspaper and posted on the bulletin board in the Borough Hall as required by law.

CALL TO ORDER

Marcy Rogovin, Council President, called the meeting to order and led the Pledge of Allegiance.

ROLL CALL

Marcy Rogovin, President	Present
Joseph Pignoli, Vice President	Absent
John Cooper	Present
Bernie Couris	Present
Harry Griffiths	Present
Albert Kleinschmidt	Present
Joseph Costello	Absent
Donna Frankenfield, Mayor	Present
Caren Andrews, Manager	Present
Joe McGrory, Solicitor	Present
Khaled Hassan, Engineer	Present

PRESENTATION BY MONTCO OFFICIALS ON THE JUMP START PROGRAM AND THE MATSONFORD ROAD WIDENING PROJECT

Ms. Rogovin welcomed Montgomery County Chairman James Matthews and Commissioner Joseph Hoeffel. Ms. Rogovin explained how through the efforts of Bernie Couris, Leo Bagley, Vince Totaro, and herself the realignment of Matsonford Road was going to become a reality. Chairman Matthews and Commissioner Hoeffel presented a cardboard version of a \$700,000 check to the Borough. Chairman Matthews announced this is one of four Jump Start projects that were undertaken this year by the County. Chairman Matthews introduced the proposed \$150 million capital road infrastructure program that will be brought to the voters as a referendum in November. He encouraged West Conshohocken voters to vote for this referendum. Commissioner Hoeffel, stated he was delighted that West Conshohocken was the recipient of the fourth and final Jump Start check for the year. He announced the County is working on an economic development plan focusing on older communities and our downtowns.

Leo Bagley held up a mock sign of the signage that will be placed at the construction site. The sign reads: Improving Your Commute, Matsonford Road Widening Project, Funded by Montgomery County & West Conshohocken Borough, Local Money – Local Project.

Ms. Rogovin thanked the County officials.

Mayor Frankenfield announced on March 3, 2009 the police department and fire company received a call to respond to a fire at 215 Moorehead Avenue. When the emergency responders arrived they found that Ryan Dougherty and Matthew Rafferty had entered the home and removed the burning pot from the stove. Their actions prevented a house fire. The Mayor introduced Mr. Dougherty and Mr. Rafferty, presented them with a certificate of commendation, and thanked them for their bravery.

PRESENTATION BY CAMPBELL THOMAS & COMPANY ON THE SCHUYLKILL RIVER WEST TRAIL STUDY

Robert Thomas, a partner with Campbell Thomas and Company, announced three years ago West Conshohocken Borough, Upper Merion Township, Lower Merion Township, and Bridgeport Borough joined forces to examine the potential for constructing a walking trail on this side of the Schuylkill River. A multi-municipal grant application was filed with the Pennsylvania Department of Conservation and Natural Resources. The grant was awarded for the feasibility study. Campbell Thomas and Company was hired to perform the analysis. The study is complete with a copy of the report being distributed to Council. Mr. Thomas spoke about different options for the trail route. He spoke about funding sources. Ms. Rogovin thanked Mr. Couris for taking the lead on this project and working with the consultant. Funding is the next critical concern. Ms. Rogovin asked Mr. Couris and Ms. Andrews to work on this and keep Council informed.

Ms. Rogovin announced we will be skipping to an item on the agenda under old business. Ms. Rogovin requested a motion to adopt the Resolution to close out the Pennsylvania Department of Conservation and Natural Resource Community Conservation Partnerships Program Grant Project for the Schuylkill River West Trail.

Motioned By: Bernie Couris
Seconded By: Harry Griffiths
All in Favor, Yes.

The motion passed 5 to 0.

PUBLIC COMMENT ON THE AGENDA

Josephine Scharff, 195 Moorehead Avenue questioned where the CDBG ADA curb cuts were going to be constructed. Mr. Hassan said approximately forty-five curb cuts will be done in different areas of the Borough. Ms. Scharff questioned the resolution pertaining to the schedules and procedures for the disposition of records. She wanted to know what records were being destroyed. Ms. Andrews explained no records were being destroyed. This is a housekeeping resolution. The Borough is proposing to follow the new rules established by the State on December 16, 2008. Ms. Scharff asked if \$780.20 was being returned to the developer of 109-113 Front Street. Ms. Andrews replied yes.

