

**BOROUGH OF WEST CONSHOHOCKEN**  
**REGULAR MEETING**  
**OCTOBER 13, 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	Absent
Bernie Couris	Present
Harry Griffiths	Present
Albert Kleinschmidt	Present
Joseph Costello	Absent
Donna Frankenfield, Mayor	Present (Arrived At 7:24 pm.)
Caren Andrews, Manager	Present
Joe McGrory, Solicitor	Present
Khaled Hassan, Engineer	Present

Ms. Rogovin announced an executive session is needed to discuss personal matters.

**PUBLIC COMMENT ON THE AGENDA**

Ms. Rogovin opened the floor for public comment. No one came forward.

**APPROVAL OF MINUTES**

Ms. Rogovin requested a motion to accept the Regular Council Meeting Minutes of September 8, 2009.

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

The motion passed 5 to 0.

Ms. Rogovin requested a motion to accept the Special Council Meeting Minutes of September 30, 2009. Mr. Pignoli announced there was a typo and the meeting date was September 29, 2009. Ms. Rogovin requested a motion to accept the Special Council Meeting Minutes of September 29, 2009.

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

## **APPROVAL OF BILLS**

Ms. Andrews requested a motion adopting a Resolution to authorize the expenditures of the General Municipal Pension System State Aid and Meeting the 2009 Minimum Municipal Pension Obligations. Mr. Couris expressed his concerns about underfunding pension accounts. Ms. Andrews answered the Borough is complying with the actuary's MMO and has reduced the smoothing calculation.

Ms. Rogovin requested a motion to approve the Resolution to authorize the expenditures of the General Municipal Pension System State Aid and Meeting the 2009 Minimum Municipal Pension Obligations.

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

The motion passed 5 to 0.

Ms. Rogovin asked if anyone had questions about the bills list prior to her requesting a motion.

Mr. Kleinschmidt asked if the repairs made by Jay Gress to the leaking hvac units at the police station fixed the problem. Ms. Andrews answered yes.

Ms. Rogovin requested a motion to approve the bills in the amount of \$487,010.92.

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

The motion passed 5 to 0.

## **FINANCIAL REPORT**

Ms. Rogovin announced the current funds of the Borough as of October 8, 2009 \$5,177,743.33.

## **BOROUGH MANAGER'S REPORT**

Ms. Andrews requested permission to discard some old furniture and equipment located in Borough Hall, the Police Department, and the Public Works Building. She stated it has no value.

Ms. Rogovin requested a motion to discard the old furniture and equipment.

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

The motion passed 5 to 0.

Mr. Couris asked if any information was uncovered about the stolen plywood from the water fountain pit at the Elizabeth Street Park. Ms. Andrews answered no.

Ms. Rogovin read a letter that was printed in the Times Herald. The letter thanked Council for their sewer rate payment on behalf of the ratepayers.

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

Mr. Griffiths announced the Public Safety Committee dealing with police matters will be discussed in executive session.

Mr. Griffiths said the computer hardware and wiring in Borough Hall needs replacement. Since he has a relationship with one of the IT vendors he recused himself from the Technology Committee and asked Mr. Kleinschmidt to step in. Mr. Kleinschmidt announced the Committee received three bids and narrowed the selection down to two vendors. He pointed out the key differences between the two companies. Mr. Kleinschmidt stated Mr. Costello and he favors the Freedom Systems proposal to replace the file server and desktop units, and rewire where needed.

Ms. Rogovin requested a motion to accept the recommendation of the Technology Committee and award the professional services contract to Freedom Systems. Hardware components that can be purchased off of the State Costars program will be pursued.

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

The motion passed 4 to 0. Mr. Griffiths abstained due to his conflict of interest.

Ms. Andrews announced the budget process has begun. The Finance Committee will meet on October 22 at 5:30 pm. She asked if Council is available to meet on the scheduled workshop date of November 4 at 7:00 pm to review the first draft of the Year 2010 Budget. The date worked for everyone.

Mayor Frankenfield announced the Halloween Party will take place on October 30. Details on judging, the parade, and festivities at the firehouse were announced. ASTM donated \$600. McDonald's and Wawa will be donating juice and food coupons.

## **PROFESSIONAL REPORTS**

Mr. McGrory announced for the MacKenzie Master Park Plan the park needed to be surveyed. Mr. Hassan was assigned the task. While plotting the points Mr. Hassan noted some missing land pieces from the deeds supplied by Germantown Title. A few parcels form MacKenzie Park. Mr. McGrory stated this matter requires more attention from him, Mr. Hassan, and Germantown Title. He wanted Council to know that additional time and monies were needed to resolve this discrepancy.

