

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

PUBLIC COMMENT ON THE AGENDA

There were no comments. Ms. Rogovin announced there was an Executive Session on June 23, 2009 to discuss the Police Chief candidates.

APPROVAL OF MINUTES

Ms. Rogovin requested a motion to accept the Regular Council Meeting Minutes of June 9, 2009.

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

Ms. Rogovin requested Council be polled.

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

The motion passed 4 to 1. Mr. Pignoli abstained due to his absence at the June 9, 2009 meeting.

APPROVAL OF BILLS

Ms. Rogovin asked if anyone had any questions on the bills list. Mr. Costello questioned some invoices. Ms. Andrews answered his questions. Mr. Costello expressed his dissatisfaction with some of the expenses.

Ms. Rogovin requested a motion to approve the bills in the amount of \$423,034.36

Motioned By: Bernie Couris

Seconded By: Jack Cooper

All in Favor, Yes.

The motion passed 6 to 0.

FINANCIAL REPORT

Ms. Rogovin announced the current funds total \$6,534,808.82.

Mr. Costello asked about the status of the certificate of deposit maturing at the end of July. He recommends that the funds be applied to paying off the 2002 Bond. Ms. Andrews said the financial consultant will be addressing this issue at the July 28th Special Council meeting.

Mr. Costello questioned the Quaker Home's Escrow Account for .34 cents. Ms. Andrews stated there is an open land development application. The developer has not been forthcoming in reimbursing the municipality for engineering and legal services. Mr. Pignoli suggested using the Conflict Solicitor to collect the outstanding professional service expenses.

Mr. Griffiths stated the earned income tax is down by 15%.

BOROUGH MANAGER'S REPORT

Ms. Andrews announced she wanted to acknowledge the efforts of Khal Hassan, the Borough Engineer, in obtaining grants. The Borough passed the first round of evaluations for the Year 2009 CDBG grant and received approval to go to the next step for the Powers Avenue storm sewer and road improvements project. The proposed grant amount is \$ 240,000. Mr. Hassan submitted a grant request to PennDot for a LED traffic signal retrofit at the intersection of William and Front Streets. The signals were upgraded on July 7th at a value of \$ 8,000 plus utility savings. The Council thanked Mr. Hassan.

Ms. Andrews announced a boundary survey is needed for MacKenzie Park. This requires a title search and surveying expenses. She requested a motion to have Penmoni Associates do the survey and Germantown Title complete the title work. She received a quote from Penmoni Associates for \$ 2000 and estimates the title to cost \$ 500. Mr. Couris asked if the motion should be for a larger value just in case the cost exceeds the projection. Mr. McGrory suggested making a motion without a cap keeping the cost in reason.

Ms. Rogovin requested a motion to authorize Penmoni Associates to do the boundary survey and Germantown Title to do the title work within reasonable costs.

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

The motion passed 6 to 0.

Ms. Andrews announced an Executive Session is needed.

COMMITTEE, DEPARTMENT, AND MAYOR'S REPORTS

Mr. Rogovin asked if there were any other comments or questions regarding the other reports.

Mayor Frankenfield announced she would be out of town from Thursday to Sunday because she is attending the Mayor's Conference in Erie.

Mr. Costello commended Michael McGuire for finding the open outhouse structure on the St. Gert's property. Ms. Andrews acknowledged the work of John Carey and Robert Dronitsky for filling in the outhouse structure. Mr. Costello stated he thought there was a cesspool located on the old convent site. Mr. Hassan informed him that Dan Curry from the Municipal Authority thoroughly inspected the property and found no cesspool. Mr. Hassan said if Council was aware of an approximate location he could use a GPS system to find it. Mr. Cooper thought there was one by the grotto. Mr. Hassan was instructed to check that area, but not to disturb the grotto.

Mr. Couris spoke about the Municipal Authority and the sewer rates. The fees are high because the system is only twenty years old. The debt service expires in Year 2017. The Conshohocken Sewer Authority is implementing an improved system of financial controls and working on a five year Capital Plan. The Capital Plan is projected to cost \$ 13 million with West Conshohocken Municipal Authority (WCMA) paying \$ 2 million. The WCMA anticipates a capital program of \$ 1 million. A lengthy discussion was held. Mr. Griffiths asked Mr. McGrory how the Borough can defend itself. Mr. McGrory asked if an inter-municipal agreement existed. Mr. Couris answered yes, but it is deficient. WCMA wants to develop a revised agreement. Mr. McGrory was asked to review the old agreement and participate in evaluating the new agreement before it gets executed. Mr. Griffiths asked why the sewer bill was based on a flat fee instead of water consumption. Mr. Couris said this had been discussed in the past and will be reviewed again at the next WCMA meeting. Ms. Rogovin stated the residents need to interact with the WCMA.