Ms. Rogovin announced for the record two executive sessions were held between last month's meeting and this month's meeting. The dates were March 11 and March 24. The meetings were with PCCS, the recruiting agency hired by the Borough, for the Police Chief search.

APPROVAL OF MINUTES

Ms. Rogovin requested a motion to accept the Regular Council Meeting minutes of March 10, 2009.

Motioned By: Bernie Couris
Seconded By: Albert Kleinschmidt
All in Favor, Yes.

The motion passed 5 to 0.

APPROVAL OF BILLS

Ms. Andrews announced the bills list has been revised. The dollar amount has not changed. The only change is the Matsonford Road Project is being funded by the Capital Fund.

Ms. Rogovin requested a motion to approve the bills in the amount of \$308,315.34.

Motioned By: Bernie Couris
Seconded By: Albert Kleinschmidt
All in Favor, Yes.

The motion passed 5 to 0.

FINANCIAL REPORT

Ms. Rogovin announced the current funds of the Borough as of April 9, 2009 are \$5,672,344.05.

Motioned By: John Cooper
Seconded By: Harry Griffiths
All in Favor, Yes.

The motion passed 5 to 0.

BOROUGH MANAGER'S REPORT

Ms. Andrews announced the movie and summer events are starting on April 24, 2009. Brochures are available tonight to distribute to family and friends. She encouraged people to come out and enjoy these events.

Ms. Andrews announced the Keystone Foods employees will be volunteering their time as part of Earth Day to work in the Elizabeth Street Park on April 18th with a rain date of April 25th. Ms. Andrews invited the community to participate.

Ms. Andrews announced in order to host the yearly Sojourn she needed a motion to sign an agreement with the new property owner of Five Tower Bridge. Mr. McGrory read the agreement and said it was in order. The Borough will have to clean-up after the event.

Ms. Rogovin requested a motion to execute an agreement with Five Tower Bridge for the use of the park to hold the Schuylkill River Sojourn Event on June 11th & June 12th.

Motioned By: Bernie Couris
Seconded By: Albert Kleinschmidt
All in Favor, Yes.

The motion passed 5 to 0.

Ms. Rogovin announced an Executive Session is needed after the regular meeting.

COMMITTEE, DEPARTMENT, AND MAYOR'S REPORTS

Ms. Rogovin asked if anyone had any questions about the reports. No questions were asked.

PROFESSIONAL REPORTS

Mr. McGrory announced a meeting was held with Mr. Pulver and his representatives. Mr. Pulver has offered to give the Borough \$800,000 instead of making the improvements at the Barr Harbor Drive/Bullock Avenue and Front Street intersection. Mr. Hassan said at today's prices if the work is completed by Mr. Pulver he can do it for less than \$ 800,000. Due to prevailing wage the cost to the Borough is significantly greater, perhaps over \$ 1 million dollars. Mr. Hassan announced a previous traffic study supported the need for a traffic signal. With the soon to be signalization at Balligomingo Road the new study supports no signal if left turn lanes are installed. Mr. Hassan recommends it would not be in the Borough's best financial interest to accept the Pulver money. The Council held a discussion about taking the Pulver offer, having Mr. Pulver make the improvements without the signal, or having Mr. Pulver make the improvements with the signal. Mr. Pulver was in the audience and anxious to bring this matter to close. Ms. Rogovin polled Council for their position. Council agreed and informed Mr. Pulver to go ahead with the improvements including the traffic signal and all other contractual obligations defined in the land development agreement of February 1987. Mr. Pulver and the other interested parties want to finish their obligations to the Borough. Upon completion they want a signed release. Ms. Rogovin asked Council if they wanted Mr. Hassan go to PennDot to request a waiver for the traffic signal. In a 5 to 1 vote it was agreed to contact PennDot. Mr. Kleinschmidt voted against removing the signal from the PennDot HOP permit. Ross Weiss, Mr. Pulver's attorney, informed Council if PennDot cannot act quickly the signal will be installed.

