

BOROUGH OF CONSHOHOCKEN BOROUGH COUNCIL
MINUTES OF THE PUBLIC MEETING

Wednesday, February 17, 2021

PUBLIC MEETING held via GoToMeeting video/teleconference

PRESENT: Colleen Leonard, Council President
Tina Sokolowski, Council Vice-President
Robert Stokley, Senior Council Member
Anita Barton, Council Member
James Griffin, Council Member
Jane Flanagan, 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 remotely using the GoToMeeting platform. Colleen Leonard, Council President, called the meeting to order at 7:04 PM.

COUNCIL PRESIDENT ANNOUNCEMENTS

Ms. Leonard thanked everyone for attending the virtual Council meeting. She reviewed the meeting logistics and participation instructions.

PRESENTATIONS

There were no presentations.

LAND USE, PUBLIC HEARINGS AND ORDINANCES

There were no land use matters, public hearings and ordinances.

CONSENT AGENDA

Ms. Leonard read and reviewed the items included on the consent agenda.

- a.) **Approve and adopt the January 6 and January 20 Regular Meeting Minutes**
- b.) **Approve the January-ending Treasurer's Report and Accounts Payable in the amount of \$787,719.87**

Mr. Griffin made a motion to approve and adopt the January 6 and January 20 Regular Meeting Minutes, second by Ms. Barton. The motion carried 7-0.

Ms. Sokolowski made a motion to approve the January-ending Treasurer's Report and Accounts Payable in the amount of \$787,719.87, seconded by Ms. Tutino. The motion carried 7-0.

NEW BUSINESS

- a.) **Consider approving SORA West financial security escrow release no. 4 in the amount of \$880,696.80**

Ms. Cecco shared that the developer for SORA West, Keystone Property Group, is requesting the release of 95% of escrow for the completion of the parking garage. She explained that the Borough Engineer, Karen MacNair, completed a site inspection and has found that the work associated with the requested release of escrow funds for the parking garage has been partially completed since the parking garage façade work is not complete. Ms. Cecco stated that Ms. MacNair has prepared a site escrow release recommendation for a portion of the escrow funds with the parking garage.

Mr. Barton made a motion to approve SORA West financial security escrow release no. 4 in the amount of \$880,696.80, seconded by Mr. Griffin. Mr. Stokley recused himself. The motion carried 6-0.

- b.) **Consider approving 400 West Elm Street zoning escrow release in the amount of \$681.61**

Ms. Cecco stated that items b.), c.) and d.) under Manger Matters pertain to zoning applications that have been heard. She added that decisions for each application have been issued.

Mr. Stokley made a motion to approve 400 West Elm Street zoning escrow release in the amount of \$681.61, seconded by Mr. Griffin. The motion carried 7-0.

- c.) **Consider approving 7 Tower Bridge zoning escrow release in the amount of \$671.11**

Mr. Griffin made a motion to approve 7 Tower Bridge zoning escrow release in the amount of \$671.11, seconded by Ms. Barton. The motion carried 7-0.

- d.) **Consider approving 900 Fayette Street zoning escrow release in the amount of \$570.61**

Ms. Tutino made a motion to approve 900 Fayette Street zoning escrow release in the amount of \$570.61, seconded by Mr. Griffin. The motion carried 7-0.

e.) Consider appointing a Safety Officer to the Conshohocken Fire Department

Ms. Cecco shared that Andrew Carlin has expressed interest in the open position of Safety Officer for the Conshohocken Fire Department. She added that Tim Gunning, Fire Chief, made a recommendation in support of Mr. Carlin's appointment. Ms. Cecco stated that the Safety Officer position receives a \$500.00 stipend annually.

Mr. Stokley made a motion to appoint Andrew Carlin to the position of Safety Officer in the Conshohocken Fire Department, seconded by Mr. Griffin. The motion carried 7-0.

f.) Consider approving the Conshohocken Free Library special event request for National Poetry Month

Ms. Cecco shared that the Borough received a request from the Conshohocken Free Library to install pop-up poetry displays around the Borough for the month of April to celebrate National Poetry Month. She provided details of the event. She stated that the Conshohocken Free Library is required to submit a special event application along with a certificate of insurance.

Ms. Flanagan made a motion to approve the Conshohocken Free Library special event request for National Poetry Month, seconded by Ms. Barton. The motion carried 7-0.

An additional item was added to the agenda. Ms. Cecco shared that the developer for the 51 Washington Street land development project has submitted an escrow release request for all items related to the new SEPTA parking lot. She stated that Ms. MacNair has completed a site inspection and prepared a construction escrow release recommendation for approval by Borough Council. She added that the Borough has received written notification from SEPTA accepting the work.

Ms. Barton made a motion to approve 51 Washington Street financial security release no. 1 for all items related to the new SEPTA parking lot, seconded by Mr. Griffin. The motion carried 7-0.