Mr. McGrory stated the Four Falls property owner has applied for a reassessment. Due to the size of the appeal Mr. McGrory recommends the Council approve his involvement. Furthermore, he suggested he get involved in any assessment over \$1,000,000 to avoid future problems. Council questioned what the happen if all the buildings in the Borough file for a reduction. Mr. McGrory said the municipality would be impacted, but not be catastrophic. Earned income tax is a more important source of revenue.

Ms. Rogovin requested a motion to involve Mr. Grory in reassessment appeals of \$1,000,000 or more.

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

The motion passed 5 to 0.

Mr. McGrory announced a developer came to a staff meeting for the Maria Street parcel, formerly known as the Quaker Home project. They are proposing twenty townhomes of which eight are located in the steep slope. Mr. McGrory told the developer the Zoning Code allows for eight homes per gross acre. He told the developer that exceptions would be needed and will not be viewed favorably by Council. Council agreed.

Mr. Hassan stated Ms. Andrews and he met with PennDot officials about the turn back program for Ford Street. We are waiting for a financial proposal. Mr. McGrory again stated it is not in the best interest of the Borough to take back a road.

Mayor Frankenfield questioned Mr. McGrory about Upper Merion school buses doing safety inspections on Elizabeth Street and then traveling down Ford Street. He answered this was a violation of the bus depot approval. Ms. Andrews was instructed to follow-up on this issue.

Mr. Hassan announced a punch list inspection was performed on the Matsonford Road Widening Project. Six minor items were observed. The County has made another change order for additional signage and sign lighting at a cost of \$11,326. The Borough is responsible for 12% of the cost.

Ms. Rogovin requested a motion to authorize Change Order # 4 for the Matsonford Road Widening Project in the amount of \$11,326.

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

The motion passed 5 to 0.

## **OLD BUSINESS**

Mr. McGrory opened the public hearing for an Ordinance to amend the regulations governing animals. The ordinance has been 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.

Ms. Rogovin requested a motion to adopt an Ordinance amending the regulations governing animals.

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

Mr. McGrory opened the public hearing for an Ordinance revising the Property Maintenance Code to limit the grass height to no more than six inches. The ordinance has been advertised. Mr. McGrory asked if Council had any questions. Mayor Frankenfield was concerned about enforcement practices and mentioned a continual problem at 505 Ford Street. She also wanted to know if fines were involved. Mr. McGrory answered this ordinance gives permission to fine immediately; however, it has always been the practice to send a violation letter out first. Mr. Couris suggested contacting the Code department. Ms. Andrews was instructed to assign this to the Code Officer. Mr. McGrory 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 revising the Property Maintenance Code to limit the grass height to no more than six inches.

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

The motion passed 5 to 0.

Mr. Griffiths started the discussion regarding the West Conshohocken Comprehensive Plan dated August 2009, Draft Plan. He reviewed the plan and found errors. Parts of the plan focus on a different municipality. He suggested sending it back and asking for a refund. After a discussion Council directed Ms. Andrews to discuss the issues with the West Conshohocken Planning Commission and have them make the corrections.

Mr. Hassan announced he provided bid tabulations to Council for the ADA Curb Ramp CDBG Project. He stated we received six bids. He recommended the project be awarded to the lowest responsible bidder, JJD Contracting in Aston PA in the amount of \$47,136.

Ms. Rogovin requested a Motion to award the bid for the ADA Curb Ramp CDBG Project to JJD Contracting in the amount of \$47,136.

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

Ms. Rogovin stated at the Matsonford Road Widening ground breaking ceremony County Commissioner Joe Hoeffel approached her about making improvements to the eastbound right turn lane at McDonalds on Matsonford Road. Ms. Andrews said Mr. Hassan was directed to develop a sketch of the proposed improvement. This has been done and distributed to Council. The next step is to design the improvement and obtain a HOP to make this a shovel ready project. Mr. Hassan stated it will not cost more than \$ 45,000 for the engineering design and HOP permitting process.

Ms. Rogovin requested a motion to authorize Mr. Hassan to do the design work and HOP permit to have a shovel ready project for the Matsonford Road extension of the eastbound right turn lane at McDonald's. The cost is not to exceed \$45,000.

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

Mr. McGrory explained a request was made by the property owner to extend the time line for a SALDO review for S & J Properties, 113 Front Street, to December 8, 2009. Mr. McGrory stated a motion was in order.

Ms. Rogovin requested a Motion to approve the SALDO extension request for time to December 8, 2009 for S & J Properties, 113 Front Street.

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

The motion passed 5 to 0.

