

BOROUGH OF CONSHOHOCKEN BOROUGH COUNCIL
MINUTES OF THE PUBLIC MEETING
Wednesday, October 21st, 2015

PUBLIC MEETING

PRESENT: Paul McConnell, Council President
James Griffin, Council Vice President
Karen Tutino, Council Member
Anita Barton, Council Member
Robert Stokley, Council Member
Edward Phipps, Council Member
Rosemary Northcutt, Council Member
Robert Frost, Mayor

ALSO PRESENT: Richard J. Manfredi, Borough Manager
Michael J. Savona, Borough Solicitor

CALL TO ORDER

The Public Meeting of the Conshohocken Borough Council duly advertised, was held at Conshohocken Borough Hall, 8th Avenue & Fayette Street, Conshohocken, Pa. Mr. Paul McConnell, Council President, called the meeting to order at 7:02 PM.

PRAYER FOR COUNCIL

Ms. Anita Barton, Council Member for Ward 4, read a Prayer for Council.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

COUNCIL PRESIDENT ANNOUNCEMENTS

There were no announcements shared.

PRESENTATIONS

There were no presentations scheduled.

CONSENT AGENDA

Mr. McConnell reviewed the entire agenda and mentioned that Council would address a legal and real estate matter that would require a vote that evening. The matter would first be discussed in a brief Executive Session for which Council would have to meet separately and then reconvene that evening. He then introduced the items on the consent agenda.

- a.) **Approve and adopt the September 2, 2015 and September 16, 2015 Borough Council Meeting Minutes.**
- b.) **Deny Jade Industries, Inc. request to re-assess additional tax, interest and penalties that were assessed for 2010, 2011, and 2012.**
- c.) **Deny Yellowpages.com LLC's request to waive late fees for their 2013 and 2014 Business Privilege and Mercantile Tax Returns.**

- d.) Authorize the Borough Manager to execute the amended Delaware Valley Health Trust Agreement.
- e.) Approve the CMAQ Grant application and adopt accompanying Resolution 2015-18 to PennDOT for traffic signal improvements in the Borough.
- f.) Approve resolution 2015-19 with regard to the FY 2015 State Administered Community Development Block Grant Entitlement Program
- g.) Approve resolution 2015-20 authorizing the filing of an application for funds with the Department of Community and Economic Development (DCED)

Ms. Barton made a motion to approve the consent agenda as read, seconded by Ms. Tutino. Mr. McConnell invited comment on the item and there was none. The motion carried 7-0.

UNFINISHED BUSINESS

- a.) Approve or reject change orders for the Borough Hall project.

Mr. McConnell asked Mr. Manfredi to summarize the item. Mr. Manfredi explained that, at the work session, he, Mr. Paul Hughes, Borough Engineer, and Mr. Gregory Kane of Keystone Property Group reviewed the list of change orders included in Change Order # 8 and there were some additions and deletions since the work session. Two that Mr. Manfredi highlighted were item # 17138 for a lower lot base and #17131 for changes to the police processing area that were absolutely necessary to the Police Department's relocation to the new Borough Hall. Mr. Manfredi shared that the total for all items included in Change Order # 8 is \$68,213.00.

Mr. McConnell asked if Mr. Hughes had anything to add to the change order discussion. Mr. Hughes shared that one additional change was that an item for lower lot fencing that was previously discussed was eliminated per Council's request at the work session.

Mr. Griffin made a motion to approve Change Order # 8 in the amount of \$68,213.00, seconded by Ms. Barton. Mr. McConnell asked if there was any comment and Mr. Stokley asked if was necessary to recuse himself from the vote; Mr. Savona clarified for him that he could vote since the change orders are through TN Ward. The motion carried 7-0.

NEW BUSINESS

Mr. McConnell asked if there was any new business to share. Mr. Manfredi explained that he wanted to remind Council that, earlier in the year when Council discussed selling trash trucks, there were two bids for the trucks received from the City of Harrisburg; one bid was to purchase one at that time and the second was to purchase the other at a future date. Mr. Manfredi explained that Mr. Buek, Public Works Superintendent, advised him that the City of Harrisburg is interested in purchasing the second truck at this time. Mr. Manfredi explained that the selling process includes an Intergovernmental Agreement of Sale that must be adopted and other administrative procedures. He also stated that, if Council were still interested in selling the second truck, the agreement to approve the sale would be included on the November 18th meeting agenda. He inquired whether Council would give their consent for him to continue with the selling process and they did.

Mr. McConnell asked if Council had any other items to share before they exited for Executive Session. He also mentioned that Mr. Stokley would have to recuse himself from this session and the consequent vote.

Mr. Stokley shared a reminder for Council to check for streetlights that are out in their Wards and to share that list with Mr. Manfredi so they can be addressed. Council agreed to complete the lists and have them prepared for the November work session.

Mayor Frost shared an update on this year's Halloween Parade. He mentioned that registration would take place at No. 2 Fire Company starting at 1:00 PM on Saturday, October 31st, the parade would travel down Fayette Street beginning at 2:00 PM and would end at the Washington Fire Company where there would be games and prizes geared toward children although adults and organizations are also welcome to attend the event.

With no other comments from Council and Mayor at that time, Mr. McConnell announced that Council would enter into a recess for their Executive Session at 7:13 PM.

The Council reconvened at 7:43 PM.

Mr. McConnell invited the Borough Solicitor to explain the final item of business. Mr. Savona shared that Council discussed a proposed second amendment to the agreement of sale and development agreement executed by the Borough of Conshohocken Redevelopment Authority and Keystone Property Group. Mr. Savona mentioned that it pertains to the overall development projects, which were referred to as the redevelopment of the Verizon Building and the redevelopment of the Elm and Fayette project. Mr. Savona explained that this agreement would modify several terms in the original agreement of sale; one item in particular is a change in the structure of the financing of a certain tenant fit-out at the Verizon Building as well as a number of outstanding financial issues related to the Verizon Building.

Mr. Savona highlighted paragraph two of the agreement in which the developer, Keystone Property Group, requested that, as a part of the agreement, the development deadlines that are provided for under the original agreement related to the Elm and Fayette portion of the redevelopment project deadline currently set to expire December 31, 2015 be extended to June 30, 2016 with the remaining two six months extensions already provided for in the original agreement to remain for after the requested extended deadline. Paragraph three deals with the payout of the developer fee that was provided to Keystone under the development services agreement and the Borough's reimbursement of soft costs. In summary, Mr. Savona reiterated that Keystone proposed that Council adopt the second amendment to allow both parties to go to closing on the financing before the end of October 2015.

Mr. Griffin then made a motion to approve the second amendment to the agreement of sale and development agreement subject to the deletion of paragraph two, seconded by Mr. Phipps. There was no further discussion from Council or the public. The motion carried 6-0. with Mr. Stokley excused himself from the dias, discussion and vote.

PUBLIC COMMENT

Mr. Dennis Beaver commented that there was a complaint that the senior citizens were no longer allowed to play bingo at the Community Center and he wanted to ensure that the complaint was addressed. Mr. Manfredi replied that the complaint was resolved and seniors will resume playing bingo. Mr. Beaver also commended that addition of bars near the bike path and stated that it is safer now.

ADJOURNMENT

The meeting was adjourned at 7:50 PM.

Respectfully Submitted,

Richard J. Manfredi, Secretary