

BOROUGH OF CONSHOHOCKEN BOROUGH COUNCIL
MINUTES OF THE PUBLIC MEETING

Wednesday, April 6, 2022

PUBLIC MEETING

PRESENT: Colleen Leonard, Council President
Tina Sokolowski, Council Vice-President
Anita Barton, Council Member
Stacy Ellam, Council Member
Kathleen Kingsley, Council Member
Adrian Serna, Council Member
Karen Tutino, Council Member
Yaniv Aronson, Mayor

ALSO PRESENT: Stephanie Cecco, Borough Manager
Michael E. Peters, Borough Solicitor

CALL TO ORDER

The Public Meeting of the Conshohocken Borough Council duly advertised, was held at the Conshohocken Borough Hall, 400 Fayette Street, Conshohocken, PA. Ms. Leonard, Council President, called the meeting to order at 7:01 PM.

COUNCIL PRESIDENT ANNOUNCEMENTS

Ms. Leonard announced that an Executive Session was held prior to the regularly scheduled public meeting on property matters.

Ms. Leonard also announced that an Executive Session was held prior to the regularly scheduled public meeting on legal and personnel matters.

LAND USE MATTERS, PUBLIC HEARINGS AND ORDINANCES

a.) SEPTA Parking Garage Presentation

Kristian Bellotti of McCormick Taylor and Robert Tangi of SEPTA were present to discuss the proposed SEPTA parking garage project. Mr. Bellotti provided an overview of the existing SEPTA site. He reviewed Phase I of the project which includes the relocation of the existing train station with ADA improvements and a grade crossing at Oak Street. He discussed Phase II of the project which consists of a 3-tier parking garage with 343 parking spaces and an adjacent surface parking lot with 191 parking spaces. Mr. Bellotti reviewed the parking garage design, which includes infrastructure for electric vehicle charging stations, ADA accessible parking and flood proofing. He provided an overview of the proposed site improvements, including pedestrian and vehicle access and circulation, and stormwater management. Mr. Bellotti discussed ADA accessibility, the architectural design of the parking garage and safety and security measures for the parking garage and overall site.

Ms. Ellam inquired about parking costs. Mr. Tangi confirmed that there will be parking fees.

Mr. Tangi confirmed that smoke detectors will be installed in elevator lobbies and stairwells. He explained that security cameras will be located within the garage and around the site. He added that surveillance videos are stored and explained that SEPTA would work collaboratively with the Conshohocken Police Department in the event of an incident.

b.) Public Hearing on a Petition to Vacate a Portion of Corson Street

Mr. Peters opened the public hearing on a petition to vacate a portion of Corson Street associated with the 400 West Elm Street land development project. He stated that the property is located to the southwest of the intersection of Corson Street with West Elm Street and northeast of the Schuylkill River Trail in the Borough. He explained that the vacated area would be used to provide access to the parking area for a multifamily residential building to be constructed to either side of the area of Corson Street proposed to be vacated.

Mr. Peters called for public comment in the petition. There were no comments.

The matter was continued to April 20, 2022.

c.) Public Hearing on Zoning Ordinance Amendments:

a. Zoning ordinance amendment to remove residential uses in SP Zoning Districts

Mr. Peters opened the public hearing on a zoning ordinance amendment to remove residential uses from the Specially Planned Districts: SP-1, SP-2, SP-3 and SP-4 Districts. Mr. Peters stated that the Borough has been monitoring development within the Borough and has done a thorough review of what that development means from an emergency management standpoint. He explained that the

analysis revealed that there are approximately 2,146 current residents on the lower end of the Borough, but there are a projected 5,216 residents on the lower end of the Borough upon completion of the already approved developments. Mr. Peters stated, that based on this information, Borough professionals are recommending that residential growth in this area be restricted.

Mr. Peters called for public comment. There were no comments.

