

**BOROUGH OF WEST CONSHOHOCKEN  
COUNCIL MEETING HELD VIRTUALLY  
October 13, 2020  
7:00 PM**

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**

This meeting was held remotely using the Webex platform. Douglas Borgerson, Council President, called the meeting to order at 7:08 PM and led the Pledge of Allegiance.

**ROLL CALL**

Douglas Borgerson, President	Present
Tara Gorney, Vice President	Present
Stephan Blumenthal	Present
Tori Conicello-Emery	Present
John Cooper	Present
Jose Gonzalez	Absent
Richard Greenstein	Present
Danelle Fournier, Mayor	Present
Michael F. English, Borough Manager	Present
Joseph J. McGrory, Solicitor	Present
Khal Hassan, Engineer	Present

**PUBLIC COMMENT ON THE AGENDA**

Mr. Borgerson opened the floor for public comment on agenda items and Mr. Borgerson read an email that was submitted by a Resident regarding the Residential Rental License appeal and student housing in the Borough.

**APPEAL OF THE BOROUGH'S DENIAL OF A RESIDENTIAL RENTAL LICENSE**

Mr. McGrory began the hearing by stating that the attorney for the property owner and Mr. McGrory had a conversation that this would be an informal hearing regarding this matter. Richard McBride, attorney for the Property Owner stated the property was purchased the property in April of 2018. The property had four bedrooms with padlocks and the seller indicated that they were never aware that a limit to the number tenants. Mr. McBride reviewed his client's actions regarding the current tenants.

Mr. McGrory asked Mary Ann Flynn, the Building and Codes Administrative Assistant, to review the documents in Borough file for this property. Ms. Gorney asked to confirm the address of the subject property. The subject Property address was confirmed as 122 Ford Street.

Mrs. Flynn reviewed the paperwork that was in the property file for 122 Ford Street. Mrs. Flynn also emphasized that the property did not have the total square footage to permit four tenants under the West Conshohocken Borough Code. The Residential Rental License that was submitted in August of 2020 was denied because there were four tenants. The Borough had been told that the

Property Owner had allowed four tenants too move in prior to applying for the 2020 residential rental application.

Ms. Gorney asked what action was being asked of by Council. Mr. McGrory stated that during this COVID-19 Mr. McGrory doubted that any District Justice would allow a tenant to be forced to move out. Mr. McGrory recommended that when the 2021 residential rental application is received that the Borough allow four tenants in this property and the when the current lease is up, the Property owner will have three tenants moving forward. Mr. McBride said that would be agreeable to Mr. McGrory's recommendation. One the question about students living in the Property, Mr. McBride clarified that there was one law school student living in the property.

Ms. Gorney had a question regarding the Commonwealth's current position on COVID 19 related provisions regarding tenant related issue. Mr. Borgerson asked Mr. McGrory to restate the Motion that should be considered by Council.

Mr. McGrory indicated that Motion should state: To issue a rental license for three tenants after an inspection as occurred and not enforce the restrictions on fourth tenant until after July when the current lease runs out.

Motioned by: Mr. Greenstein

Seconded by: Mr. Cooper

All in Favor: Aye

Motion Passed 6-0

#### **APPROVAL OF THE MINUTES**

Mr. Borgerson asked for a motion to approve the meeting minutes of the September 8, 2020 Council meeting.

Motioned by: Mr. Greenstein

Seconded by: Mr. Cooper

All in Favor: Aye

Motion passed 6-0

#### **FINANCIAL REPORT**

Mr. Borgerson announced the current funds of the Borough as of October 6, 2020 was \$15,038,734.80. Mr. Borgerson asked for a motion to accept the Financial Report.

Motioned by; Mr. Cooper

Seconded by: Mr. Greenstein

All in Favor: Aye

Motion passed 6-0

#### **APPROVAL OF BILLS**

Mr. Borgerson announced the bills total \$ 417,587.31 and asked if anyone had any questions.

Mr. Borgerson requested a motion to approve the bills in the amount of \$ 417,587.31

Motioned by: Mr. Cooper

Seconded by: Mr. Greenstein

All in Favor: Aye

Motion passed 6-0

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

Mayor Fournier reported that the Mayor's newsletter would be mailed out within the next week. The Mayor reviewed the plans for the Halloween parade and indicated the plans are on the Borough website as well in the newsletter. The Borough Polling place will be back at St. Gert's Parish Hall for the November 3 Election Day. She asked the Borough vehicles be moved from the St. Gert's parking lot. The Mayor also thanked Robin Dronitsky for her work on the event that was held at MacKenzie Park in September.

