

**BOROUGH OF WEST CONSHOHOCKEN**  
**REGULAR MEETING**  
**SEPTEMBER 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**

Joseph Pignoli, Council Vice President, called the meeting to order and led the Pledge of Allegiance.

**ROLL CALL**

Marcy Rogovin, President	Absent
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

**SWEARING IN OF POLICE CHIEF MICHAEL J. SINCLAIR**

Mayor Frankenfield swore in Police Chief Michael Sinclair and welcomed him aboard. Chief Sinclair thanked the Mayor and Council for the opportunity to serve West Conshohocken Borough.

**PUBLIC HEARING, ZONING ORDINANCE AND ZONING MAP READOPTION**

Mr. McGrory opened the public hearing for adopting the Zoning Ordinance. He stated nothing was being changed. Municipalities are re-adopting their Zoning Ordinances due to a recent Supreme Court ruling. Mr. McGrory announced this ordinance had 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.

Mr. Pignoli requested a motion to adopt the Zoning Ordinance and Zoning Map.

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

The motion passed 6 to 0.

## **PUBLIC COMMENT ON THE AGENDA**

Paul Quinn, 24 Dehaven Avenue stated he spoke last month about the alleged damages to his home due to flooding. Mr. Quinn said it is the Borough's responsibility. Mr. Quinn asked Council what they were going to do. Mr. McGrory announced the Borough does not believe they are responsible for the damage. Properties around the Quinn home should be his focus. Mr. McGrory stated the Puhl property off of New Dehaven Street is being reviewed for compliance with State and local codes. The Borough's focus is on code compliance. Mr. McGrory stated in Year 2004 the Quinn Family filed a similar claim. Back then the insurance carrier denied the claim. Mr. Quinn said the Borough would be hearing from his lawyer.

## **APPROVAL OF MINUTES**

Mr. Pignoli asked if anyone had any questions or corrections before he requested a motion to approve the August 11, 2009 minutes.

Mr. Costello announced he feels the minutes are too short and they should go back to a complete set.

Mr. Pignoli requested a motion to accept the Regular Council Meeting Minutes of August 11, 2009.

Motioned By: Harry Griffiths

Seconded By: Bernie Couris

All in Favor, Yes.

The motion passed 6 to 0.

## **APPROVAL OF BILLS**

Mr. Pignoli asked if anyone had any questions on the bills list. Mr. Costello and Mr. Griffiths questioned some invoices. Ms. Andrews answered their questions. Mr. Kleinschmidt questioned the vendor assigned to the September recycling invoice. Ms. Andrews answered the amount was correct but the vendor was incorrect. There will be an adjustment to the bills list to read Allied Waste.

Mr. Pignoli requested a motion to approve the bills with the correction of the vendor listed above in the amount of \$1,823,083.67.

Motioned By: Joseph Costello

Seconded By: Albert Kleinschmidt

All in Favor, Yes.

The motion passed 6 to 0.

## **FINANCIAL REPORT**

Mr. Pignoli announced the current funds of the Borough as of September 2, 2009 are \$6,543,343.77.

Mr. Kleinschmidt asked if the Quaker Account with a balance of .43 cents can be removed from the financial report. Ms. Andrews answered no because the Borough is owed money.

Mr. Costello questioned why the checking account had so much money in it. Ms. Andrews answered we are paying off the Bond and making a large donation to the Municipal Authority. Also within the last few days the Borough received a significant earned income tax payment. Ms. Andrews announced Susquehanna Bank is currently paying an interest rate of 1%, which surpasses the market rate.

Mr. Pignoli requested a motion to approve the Financial Report in the amount of \$6,543,343.77.

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

The motion passed 6 to 0.

### **BOROUGH MANAGER'S REPORT**

Ms. Andrews announced the Borough staff meets monthly with Paul Mullin to review the code book and ordinances. This month two are proposed for consideration. The first one deals with property maintenance and grass height. The current law sets the limit at ten inches before a violation notice can be issued. The staff is recommending six inches. The Council held a discussion.

Mr. Pignoli requested Council be polled about the proposed reduction to six inches.

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

The vote was tied 3 to 3.

Mayor Frankenfield was asked to break the tie. She voted in favor of the change. The vote passed 4 to 3.

Mr. Pignoli requested a motion to advertise the ordinance to change the Property Maintenance Code to reduce the grass height to six inches.

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

The motion passed 6 to 0.

Ms. Andrews announced the second proposed ordinance deals with animals. It would replace an existing chapter of the code and merge another code chapter into this one. Fines would be revised and cats would be addressed. Council led a discussion about this matter. A question was posed about who would enforce the ordinance. Ms. Andrews responded the Code Enforcement Officer.

Mr. Pignoli requested a motion to advertise the Animal Ordinance.

Motioned By: Bernie Couris

Seconded By: Albert Kleinschmidt

All in Favor, No.

Mr. Pignoli requested Council be polled.

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

The motion passed 5 to 1.

Ms. Andrews announced Community Day is on September 12, 2009 from 11:00 a.m. to 3:00 p.m. The rain date is scheduled for September 13, 2009. Ms. Andrews encouraged everyone to come out for a day of free fun.

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

Mayor Frankenfield announced on Friday September 11, 2009 she will be having a special 9/11 Service at Borough Hall at 7:30 p.m.

Mr. Cooper questioned Mr. McGrory on email billings. Mr. McGrory answered the billing format for emails have not changed.

#### **PROFESSIONAL REPORTS**

Mr. McGrory had nothing to report.

Mr. Hassan announced the Matsonford Road Widening Project is almost complete. The only outstanding item is signage. The reductions in backups on the bridge have been dramatic. The County will use this project as a model for future jumpstart projects.