The matter was continued to April 20, 2022.

b. Zoning ordinance amendment to amend notice provisions and expiration of approvals

Mr. Peters opened the public hearing on a zoning ordinance amendment to amend administrative zoning provisions. He provided an overview of the proposed ordinance. He stated that the ordinance proposes to reduce the range of required notice from 500 feet of the subject property to 250 feet of the subject property. Mr. Peters explained that given the density of the Borough, a reduction to 250 feet is appropriate. He added that the ordinance also specifies that the Borough will compile the relevant owner contact information regarding properties within 250 feet of the subject property and send the notices, with the cost being paid by the applicant.

He stated that the ordinance includes a provision extending the expiration of variances, special exceptions, and conditional uses from six (6) months to one (1) year. Mr. Peters explained that the Zoning Hearing Board receives many requests for an extension.

Mr. Peters explained that Subsection 5 of section 27-1202 of the Zoning Ordinance's R-O Residential Office District provisions was invalidated by the court, and it will therefore be removed from the codification of the Borough's ordinances.

Mr. Peters called for public comment.

Philip Candelore, 431 East 11th Avenue, asked why Borough Council is considering reducing the range of required notice from 500 feet to 250 feet. Mr. Peters explained that 250 feet was chosen because that is approximately one block in the Borough. He added that, for the Zoning Hearing Board meeting that took place last month, 1,000 notices were sent.

The matter was continued to April 20, 2022.

d.) Public Hearing on Waivers of Off-Street Parking:

a. 207 Forrest Street, Golf Simulator Club

The applicant, Lori Burt, shared that she intends to operate a private, members-only golf simulator club at this location. She stated that the business will operate on reservation only. She explained that she plans to install three (3) simulators, which allows for a maximum of 18 members per time slot. She provided an overview of the business and discussed hours of operation and number of employees. Ms. Burt explained that the site provides (5) five off-street parking spaces and three (3) parking spaces on Forrest Street.

b. 308 Fayette Street, Our Daily Bagel

Alysa Yakeley and Marielle Link, applicants, stated that they are in the process of opening Our Daily Bagel at 308 Fayette Street. Ms. Yakeley provided an overview of the business, including hours of operation and number of employees. She explained that the business is conducive to being a "grab and go" establishment with limited seating (approximately 9 seats). She also explained that customers and employees would most likely walk or utilize the public parking spaces in the SORA West parking garage.

c. 128 Fayette Street, Fayette Street Oyster House & Grill

Peter Dissin, the applicant, was present to request a waiver of off-street parking for the Fayette Street Oyster House & Grill at 128 Fayette Street. He briefly discussed the menu. He shared that that he has agreements with Saint Matthew's Church and Flocco's to utilize their parking lots and discussed use of the SORA West parking garage. He stated that he expects approximately 50 customers per day.

d. 320 Fayette Street, ENJ Wax Studio

The applicant, Ashley Maldonado, shared that she plans to open a full body and face waxing salon. She shared hours of operation and number of employees. She confirmed that services would be provided by appointment only.

e.) Preliminary/Final Minor Subdivision and Land Development for 124 West 1st Ave: EELI, LLC, Applicant

Mr. Peters provided an overview of the application, which proposes to subdivide the lot into two (2) lots, demolish the existing attached single-family home and construct two (2) attached single-family homes. He shared that Zoning Hearing Board has granted zoning approval with conditions and the Planning Commission has recommended approval of the application.

Rob Cunningham, the applicant's Engineer, reviewed the application and stated that the applicant was granted dimensional variances. Mr. Cunningham explained that the applicant is required to mitigate impact with respect to stormwater management, and the applicant will do so. He reviewed the requested waivers and the reasons for each.

Ms. Tutino asked if the applicant is proposing to construct garages in the rear of the property. Mr. Cunningham responded that each new dwelling would have a garage and a driveway in the rear with access to the alley.

Ms. Barton inquired about the building height. Mr. Cunningham confirmed that the proposed building height complies with the Zoning Ordinance.

f.) Discussion on a Stormwater Management Ordinance update and a stormwater amendment to the SALDO, Karen MacNair, Borough Engineer

Karen MacNair was present to provide to discuss a stormwater management ordinance update and an amendment to the stormwater portion of the Subdivision and Land Development Ordinance (SALDO). She explained that adoption of the model stormwater management ordinance is a DEP requirement as part of the Borough's MS4 permit. She further explained that she is recommending amending the stormwater portion of the SALDO to ensure both ordinances are consistent. She reviewed the provisions of the proposed stormwater management ordinance and the revisions to the SALDO.

