

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, January 10, 2023

7:00 PM

AGENDA

- I. Pledge of Allegiance/Moment of Silence
- II. Roll Call – Borough Manager
- III. Presentations
- IV. Public Participation
- V. Consent Agenda
 - A. Approval of the December 13, 2022 Regular Meeting Minutes.
 - B. Items from Historical and Architectural Review Board:
 - 1. Motion to approve the Certificate of Appropriateness for renovations at 260 Bridge Street as recommended by the HARB 5-0 per their Action Memo of January 4, 2023.
 - 2. Motion to approve the Certificate of Appropriateness for the demolition request for 177 Church Street as recommended by the HARB 5-0 per their Action Memo of January 4, 2023.
- VI. Communications/Council Participation
- VII. Mayor's Report
- VIII. Appointments/Public Resolutions
 - A. Call for Residents interested in being appointed to various Boards and Commissions.
- IX. New Business
 - A. Motion to approve an Emergency Medical Services Operating Agreement with TowerDIRECT, LLC.
 - B. Motion to approve a Lease Agreement with TowerDIRECT, LLC.
- X. Ordinances/Resolutions
 - A. Motion to adopt a Resolution acknowledging William Davidson for his service on the Borough Planning Commission and Human Relations Commission.
 - B. Motion to adopt a Resolution to Appoint and Provide for Firefighter Operations and Emergency Medical Services (EMS) to the Borough of Phoenixville.

- C. Motion to adopt an Ordinance amending Chapter 15 “Motor Vehicles and Traffic.”
- D. Motion to adopt an Ordinance to Reapportion the Borough’s Wards.

XI. Hearings

- A. Conditional Use
 - 1. Motion to recess the public meeting and re-open the hearing on the Conditional Use Application for Tommy’s Car Wash at the property located at 1000 Nutt Road.
 - 2. Motion to recess the public meeting and re-open the hearing on the Conditional Use Application for Starbucks drive-through at the property located at 1000 Nutt Road
 - 3. Motion to recess the public meeting and re-open the hearing on the Conditional Use Application for Clinton Weiler for an entertainment hall to be operated on the property located at 119 S. Main Street.

XII. Reports of Committees, Boards, and Commissions

- A. Planning Commission (Liaison - Moore)
- B. Historical Architectural (Liaison - Dugan)
- C. Regional Planning Committee (Liaison - Kirkner)
- D. Recreation Board (Liaison - Dugan)
- E. Beautification Advisory Commission (Liaison - Webb)
- F. Tree Advisory Commission (Liaison - Burckley)

XIII. Council Action referred from Council Committees

- A. Personnel and Public Safety Committee (**Burckley**, Webb, and Weiss)
 - 1. Motion to appoint Kevin Dwyer to the Planning Commission for the term expiring March 31, 2027. Recommended in Committee 3-0.
- B. Parks and Recreation Committee (**Moore**, Carminito, Dugan, Weiss)
 - 1. No Action to Report.
- C. Policy Committee (**Kirkner**, Burckley, and Ewald)
 - 1. No Action to Report.
- D. Infrastructure, Technology Transportation & Sustainability Committee - (**Weiss**, Burckley, Carminito, and Webb)

1. No Action to Report.

E. Finance Committee (**Dugan**, Ewald, Kirkner, and Moore)

1. No Action to Report.

XIV. Public Participation

XV. Communication/Council Participation

XVI. Staff Reports

A. Manager

B. Police

C. Fire

D. Planning and Codes

E. Public Works

F. Finance

G. Human Resources

XVII. Executive Session – Personnel, Real Estate and Litigation

XVIII. Adjournment

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, December 13, 2022

7:00 PM

MINUTES

I. Pledge of Allegiance/Moment of Silence

II. Roll Call – Borough Manager

Mr. Ewald, President	Present
Ms. Burckley, Vice President	Present
Mr. Carminito	Present
Ms. Dugan	Present
Mr. Moore	Present
Mr. Kirkner	Present
Ms. Webb	Present
Mr. Weiss	Present
Mayor Urscheler	Present
Mr. Krack, Borough Manager	Present
Ms. Getzfread, Asst. Borough Manager	Present
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

III. Presentations

A. FBI Law Enforcement Executive Development Association – Donna Stone and Leigh Pavoni to present the FBI Trilogy Award to Phoenixville Police Department.

Mayor Urscheler introduced Mr. Clark and provided the background on the department's completion of the program. He stated that Detective Sergeant Pat Mark is currently working to complete the program as well.

Mr. Mark Clark, Chief Operating Officer of the FBI Law Enforcement Executive Development Association, presented Chief Marshall and Lieutenants MacIntyre and Nemic with the Trilogy Award. Mr. Clark explained the program and congratulated the Police Department on their completion of the program. The Phoenixville Police Department is the first department in Pennsylvania to complete and receive the Trilogy Award. The Trilogy award is nationally recognized as a leadership program for critical career development.

IV. Public Participation

Mr. Ewald congratulated the Police Department on their acknowledgement from the Law Enforcement Executive Development Association. He stated prior to tonight's public participation we did want to let everyone know we would not be addressing or responding to any questions or comments regarding the Kindergarten Center property.

This is at the direction of our Solicitor because the school district has threatened the Borough with litigation.

Tom DeLuca, resident. He expressed his concerns about the condemnation of land in Fillmore Village. He asked the Council to reconsider the decision to take the land and connect Ashburn over to Township Line Road.

Judy Guinosso, resident. She read aloud a statement and asked the Council to reconsider the condemnation of Ashburn Road. She stated the HOA would be willing to compromise and have the road be for emergency services only. The neighborhood is full of young families and she encouraged the Council to drive through and see all the activity in Fillmore Village. She is concerned for the safety of the residents in the community.

Jane Dugdale, resident. She read aloud a statement regarding the Kindergarten Center and encouraged the Council to act to keep public lands in the hands of the public.

