

**BOROUGH OF WEST CONSHOHOCKEN**  
**REGULAR MEETING**  
**DECEMBER 8, 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

Ms. Rogovin announced tonight is a sad night because it is Jack Cooper's last Council meeting. Mr. Cooper has completed twelve years of service. Ms. Rogovin asked his wife Nancy to come forward. She presented Mrs. Cooper with roses and thanked her for supporting Jack. Ms. Rogovin presented Mr. Cooper with a gift from Council. Mr. Cooper announced it was a pleasure for him to serve and thanked the residents for allowing him to sit on Council for twelve years.

**PRESENTATION – MATSONFORD ROAD EAST WIDENING, CONCEPTUAL OPTIONS**

Ms. Rogovin stated that during the Matsonford Road Widening ground breaking ceremony County Commissioner Joseph Hoeffel approached the Borough representatives. He was concerned about the traffic back-up on the McDonald's side of Matsonford Road. He suggested they develop a shovel ready project and present it to the County for a transportation grant. At a prior meeting the Council had authorized Mr. Hassan to develop the design plan. Mr. Hassan introduced Earl Armitage, the traffic engineer assigned to this project. Two design options were proposed and presented to Council. Mr. Armitage explained the two options. The first option was to create a storage lane of 245 feet with the replacement of the overhead signage structure. It would also extend the left lane by 190 feet. The second option would leave the overhead sign structure intact and install a 315 foot left turn lane. Mr. Kleinschmidt suggested a third option focusing in on the median strip and the left lanes of the I-76 ramp. The Council favored the Kleinschmidt option. Mr. Hassan said he will relay this information to PennDot. It is a State road and needs an HOP.

**PUBLIC COMMENT ON THE AGENDA**

Ms. Rogovin opened the floor to public comment, no one came forward.

## **APPROVAL OF MINUTES**

Ms. Rogovin requested a motion to accept the Workshop Council Meeting Minutes of December 2, 2009.

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

The motion passed 5 to 0. Mr. Kleinschmidt and Mr. Pignoli abstained because they were not present at this meeting.

Ms. Rogovin requested a motion to accept the Special Council Meeting Minutes of November 17, 2009.

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

The motion passed 7 to 0.

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

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

The motion passed 7 to 0.

## **APPROVAL OF BILLS**

Ms. Rogovin asked if anyone had questions about the bills list.

Mr. Costello questioned several bills. Ms. Andrews answered his questions. Mr. Costello asked Police Chief Sinclair if the GPS Units in the police cars were working. Chief Sinclair said three of the four units are operational.

Mayor Frankenfield questioned the status of the pension payment list. Ms. Decker answered it was omitted in error. There were no changes. The list will be forwarded to Council in the morning.

Ms. Rogovin said Scott Blissman has asked that Council add to the December bills list the Reed Smith November 30<sup>th</sup> invoice in the amount of \$ 1362.10. The request was made due to their fiscal year closure process.

Mr. Costello made a motion to pay all of the 2009 bills by the year end. Mr. Cooper seconded the motion. Mr. McGrory asked if a year end close out meeting was scheduled. Ms. Andrews said no.

Mr. McGrory asked about the system for paying bills. Ms. Andrews stated the only items paid interim are invoices that are subject to late charges and payroll. The rest are presented at a Council meeting. Mr. McGrory agreed with that position. The rest of the invoices can be addressed at the January meeting. The motion failed 5 to 2.

Ms. Rogovin requested a motion to approve the bills in the amount of \$321,869.29 plus add to it the Reed Smith bill in the amount of \$1,362.10. This brings the total bills list to \$323,231.39.

Motioned By: Joseph Pignoli  
Seconded By: Harry Griffiths  
All in Favor, No.

Ms. Rogovin requested Council be polled.

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

The motion passed 6 to 1.

## **FINANCIAL REPORT**

Ms. Rogovin announced the funds as of December 4, 2009 are \$5,032,038.76.

## **BOROUGH MANAGER'S REPORT**

Ms. Andrews said there will be a Civil Service meeting on December 10, 2009 to discuss the Civil Service Regulations. She stated help may be needed from the Borough's labor relations attorney. Mr. Costello asked why we would pay the attorney when he caused this problem. Ms. Rogovin answered Mr. Blissman corrected the problem at no additional cost to the Borough.

Ms. Andrews announced painting will be taking place at the Police Station. The Public Works Department will be doing the painting.

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

Mayor Frankenfield stated there will be another Christmas Lighting Contest this year. The winners will be announced and awards given out in January. Ms. Frankenfield stated holiday barrels have been placed in local businesses. She is seeking gifts and food donations. PECO has donated gift cards. If anyone is aware of any needy families please forward the information to her.

## **PROFESSIONAL REPORTS**

Mr. McGrory announced he has nothing to add. His items are on the agenda.

Mr. Hassan announced the Matsonford Road Widening Project, Change Order # 5 will result in a credit of \$ 3,000.

