

**BOROUGH OF WEST CONSHOHOCKEN**  
**REGULAR MEETING**  
**AUGUST 11, 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	Present
John Cooper	Present
Bernie Couris	Present
Harry Griffiths	Present
Albert Kleinschmidt	Present
Joseph Costello	Present
Donna Frankenfield, Mayor	Present
Caren Andrews, Manager	Present
Joe McGrory, Solicitor	Present
Khaled Hassan, Engineer	Present

**PUBLIC COMMENT ON THE AGENDA**

Pat Getzfried, 608 Ford Street said since the Matsonford Road Widening bid came in lower than budgeted the Borough should use the funds for other road repairs. Ms. Rogovin said it is a County grant project. The County controls the leftover funds.

Paul Quinn, 24 Dehaven Avenue, spoke on recent flooding issues at his home. He said that due to changes made by the Borough a few years back in Year 2006 he sustained water damage. The problem is getting worse. He wanted to know what the Borough is going to do to fix the damage to his property estimated to be \$ 50,000. Mr. Hassan announced he did a site inspection of the property. Most of the storm water runoff is coming from the Puhl and Weiner properties. Mr. Quinn strongly disagreed. Ms. Rogovin asked Mr. Hassan to examine New Dehaven Avenue to see if the Borough could capture or redirect the storm water flow.

Kathy Cagliola, 22 Dehaven Avenue announced she is having similar flooding problems. The repairs are estimated to cost \$20,000. She wanted to know what the Borough is planning to do to fix the problem as well as address the damage to her property.

Jeffrey Quinn, 4 Powers Drive stated he lived at 24 Dehaven Avenue. They never had problems with storm water until recent years. It is a storm management issue coming from the reconstruction of Dehaven Avenue, New DeHaven, and Union Hill.

Mr. McGrory stated in Year 2004 a similar claim was made. When investigated by the Borough's insurance carrier the claim was denied. He asked that all communications and reports be handled by his office. Ms. Rogovin assured the residents that Council would be working on this matter.

Ms. Rogovin announced on July 21 an Executive Session was held to review the police chief candidates.

### **APPROVAL OF MINUTES**

Ms. Rogovin asked if anyone had any questions or corrections before she requested a motion to approve the minutes from the Regular Council Meeting on July 14, 2009.

Mr. Costello announced there was an error on page four. He stated Front Street should be replaced with Ford Street. That correction will be made.

Mr. Couris asked if Mayor Frankenfield really stated she would take care of a gift for the former Police Secretary. Mayor Frankenfield said yes.

Ms. Rogovin requested a motion to accept the Regular Council Meeting Minutes of July 14, 2009 as corrected.

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

The motion passed 6 to 0. Mr. Kleinschmidt abstained because he was not present at that meeting.

Ms. Rogovin asked if anyone had any questions or corrections before she requested a motion to approve the minutes from the Special Council Meeting on July 28, 2009.

Mr. Cooper and Mr. Costello announced the three council members are listed as absent when they were present. Ms. Andrews said she would correct the minutes to read that Jack Cooper, Bernie Couris, and Harry Griffiths were present at the meeting.

Ms. Rogovin requested a motion to accept the Special Council Meeting Minutes of July 28, 2009 as corrected.

Motioned By: Joseph Costello  
Seconded By: Albert Kleinschmidt  
All in Favor, Yes.

The motion passed 7 to 0.

### **APPROVAL OF BILLS**

Ms. Rogovin asked if anyone had any questions on the bills list. Mr. Costello, Mr. Kleinschmidt, Mr. Griffiths, and Mayor Frankenfield questioned some invoices. Ms. Andrews answered their questions.

Ms. Rogovin requested a motion to approve the bills in the amount of \$436,991.69.

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

The motion passed 7 to 0.

## **FINANCIAL REPORT**

Ms. Rogovin announced the current funds of the Borough as of August 7, 2009 are \$6,348,199.25.

## **BOROUGH MANAGER'S REPORT**

Ms. Andrews announced the Borough is participating in the Montco Consortium patrolman test. Applications are being accepted. The Civil Service Commission will be mobilized.

Ms. Andrews announced the Borough received a land development application for the property located at 113 Front Street. It was formerly the CC's Restaurant. The applicant wants to construct a parking lot with access off of Powers Avenue. On the lower level where the building is located the property owner wants to construct an addition. The application will be reviewed by the Planning Commission on August 20, 2009.