## **NEW BUSINESS**

Ms. Rogovin requested a motion to close out the Quaker Homes Escrow Account, 143 Josephine. The applicant withdrew the project.

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

The motion passed 5 to 0.

Mr. Couris asked about the outstanding funds owed the Borough by Quaker Homes. Ms. Andrews answered we have made numerous attempts to collect and been unsuccessful. If the Borough is receives the reimbursement she will book it as revenue under refund of prior year expenses.

The motion to close out the Alliance Design and Construction Services Escrow for 30 Dehaven Avenue and return to the developer the balance approximately \$2,169 was tabled until next month. A concern was posed about a possible sink driveway.

Ms. Rogovin requested a motion to award the repair of the concrete steps at Borough Hall and the installation of a concrete sidewalk from the stone lot to Borough Hall to Dellose Construction Services for \$ 7,200. The Borough made many attempts to solicit bids from vendors and only received one back. The Solicitor said we could proceed on the one quote.

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

The motion passed 5 to 0.

Ms. Andrews announced there is a Zoning Hearing Board application from the Kolea Family, 6 Cedar Avenue. She stated there are two structures on the property. One is commercial and the other is residential. The applicant wants to abandon the commercial use and merge the two structures into a four unit condo. She said the applicant is going before the Zoning Hearing Board tomorrow and wanted to make sure Council was not opposed to the plan. Council had no opposition.

## **PUBLIC COMMENT**

Kathy Schermerhorn, 306 Brittmuir Avenue thanked Council for the generous donation they made to the Sewer Authority that entitled her to one free quarter of service. Ms. Schermerhorn requested a handicapped parking spot in front of her home on Brittmuir Avenue. Mr. Hassan was asked to review the requirements and advise Ms. Andrews. Ms. Andrews will make this a priority.

Mr. Couris announced he has a neighbor at 121 Merion Avenue who also needs a handicapped parking spot. He had a sign at one time. Ms. Andrews said she will add this to the list and move quickly working with Mr. Hassan to address.

Ms. Schermerhorn expressed her concerns about the danger when trying to pull out of Bullock Avenue due to the construction on Route 23. Mr. Hassan said he would contact the contractor and have temporary traffic controls placed there.

Pat Getzfried, 608 Ford Street questioned if the ADA curb grant was liquid fuels money. Mr. Hassan said no. It was a County CDBG grant. He asked if any curb ramps were located on State roads. Mr. Hassan answered no. Mr. Getzfried stated when driving up Matsonford Road towards Ford Street there is no street sign. He suggested having one installed. Mr. Getzfried asked how much money the Borough was saving as a result of paying off the bond. Mr. Griffiths answered \$160,000 a year. Mr. Getzfried asked if the Borough could pay off the Municipal Authority's bond. Ms. Rogovin answered that would take the Borough well below the reserve safety net. He again suggested the Borough have one really nice park versus many parks.

## **EXECUTIVE SESSION**

Council President Rogovin called an Executive Session at 9:10 pm to discuss legal and personnel matters. The Council returned to the Regular Meeting at 9:30 pm.

Ms. Rogovin requested a motion to purchase two new police cars in 2009, one unmarked unit for the Chief and one marked unit, for a cost not to exceed \$ 66,000. The Costar contract will be utilized for purchasing the vehicles. Furthermore the motion will put into the Year 2010 Budget one new marked unit. The vehicles will be Ford Crown Vics.

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

The motion passed 5 to 0.

Ms. Rogovin requested a motion to repaint the marked police vehicles black and white and repaint the investigator car at a cost not to exceed \$5,000.

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

Ms. Rogovin asked the Chief to obtain three bids for the painting the interior of the police station.

Ms. Rogovin requested a motion to create the position of police investigator.

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

Ms. Rogovin requested a motion to hire one new full time police officer. This is needed because one current police officer is being moved to the investigator position.

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

Ms. Rogovin requested a motion to hire Jennifer Wittenberger, Sean Gregory, and Samuel Bell to the position of part time police officers at a part time rate of \$ 16.11 per hour.

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

Ms. Rogovin requested a motion to hire an architect that specializes in police stations to design a space plan, bring the station up to current standards, and improve the security. The cost is not to exceed \$15,000.

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

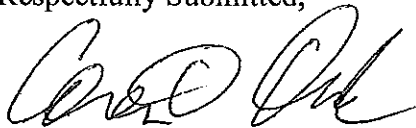
Ms. Andrews was directed to secure quotes for this project.

## **ADJOURN**

Ms. Rogovin asked for a motion to adjourn the meeting at 9:59 p.m.

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

Respectfully Submitted,



Caren D. Andrews  
Borough Manager/Secretary