Police Chief Sinclair announced that the annual Veterans Memorial will be held on Saturday, November 7 at 10:00 AM at Borough Hall. The date was moved in order to attract more attendees on a weekend date. The Police Chief announced that the Department was initiating a food drive with Montgomery County Youth Services Department. The September 11 ceremony was great success. The Drug take back program will be held on Saturday, October 24 at Borough Hall. The Police Chief stated that one of the part time officers had been hired as a full time officer in another municipality. The Police Department is part of a special detail for the PECO gas line project construction on State Route 23 in the Borough. The Contractor for this special detail is reimbursing the Department.

The Borough Manager's report is in the Dropbox. He discussed the vehicles located in the St Gert's parking lot will be sold as part of the Muncibid and will be out of the lot before Election Day. The Manager reported that the Public works staff is making the restrooms at St. Gert's Parish Hall handicapped accessible as well as some other repairs. Borough staff will assist the Mayor with the Halloween activity if needed. Mr. Blumenthal asked about the safety procedures as well as PPE's. Mr. English explained the Borough staff will be setting up the proper CDC spacing for safe distancing as well as PPEs.

There was a question from the Public regarding parking along Ford Street. Police Chief Sinclair reported on the actions that the Police Department had taken over the past month on this issue.

Fire Company President Fink told Council that the Fire Company report was in Council's Dropbox and that the Fire Company would assist the Mayor with the Halloween event.

## **PROFESSIONAL REPORTS**

Solicitor McGrory discussed the Zoning Application for 1075 De Haven Street. After Mr. McGrory reviewed the zoning application that was filed, he reached out to Council about sending Mr. McGrory to oppose the Zoning Application because the it request outside storage of recycled materials. After Council directed the Solicitor to appear in opposition to the Application, the Applicant's Attorney granted the Borough an extension of time and asked to present the plan to Council at tonight's meeting. Mr. McFadden, the applicant's Attorney, introduced Mr. Alan Reimer, who explained what the plan for 1-800-GOT JUNK at this location along with renderings of the remodeled building. Members of Council asked questions of Mr. Reimer regarding the operations at the location. Mr. Borgerson asked Khal Hassan, Borough Engineer, to comment on this plan. Mr. Hassan recommended the Applicant review setback, buffering and parking requirements that might be need zoning relief. Storm water will also be a factor and what underground facilities.

There were a number questions posed by Council on this application. The Applicant indicated that there be no outside storage on the site. The question was asked if the Council wished to continue to oppose the Zoning Application at the Zoning Hearing.

Mr. Cooper made a motion to not oppose the Zoning Application for 1075 New DeHaven St.  
Seconded by: Mr. Greenstein  
All in Favor: Yes  
Motion passed: 6-0

Mr. McGrory asked the Zoning Hearing Board would make a condition that there would be no outdoor storage on the site.

Engineer Hassan gave an update on the 14 Union Hill/ Balligomingo Road. Mr. Hassan also reported that the Topographic/Existing Conditions report has been completed. Mr. Hassan reviewed the handicapped accessibility work that the Borough Public Works staff was doing at the St. Gert's Parish Hall. Mr. Cooper what was the total amount of the handicapped ramp. Mr. English said that the ramp cost \$6,900.

### **OLD BUSINESS**

Mr. Borgerson asked if there was any old business. There was none.

### **PRESENTATION BY CATALYST EXPERIENTIAL**

Mr. Borgerson then asked Thaddeus Bartkowski, from Catalyst Experiential to make his presentation. He stated that he has been working on possible solutions for residential parking issues on Ford Street over the past two years ago. Mr. Bartkowski reviewed past parking plans along Ford Street and his efforts with meeting with residents during the past year.

Mr. Bartkowski indicated that Catalyst Experiential was the equitable owner of 203& 207 Ford Street and he unveiled a plan to build a twenty-space parking lot for residents on those properties with a façade that would look like residential buildings. Catalyst would enter to a 99-year lease for a dollar with nearby property owners.

Mr. Bartkowski then moved to discuss his plan for the façade of Jasper' West Side. The plan would include a screen that used as a façade for Jasper's as well another screen as a billboard. He also showed that line of evergreens would be planted along the back property lines of the Ford Street Properties

Council members asked a number of questions and Ms. Gorney stated that at a future Parking and Traffic Committee meeting there would be discussion with Catalyst on their proposal.

