

**WEST GROVE BOROUGH COUNCIL –Meeting Notes**

**August 7, 2024**

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The General Business Meeting of the West Grove Borough Council was held on Wednesday August 7, 2024. The meeting took place in the community room of the Municipal Building located at 117 Rosehill Avenue. President Prosser called the meeting to order at 7:30 p.m.

**ROLL CALL:** Mr. David Prosser, President  
Mrs. Kristin Proto, Vice President  
Mayor Stephen Black  
Mr. Bill Temme  
Mrs. Shelley Mix  
Mr. Gregory McCummings, Secretary

**MINUTES:**

**July 10, 2024:** Mr. Temme made a motion and Mr. Prosser seconded to approve the minutes of the July 10, 2024, Borough Council Meeting.

Motion Passed

**FINANCIAL REPORTS:**

Mr. Temme made a motion and Mrs. Proto seconded to approve the July Financial Reports.

Motion Passed

**PAYROLL TRANSFERS:**

Mr. Temme made a motion and Mrs. Proto seconded to approve the August 2024 Payroll Transfers.

Motion Passed

**BILLS:**

Mr. Temme made a motion and Mr. Prosser seconded to approve the July bills.

Motion Passed

**PERSONS SCHEDULED TO APPEAR:**

None

**PUBLIC COMMENT:**

No additional public comments were made

**FINANCE:**

As part of the LED Streetlight Upgrade Project PECO awarded the Borough with a rebate check, received August 6, 2024, in the amount of \$15,084.88. The funds were placed into the Street Light account.

### **ZONING OFFICER'S MONTHLY REPORT:**

- The Zoning Hearing for 30 Prospect Avenue has been scheduled for Thursday August 22, 2024, at 7PM, and will be held in the West Grove Borough Community Room located at 117 Rosehill Avenue West Grove, PA 19390. Public notice has been issued to surrounding properties and the building will be posted by Borough employees prior to the hearing.
- Building Inspection Underwriters, the Borough's Code Enforcement agency, hired a new inspector Dennis Gregori and he will be assigned to West Grove. Dennis does speak some Spanish and seems to be a good fit for the Borough.

### **PUBLIC WORKS:**

- The 100+ year old water main that runs from Walnut Street up Church Alley was replaced by Fidelity Contractors. They were able to directionally bore the new main, causing less disturbance than digging the line.
- The Letter of Recommendation from Hanover Engineering for the award of the Oakland Avenue Phase II project was presented. The Borough received 5 bids for the project ranging from \$349,993.25 to \$528,074.76. Hanover Engineering recommends the bid be awarded to Construction Masters Services, LLC, in the amount of \$349,993.25, which includes \$27,650 in contingency items.

Mr. Temme made a motion to award the Oakland Avenue Phase II contract to Construction Masters Services, LLC, in the amount of \$349,993.25, and Mrs. Proto seconded the motion.

Motion Approved

### **PUBLIC SAFETY:**

Chief Greenwalt provided an update on police operations, including the recent homicide that occurred in town. National Night Out was unfortunately cancelled due to the forecasted storms and out of an abundance of caution for the communities, vendors, and other participants. The second quarter Crime & Traffic Report will be released this week.

### **OLD BUSINESS:**

- Zoning Revision Project Update:
  - The Task Force meeting took place on 8/5 with a follow up meeting scheduled for 3 weeks out. The project is getting closer to completion, at which time it will be presented in a public meeting and to Borough Council.
- Park Master Planning Project Update:
  - Chester County Municipal Park & Trail Improvement Grant secured \$100,000
  - Notification received that our project has reached the appropriations committee through Representative Houlihan's office. We are one of 15 projects.
- Comprehensive Plan Update

- Official Map and Historic Commission/Resource Mapping
- Wildcats Park Usage Agreement is currently being crafted for presentation.

**NEW BUSINESS:**

Letter of Resignation received from Borough Council Member Lauren McDevitt was reviewed. The letter was submitted on July 22, 2024.

The following PA State Borough Codes are applicable:

**§ 901. Filling vacancies in elective borough offices.**

**(a) Vacancies.--**If any vacancy occurs in the office of the mayor, member of council, auditor, controller or tax collector, by death, resignation under subsection (a.1) or termination of residency from the borough, or from a ward in the case of a ward office, or by failure to take the required oath, to give bond as provided by law or ordinance or to provide the affidavit required under section 801 (relating to eligibility), or in any other manner whatsoever, the council shall fill the vacancy within 30 days by appointing, by resolution, a registered elector of the borough, or of the ward in the case of a ward office, to hold the office, if the term continues that long, until the first Monday in January after the first municipal election occurring more than 60 days after the vacancy occurs, at which election an eligible individual shall be elected to the office for the remainder of the term. Except as provided in section 801(c), no individual shall be appointed to fill a vacancy in an elected borough or ward office unless the individual has resided within the borough, or within the ward in the case of a ward office, continuously for at least one year immediately prior to the individual's appointment.

**(a.1) Vacancy by resignation.--**

(1) A vacancy shall not be created by a resignation until the date that the resignation is accepted by a majority vote of a quorum of council at a public meeting or the effective date of the tendered resignation, whichever is later. A council must accept a resignation no later than 45 days after it has been tendered in writing to council, unless it is withdrawn in writing prior to acceptance.

(2) A resignation which is not accepted as provided under paragraph (1) shall be deemed accepted after 45 days.

Mr. Prosser made a motion to accept the Resignation of Ms. McDevitt and Mr. Temme seconded the motion.

Motion Passed

Mr. Prosser made a motion to appoint Matthew Glass to fill the remaining portion of Ms. McDevitt's term on Borough Council and Mr. Temme seconded the motion.

Motion Passed

A discussion amongst council members took place regarding attendance and what governs an elected official's responsibility to be in attendance. Manager McCummings followed up with the Borough Solicitor and she provided the following feedback:

There is nothing in the Borough Code allowing removal for lack of attendance, at least not without an onerous process.

Section 904.1 of the Borough Code deals with removal of elected official and appointee and states:

- (a) Rule. – a borough officer who is elected or appointed to fill a vacancy in elective office may be removed from office as follows:
- (1) By impeachment.
  - (2) By the Governor for reasonable cause after notice and full hearing on the advice of two-thirds of the Senate.
  - (3) On conviction of misbehavior in office or of an infamous crime.

**MAYORS COMMENTS:**

Mayor Black wished the best of luck to the students returning locally to Avon Grove and those going off to college for the first time this fall.

**UPCOMING EVENTS:**

- **Public Safety Commission Meeting** – August 8, 2024, at 7:00pm at the West Grove Borough Municipal Building

**ADJOURNMENT:**

Mr. Temme made a motion and Mr. Prosser seconded to adjourn the meeting.

Motion Passed

Meeting adjourned at 7:55pm.

Respectfully submitted,



Gregory J. McCummings, Secretary