Mr. Costello announced at last month's meeting it was asked to have the Fire Company provide detail of the type of calls in their monthly report. In this month's report the detail is noted.

Mr. Costello announced Jacqui Waddell recently resigned her position as Police Secretary after seventeen years of service. He recommended she be commended and rewarded for her efforts. Mayor Frankenfield said she will take care of this matter.

PROFESSIONAL REPORTS

Mr. McGrory had no report.

Mr. Hassan announced the sidewalks at the Kleinschmidt residence, 200 Moir Avenue, have been installed and inspected. The project is complete. The Borough Engineer recommended the escrow be returned to Mr. and Mrs. Kleinschmidt.

Ms. Rogovin requested a motion to release the Kleinschmidt escrow.

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

The motion passed 6 to 0.

Mr. Hassan stated he had good news about the Moir Avenue CDBG Project. The Borough will be receiving a \$4,000 credit because of a reduction in quantities.

Mr. Hassan announced the contractor for the Matsonford Road Project came across a section of the road base that shows the thickness at 5 ½ inches. The specifications require 8 ½ inches. Therefore a change order in the amount of \$ 15,265.43 is needed. The County approved the change order. The Borough is responsible for 12 ½ %, \$1,908.18. Mr. Hassan requested a motion.

Ms. Rogovin requested a motion to approve the change order and authorize the Borough's payment.

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

The motion passed 6 to 0.

Mr. Costello questioned Mr. Hassan about the grading performed at the St Gertrude's School. Mr. Costello stated the slope is too steep and dangerous. Mr. Hassan answered it is not dangerous. It will cost more if the contractor must come back to add fill and regrade.

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. PennDot wants the Borough to provide a cost estimate for the needed road repairs. PennDot will not repair or replace storm structures, curbs, and sidewalks. Mr. Costello said the Borough should take back the road and make the necessary repairs. He stated we could apply for grants. Ms. Rogovin asked if it we know for sure that the sub-strata is not deteriorated. Mr. Hassan replied nobody knows. Mr. Griffiths questioned if the Borough could make the repairs to the sidewalks and curbs without taking back the street. Mr. Hassan replied yes. Ms. Rogovin said 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. The road would qualify for liquid fuels. Ms. Rogovin said if traffic controls are the biggest concern then we need to obtain the old traffic study recommending a stop sign on Elizabeth Street. This study needs to be given to State Representative Tim Briggs and State Senator Daylin Leach and request their assistance with PennDot.

Mayor Frankenfield asked if no parking signs could be placed by the corner of Cedar Avenue and Ford Street. Emergency access is difficult. Ms. Andrews replied the State law governs this and the

Borough is proposing to add this to our traffic control legislation. The parking restriction ordinance will be ready for action at the August meeting.

Mr. Costello questioned Mr. Hassan about the status of the blacktop parking lot off of Cedar Avenue next to the former St. Gert's School. Mr. Hassan replied there are no changes. The lot will remain as is.

OLD BUSINESS

Mr. McGrory announced the labor relations attorney gave the Borough model rules and regulations for civil service and the Civil Service Commission. The regulations were tailored for the Borough and reviewed by the labor relations attorney. An ordinance was prepared. Mr. McGrory opened the public hearing for an Ordinance to Repeal and Replace Chapter 8, Civil Service Commission. 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 an Ordinance repealing and replacing Chapter 8, Civil Service Commission.

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

Ms. Rogovin requested Council be polled.

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

The motion passed 5 to 1.

NEW BUSINESS

Ms. Andrews announced the Borough received the new 2009 dump truck with plow and spreader. This takes the 1998 GMC dump truck with spreader and plow out of commission. She requested Council make a motion to permit her to sell it on the municibid Auction Site.

Ms. Rogovin requested a motion to authorize the Borough Manager to post for sale the 1998 GMC Dump Truck with spreader and plow on the municibid Auction Site.

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

The motion passed 6 to 0.

Ms. Rogovin announced County Commissioners James Matthews and Joseph Hoeffel informed her at the Matsonford Road widening ground breaking ceremony that we are not done with road improvements. They were very concerned about the right turn lane at Matsonford Road and Route 23 by McDonalds. The County asked us to develop a right turn lane project and submit it to them. A discussion was held. The Council authorized Mr. Hassan to do a conceptual plan for this intersection and have it ready at the next Council meeting.

Ms. Rogovin announced the following items:

- July 20, 2009 Special Meeting, 6:30 pm, George Clay Firehouse. Subject: Kickoff of the Master Site Park Plan, meeting spearheaded by DePallo Design & Planning, LLC.
- July 28, 2009 Special Meeting, 6:00 pm, Borough Hall. Subjects: Stanley N. Booz, LLC - Year 2008 Audit and Gordon Walker, PFM, Financial Consultant. Other business may be addressed if needed.
- State Representative Tim Briggs has set up in Borough Hall a cardboard box for food donations. The donations will be distributed to the Montco. Food pantries.
- State Representative Tim Briggs has office hours in Borough Hall on the second Tuesday of each month from 6:30 pm to 7:30 pm.

