

BOROUGH OF CONSHOHOCKEN BOROUGH COUNCIL
MINUTES OF THE PUBLIC MEETING

Wednesday, December 5, 2018

PUBLIC MEETING

PRESENT: Colleen Leonard, Council President
Jane Flanagan, Council Vice-President
Robert Stokley, Senior Council Member
Anita Barton, Council Member
Tina Sokolowski, Council Member
James Griffin, 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 7:09 PM.

COUNCIL PRESIDENT ANNOUNCEMENTS

Ms. Leonard announced that there was an Executive Session held immediately prior to the meeting regarding legal matters.

PRESENTATIONS

a.) Consider preliminary/final minor subdivision and land development approval for 340 East Ninth Avenue: DJB Properties, David Brosso, Applicant

Mr. Peters provided an overview of the application. He explained that the applicant is proposing to subdivide the property into two (2) lots, demolish the existing single-family dwelling and construct two (2) single-family detached dwellings. Mr. Peters reviewed the land development resolution, which included the conditions of approval and requested waivers.

Ms. Barton made a motion to approve preliminary/final subdivision and land development for 340 East Ninth Avenue, seconded by Ms. Tutino. The motion carried 7-0.

b.) Hearing regarding a waiver of off-street parking for 100-104 Fayette Street, Nudy's Café

Chris Stetler, Borough Zoning Officer, explained that the applicant is proposing a restaurant use at the site, which has no off-street parking. She shared that Raymond Nudy, President of Nudy's Café, was present to answer any questions. Council inquired about the number of employees, hours of operation and seating at the restaurant, which Mr. Nudy answered. Mr. Nudy shared that his business offers fast food with sit down service. He explained that majority of business will come from morning commuters on their way to work and from employees of local businesses for lunch.

Council voiced concerns about the potential impact that Nudy's could have on parking in the downtown area, especially during the peak morning hours. Council requested that the applicant conduct a parking study, which is permitted by the Borough's Zoning Ordinance. They also asked that the applicant explore other alternative parking options. The applicant was encouraged to contact owners of surrounding parking garages.

Tim Young, a representative of Light Parker, stated that Light Parker operated without the use of a parking lot.

James Flanigan, owner of Flanigan's Boathouse, discussed the challenges that business owners face with regard to parking in the downtown area.

Ms. Cecco stated that the applicant would be back in front of Council to discuss alternative parking options.

COUNCIL BUSINESS

a.) Conduct an interview for the Planning Commission

Ms. Leonard introduced Jacqueline Rocco who was present to interview for the vacancy on the Planning Commission. Ms. Sokolowski asked why she would like to serve on the Planning Commission. Ms. Rocco replied that she strongly believes in community involvement and that she is interested in understanding the Borough's planning process. Ms. Sokolowski asked how her background in organizational leadership would contribute to the Commission. Ms. Rocco explained how her strategic decision-making skills would assist the Commission in achieving short-term and long-term goals. Ms. Barton asked her to explain the role of the Planning Commission. Ms. Rocco explained that the Planning Commission assures that Borough Code and the Comprehensive Plan are implemented by managing change in growth and development within the Borough.

b.) Consider 728 Maple Street Zoning Hearing Board Application

Chris Stetler provided an overview of the application. She shared that the applicant proposes to maintain the existing residential apartment at the site and add a second two-bedroom apartment in the basement area. She explained that the commercial space at the front of the property would be slightly expanded and converted to a commercial kitchen. Ms. Stetler stated that special exceptions are required for change and expansion of non-conforming use and that a variance is required for off-street parking. She confirmed that a minimum of five (5) off-street parking spaces would be required for this property.

The applicant, Jena Coy, was present to answer any questions. The applicant explained that she is working with a surveyor in an effort to obtain at least one (1) off-street parking space on the property. Ms. Barton inquired about egress from the basement level apartment and Ms. Coy provided all egress points. Ms. Leonard inquired about the commercial use of the property. Ms. Coy stated that the commercial kitchen space would be utilized by her family's business for food preparation. She added that the space might also be rented.