Ms. Andrews requested authorization to recruit a support staff employee for the Police Department. Council told her to proceed.

Ms. Andrews announced an Executive Session is needed.

## **COMMITTEE, DEPARTMENT, AND MAYOR'S REPORTS**

Ms. Rogovin asked if anyone had any questions.

Mr. Costello and Mr. Griffiths announced the computer system in Borough Hall crashed earlier this year. They requested permission be given to Ms. Andrew to overhaul the IT system at a cost to not exceed \$40,000. Mr. McGrory said he needs to research this issue to determine if it is a professional service and if sealed bids are needed. He will report back at the September meeting.

Mayor Frankenfield said she received a call about a home at the corner of Dehaven and Matsonford Road. Property maintenance was an issue with high grass and unruly shrubbery. Ms. Andrews stated this property has been an issue all season. Mayor Frankenfield stated it was a rental property. Ms. Rogovin asked Ms. Andrews to see if the property has a current rental license and inspection.

Mayor Frankenfield announced an Executive Session is needed.

Mayor Frankenfield commended Sergeant Steven Walker for doing an excellent job serving as Officer in Charge.

## PROFESSIONAL REPORTS

Mr. McGrory announced he was able to secure a settlement offer with Financial Resources Services, Inc. He recommended settling for \$5,605. This will bring to closure all of the open invoices and the defamation claim.

Ms. Rogovin requested a motion to settle with Financial Resources Services, Inc. in the amount of \$5,605.

Motioned By: Bernie Couris  
Seconded By: Harry Griffiths  
All in Favor, No.

Ms. Rogovin requested Council be polled.

Joseph Costello	Yes
Harry Griffiths	Yes
Albert Kleinschmidt	Yes
Marcy Rogovin	Yes
Joseph Pignoli	Yes
John Cooper	No
Bernie Couris	Yes

The motion passed 6 to 1.

Mr. McGrory announced that motion would also permit Ms. Andrews to sign the release.

Mr. Hassan announced the Matsonford Road Widening Project is on schedule. There is a change order. The County is requesting a change in the signage at a cost of \$1,761.50. The County is paying \$1,541.31. The Borough will pay \$220.19. Mr. Hassan asked for a motion to approve this expense.

Ms. Rogovin requested a motion to authorize payment for the signage changes in the amount of \$220.19.

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

Mr. Hassan announced the Front Street/OTP work is moving along. The utilities have been relocated. On street parking is being prohibited. The residents have been advised.

## OLD BUSINESS

Mr. Costello asked Mr. Hassan about the status of Ford Street. Mr. Hassan announced PennDot is receptive to giving back the road to the Borough under the turn back program. PennDot asked for a cost estimate to repair the road. Mr. Hassan submitted a cost estimate in the amount of \$90,000 to cover the overlay of the road. He added an additional \$55,000 to cover potential curb repairs.

PennDot will not repair or replace storm structures, curbs, and sidewalks. Mr. Griffiths suggested the Borough make the repairs to the sidewalks and curbs without taking back the street. Mr. McGrory stated it was not the Borough's responsibility to make these repairs. It belongs with the property owners. Mr. Hassan said if the borough owns Ford Street it can add traffic calming controls. Mr. McGrory asked if the State Senator and State Representative had been approached about funding some of these repairs. Ms. Rogovin replied no. Mr. McGrory stated this could be done with grants. He suggested trying that first. Ms. Rogovin announced that Ms. Andrews will contact them.

## **OLD BUSINESS**

Mr. McGrory opened the public hearing for an Ordinance for parking restrictions. Mr. McGrory announced this ordinance had been advertised. Mr. McGrory asked if Council had any questions. Hearing none he asked if there were any questions from the public. No questions were posed. Mr. McGrory closed the hearing.

Ms. Rogovin requested a motion to adopt this Ordinance for parking restrictions.

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

Ms. Rogovin requested a Motion to appoint Michael J. Sinclair to the position of Police Chief giving the Council President authorization to execute the employment agreement.

Motioned By: Joseph Costello  
Seconded By: Joseph Pignoli  
All in Favor, Yes.

Ms. Andrews announced there was some confusion on the municibid auction site regarding the sale of the 1998 GMC Dump Truck with spreader and plow. The high bids were out of line with blue book value. She requested permission to throw out the bids and re-list the truck for sale. Permission was granted.