UNFINISHED BUSINESS

a.) Consider appointing an applicant to the Dog Park Advisory Committee

Ms. Barton made a motion to appoint Hally Ammons to the Dog Park Advisory Committee, seconded by Ms. Sokolowski. The motion carried 7-0.

b.) Consider adopting Ordinance 02-2021 requiring the Borough of Conshohocken Authority to convey the Sewer Authority to the Borough of Conshohocken

Ms. Cecco shared that Council had approved the advertisement of Ordinance 02-2021, which requires the Borough of Conshohocken Authority to convey the Sewer Authority to the Borough of Conshohocken. She reminded Council that conveyance is the next step in the exploratory process in terms of a potential sale of the sewer system. Ms. Cecco explained that the passing of the ordinance permits and expects the current Borough Authority to maintain operation of the plant in the ordinary course as the sale exploration process continues until a potential Conveyance Date.

Ms. Sokolowski made a motion to adopt Ordinance 02-2021 requiring the Borough of Conshohocken Authority to convey the Sewer Authority to the Borough of Conshohocken, seconded by Ms. Tutino. The motion carried 7-0.

c.) Consider approving Resolution 2021-04 setting the wastewater system rates for customers outside the boundary of the Borough customers

Ms. Cecco explained that the proposed resolution affirms that the Borough would charge West Conshohocken and Plymouth customers of the Authority the same rates as they are currently being charged by the Authority. In other words, the Borough does not have the ability to change the current rates of the Borough of Conshohocken Authority until a potential Conveyance Date.

Ms. Tutino made a motion to approve Resolution 2021-04 setting the wastewater system rates for customers outside the boundary of the Borough customers, seconded by Ms. Barton. The motion carried 7-0.

d.) Consider approving an extension to the current Solid Waste Disposal Agreement with Covanta for a 3-year period as provided in the Addendum to the Solid Waste Disposal Agreement

Ms. Cecco provided an overview of the previous and existing professional services contracts with Covanta. She asked Council to consider approving an extension to the current Solid Waste Disposal Agreement with Covanta for a three (3) year period. She shared that David Sharp, Director of Area Asset Management for Covanta Plymouth, confirmed that Covanta has never had an operating permit revoked at any Covanta facility. She also shared that Mr. Sharp indicated that he would provide updates to Council if Covanta were to deviate from capital expenditures that are required to upkeep plant operations. Ms. Cecco confirmed that the Borough would request that Covanta continue to provide the Borough with regular communication and a communication strategy.

Ms. Barton made a motion to approve an extension to the current Solid Waste Disposal Agreement with Covanta for a 3-year period as provided in the Addendum to the Solid Waste Disposal Agreement, seconded by Ms. Flanagan. The motion carried 7-0.

PUBLIC COMMENT

Brittany Rogers, Executive Assistant to the Borough Manager, stated that one (1) individual submitted written public comment via email submission.

Michael Makoid, 112 West 9th Avenue, discussed the recent history and problems with the Covanta-Plymouth trash incinerator, including the various unplanned outages that have occurred at the facility since June 2019 and the recent DEP civil penalty for air quality violations. He requested that Council consider adding provisions to the contract addendum with Covanta, including the monthly attendance of a Covanta representative at Borough Council meetings to provide updates, announce known planned outages and attest to the facility's uptime as a percentage during the prior month.

Jane White, 1102 Maple Street, stated that Borough Council did not take public comment prior to voting on each agenda item. She asked how the votes are valid under the Sunshine Law. Mr. Peters responded that public comment is taken at the end of each Council Work Session and Voting Meeting and that Borough Council abides by provisions of the Sunshine Law.

Jessica Ram, 138 Sutcliffe Lane, shared that she is disappointed with Council's decision to extend its contract with Covanta. She acknowledged that Covanta has made minor upgrades to improve the plant's performance. However, she explained that substantial improvements would not be made because that would require Covanta to comply with stricter emissions regulations. Ms. Ram stated that the facility is being run in a negligent manner and urged Council to look at alternatives for trash removal.

COUNCIL AND MAYOR MATTERS

Mayor Aronson shared that Destination Conshohocken is hosting a free event, Finding Hope: Supporting Mental Health During COVID-19, on February 24, 2021 to discuss and learn about the impact COVID 19 has on mental health, positive coping strategies, and resources. He announced that a snow emergency for the Borough has been declared beginning at 7:00am on February 18, 2021. He reminded everyone to remove vehicles from the snow emergency routes.

Mr. Stokley thanked Public Services for their continued work with snow removal and trash collection. He encouraged everyone to help their elderly neighbors during snowstorms.

Mr. Barton reminded everyone that saving parking spots following a snowstorm is illegal.

Ms. Flanagan shared that the Conshohocken Free Library has reopened for limited hours. She also shared that the Library is offering porch pickup service.

Mr. Griffin urged everyone to stay safe in the snowstorm and to assist elderly neighbors with snow removal.

Superintendent Metz encouraged any victim of a crime, no matter how minor the incident, to file a police report.

Ms. Leonard shared her excitement for the warmer weather forecasted for the following week.

ADJOURNMENT

The meeting was adjourned at 7:34 PM.

Stephanie Cecco,
Borough Secretary