Mr. Stokley made a motion to approve sending a letter of recommendation to the Zoning Hearing Board for 728 Maple Street conditioned upon plans that designate one (1) additional off-street parking space, seconded by Ms. Barton. The motion carried 7-0.

c.) Consider approving Resolution 2018-29 creating experimental parking regulations

Mr. Peters explained that the resolution would create an experimental 15-minute time limit for parking at the intersection of Hollowell Street and East 8th Avenue. He added that the parking regulations would be in effect for 90 days and may be enforced during that time period.

Ms. Flanagan made a motion to approve Resolution 2018-29 creating experimental parking regulations, seconded by Mr. Stokley. The motion carried 7-0.

MANAGER MATTERS

a.) Consider the 2019 Meeting Schedules for Borough Council and Borough Boards and Commissions

Ms. Cecco reviewed the proposed 2019 meeting schedules for Borough Council and Borough Boards and Commissions. She explained that Borough Council would continue to hold meetings on the first and third Wednesday of every month, and confirmed that the proposed Council meeting schedule includes (2) budget workshops. After some discussion, Council decided to remove the July 3rd Work Session from the Council meeting schedule.

Ms. Sokolowski made a motion to approve the 2019 meeting schedules, seconded by Ms. Barton. The motion carried 7-0.

b.) Discuss agreement with Tri-State Financial Group LLC for the collection of Business Privilege Tax, Mercantile Tax and Local Services Tax

Ms. Cecco reviewed the terms of the current agreement with Tri-State Financial, which was signed in December 2010. She explained that the compensation and reimbursement clause allows for an increase from 2% to 10% of all gross taxes collected. Ms. Cecco made the recommendation to remove the escalation clause and offer a baseline of 2% on the gross taxes collected and 5% on taxes collected in the categories of delinquent and discovery taxes. She asked Council to review her recommendation and stated that an amendment to the agreement with Tri-State Financial Group would be on the Voting Meeting agenda for consideration in two (2) weeks.

Ms. Cecco added an item to the agenda. She stated that the Borough must complete Applications for Traffic Signal Approval and associated resolutions as required by PennDOT for the SORA West project. She explained that the resolutions authorize the Borough Manager to submit the applications.

Ms. Leonard made a motion to approve Resolutions 2018-30 through 2018-34 authorizing the Borough Manager to submit Applications for Traffic Signal Approval to PennDOT for the SORA West development, seconded by Ms. Barton. Mr. Stokley recused himself. The motion carried 6-0.

DEPARTMENT MATTERS

a.) Consider authorizing advertisement of the proposed amendment to the Solid Waste Ordinance

Mr. Peters explained that the ordinance amends the Borough's solid waste and recycling regulations to remove the collection of grass clippings and commercial trash and recycling from the Borough's service schedule.

Ms. Flanagan made a motion to authorize the advertisement of the proposed amendment to the Solid Waste Ordinance, seconded by Mr. Stokley. The motion carried 7-0.

LEGAL MATTERS

Ms. Cecco invited Jake Fruncillo, Leasing Director for Keystone Property Group, to the podium to provide an overview of the items related to Premier Urgent Care.

a.) Consider approving the Assignment and Assumption Lease for Premier Urgent Care and Tower Health

Mr. Fruncillo explained that the assignment and assumption lease would assign the lease and the tenant's obligations at 400 Fayette Street from Premier Urgent Care to Tower Health.

Ms. Sokolowski made a motion to approve the Assignment and Assumption Lease for Premier Urgent Care and Tower Health, seconded by Ms. Flanagan. Mr. Stokley recused himself. The motion carried 6-0.

b.) Consider approving the Second Amendment to the Lease Agreement with Premier Urgent Care dated October 12, 2018

Mr. Fruncillo explained that the second amendment to the lease agreement would allow Premier Urgent Care to occupy the remainder of retail space.