Bob Weber, resident. He stated it is unfortunate the school district is threatening the borough with litigation. He is concerned about how the development of the Kindergarten site will affect the neighborhood and while they were unsuccessful in getting party status through the courts, he still believes the sale can be undone and the property's best use is what the borough proposed for the site.

Marilyn Harvey, resident. She read aloud a statement on behalf of the Fillmore Village HOA. She is opposed to the condemnation of Ashburn. She presented options for the land, including a dog park or a road used only for emergency access.

Ralph Cockerham, resident. He expressed his opposition to the extension of Ashburn Road and stated he stands with his fellow residents of Fillmore Village who do not wish for the road to be connected to the Odessa project and Township Line Road.

David Lutzger, resident. He spoke in favor of the Borough obtaining the Kindergarten property for public use. He quoted from the Comprehensive Plan as it relates to the need for more open space and trail connections.

Lisa Longo, resident. She expressed her support of condemnation of the Kindergarten property. She stated that the school district threatening the Borough with litigation is insulting to her and to the Council members. She stated she spoke with a few attorneys and they believe the Borough could use grant funding to purchase the property and hopes PASD and the Borough can work together to keep the property as open space.

Andrew Kanowski, resident. He is the president of the HOA for Fillmore Village. He stated he hopes a decision that is for the common good of all the residents can be reached regarding Ashburn Road. Their community is full of young children and families whose safety has to be considered. He asked about the Fillmore Tunnel and if it could be repaired so that it can be used as access to Township Line Road and not

through Fillmore Village.

Steve Bazik, resident. He expressed his concerns over the flying of the Pride Flag at Borough hall. He would prefer it be on its own flag pole or that a flag honoring the military be flown instead.

Chris DeVol, resident. He expressed his thanks for being able to address the Council. He is sorry to hear the school district doesn't want you to dream. He hopes the Council can work together with the school district on the Kindergarten Property.

Jake Daly-Leonard. He expressed his concerns about the collection of taxes by Keystone Collections. He stated this is the only municipality that does not collect the taxes through your pay check or work directly with your mortgage company for the property taxes.

Emilyn Fox, resident. She hopes the Council can do the right thing to do what can be done to protect the Kindergarten property and to keep it as public open space.

Mark Connolly, Phoenixville Green Team. He thanked the Council and staff for their hard work. He hopes the Council can use eminent domain to take the property and apply for grants to make the Kindergarten space a public open space.

Bridget Anderson, resident. She echoed the sentiments of everyone to keep the Kindergarten Center as open space. She has concerns about future flooding should the property be developed as currently planned.

V. Consent Agenda

- A. Approval of the November 1, 2022 Regular Meeting Minutes and the December 6, 2022 Special Meeting Minutes.
- B. Items from Historical and Architectural Review Board:
 - 1. Motion to approve the Certificate of Appropriateness for a sign request for 30 Gay Street as recommended by the HARB 5-0 per their Action Memo of December 6, 2022.
 - 2. Motion to approve the Certificate of Appropriateness for a sign request for 249 Bridge Street as recommended by the HARB 5-0 per their Action Memo of December 6, 2022.
 - 3. Motion to approve the Certificate of Appropriateness to repair and replace the front door located at 119 South Main Street as recommended by the HARB 5-0 per their Action Memo of December 6, 2022.
 - 4. Motion to approve the Certificate of Appropriateness for renovations at 260 Bridge Street as recommended by the HARB 5-0 per their Action Memo of December 6, 2022.

C. Items from Finance Committee:

1. Motion to recommend Borough Council approve the 2022 Pre-Paid dated 10/1/2022 - 10/31/2022 in the amount of \$1,838.363.04. Recommended in Committee 4-0.
2. Motion to recommend Borough Council approve the 2022 Pre-Paid Credit Card Statement dated 10/1/2022 - 10/31/2022 in the amount of \$24,647.55. Recommended in Committee 4-0.
3. Motion to recommend Borough Council approve the 2022 Pre-Paid ACH dated 10/31/2022 in the amount of \$43,109.05. Recommended in Committee 4-0.
4. Motion to recommend Borough Council approve a Budget Transfer Request 2022-10 in the amount of \$7,250 Police Protection (Education Reimbursement) to Police Protection (Equipment Expense) for the purchase of four (4) rifles. Recommended in Committee 4-0.
5. Motion to recommend Borough Council adopt a Resolution eliminating member payments to the Police Pension Plan Fund for the Calendar Year 2023. Recommended in Committee 4-0.

D. Items from Parks and Recreation Committee:

1. Motion to approve a Temporary Community Event Application for the 3rd Annual Wishing on A Star Fundraiser on Saturday, May 6, 2023 at the Recreation Center from 10:00 am to 3:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured. Recommended in Committee 4-0.

Ms. Burckley made a Motion to approve the Consent Agenda. Seconded by Mr. Weiss.

Motion Approved 8-0.

VI. Communications/Council Participation

Ms. Burckley thanked the Firebird Committee, old and new, for a successful festival. Over 8,000 people attended the event. She thanked all of the Emergency Responders, Police and Borough Staff for their hard work to make the festival happen.

Mr. Moore thanked the Fire Department and first responders for their work on the fire in Westridge Gardens. It was a great coordinated effort and he was very impressed by their response.

Mr. Ewald addressed the questions about Keystone Collections and clarified that the Borough uses an elected Tax Collector. Keystone collections are appointed as Tax Collectors by the County.

Mr. Kirkner expressed his disappointment over the Arch Diocese's decision to close Sacred Heart Church. He stated the church had been assigned to St. Ann's and he is sad to see the church where he was married closed.

Mr. Ewald echoed Ms. Burckley's comments regarding the Firebird Festival, it's good to see the event back to full strength like in 2019. He thanked the staff and the volunteers for making this successful event happen.