Mr. McGrory recommended the Borough settle the reassessment appeal with the Marriott Hotel. The parcel was formally assessed at twenty four million dollars. The proposed assessment is sixteen million dollars. The Upper Merion School District and County have agreed to the settlement offer. For the Borough this will result in a real estate tax refund of \$ 59,327.

Ms. Rogovin requested a motion to authorize Mr. McGrory to sign the reassessment settlement agreement with the Marriott Hotel as discussed by Mr. McGrory.

Motioned By: Bernie Couris
Seconded By: Albert Kleinschmidt
All in Favor, Yes. The motion passed 5 to 0.

Mr. McGrory announced he would address Financial Resource Services Inc., in Executive Session.

Mr. McGrory announced the 4.5 acre parcel located on Balligomingo Road recently donated to the Borough received exempt status by the County Board of Assessment.

Mr. McGrory announced the parking lot next store to Borough Hall was condemned for the purpose of open space. However open space funds were not used to purchase the land. There are no covenants on the land that would interfere with the revitalization. He said a title search was performed. There was a sewer easement located on the parcel. Mr. Hassan is researching this matter and will contact the Municipal Authority.

Mr. Hassan updated Council on the outstanding punch list for Nathan's Place. He stated he met with the new project manager, Dave Martin. Mr. Martin is going to proceed with the punch list; however he was concerned about time constraints due to other commitments. Mr. Hassan informed Mr. Martin that the letter of credit runs out on May 2, 2009.

Mr. Hassan announced the St. Gertrude's demolition is eighty-five percent complete. Stabilization, seeding, and grading needs to be finished. Damage was done to the driveway at the school. The contractor has been made aware of this and is going to repair it.

Mr. Couris announced we are in the process of installing on the St. Gerts site the tot playground equipment donated by ASTM. Mr. Couris said the one piece was small and requested park funds for additional equipment. Mr. Griffiths thought it would be a good time to call the Marriott and ask them to donate additional playground equipment. Ms. Andrews asked if additional equipment was going to be installed at this location it be done now before the fence is established. She announced there is \$ 20,000 in the Park & Recreation Fund. Council decided not to add additional equipment at this time.

OLD BUSINESS

Ms. Rogovin requested a motion to authorize the Solicitor to advertise an ordinance to name a Borough street Nob Hill Lane.

Motioned By: Bernie Couris
Seconded By: Albert Kleinschmidt
All in Favor, Yes.

The motion passed 5 to 0.

Ms. Rogovin requested a motion to waive the building permit fee for Main Line Paving Co., Inc. for the demolition of St. Gert's Convent.

Motioned By: Bernie Couris
Seconded By: Harry Griffiths
All in Favor, Yes.

The motion passed 5 to 0.

Ms. Andrews announced there was a complaint from a resident about laundry tub water discharging from 1102 Matsonford Road and draining out into the Borough storm sewer system. A plumber volunteered his time and material to make the connection to the sanitary sewer system. A permit was filed, but since the plumber is not being paid for the repair the plumber asked if the \$ 40 permit fee could be waived.

Ms. Rogovin requested a motion to waive the \$40 permit fee for 1102 Matsonford Road.

Motioned By: Albert Kleinschmidt
Seconded By: Harry Griffiths
All in Favor, Yes.

The motion passed 4 to 0. Mr. Couris was not in Council Chambers during this vote.

Ms. Rogovin requested a motion to authorize the Borough Engineer to prepare the bid documents and solicit bids for the ADA Curb Ramps as defined in the CDBG grant.

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Motioned By: John Cooper
Seconded By: Albert Kleinschmidt
All in Favor, Yes.

The motion passed 5 to 0.

Ms. Rogovin requested a motion to award the new Ford F 550 with snow plow and spreader to the Costar Vendor, Hondru Ford, for the amount of \$ 64,043.