PRESENTATIONS

a.) Annual MS4 Presentation, Karen MacNair, Borough Engineer

Karen MacNair, Borough Engineer, was present to provide an update on the Municipal Separate Storm Sewer System (MS4). Ms. MacNair explained that the MS4 permit authorizes the Borough to discharge stormwater to the Plymouth Creek and Schuylkill River. She discussed the permit requirements, which include the reduction of discharge of pollutants and the removal of hazardous connections. She reviewed the six (6) Minimum Control Measures that the Borough must implement in order to meet the requirements of the permit.

Ms. MacNair explained that the Borough is also required to implement a Pollutant Reduction Plan to reduce sediment carried in stormwater within the Plymouth Creek watershed by ten percent. She confirmed that the Borough's Pollutant Reduction Plan, to construct an underground basin at Sutcliffe Park, has been approved by the DEP and must be implemented by February 2025. She shared that surveying and soil testing has been completed and that Gilmore and Associates is currently working on design.

b.) Proclamation 2022-01 recognizing the 100th birthday of a long-term resident

Borough Council recognized the 100th birthday of Anna Coscia.

COUNCIL BUSINESS

a.) Conduct interviews for Borough Board and Commission vacancies

Ms. Leonard introduced Mary Kiernan who was present to interview for the Zoning Hearing Board and Planning Commission. Ms. Kiernan spoke about the growth and development that has occurred in the Borough over the past 25 years. She discussed opportunities to improve the walkability and connectivity from the waterfront to the upper avenues.

b.) Consider appointing applicants to the EAC

Ms. Kingsley made a motion to appoint Bob Molony, Justin Claffey and Dianne Piccone to the EAC, seconded by Ms. Barton. The motion carried 7-0.

c.) Discussion on the CPW Rotary Club special event application for use of the A-Field for the Conshohocken Beer Festival

Andrew Tarry, Joe Robinson and Emily Zabrodski from the CPW Rotary were present to discuss the request to utilize the A-Field for the Conshohocken Beer Festival for 2022, 2023 and 2024. Mr. Robinson stated that the Rotary Club has held the event six (6) times and that most of the events have been held in Conshohocken. Mr. Tarry provided an overview of the event coordination that occurs between the Rotary Club and Borough Administration and Emergency Management personnel. He discussed event layout

changes and anticipated number of attendees. Mr. Tarry stated that a portion of the proceeds from the event go to Conshohocken.

Mr. Serna asked if the Rotary Club has reached out to residents in the area for their feedback on the event. Ms. Zabrodski replied that the Rotary Club has not solicited public input on the event and that they are not aware of any complaints. She stated that Rotary Club volunteers pick up trash during and after the event. Mr. Tarry added that the Rotary Club and Borough officials hold a debrief meeting following the event to address any issues and improve the event. However, they were not able to provide an exact financial breakdown as requested.

Ms. Barton asked if the Rotary Club has reached out to Plymouth Township about hosting the event. Mr. Tarry responded that the Rotary Club has previously hosted the event at the Proving Grounds but reported that that location is no longer an option.

Ms. Ellam asked how much of the proceeds from the event are allocated to Conshohocken. Mr. Robinson replied that there is not a specific amount that is allocated to Conshohocken. He and Mr. Tarry discussed how the Rotary Club has contributed to the Colonial Neighborhood Council through fundraising events, such as the Conshohocken Beerfest. Mr. Tarry added that the Rotary Club has also donated to Conshohocken Elementary.

Mr. Tarry explained that the Rotary club offers shuttle buses and provides security services to minimize the impact to surrounding neighbors.

Mr. Serna made a motion to deny CPW Rotary's request to utilize the A-Field for the Conshohocken Beer Festival for 2022, 2023 and 2024, seconded by Ms. Ellam. Ms. Tutino opposed. The motion carried 6-1.