VII. Mayor's Report

Mayor Urscheler reported on the joyous events in the Borough. He thanked the Borough staff, the Fire and Police Departments as well as the volunteers for making all of these events happen. He wished everyone here and watching via zoom and a very Happy and Healthy Holiday season.

VIII. Appointments/Public Resolutions

- A. Call for Residents interested in being appointed to various Boards and Commissions.

Mr. Ewald encouraged residents to continue to apply for openings on the various Boards and Commissions and stated openings can be found on the Borough's Website.

- B. Motion to appoint Leo Scoda as the Vacancy Board Chair with a term expiring on December 31, 2023.

Mr. Kirkner made a Motion to appoint Leo Scoda as Vacancy Board Chair with a term expiring on December 31, 2023. Seconded by Ms. Dugan.

Motion Approved 8-0.

IX. New Business

- A. Motion to approve a Fire Service Operating Agreement with Phoenix Hose, Hook and Ladder Company No. 1.

Ms. Burckley made a Motion to approve a Fire Service Operating Agreement with Phoenix Hose, Hook and Ladder Company No. 1. Seconded by Ms. Webb.

Mr. Ewald thanked the staff, the Solicitor, Chief Brazunas and the volunteer company for their hard work on the agreements.

Motion Approved 8-0.

- B. Motion to approve a Lease Agreement with Phoenix Hose, Hook and Ladder Company Number 1.

Ms. Burckley made a Motion to approve a Lease Agreement with Phoenix Hook, Hose, and Ladder No. 1. Seconded by Ms. Webb.

Mr. Ewald thanked everyone again for their hard work.

Motion Approved 8-0.

- C. Motion to approve an Agreement to Convey Real Estate with Phoenix Hose, Hook and Ladder Company Number 1.

Ms. Burckley made a Motion to approve an Agreement to Convey Real Estate with Phoenix, Hose, Hook and Ladder Company No. 1. Seconded by Ms. Webb.

Motion Approved 8-0.

- D. Motion to approve the purchase of a KME Custom Tractor Drawn Aerial (TDA) and further authorize Borough Council President, the Borough Solicitor, and Borough Manager to finalize and execute any and all documents and agreements necessary to complete such purchase. Recommended in Committee 4-0.

Ms. Burckley made a Motion to approve the purchase of a KME Custom Tractor Drawn Aerial (TDA) and further authorize the Borough Council President, the Borough Solicitor, and Borough Manager to finalize and execute any and all documents and agreements necessary to complete such purchase. Seconded by Mr. Weiss.

On the Question:

Mr. Krack explained the two purchasing options for the KME truck. The first being financing the purchase over a ten-year period. The interest rate would be 4.74% and the annual payment would be approximately \$166,000 a year. The second option is to buy it outright and self-finance the truck by utilizing Borough funds: \$500,000 from the General Fund, \$319,000 of Rate Stabilization Funding, \$285,000 from the sale of two other trucks currently in the Fire Fleet and using water funds in the amount of \$833,057 that the general fund would pay back to the water fund over a 5 year period in the amount of \$166,000. The self funding option would save the Borough \$458,000 of interest should we choose to finance the purchase. The recommendation of staff is to proceed with option two.

Mr. Ewald asked for confirmation of the two-year build time.

Mr. Krack explained it would be 30 months for the build and would allow the Borough to accumulate the funds for the payback of the water fund.

Mr. Moore asked how the use of the water fund money would draw down the available funds in water.

Mr. Krack explained that he has no concerns with the water fund balance and the capital projects the fund will still have \$1.9 million.

Mr. Denlinger confirmed the purchase of the vehicle was bid through the CoStars Program and does not require bidding at the Borough level.

Mr. Ewald stated that we should consider this before the end of the year as the cost of the truck will only increase.

Motion Approved 8-0.

- E. Motion to approve Staff recommendation to appoint TowerDIRECT as the Emergency Medical Services Provider for the Borough of Phoenixville and further authorize Borough Council President, the Borough Solicitor, and Borough Manager to finalize and execute any and all documents and agreements necessary to complete such appointment. Recommended in Committee 4-0.

Ms. Burckley made a Motion to approve Staff recommendation to appoint TowerDIRECT as the Emergency Medical Services Provider for the Borough of Phoenixville and further authorize Borough Council President, the Borough Solicitor, and Borough Manager to finalize and execute any and all documents and agreements necessary to complete such appointment. Seconded by Mr. Weiss.

On the Question:

Mr. Krack explained the RFP process used to make the selection of TowerDIRECT as the Emergency Medical Services Provider. He stated we received three responses, one from TowerDIRECT, Freedom Valley, and West End Fire/ Valley Forge Fire Company. The RFP from West End was the highest proposal received, leaving staff with the task of reviewing the proposals from Tower and Freedom Valley (the merger of Trappe and Limerick). While Freedom Valley was higher initially, they did agree to come to a rate comparable with that of Tower. Both providers are offering free subscriptions to every household in the Borough. The main differences between the two is that Tower is providing 1.5 units or 1 full and one half-time unit per day to the Borough, whereas Freedom Valley is only providing 1 unit to the Borough per day. The other significant concern staff had is that Freedom Valley is currently still building their fleet, which is quite old and we are the outlier for them as they seem to be more concentrated on the other side of the river. These are not issues we see with TowerDIRECT, so staff recommends the appointment of TowerDIRECT.

Mr. Ewald stated the provider will be housed at the new Fire Station on Paradise Street and by doing away with the subscription model, the residents will not be billed for ambulance services above what the insurance company pays.

Mr. Moore asked about the subscription model, as he has never used an ambulance service, would residents have to pay for the subscription?

Mr. Krack explained that when you use the services, a bill is created, the insurance company is billed and, sadly, at the end of the day there is a balance due. This would normally come to the person using the service. The company has agreed that they will not bill the customers the unpaid amount.

Mr. Kirkner asked about uninsured residents.