Ms. Barton made a motion to approve the Second Amendment to the Lease Agreement with Premier Urgent Care dated October 12, 2018, seconded by Mr. Griffin. Mr. Stokley recused himself. The motion carried 6-0.

c.) Consider approving the Third Amendment to the Lease Agreement with Premier Urgent Care

Mr. Fruncillo explained that the third amendment to the lease agreement with Premier Urgent Care establishes a process for the tenant to request a reimbursement for the tenant improvement allowance.

Ms. Sokolowski made a motion to approve the Third Amendment to the Lease Agreement with Premier Urgent Care, seconded by Ms. Barton. Mr. Stokley recused himself. The motion carried 6-0.

d.) Consider approving an amendment to the Parking License Agreement with Keystone Property Group

Mr. Peters explained that the existing parking license agreement, which allows for public use of a portion of the parking garage at 1 West First Avenue, must be amended due to the demolition of the parking structure. He explained that the amendment offers alternative public parking at 125 East Elm Street at no cost to residents and businesses between the hours of 6:00 PM and 2:00 AM during the construction period.

Ms. Flanagan made a motion to approve an amendment to the Parking License Agreement with Keystone Property Group, seconded by Mr. Griffin. Mr. Stokley recused himself. The motion carried 6-0.

e.) Consider approving an Addendum to the Agreement of Sale for West Eighth Avenue

Mr. Peters explained that the addendum extends the closing period to December 17, 2018 for purposes of finalizing items with the title company.

Ms. Barton made a motion to approve the Addendum to the Agreement of Sale for West Eighth Avenue, seconded by Mr. Griffin. The motion carried 7-0.

Ms. Cecco added an item to the agenda regarding settlement of the property. Mr. Peters asked Council to consider authorizing the Borough Manager, Stephanie Cecco, to execute any and all closing documents required to effectuate the sale of the property.

Mr. Griffin made a motion to approve Resolution 2018-35 authorizing the Borough Manager, Stephanie Cecco, to execute any and all closing documents required to effectuate the purchase of property located on West Eighth Avenue, seconded by Ms. Flanagan. The motion carried 7-0.

COUNCIL MEMBER AND MAYOR MATTERS

a.) Mary Wood Park Commission Update (Vice President Flanagan)

Ms. Flanagan shared that the Mary Wood Park Commission is working on a fundraising campaign to raise funds for the restoration of the Mary Wood Park House for the Centennial in 2020. She announced that a cocktail party at the Park House would be their first fundraising event.

b.) Sewer Authority Update (Council Member Barton)

Ms. Barton announced that the interceptor rehab project is complete and reviewed the total cost of the project. She shared that the RBC wastewater treatment process was implemented. She stated that the Sewer Authority 2019 budget was approved and that there would be no increase in fees for 2019.

c.) Dog Park Advisory Committee Update (Council Member Tutino)

Ms. Tutino shared that fundraising for improvements to the Riverside Dog Park is the Committee's priority for 2019. She added that the Committee is also planning to host a Borough event at the dog park and to implement an attendance policy for committee members.

PUBLIC COMMENT

Mayor Aronson spoke about the success of two events, the Menorah Lighting and Breakfast with Santa. He reminded everyone that the Police Department is participating in No-Shave November/December to raise funds for cancer research and shared ways to donate.

Mr. Stokley shared that he was happy to see how many people are utilizing public transportation during the morning commute. He also shared a compliment that he received from resident about the Christmas Tree Lighting.

Ms. Barton commented on the success of the Menorah Lighting celebration.

Ms. Sokolowski shared that Santa would be present at the Winter Wonderland event at the Community Center on December 15, 2018.

Ms. Leonard encouraged all seniors to attend the Holiday Senior Luncheon at the Community Center on December 12, 2018.

Acting Chief Metz announced that the Police Department is facilitating a toy drive until December 17, 2018. He shared the donation locations around the Borough.

ADJOURNMENT

The meeting was adjourned at 8:30 PM.

Respectfully Submitted,

Stephanie Cecco,
Borough Secretary