Mr. Hassan announced at last month's Council meeting he was instructed to get pricing for the video inspection of the storm sewer system on Ford Street. He did. Mr. Hassan recommended awarding the assignment to Pipe Data View Services at the quoted price of \$1,200 plus the cost of the DVD. Ms. Andrews said she received an email from PennDot stating the turnback money for Ford Street will be forthcoming in Year 2010. She asked if we can videotape a road we currently do not own. Mr. McGrory answered technically no. He stated videotaping would be a nice way to see what the Borough is buying before it is final. Ms. Rogovin requested a motion to retain Pipe Data View Services at a cost of \$1,200 plus \$20.00 per DVD.

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

The motion passed 7 to 0.

### **OLD BUSINESS**

Mr. McGrory said the Kolea Family, 6 Cedar Avenue, wants to convert their commercial property into four condo units with eight off-street parking spots. The property owner had been before the Zoning Hearing Board and received the approval for this project. Normally a land development plan needs to be filed with the Borough. In this case Mr. McGrory recommended waiving the land development process. The Zoning Hearing Board supports the project. The development allows for off-street parking. The restoration will enhance the community. If Council proceeds to waive SALDO, Mr. McGrory recommends the Borough Engineer performs a review focusing on storm water management issues and signs off on the improvements.

Jim Kolea presented drawings and described the changes. Council posed questions that were answered by Mr. Kolea. The Council agreed with Mr. McGrory's recommendations and told Mr. Kolea to proceed to design a storm water management plan. Mr. McGrory reminded Mr. Kolea he must execute the professional services agreement given to him by Ms. Andrews.

Ms. Rogovin requested a motion to waive the year 2009 West Conshohocken Borough local real estate tax for tax parcel # 24-00-00116-01-3, Balligomingo Road, in the face amount of \$191.76 . This property is the 4.5 acre parcel donated to the Borough in February 2009.

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

The motion passed 7 to 0.

Mr. McGrory opened the public hearing for an Ordinance Amending Chapter 109, Vehicles and Traffic, to establish criteria for handicapped parking zones. The ordinance was advertised. Mr. McGrory asked if Council had any questions. No questions were posed. He asked if there were questions from the public. Zack Walker, 226 Moorehead Avenue expressed his concern about people obtaining a handicapped spot and then transferring the placard from one car to another.

Council held a discussion. Kathy Schermerhorn, 306 Brittnoir Avenue, explained the difference between temporary placards and permanent ones. Mr. McGrory closed the hearing.

Ms. Rogovin requested a motion to adopt an Ordinance amending Chapter 109, Vehicles and Traffic, to Establish Criteria for Handicapped Parking Zones.

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

The motion passed 7 to 0.

Ms. Rogovin said Police Chief Sinclair has discussed with the Public Safety Committee upgrades to the Police Station. She stated in the past Council considered consolidating the Borough operations into one facility and selling the current Borough Hall parcel. The Borough has been approached by the property owner of 140 Moorehead Avenue about selling his parcel. Mr. McGrory said an appraisal is needed to determine the value of the land. Mr. Griffiths stated we needed to move forward with making the changes needed to secure the Police Station. He asked if estimates had been secured. Chief Sinclair answered two architects' submitted proposals. Mr. Kleinschmidt announced the estimates were high. A discussion was held. Ms. Rogovin formed a committee to work with the Chief, contractors, and Pennoni Associates. Mr. Kleinschmidt, Mr. Pignoli, and Mr. Couris volunteered to be on that committee.

The Council discussed merging the Borough services into one location. The Council spoke about Borough Hall and the area not being utilized in the building. Council agreed to hire a space planner to evaluate what can be done to increase working space in Borough Hall. The Council asked Ms. Andrews to work with the new committee to obtain quotes for space planners for the Police Station and Borough Hall.

Ms. Rogovin requested a motion to have Indian Valley Appraisal Company do a land only appraisal for the property located at 140 Moorehead Avenue.

Motioned By: Joseph Pignoli  
Seconded By: Bernie Couris  
All in Favor, Yes. The motion passed 7 to 0.

Ms. Rogovin said DePallo Design and Planning submitted their presentation for a Master Park Plan for the St. Gert's property and MacKenzie Park property. She wanted to get consensus from Council on what they thought was needed for the parks. The Council agreed that the St. Gert's property should be a park with trees, park benches, picnic tables, a small playground area, and a walking trail. The Council decided MacKenzie Park was a large project that should be funded with grant money. Ms. Rogovin asked Mr. Couris to work with the Advisory Committee to develop suggestions and scale down the projects. Mayor Frankenfield reminded Council this park was to be dedicated to Police Chief Joseph Clayborne. Ms. Rogovin replied it was suggested. Mayor Frankenfield said the minutes from a past meeting addressed the renaming. Mr. Costello asked to rename tonight the St. Gert's parcel to The Joseph Clayborne Park. Mayor Frankenfield suggested naming a portion of the park to The Chief's Corner in honor of past Police Chiefs. Memorial benches would be purchased. The Council liked the idea, but did not make it formal at the meeting.