Mr. Brad Cosgrove, TowerDIRECT Chief. He clarified that uninsured individuals would not be billed. It would be considered a write-off.

Mr. Moore stated this is a significant increase compared to what was paid to Trappe, but in the evolution of emergency services, it is a necessary item that needs to be added to the budget.

Mr. Ewald explained we were not expecting this. Later tonight the tax levy is representative of the increase needed for EMS in the Borough.

Mr. Kirkner asked if this would hit the General Fund or the Fire Fund.

Mr. Krack clarified that it hits the Fire Fund Budget.

Motion Approved 8-0.

- F. Motion to recommend Borough Council adopt a Resolution approving the 2023 Master Schedule of Fees. Recommended in Committee 4-0.

Ms. Dugan made a Motion to adopt a Resolution approving the 2023 Master Schedule of Fees. Seconded by Mr. Weiss.

Motion Approved 8-0.

- G. Motion to approve the 2023 Budget. Recommended in Committee 3 – 1.
Ms. Dugan made a Motion to approve the 2023 Budget. Seconded by Mr. Weiss.

Motion Approved 8-0.

- H. Motion to schedule and advertise an Ordinance to Reapportion the Borough's Wards.

Mr. Ewald asked the consultants from Remington Vernick, the Borough's Engineer, to present the proposed Ward changes in the Borough.

Mr. Owen Hyne, Borough Engineer, along with Kevin Zelinsky and Nick Phelan from RVE's GIS Department explained the proposed changes to the Ward map. They explained the movement of the residents and boundary lines in each Ward and how the movement would affect the precincts in each Ward. They clarified

that polling places are not affected by the changes and they will remain as they are today.

Mr. Zelinsky explained the statutes in place for the reapportioning of the Wards and stated that they worked to make sure no community group or HOA was disenfranchised by the changes. He further clarified that the Ward option presented tonight does meet all the compliance requirements.

Mr. Phelan explained the Precinct movements and how each of the Wards and Precincts were balanced to meet the requirements. He stated that the polling places and current Council members were not affected by the proposed change.

Mr. Zelinsky explained the Ward numbers are based on the 2020 Census results and the Precincts are determined by the number of registered voters. They worked to keep a one-to-one balance or less than a 10 percent variation.

Mr. Ewald explained the Council did hold a special meeting on December 6, 2022 to go over the six (6) proposed options for the reapportion of the wards.

Mr. Hyne explained the final map has been prepared as described tonight and we have met the requirements, so you do have a working map to present to Chester County Voter Services.

Ms. Burckley made a Motion to schedule and advertise an Ordinance to Reapportion the Borough Wards. Seconded by Mr. Weiss.

On the Question:

Ms. Burckley thanked them for their work and for receiving our suggestions. This will be scheduled to be approved at the January 10, 2023 Meeting of Council.

Mr. Moore asked if the public would be able to comment on the Ordinance.

Mr. Ewald confirmed they would be able to comment at the January 10, 2023 meeting.

Mr. Moore stated that a portion of the North Ward is being added to the West Ward.

Mr. Ewald explained this does happen every 10 years and he would encourage the public to reach out to the Council if they have questions.

Mr. Krack explained the publishing of the Ordinance on the website.

Mr. Weiss stated he feels this is an improvement on what we currently have and is happy with the map presented tonight.

Mr. Ewald stated the only caveat is that this map works with the 2020 Census data. There are some developments that have occurred that are not included in this map.

Motion Approved 8-0.

- I. Motion to approve Staff's recommendation to authorize the Borough Solicitor to approve Tax Assessment Appeal Settlement Stipulations.

Mr. Weiss made a Motion to authorize the Borough Solicitor to approve Tax Assessment Appeal Settlement Stipulations. Seconded by Mr. Kirkner.

On the Question:

Mr. Denlinger provided the background. The Borough rarely appeals tax assessments. While the Borough is not an active participant, they are named in the appeal as they are a taxing body. He does monitor the situations and this will allow him to sign off on the agreements and bring any issues to the Council should the need arise.

Motion Approved 8-0.

- J. Motion to approve the Paradise Street of French Creek Bridge Inspection Report as recommended by the Borough Engineer.

Ms. Webb made a Motion to approve the Paradise Street over the French Creek Bridge Inspection Report. Seconded by Mr. Moore.

On the Question:

Mr. Moore asked how soon the bridge would be open for public use.

Mr. Krack explained the bridge use is tied to the dedication of Smithworks Blvd and he expects that would occur in 2024 after the construction of the homes and the apartment complex.

Motion Approved 8-0.

X. Ordinances/Resolutions

- A. Motion to adopt an Ordinance for the 2023 Tax Levy.

Mr. Weiss made a Motion to adopt an Ordinance for the 2023 Tax Levy. Seconded by Mr. Moore.

On the Question:

Mr. Krack explained the Tax Levy millage for 2023. He stated the 7.69 mills breaks down as 3.87 mills for the General Fund, 2.30 mills for the Fire Department and 1.52 mills for the Recreation Department.

Motion Approved 8-0.

- B. Motion to adopt an Ordinance to repeal and replace Chapter 23 "Stormwater Management."

Mr. Moore made a Motion to adopt an Ordinance to repeal and replace Chapter 23 "Stormwater Management". Seconded by Mr. Carminito.

Motion Approved 8-0.

- C. Motion to adopt a Resolution in support of the submission of a PA Small Water and Sewer Grant to the DCED Commonwealth Financing Authority for the High Service Pump Project.

Ms. Burckley made a Motion to adopt a Resolution in support of the submission of a PA Small Water and Sewer Grant. Seconded by Mr. Weiss.

Motion Approved 8-0.

XI. Hearings

A. Conditional Use

- 1. Motion to Consider the Conditional Use Application from Clinton Weiler for Fun Dungeon at the property located at 119 S. Main Street.