Motioned By: Bernie Couris
Seconded By: Albert Kleinschmidt
All in Favor, Yes. The motion passed 5 to 0.

NEW BUSINESS

Ms. Rogovin requested a motion to approve a Resolution to support the requirements for the installation of residential sprinkler systems.

Motioned By: Albert Kleinschmidt
Seconded By: John Cooper
All in Favor, Yes.

The motion passed 5 to 0.

Ms. Rogovin requested a motion to approve a Resolution to declare the Borough's intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual Approved on December 16, 2008.

Motioned By: Albert Kleinschmidt
Seconded By: Bernie Couris
All in Favor, Yes. The motion passed 5 to 0.

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Ms. Rogovin requested a motion to authorize the Solicitor to advertise an ordinance to amend sewers and sewage, Chapter 93, by amending the wastewater or sewage concentration limits for certain compounds, elements, and parameters discharged into the public sanitary sewer system operated by the West Conshohocken Municipal Authority.

Motioned By: Albert Kleinschmidt
Seconded By: Bernie Couris
All in Favor, Yes.

The motion passed 5 to 0.

Ms. Rogovin requested a motion to closeout the S & J LLC, 109-113 Front Street Professional Services Escrow and return to the developer \$780.20.

Motioned By: John Cooper
Seconded By: Albert Kleinschmidt
All in Favor, Yes.

The motion passed 5 to 0.

Mr. McGrory suggested for the future Ms. Andrews be given approval to close professional service escrow accounts and not present these requests to Council.

Ms. Rogovin requested a motion to permit Ms. Andrews to close professional service escrow accounts.

Motioned By: John Cooper
Seconded By: Bernie Couris
All in Favor, Yes.

The motion passed 5 to 0.

PUBLIC COMMENT

Bob Lawless, 505 Ford Street announced he was concerned about the dangerous speeding on Ford Street. He posted a slow down sign on a telephone pole and was told by the police department he was not allowed to post signs. He also wanted to post a sign promoting his business, but the building inspector informed him that was not permitted. Chief Harkness stated he had spoken with Mr. Lawless about these matters. The Police Department will patrol Ford Street for speeding. He directed Mr. Lawless to the Code Officer for the signs.

Stew Keener, the manager of Baggataway's Tavern, located at 128 Ford Street informed Council that his tavern would be holding its annual Cinco De Mayo Party on May 2, 2009. Mr. Keener asked how people find out about meetings. Ms. Andrews responded that all meetings are advertised and gave to Mr. Keener a Borough calendar with the meetings noted.

Josephine Scharff, 195 Moorehead Avenue announced skateboarding is still a problem on the streets and under the overpass by her home. She is concerned for the children's safety and recommends the Borough provide a facility within one of the parks.

Ms. Scharff asked if there was going to be a summer recreation program. Ms. Rogovin replied yes and directed Ms. Scharff to the brochures located on the back table.

Pat Getzfried, 608 Ford Street announced Council needs to follow through on the recommendations found in the studies authorized by Council. He stated a perfect example is the recent installation of a tot lot. Mr. Getzfried expressed his same monthly concerns about lowering the sewer rates, making needed repairs to Ford Street, and the scrapping and painting of the Borough Council Chambers.

EXECUTIVE SESSION

Council President Rogovin called an Executive Session at 9:20 pm to discuss legal and personnel matters. The Council returned to the Regular Meeting at 9:35 pm.

Ms. Rogovin asked for a motion to hire Brian Leflar as a seasonal part time employee for the position of laborer in the Public Works Department at a pay rate of \$ 10 per hour.

Motioned By: Albert Kleinschmidt
Seconded By: John Cooper
All in Favor, Yes.

The motion passed 5 to 0.

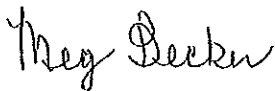
ADJOURN

Ms. Rogovin asked for a motion to adjourn the meeting at 9:36 pm.

Motioned By: John Cooper
Seconded By: Albert Kleinschmidt
All in Favor, Yes.

The motion passed 5 to 0.

Respectfully Submitted,



Meg Decker
Administrative Assistant