MANAGER MATTERS

a.) Consider approving 239-301 West 4th Avenue maintenance bond release in the amount of \$7,202.25

Ms. Cecco stated that the 18-month maintenance bond period for the 239-301 West 4th Avenue land development project ends in April 2022. She explained that the Borough Engineer performed a site inspection of public improvements and is recommending release of the maintenance bond in the amount of \$7,202.25.

Ms. Sokolowski made a motion to approve 239-301 West 4th Avenue maintenance bond release in the amount of \$7,202.25, seconded by Mr. Serna. The motion carried 7-0.

b.) Consider approving Resolution 2022-09 approving certain supplemental appropriations to the FY2022 Budget

Ms. Cecco explained that, due to global supply chain issues and inflation, the cost of capital projects earmarked for the 2022 Capital Budget have significantly increased from when those same projects were approved in 2021. She stated that Borough Administration will move forward with budgeted projects up to a 30% price increase. She added that increased costs would be covered through Capital Reserves or Park and Rec Impact Funds. She reviewed first quarter supplemental appropriations for approved 2022 Capital projects.

Mr. Serna made a motion to approve Resolution 2022-09 approving the following supplemental appropriations to the FY2022 Budget: \$3,110 increase for the Community Center Front Door Replacement Project; \$9,648.50 increase for the Public Meeting Room AV Equipment Update; and \$9,002.09 increase for the purchase of the Public Services Mastic Patcher, seconded by Ms. Ellam. The motion carried 7-0.

c.) Consider approving Resolution 2022-10 approving and ratifying change order no. 1 for storm sewer repairs on Poplar Street

Ms. Cecco stated that Borough Council previously authorized the emergency expenditure of funds to repair the collapsed roadway and replace the collapsed storm sewer system on Poplar Street. She explained that given the nature of the work to be performed, as well as global supply chain issues occurring, the quantity and cost of some of the materials have increased. She asked Council to consider approving change order no. 1 in amount of \$4,809.91 to complete the pipe replacement work.

Ms. Kingsley made a motion to approve Resolution 2022-10 approving and ratifying change order no. 1 for storm sewer repairs on Poplar Street in the amount of \$4,809.91, seconded by Ms. Barton. The motion carried 7-0.

d.) Consider approving Resolution 2022-11 authorizing the purchase of a Pierce Enforcer Pumper

Ms. Cecco shared that Borough Administration is seeking Council's approval to purchase a Pierce Enforcer Pumper for the Conshohocken Fire Department. She explained that the Pumper would be purchased through COSTARS using CARES Act funding.

Ms. Barton made a motion to approve Resolution 2022-11 authorizing the purchase of a Pierce Enforcer Pumper, seconded by Mr. Serna. The motion carried 7-0.

e.) Consider authorizing an extension of the Towing Agreement with EVB Service Center

Ms. Cecco asked Council to consider authorizing a one (1) year extension of the Towing Agreement with EVB Service Center until December 31, 2023. She detailed the exceptional service provided by EVB Towing, specifically during Tropical Storm Ida.

f.) Discussion on Conshy Corner Tavern special event application for a fundraiser block party Steph to discuss request block party request

Ms. Cecco shared that David Keller, owner of Conshy Corner Tavern is requesting approval to close Jones Street from Spring Mill Avenue to East Hector Street from 1pm to 7pm on June 5, 2022 to host a block party fundraiser. She stated that Borough Administration has reviewed the application and have no issues. She added that Mr. Keller has submitted all required certifications. Ms. Barton inquired about how the event would impact the Conshohocken Italian Bakery. Ms. Cecco and Mayor Aronson replied that the request letter indicates that Mr. Keller and the owner of the Conshohocken Italian Bakery will be working together.

Ms. Sokolowski made a motion to approve the Conshy Corner Tavern special event application for a fundraiser block party on behalf of HOW Charities on June 5, 2022 from 1pm to 7pm contingent on final review and approval by Administration, seconded by Ms. Barton. The motion carried 7-0.

DEPARTMENT MATTERS

There were no department matters.