Mr. Kirkner made a Motion to recess the Public Meeting and open the Conditional Use Hearing for 119 Main Street Seconded by Ms. Burckley

Motion Approved 8-0.

Mr. Denlinger opened the Conditional Use Hearing at 8:40 pm.

Mr. Denlinger explained the process of the hearing and the location of the project requesting the Conditional Use.

Mr. Denlinger explained the hearing will be continued until January 10, 2023 at 7 pm, at which time the Council can render their decision.

Ms. Burckley made a Motion to recess the Conditional Use Hearing. Seconded by Mr. Weiss

Motion Approved 8-0.

Hearing recessed at 10:10 pm

2. Motion to Consider the Conditional Use Application from Nutt Road, LP for Starbucks at the property located at 1000 Nutt Road.

Ms. Webb made a Motion to recess the Public Meeting and open the Conditional Use Hearing for 1000 Nutt Road for Starbucks. Seconded by Mr. Weiss

Motion Approved 8-0

Mr. Denlinger opened the Conditional Use Hearing at 10:11 pm.

Mr. Denlinger explained the process of the hearing and the location of the project requesting the Conditional Use.

Mr. Denlinger explained the hearing will be continued until January 10, 2023 at 7 pm, at which time the Council can render their decision.

Ms. Burckley made a Motion to recess the Conditional Use Hearing. Seconded by Mr. Weiss.

Motion Approved 8-0.

Hearing recessed at 11:08 pm

3. Motion to Consider the Conditional Use Application from Nutt Road, LP for Tommy's Car Wash at the property located at 1000 Nutt Road.

Ms. Burckley made a Motion to recess the Public Meeting and open the Conditional Use Hearing for 1000 Nutt Road, Tommy's Car Wash. Seconded by Mr. Carminito.

Motion Approved 8-0.

Mr. Denlinger opened the Conditional Use Hearing at 8:58 pm.

Mr. Denlinger explained the process of the hearing and the location of the project requesting the Conditional Use.

Mr. Denlinger explained the hearing will be continued until January 10, 2023 at 7 pm, at which time the Council can render their decision.

Ms. Burckley made a Motion to recess the Conditional Use Hearing. Seconded by Mr. Carminito

Motion Approved 8-0.

Hearing recessed at 10:09 pm.

XII. Reports of Committees, Boards, and Commissions

A. Planning Commission (Liaison - Moore)

No Meeting, Nothing to Report.

B. Historical Architectural (Liaison - Dugan)

Nothing to Report.

C. Regional Planning Committee (Liaison - Kirkner)

Nothing to Report.

D. Recreation Board (Liaison - Dugan)

Ms. Dugan reported on upcoming events, including Family Night Out and a Blood Drive at the Recreation Center. She encourages the public to go to the Borough Website for up-to-date information on programs and events.

E. Beautification Advisory Commission (Liaison - Webb)

Nothing to Report.

F. Tree Advisory Commission (Liaison - Burckley)

Ms. Burckley reported on the November 19th volunteer tree planting done by residents and the Tree Advisory Commission.

XIII. Council Action referred from Council Committees

A. Police and Personnel Committee (**Burckley**, Webb, and Weiss)

B. Parks and Recreation Committee (**Moore**, Carminito, Dugan, Weiss)

C. Policy Committee (**Kirkner**, Burckley, and Ewald)

1. Motion to schedule and advertise an Ordinance amending Chapter 15 "Motor Vehicles and Traffic."

Mr. Kirkner made a Motion to schedule and advertise an Ordinance amending Chapter 15 "Motor Vehicles and Traffic". Seconded by Mer. Carminito.

Motion Approved 8-0.

D. Infrastructure, Technology Transportation & Sustainability Committee - (**Weiss**,

Burckley, Carminito, and Webb)

E. Finance Committee (**Dugan**, Ewald, Kirkner, and Moore)

1. Motion to recommend Borough Council award the Water Treatment Plant Intake Replacement project to Blooming Glenn Contractors, Inc. in the base bid total amount of \$1,604,155.00 per the Borough Engineer's recommendation. Recommended in Committee 4-0.

Ms. Dugan made a Motion to recommend the Borough Council award the Water Treatment Plant Intake Replacement project to Blooming Glenn Contractors, Inc. in the base bid total amount of \$1,604,155.00 per the Borough Engineer's recommendation. Seconded by Mr. Kirkner.

On the Question:

Mr. Moore asked about how this would affect the fund balance of the Water Department.

Mr. Ewald stated this project was already subtracted from the fund balance.

Motion Approved 8-0.

XIV. Public Participation

Lisa Longo, resident. She asked about the TDA Truck approved earlier, what is the total cost and what it is for. She expressed her concerns about appointing a for-profit company for services in the Borough. She spoke about the use of eminent domain and how it should be communicated to the constituents and that is why people don't trust local government.

Elizabeth Stevens, East Pikeland resident. She thanked the Council for approving her Wish on a Star community event earlier this evening. She stated she is looking to add a Motor Cycle run to the event.

XV. Communication/Council Participation

Mr. Ewald stated the KME TDA is a \$1.9 million dollar Tractor Drawn Aerial ladder truck and has better maneuverability on our smaller street. He stated we are currently with an outsourced company for EMS and this has no effect on jobs currently held in the Borough. He asked the applicant for the TCE to reach out to staff for their questions.

- A. Motion to cancel the remaining December Borough Council Committee Meetings and Recreation Board Meeting.

Mr. Carminito made a Motion to cancel the remaining December Borough Council Committee Meetings and Recreation Board Meeting. Seconded by Ms. Dugan.

Motion Approved 8-0.

- B. Consider scheduling and advertising the 2023 meetings of Borough Council and various Boards, Commissions, and Committees.

Ms. Burckley made a Motion to schedule and advertise the 2023 meeting of the Borough Council and various Boards, Commissions and Committees. Seconded by Mr. Weiss.