### **NEW BUSINESS**

Mr. Borgerson asked for a motion to adopt resolution 2020-13 authorizing the expenditures of the General Municipal Pension System State Aid

Motioned by: Mr. Cooper

Seconded by: Mr. Greenstein

All in Favor: Yes

Motioned Passed 6-0

Mr. Borgerson asked for a motion to adopt Resolution 2020-14 updating the Emergency Operations Plan for West Conshohocken Borough.

Motioned by: Mr. Greenstein

Seconded by: Mr. Cooper

All in Favor: Yes

Motion passed 6-0

Mr. McGrory opening the Public Hearing on Ordinance 2020-02 and introduced the exhibits.

There were no questions or comments from Council or the Public.

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Mr. Borgerson asked for a motion to adopt Ordinance 2020-02 amending Chapter 109 to establish Permit Parking in the 8 Merion Parking Lot.

Motioned by: Ms. Gorney

Seconded by: Mr. Blumenthal

All in Favor: 5. Opposed 1, Mr. Cooper

Motion passed 5-1

Mr. McGrory opened the Public Hearing on Ordinance 2020 and introduced the exhibits and asked for Comment for the Council and the Public. There were no comments or questions and the Public Hearing was closed.

Mr. Borgerson made a motion to adopt Ordinance 2020-03 amending Chapter 17 and establishing a Length of Service Award Program (LOSAP) for the members of the George Clay Steam Engine and Hose Company for their Fire Fighting services to the residents of west Conshohocken Borough.

Seconded by: Mrs. Conicello-Emery

All in Favor: Yes

Motion passed 6-0

Mr. Borgerson asked for a motion to authorize the sale for the following Borough Equipment to the highest Bidder as a result of the MUNICIPAL Auction:

2005 John Deere Skid Steer to Ray Wallia for a bid of \$11,700

1997 Chevy Bucket Truck to rolleren auto for the bid of \$2,402

Miller Bobcat 225g for the bid of \$1,550

Lot of 3 ExMark lawn mowers to Antonio Aspitem for the bid of \$5,500

2011 Toyota Rav 4 to Glenn Hennelly for the bid of \$8,850

1995 GMC box Truck to Ken Yoder for the bid of \$1,550

Motioned by: Mr. Cooper

Seconded by: Mr. Greenstein

All in Favor: Yes

Motion passed 6-0

Mr. Borgerson asked for a motion to hire Paul J. Van Fossen to the vacant Public Works Laborer position.

Motioned by: Mr. Greenstein

Seconded by: Mrs. Conicello- Emery

All in Favor: Yes

Motion passed 6-0

Mr. Borgerson asked Khal Hassan to discuss the request to evaluate the non-dedicated portion of Union Hill Road should Council wish to Consider dedication that portion of Union Hill Road. Mr. Hassan reviewed the history of the road and past requests by the Business Owners Association. Mr. Hassan explained what the action that the Borough do if the road was dedicated to the Borough.

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Council posed questions to the Borough professional staff.  
Council did not make any motion to direct the Borough Engineer to do any evaluation of the road.

Mr. English reviewed the 2021 Budget Schedule for Council.  
November 10: Preliminary Proposed Budget considered by Council  
November 17 and 24: Budget workshop meetings starting at 6:30 PM  
December 8, 2021 Borough Budget considered for adoption

## **GENERAL PUBLIC COMMENT**

Mr. Borgerson asked if there were any General Public Comment.

Mr. John Fink asked that any plans submitted by Catalyst for the façade for the parking lot be sent to the Fire Company

Mr. Gambill of 14 Merion Ave. raised the issue of outdoor live music at Gypsy and Baggataway restaurants during the evenings were violating the Borough's noise ordinance. He had spoken to Borough staff on this matter. Members of Council responded to the resident's comments Jackie Bonney, 20 Merion also spoke to this issue. Tish Moore from 100 Merion Avenue stated that Wednesday nights Baggataways is especially loud and doesn't end until well after 10:00pm.

Mr. McGrory stated that the residents, Borough staff and together and try to come to some Resolution to this matter. He stated that the Borough cannot stop people from talking as they are walking to their cars.

Mr. Borgerson stated that Mr. English will coordinate a meeting with residents with noise complaints along with the restaurant owners.

Connie Herman of Ford Street raised her concern about speeding on Ford Street. Police Chief Sinclair outlined the data from the speed device that is located on the 400 Block of Ford Street that showed the volume and speeds of vehicles along Ford Street.

## **ADJOURN**

Mr. Borgerson asked for a motion to adjourn the meeting at 9:55 p.m.

Motioned by: Mr. Greenstein  
Seconded by: Mr. Blumenthal  
All in Favor, Yes.  
The motion passed 6-0

Respectfully Submitted,

Michael English  
Borough Manager