LEGAL MATTERS

a.) Consider approving a Resolution approving an amendment to the approval of preliminary/final subdivision and land development for Matson Mill

Mr. Peters reviewed the resolution which amends the approval of preliminary/final subdivision and land development for Matson Mill by granting an extension of the timeline within which the developer will be required to post financial security for the Oak Street Crossing. He asked Council to review the proposed resolution and consider its approval at the April 20, 2022 Council meeting.

b.) Consider approving an Addendum to the Agreement of Sale for real estate property, specifically tax map parcel nos. 05-00-03100-00-9, 05-00-11828-00-2, 05-00-04880-00-2 and 05-00-02100-00-1

Mr. Peters reviewed the Addendum to the Agreement of Sale which would extend the closing date and the Borough's due diligence period for a period of 45 days.

There was no public comment.

Mr. Serna made a motion to approve an Addendum to the Agreement of Sale for real estate property, specifically tax map parcel nos. 05-00-03100-00-9, 05-00-11828-00-2, 05-00-04880-00-2 and 05-00-02100-00-1, seconded by Ms. Ellam. The motion carried 7-0.

c.) Consider approving a Memorandum of Understanding between the Borough of Conshohocken and the Conshohocken Sewer Authority

Mr. Peters reviewed the Memorandum of Understanding between the Borough of Conshohocken and the Conshohocken Sewer Authority.

There was no public comment.

Mr. Serna made a motion to approve a Memorandum of Understanding between the Borough of Conshohocken and the Conshohocken Sewer Authority, seconded by Ms. Kingsley. The motion carried 7-0.

d.) Consider approving a Municipal Services Agreement between the Borough of Conshohocken and the Conshohocken Sewer Authority

Mr. Peters reviewed the Municipal Services Agreement between the Borough of Conshohocken and the Conshohocken Sewer Authority.

There was no public comment.

Mr. Serna made a motion to approve a Municipal Services Agreement between the Borough of Conshohocken and the Conshohocken Sewer Authority, seconded by Ms. Ellam. The motion carried 7-0.

COUNCIL MEMBER AND MAYOR MATTERS

- a.) Consider approving the 2022 Annual Conshohocken Arts Festival & Car Show (Mayor Aronson)

Mayor Aronson shared information about the 2022 Conshohocken Arts Festival & Car Show. He reviewed event details, shared a map of the event and discussed road closures and entertainment.

Mr. Serna made a motion to approve the 2022 Annual Conshohocken Arts Festival and Car Show on June 4, 2022 with a rain date of June 11, 2022, seconded by Ms. Kingsley. The motion carried 7-0.

Ms. Ellam shared event information for Conshohocken Little League Opening Day.

Mr. Barton reminded everyone to drive safely around children.

Mr. Serna encouraged everyone to attend the 60th Annual Donofrio Classic at the Community Center.

Ms. Sokolowski shared that the Sewer Authority hired a new Executive Director.

PUBLIC COMMENT

Philip Candelore, 431 East 11th Avenue, asked for clarification on the motion regarding the Beer Festival. Ms. Leonard replied that the motion was to deny CPW Rotary's request to utilize the A-Field for the Conshohocken Beer Festival for 2022, 2023 and 2024. Mr. Candelore expressed his disappointment with no longer hosting the event in Conshohocken.

Jackie Rocco, 111 East 10th Avenue, asked why Council voted against the request to hold the Conshohocken Beerfest at the A-Field. Ms. Rocco explained that the information would be useful when looking for an alternative site.

Mike Makoid, 112 W 9th Avenue, expressed his excitement for the Conshohocken Arts Festival and Car Show. He asked Council to provide a reason for why they voted to deny the Rotary Club's request to hold the Conshohocken Beerfest at the A-Field.

Walt Hartnett, 349 Spring Mill Ave and Commander of the VFW, shared the Flag Planting schedule and the tentative schedule for the VFW Memorial Day Services. He requested that the Hometown Hero Banners be installed one (1) week before Memorial Day. Mr. Harnett reported that the memorial at 2nd Avenue is in poor condition. He asked Council to consider authorizing the creation of a Veteran Advisory Board.

ADJOURNMENT

The meeting was adjourned at 8:55 PM.

Respectfully Submitted,

Stephanie Cecco,
Borough Secretary