On the Question:

Mr. Ewald asked the Council to consider moving the meeting to a 6 pm start time. He doesn't want to make anything harder on the members.

Mr. Weiss stated we might be making this decision under duress based on the time now.

Mr. Krack explained we would have to advertise the meetings so they are not affected. If you were to change the meeting time of council, we could then advertise the change of time of the council meetings.

Mr. Weiss explained that people with young children might not be able to attend a 6 pm meeting.

Mr. Ewald was just making the suggestion and throwing it out there. It does not have to be approved tonight.

Ms. Burckley asked if any other meetings were being affected by a time change.

Mr. Ewald confirmed it would only be the Council.

Mr. Moore would like it to stay at 7pm.

Mr. Kirkner stated he agrees with Brian on a 7pm start time.

Ms. Burckley made a Motion to schedule and advertise. Seconded by Mr. Weiss.

Motion Approved 7-1. Ms. Dugan voting No.

XVI. Staff Reports

- A. Manager
- B. Police
- C. Fire
- D. Planning and Codes

E. Public Works

F. Finance

G. Human Resources

XVII. Executive Session – Real Estate, and Litigation

XVIII. Adjournment

11:23pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
December 2022

Borough of Phoenixville
Council, Authorities, Bureaus, Commissions, and Agencies

Planning Commission - 4 Year Term	Appointed	Reappointed	Term Expiration
Debra Johnston	August 12, 2014	March 10, 2020	March 31, 2024
Raffaello DiNapoli	February 14, 2017	April 13, 2021	March 31, 2025
Kristiaan Wiedegreen	July 14, 2015	March 10, 2020	March 31, 2024
Catherine Bianco	March 9, 2021		March 31, 2025
Joseph Sikora	March 8, 2022		March 31, 2026
Thomas Carnevale - Vice Chair	April 12, 2011	March 8, 2022	March 31, 2026
Vacant			March 21, 2023

Zoning Hearing Board - 5 Year Term	Appointed	Reappointed	Term Expiration
Kate Ward	January 14, 2020		January 31, 2023
Matthew Handley - Vice Chair	January 12, 2021		January 31, 2024
Maureen Ahearn	February 11, 2020		January 31, 2025
Bryan Emmanuel - Chair	April 10, 2018	January 12, 2021	January 31, 2026
Theresa Nowrey	September 14, 2021	January 11, 2022	January 31, 2027

Recreation Board - 4 YR Term	Appointed	Reappointed	Term Expiration
Kathy Gill	May 10, 2016	April 14, 2020	April 30, 2024
Robert House	October 11, 2022		April 30, 2024
Ed Lantzy	January 1, 2006	May 11, 2021	April 30, 2025
Shanlee Fisher	June 8, 2021		April 30, 2025
Janet Hunter	January 1, 2008	April 12, 2022	April 30, 2026
Allison Peffle	May 11, 2021	April 12, 2022	April 30, 2026
Dave Gill - Chair	May 10, 2010	April 9, 2019	April 30, 2023
Dana Dugan - Council Rep	April 27, 2010		N/A

HARB - 4 Year Term	Background	Appointed	Reappointed	Term Expiration
Brian Slater - Chair	Real Estate	September 11, 2007	August 11, 2020	August 31, 2024
William Felton	Registered Contractor	August 13, 2013	August 11, 2021	August 31, 2025
Dana Dugan	Borough Council			N/A
Vacant	Resident			August 31, 2025
Joel Bartlett	Architect		August 13, 2019	August 31, 2023
David Boelker	Borough			N/A
Catherine Bianco	Planning Commission	March 11, 2021		March 31, 2025

Beautification Advisory - 4 Year Term	Appointed	Reappointed	Term Expiration
Vacant			October 31, 2025
Tom Ransom	September 14, 2021		October 31, 2025
Jane Dugdale	October 13, 2020		October 31, 2024
Eric Schmidt - Vice Chair	September 10, 2013	August 11, 2020	October 31, 2024
Vincent Tavani	January 11, 2022		October 31, 2023
Michael Hill	September 10, 2013	October 8, 2019	October 31, 2023
Vacant			October 31, 2026

Borough Council - 4 Year Term	Appointed	Reappointed	Term Expiration
Beth Burckley - Vice President	January 2, 2018	January 3, 2022	January 5, 2026
James Carminito	January 3, 2022		January 5, 2026
Dana Dugan	January 4, 2010	January 3, 2022	January 5, 2026
Jonathan Ewald - President	January 4, 2016	January 6, 2020	January 2, 2024
Richard Kirkner	January 2, 2018	January 3, 2022	January 5, 2026
Brian Moore - Assistant Secretary	January 6, 2020		January 2, 2024
Jessie Webb	March 8, 2022		January 2, 2024
Brian Weiss	January 6, 2020		January 2, 2024
Peter Urscheler - Mayor	January 2, 2018	January 3, 2022	January 3, 2026

Civil Service Commission - 6 YR Term	Appointed	Reappointed	Term Expiration
Ethan Policastro - Chair	July 14, 2020	January 11, 2022	January 31, 2028
Amara Thornton-Brown - Vice Chair	July 14, 2020		January 31, 2024
Nicholas Kraynak - Secretary	July 14, 2020		January 31, 2026
Mari Wineburg - Alternate	September 14, 2021		January 31, 2026

Tree Advisory - 5 Year Term	Appointed	Reappointed	Term Expiration
Vacant			June 30, 2025
Susan Di Cerchio	July 12, 2022		June 30, 2027
Randall Morin	April 27, 2010	June 11, 2019	June 30, 2024
Travis Shaw	August 11, 2020		June 30, 2023
Mary Foote - Chair	July 9, 2019		June 30, 2026

Human Relations - 3 Year Term	Appointed	Reappointed	Term Expiration
Stephanie Covington	November 10, 2020		March 31, 2023
Vacant			March 31, 2023
Heather Bird	January 12, 2021	March 8, 2022	March 31, 2025
Rev. Lee Paczulla	March 8, 2022		March 31, 2025
Vacant			

Other Appointments	Appointed	Reappointed	Term Expires
Emergency Management Coordinator			
Karin Williams	January 1, 2015		N/A
Vacancy Board Chairman			
Leo Scoda			December 31, 2023

RESOLUTION 2023 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF WILLIAM DAVIDSON AS A MEMBER AND CHAIRMAN OF THE PLANNING COMMISSION AND MEMBER AND CHAIRMAN OF THE HUMAN RELATIONS COMMISSION FOR THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.