Mr. Hassan announced he presented to PennDot the cost to repair the curbs and road surface on Ford Street. The cost for the curbs is \$55,000. The mill and overlay is estimated at \$89,000. Penn Dot past position is they will not repair or replace storm structures, curbs, and sidewalks. Mr. Griffiths and Mr. Cooper 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. McGrory suggested the local state representatives be approached about funding some of these repairs. Mr. Pignoli thought that was an excellent idea. Ms. Andrews announced she will contact them.

Mr. Hassan announced the bid documents for the ADA Curb Ramp CDBG Project will be available later this month. The bids will be open on October 6, 2009. He hopes the project will be awarded at the next Council meeting.

Mr. Couris asked Mr. Hassan when the parking lot located behind the homes of the 200 block Front Street would be completed. Mr. Hassan answered within the next few weeks. Mr. Couris asked if any parking spots would be lost on the 100 block of Front Street. Mr. Hassan answered five spots. Mr. Costello expressed his concerns about traffic problems due to this construction. He suggested blocking off Bullock Avenue and redirecting the traffic onto Merion Avenue. Mr. Hassan said he would evaluate this situation.

## **OLD BUSINESS**

S & J Properties, 113 Front Street, has submitted a Zoning Hearing Board application for the construction of a parking lot off of Powers Avenue. The lot will provide parking for the dry cleaner's business and apartments. Mr. Hassan spoke positively about the improvements to the property and recommended support. Laura Beverly, the Chair of the Planning Commission, stated the Commission recently reviewed the land development application and granted approval. The Council had no opposition to the Zoning Hearing Board application.

Ms. Andrews announced a motion was needed to award the sale of the 1998 GMC Dump Truck with spreader and plow to Mike Veneziano, "truckman", value: \$8,210. He was the highest bidder on the municibid auction site.

Mr. Pignoli requested a motion to award the sale of the 1998 GMC Dump Truck with spreader and plow to Mike Veneziano, "truckman" for \$8,210.

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

The motion passed 6 to 0.

Ms. Andrews announced everyone has a copy of the West Conshohocken Comprehensive Plan. This plan was last revised in August 2009. She stated the Planning Commission has reviewed the plan and recommended approval. Mr. McGrory suggested Council spend a month reviewing the document and confirming it is the wishes of this board. The Council can consider this again next month.

## **NEW BUSINESS**

Ms. Andrews announced a motion was needed to ratify the hiring of Joseph Leflar as a temporary part time employee for the position of laborer in the Public Works Department at a pay rate of \$ 9.75 per hour.

Mr. Pignoli requested a motion to ratify the hiring of Joseph Leflar as a temporary part time employee for the position of laborer in the Public Works Department at a pay rate of \$ 9.75 per hour.

Motioned By: Albert Kleinschmidt  
Seconded By: John Cooper  
All in Favor, Yes.  
The motion passed 6 to 0.

Ms. Andrews announced a motion is needed to allow Jeffery T. Clark Sr. to fill in as the Code Official during Mr. Clemmer's medical leave.

Mr. Pignoli requested a motion to appoint in Hank Clemmer's absence Jeffrey T. Clark Sr. as the assigned employee from Gilmore and Associates to serve as the Zoning Officer, Code Enforcement Officer, and Building Inspection and Plan Review Official.

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

The motion passed 6 to 0.

Mr. Pignoli requested a motion to appoint Caren Andrews, the Borough Manager, to the position of Assistant Zoning Officer.

Motioned By: Albert Kleinschmidt  
Seconded By: Bernie Couris  
All in Favor, Yes. The motion passed 6 to 0.

Mr. Pignoli requested a motion to approve the Resolution to declare the Borough's intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008, documents to be disposed as defined in Exhibit A.

Motioned By: Harry Griffiths  
Seconded By: Bernie Couris  
All in Favor, Yes. The motion passed 6 to 0.

Mr. Pignoli requested a motion to amend the investment policy statement for the Police and Non-Uniformed Pension Plans to allow for a cash equivalent and REIT and adjust the proposed allocations and targets as recommended by Public Financial Management.

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

The motion passed 6 to 0.

The Council held a discussion about the restoration of the 19<sup>th</sup> Century Gatling Gun located by the Veteran's Memorial in front of Borough Hall.

Mr. Pignoli requested a motion to hire B. R. Howard & Associates to evaluate the 19<sup>th</sup> Century Gatling Gun and prepare a report addressing the cost of restoration. The consultant evaluation will cost \$ 827.60.

Motioned By: Bernie Couris  
Seconded By: Harry Griffiths  
All in Favor, Yes. The motion passed 6 to 0.

Mr. Costello requested Chief Sinclair review the recently adopted Civil Service regulations. Mr. Griffiths and Mr. Costello thought the new changes would allow for the current part time officers to apply for the full time position. Instead they are excluded due to the college requirement. Mr. Griffiths asked Chief Sinclair to review the chapter to see if our part time officers can qualify. Chief Sinclair replied he would.

### **PUBLIC COMMENT**

Pat Getzfried, 608 Ford Street announced the Borough should have one park instead of three. Focus the funds on making one park great for the children. Once again he expressed dissatisfaction with funding the improvement to Matsonford Road while Ford Street needs attention.

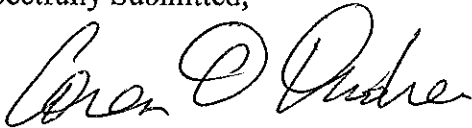
### **ADJOURN**

Mr. Pignoli asked for a motion to adjourn the meeting at 8:33 pm.

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

The motion passed 6 to 0.

Respectfully Submitted,



Caren D. Andrews  
Borough Manager/Secretary