## **NEW BUSINESS**

Ms. Rogovin requested a motion to transfer Year 2009 unencumbered funds as listed below.

- a) \$74,867 from g/l account 02492-027 to Capital Reserve
- b) \$148,900 from g/l account 02492-030 to Facilities Capital
- c) \$50,000 from g/l account 02492-031 to Fire Apparatus
- d) \$30,000 from g/l account 02492-032 to Police Capital
- e) \$41,000 from g/l 02410-371 to Police Capital
- f) \$44,875 from g/l account 02492-033 to Public Works Capital

Motioned By: Harry Griffiths

Seconded By: Joseph Pignoli

All in Favor, Yes.

The motion passed 7 to 0.

Ms. Rogovin requested a motion to adopt the 2010 Budget.

Motioned By: Albert Kleinschmidt

Seconded By: Joseph Pignoli

All in Favor, Yes.

The motion passed 7 to 0.

Mr. McGrory opened the public hearing for the 2010 Tax Levy Ordinance. The ordinance calls for a general revenue tax of 1.575 mills and a fire protection service tax of .110 mills. There is no change to the millage rate. The ordinance was advertised. Mr. McGrory asked if Council had any questions. No questions were posed. He asked if there were any questions from the public. No questions were posed. Mr. McGrory closed the hearing.

Motioned By: John Cooper

Seconded By: Joseph Pignoli

All in Favor, Yes.

The motion passed 7 to 0.

Ms. Andrews announced Walter Kurish, the Borough's Tax Collector, is concluding his service effective January 1<sup>st</sup>. Anyone interested in serving as Tax Collector should contact the Borough Manager. Mr. McGrory said Council has until January 31, 2010 to make an appointment. If Council does not make that appointment Mr. McGrory outlined the replacement process.

## **PUBLIC COMMENT**

Pat Kelly, 300 Cedar Avenue thanked Jack Cooper for his years of service to the community. Ms. Kelly thanked the Police Department who notified the Public Works Department to report to work during the recent storm. She commended everyone for a job well done. Ms. Kelly asked Mayor Frankenfield for an update on the gift for Jacqui Waddell. Ms. Waddell recently resigned her

position as the Police Department Secretary after many years of service. Mayor Frankenfield said she was working on it.

Kathy Schermerhorn, 306 Brittmuir Avenue thanked Council for making a rapid decision regarding her handicapped parking spot and having the signage installed. Ms. Schermerhorn thanked Council for the additional sewer credit. She said it made her happy to hear Council was considering keeping the Borough Hall.

Mr. Couris stated PETA contacted him and commended the Borough for enacting a cat ordinance. PETA is an animal activist organization dedicated to the fair treatment of animals.

## **EXECUTIVE SESSION**

Council President Rogovin called an Executive Session at 9:00 pm to discuss legal and personnel matters. The Council returned to the Regular Meeting at 9:25 pm.

Ms. Rogovin requested a motion for the approval of the FOP Memorandum of Understanding (Police contract). It is a four year contract starting on January 1, 2009.

Motioned By: Joseph Pignoli  
Seconded By: Harry Griffiths

Ms. Rogovin requested Council be polled.

Joseph Costello	Yes
Harry Griffiths	Yes
Albert Kleinschmidt	Yes
Marcy Rogovin	Yes
Joseph Pignoli	Yes
Jack Cooper	Abstained
Bernie Couris	Yes

The motion passed 6 to 0 with one abstention from Mr. Cooper. Mr. Cooper abstained because for the majority of the contract period he will not be in office. His term concludes at the end of this year. It was agreed that Ms. Rogovin will execute the contract.

As a component of the new FOP contract the Borough will be switching health insurance providers representing a significant savings to the municipality. Delaware Valley Health Insurance Trust hereinafter referred to as DVHIT, will be the new provider. Ms. Rogovin requested a motion to have Mr. McGrorey review the DVHIT documents and advertise the ordinance.

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

The motion passed 7 to 0.

Ms. Rogovin requested a motion to increase the part time police officers wages by 4% retroactive to the first pay of the year. All part time officers employed during the year will be impacted by this raise. This matches the wage increase for the full time officers.

Motioned By: Jack Cooper  
Seconded By: Al Kleinschmidt  
All in Favor, Yes.

The motion passed 7 to 0.

Before adjourning there was a few words of appreciation expressed to Jack Cooper. Mr. Couris presented Mr. Cooper with the working bell from the old St. Gerts Elementary School. He mounted the bell onto a wood plaque.

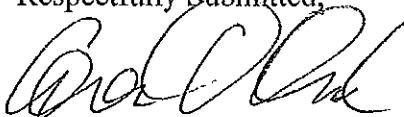
### **ADJOURN**

Ms. Rogovin asked for a motion to adjourn at 9:33 p.m.

Motioned By: Jack Cooper  
Seconded By: Al Kleinschmidt  
All in Favor, Yes.

The motion passed 7 to 0.

Respectfully Submitted,



Caren D. Andrews  
Borough Manager / Secretary