WHEREAS: William Davidson served diligently and honorably as a member and Chairman of the Planning Commission since April 14, 2015 and as a member and Chairman of the Human Relations Commission since November 13, 2018; and

WHEREAS: Mr. Davidson provided invaluable and dedicated service to the Phoenixville Planning Commission, Human Relations Commission, and Borough Council during those times; and

WHEREAS: Borough Council wishes to express its most sincere gratitude and appreciation to William Davidson for all of his efforts and commitment to the Borough in performing his numerous and dedicated responsibilities over the past seven and a half years.

NOW THEREFORE BE IT RESOLVED: By the Borough Council of the Borough of Phoenixville that William Davidson is recognized and publicly acknowledged for his commitment and efforts in performing his numerous duties and further does offer their best wishes in his future endeavors.

PASSED by Borough Council this 10th day of January, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 10th day of January, 2023.

By: _____
E. Jean Krack
Borough Manager/Secretary

RESOLUTION 2023 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

“Certification of Appointment of Fire and EMS Service Providers”

**A RESOLUTION TO CERTIFY THE DESIGNATION AND APPOINTMENT OF
FIREFIGHTER OPERATION AND EMERGENCY MEDICAL SERVICES (EMS)
PROVIDERS FOR THE BOROUGH OF PHOENIXVILLE**

WHEREAS, Phoenixville Borough Council operates pursuant to Chapter 7 “Fire and Emergency Services” of the Phoenixville Borough Code as amended on November 1, 2022 by Ordinance No. 2022-2356; and

WHEREAS, Pursuant to Ordinance § 1-601, the Phoenixville Police Department is a department within the municipal government of the Borough of Phoenixville established pursuant to Section 1202 of the Pennsylvania Borough Code, 8 Pa.C.S.A. § 1202, and authorized to provide policing services to the Borough of Phoenixville as the Borough police agency; and

WHEREAS, Pursuant to Ordinance § 7-301, the Phoenixville Fire Department is a department within the municipal government of the Borough of Phoenixville established pursuant to Section 1202 of the Pennsylvania Borough Code, 8 Pa.C.S.A. § 1202; and

WHEREAS, Pursuant to § 7-302, Phoenix Hose, Hook & Ladder Co., No. 1 is the Company chartered in the Borough and authorized to provide emergency services in the Borough and recognized as the official Fire Company of the Borough; and

WHEREAS, Pursuant to § 7-305, TowerDIRECT, LLC is the Emergency Medical Services Provider appointed by Borough Council to provide primary Emergency Medical Services to the Borough of Phoenixville; and

WHEREAS, the Board of Commissioners of the County of Chester has requested that the Borough of Phoenixville provide the County with a resolution outlining the methods and agencies chosen to fulfill the public safety needs of the Borough, for the efficient administration of the integrated emergency communications system of the Chester County Department of Emergency Services.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of Phoenixville, County of Chester, Commonwealth of Pennsylvania as follows:

1. **RESOLVED**, that the Phoenixville Police Department is the official police agency of the Borough of Phoenixville, and is authorized to provide policing services in the Borough.
2. **RESOLVED**, that Brian Marshall has been appointed as the Chief of Police for the

Borough of Phoenixville, and is the appropriate contact person between the Chester County Department of Emergency Services and the Phoenixville Police Department

3. **RESOLVED**, that Phoenix Hose, Hook & Ladder Co., No. 1 is the Company chartered in the Borough and authorized to provide emergency services in the Borough and recognized as the official Fire Company of the Borough, including but not limited to fire protection and rescue services, as more particularly detailed in the approved Fire Service Operating Agreement.
4. **RESOLVED**, that TowerDIRECT, LLC is appointed, effective January 1, 2023, to provide primary Emergency Medical Services to the Borough, including but not limited to basic life support (“BLS”) and advanced life support (“ALS”) services, as more particularly detailed in an approved Emergency Medical Services Operating Agreement.
5. **RESOLVED**, that Borough Council shall inform the Chester County Department of Emergency Services (the “Department”) upon the expiration or termination of such appointments, and may adopt subsequent Resolutions in order to inform the Department of substituted providers.
6. **RESOLVED**, that all appointed service providers herein, to the extent wishing to engage in authorized activities for worker’s compensation purposes, shall act pursuant to authorization of the Phoenixville Chief of Fire and Emergency Services (“Chief”). For dispatch calls, authorization shall be presumed. Otherwise, company/unit participation in training exercises or other activities which involve volunteers at any company (and may implicate insurance coverages) shall require prior authorization of the Chief.
7. **RESOLVED**, that Eamon Brazunas has been appointed as the Chief of Fire and Emergency Services for the Borough of Phoenixville, and is the appropriate contact person between the Chester County Department of Emergency Services and the Borough Fire Company and EMS Provider.
8. **RESOLVED**, that the Chief of Fire and Emergency Services for the Borough of Phoenixville will have the ability to utilize Automatic Vehicle Location services, along with designating mutual aid fire and EMS agencies (2nd due, 3rd due, 4th due and subsequent agencies) for Emergency Response Zones within the Borough of Phoenixville.
9. **RESOLVED**, that the Borough reviewed and revised, if necessary, and adopted the National Incident Management System as a common operating practice.