Ms. Rogovin introduced the idea of giving a grant to the Municipal Authority. With the grant the citizens would be given a credit on their next bill. The Council focused in on issuing a check to the Municipal Authority in the amount equal to the quarterly residential ratepayer's charge. All ratepayers would receive the same credit. For residential ratepayers who were current with their bills this credit would give them a zero balance in the next invoice cycle. Ms. Rogovin suggested Council draft a letter to the residents explaining the grant program. Mr. McGrory asked to review the letter.

Mr. Couris requested a motion to authorize a grant to the West Conshohocken Municipal Authority in the amount equal to the next quarterly residential ratepayer's charge. All ratepayers would receive the same credit. This grant would be implemented in time for the next invoice cycle.

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

## **NEW BUSINESS**

Ms. Rogovin requested a motion to approve a Resolution to call the 2002A Bonds with T.D. Bank and pay off the debt service in the amount of \$1,360,435.

Motioned By: Joseph Costello  
Seconded By: Albert Kleinschmidt  
All in Favor, Yes.

Ms. Rogovin requested a motion to approve a Resolution to appoint Caren Andrews, the Borough Manager, as the voting delegate and Albert Kleinschmidt, the Finance Committee Chair, as the alternate voting delegate to serve on the County Tax Collection Committee for Earned Income Tax under PA Act 32.

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

Mr. Costello announced he wanted the Dog Ordinance enforced. He wants people to clean up after their dogs. Ms. Rogovin asked Bernie Couris, the Chairperson for the Open Space Committee, to develop some rules and present them next month.

Mr. Costello announced George Clay Fire Company is in the process of applying for a Federal grant. He stated they need a site survey of their property. He asked if Council could fund this expense. Mr. Quinn, President of the George Clay Fire Company, stated he had one estimate but he felt it was high. Mr. Hassan asked him to share the quote with him. Mr. McGrory announced there was no conflict with sharing the quote. Mr. Quinn stated he would give Khal a copy.

## **PUBLIC COMMENT**

Fire Chief Frankenfield, 513 Ford Street asked Mr. Hassan for an update on the Balligomingo Road and Route 23 Project. Mr. Hassan answered it was slated for September of this year, but this is not a solid date. He asked Mr. Hassan if he was aware that 12 Balligomingo Road is experiencing water runoff problems. The water is coming down from Union Hill, creating mud, and clogging up the storm drains. Mr. Hassan answered he was aware of the problem but what not sure what the Borough could do because it is a PennDot issue. Mr. McGrory stated the Borough should send a letter to PennDot advising them of the problem and asking PennDot to correct it.

Pat Getzfried, 608 Ford Street announced we have a Dog Ordinance. If enforced and fines are issued people will start cleaning up after their dogs. Mr. Getzfried said it was a great that Council used his ideas and were paying off the outstanding bonds and helping the residents with their sewer bills. He asked if the Borough was paying off the Sewer Authority's bond. Mr. McGrory answered the matter was reviewed but was not feasible at this time. Mr. Getzfried asked about curbs.

## **EXECUTIVE SESSION**

Council President Rogovin called an Executive Session at 8:35 pm to discuss legal and personnel matters. The Council returned to the Regular Meeting at 9:05 pm.

Ms. Rogovin asked for a motion concerning the family leave request submitted by Robert Dronitsky. After some discussion the motion was worded as follows:

1. To allow Mr. Dronitsky a leave of absence to spend time with his adopted newborn son.
2. Mr. Dronitsky's leave of absence begins on August 12, 2009. His return date is September 21, 2009.
3. Mr. Dronitsky must draw down on his accrued time of vacation, personal leave, and a portion of an unused holiday. The rest of his leave of absence will be without pay.
4. The premium for his health insurance benefits will be paid by the Borough.
5. This is not a benefit covered under the Teamster's collective bargaining agreement. If granted this is not establishing a precedent.

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

The motion passed 7 to 0.

### **ADJOURN**

Ms. Rogovin asked for a motion to adjourn the meeting at 9:10 pm.

Motioned By: Jack Cooper  
Seconded By: Joseph Pignoli  
All in Favor, Yes.

The motion passed 7 to 0.

Respectfully Submitted,



Caren D. Andrews  
Borough Manager/Secretary