PUBLIC COMMENT

Martha Kenna, 511 Ford Street asked if Ford Street was being tabled. Ms. Rogovin replied no. The Borough is working on getting a stop sign. Ms. Kenna said no work is being done to the curbs or sidewalks. Ms. Kenna asked why the Recreation Council had no kitchen access during their weeknight events. Ms. Andrews replied kitchen access was not requested. She told her to complete a revised application; and, the request will be processed.

Pat Kelly, 300 Cedar Avenue asked how much revenue was received from the items sold at the St. Gert's School. Ms. Andrews answered \$476. Ms. Kelly wanted to know what happened to the crucifix and corner stone from the school. Ms. Andrews answered the corner stone is at the Borough garage, but she had no knowledge of the crucifix. Ms. Kelly wanted to know if she could see a copy of the report showing the St. Gert's School restoration cost to be between \$ 700,000 to \$ 800,000. Ms. Rogovin answered yes, but that report did not address ADA compliance and asbestos removal. Ms. Kelly acknowledged that Interim Police Chief Richard Harkness had attended the Friday night park dances. She asked if Council considered changing the three minute rule to five minutes.

Kathy Schermerhorn, 306 Brittnoir Avenue said when talks about the new sewer system were held the residents were told the loan would be paid off in ten years. They were also told after the loan was paid off the sewer rates would be converted to usage. Ms. Rogovin suggested she attend the WCMA meetings.

Bonnie Markland, 240 Moorehead Avenue announced five years ago there was a meeting at the fire house to address the sewer bill. The major issue was the residential and commercial rates were the same. Ms. Markland questioned if Moorehead Avenue was a state owned road. Some people did not have to pay for their sidewalks. Mr. Hassan said the road at one time belonged to PennDot, but now it is a Borough road. Mr. Couris said the sewer rate for commercial properties is different than residential properties.

Jeremy Quinn, Treasurer of the George Clay Fire Company, 426 Ford Street asked if there were

questions about the financial report. Mr. Griffiths asked if they are working with PECO to help them shed power. Fire Chief Dennis Frankenfield said PECO had done an energy survey. PECO is invoicing the fire company at the reduced non-profit rate. They are currently looking into an electronic whistle for the firehouse. Council thanked them.

Dennis Frankenfield, 513 Ford Street announced the curbs on Ford Street are in terrible condition. He stated he has replaced his sidewalk and is just looking for help with the curbs. Mr. Frankenfield said his sidewalk gets flooded when it rains. Ms. Rogovin asked Mr. Hassan to develop the cost for new curbs and to look into grants. Mr. Couris questioned the different elevations on the road and the possibility of car doors hitting the curb. Mr. Hassan answered that would not be an issue because the curbs will match up to the sidewalk elevation. Mr. Frankenfield asked Mr. Hassan if permanent markers will be installed when MacKenzie Park is surveyed. Mr. Hassan answered yes.

Martha Kenna, 511 Ford Street announced that some properties have no curbs on Ford Street.

Janet Cackovic, 161 Front Street asked Council if there was a limit on how many Section Eight homes can be on one block. Mr. McGrory answered no. She alleged the people living in them do not work, use drugs, let their children run wild, and do not sleep. Ms. Rogovin stated Section Eight is irrelevant. If there are drug and trespassing issues this is a police matter. Ms. Cackovic asked if there were any rules about how many people can live in one home. Mr. McGrory asked her to define the issue. She said seven or eight people live in the home next to her. He asked if the people were all from one family. She replied yes. He said there are no laws that limit the size of a family living in one home. Ms. Rogovin suggested she speak to Interim Police Chief Richard Harkness.

Mr. Couris announced he thought the demolition company did an excellent job on the St. Gert's School property. Mr. Costello apologized about his outburst during the discussions of St. Gert's.

EXECUTIVE SESSION

Council President Rogovin called an Executive Session at 8:55 pm to discuss legal and personnel matters. The Council returned to the Regular Meeting at 9:30 pm.

ADJOURN

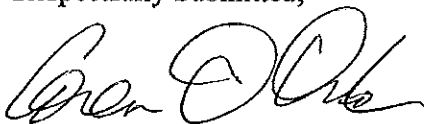
Ms. Rogovin asked for a motion to adjourn the meeting at 9:30 pm.

Motioned By: Joseph Pignoli

Seconded By: Joseph Costello

All in Favor, Yes. The motion passed 6 to 0.

Respectfully Submitted,



Caren D. Andrews
Borough Manager/Secretary