PASSED by Borough Council, this 10th day of January, 2023, by a vote of Yes____, No____, Abstain ____ in favor.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED, this 10th day of January, 2023.

By: _____
E. Jean Krack
Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Resolution duly adopted at a regular meeting of Borough Council held on the 10th day of January, 2023.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE NO 2023 -

BOROUGH OF PHOENIXVILLE CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE PHOENIXVILLE BOROUGH COUNCIL, CHESTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 15, “MOTOR VEHICLES AND TRAFFIC”, PART 2, “TRAFFIC REGULATIONS,” SECTION 15-213, “STOP INTERSECTIONS ESTABLISHED” AND PART 4, “GENERAL PARKING REGULATIONS”, SECTION 15-402, “PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS”; AND SECTION 15-403, “PARKING PROHIBITED IN CERTAIN LOCATIONS CERTAIN DAYS AND HOURS” OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE

The Council of the Borough of Phoenixville, Chester County, Pennsylvania hereby ORDAINS that:

SECTION 1.

Chapter 15, “Motor Vehicles and Traffic,” Part 2, “Traffic Regulations,” Section 15-213 “Stop Intersections Established,” is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

Stop Street	Intersecting or Through Street	Direction of Travel
<u>Mason Street</u>	<u>Wheatland Street</u>	<u>North</u>
<u>Wheatland Street</u>	<u>Mason Street</u>	<u>West</u>
<u>Wheatland Street</u>	<u>Bridge Street</u>	<u>South</u>
<u>Wheatland Street</u>	<u>Nutt Road</u>	<u>South</u>

SECTION 2.

Chapter 15, “Motor Vehicles and Traffic,” Part 4, “General Parking Regulations,” Section 15-402, “Parking Prohibited at All Times in Certain Locations” is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

Street	Side	Between
Main Street	West	<u>Beginning at a point 65</u> On the existing 25 MPH sign approximately 25 feet north of the northwest corner of Mill Street. A No

Parking Here to Corner sign shall be placed with the sign facing north.

SECTION 3.

Chapter 15, “Motor Vehicles and Traffic,” Part 4, “General Parking Regulations,” Section 15-403, “Parking Prohibited in Certain Locations Certain Days and Hours” is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

Street	Side	Between	Days	Hours
<u>Emmett Street</u>	<u>Both</u>	<u>Spring Lane and</u> <u>Dayton Street</u>	<u>Friday</u>	8:00 a.m. to <u>11:00 a.m.</u>

SECTION 4.

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or section hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, part or section thereof not been included herein.

SECTION 5.

All Ordinances or parts of Ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 6.

This Ordinance shall become effective upon enactment as provided by law.

PASSED by Borough Council this 10th day of January, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 10th day of January, 2023.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 10th day of January, 2023.

By: _____
E. Jean Krack, Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 10th day of January, 2023.

By: _____
E. Jean Krack, Borough Manager/Secretary

ORDINANCE NO. 2023 -
BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA

“Ward Reapportionment Ordinance”

AN ORDINANCE TO REAPPORTION THE BOROUGH’S WARDS BY ALTERING THE BOUNDARIES THEREOF TO COMPLY WITH THE PENNSYLVANIA MUNICIPAL APPORTIONMENT ACT, 53 PA.C.S.A. §901, *ET SEQ.* AND CHAPTER 6 OF THE PENNSYLVANIA BOROUGH CODE, 8 PA.C.S.A. §§601-606.1.

WHEREAS, in 2020, a National Census of the population of the United States of American was conducted, including but not limited to the population of the Borough of Phoenixville, Chester County, Pennsylvania (the “Borough”), the detailed results of which were received by the Borough in 2022; and

WHEREAS, the population of the entire Borough increased, with disproportionate growth experienced in each of the Borough’s four (4) Wards; and

WHEREAS, pursuant to the Pennsylvania Municipal Apportionment Act, 53 Pa.C.S.A. §901, *et seq.* (the “Act”) and Chapter 6 of the Pennsylvania Borough Code, 8 Pa.C.S.A. §§601-606.1 (the “Borough Code”) the Borough is required to maintain Wards with reasonably similar number of people and reapportion such Wards when necessary; and

WHEREAS, it appears that the Borough’s Wards should be reapportioned in order to maintain compliance with the Act and the Borough Code; and

WHEREAS, in accordance with the Act and the Borough Code, the Borough desires to reapportion its four (4) Wards in order to provide a reasonably similar number of people in each.

The Borough Council of Phoenixville Borough does hereby **ENACT** and **ORDAIN**:

SECTION I. - Numbering of Wards.

In accordance the Act and the Borough Code, the Borough hereby maintains the numbering of its Wards as follows:

- A. Ward 1 -- North
- B. Ward 2 -- West
- C. Ward 3 -- Middle
- D. Ward 4 -- East

SECTION II. - Reapportionment of Wards.

After considering the recommendations of the Borough Engineer and finding the proposed reapportioned Wards to be contiguous, compact and as equally populous as practicable, Borough Council hereby adopts the Official Ward & Precinct Map prepared by Remington & Vernick Engineers, Inc., dated October 13, 2022, and last revised December 13, 2022, which is made a part hereof and attached hereto as Exhibit “A”, and further adopts the description of the boundaries of the reapportioned Wards which is made a part hereof and attached hereto as Exhibit “B”.

SECTION III. - Publication and Distribution.

Borough Council directs Borough staff to make available for public consideration the map and description attached hereto as Exhibits “A” and “B”, which shall also be provided to the Chester County Board of Elections along with this Ordinance after adoption and publication hereof. Borough Council further directs Borough staff to advertise this Ordinance once in a newspaper of general circulation.

SECTION IV. - Authority to Complete Action.

Borough Council President, Borough Staff and the Borough Solicitor are hereby authorized to take any and all steps necessary and appropriate to carry out the provisions and purpose of this Ordinance, including but not limited to, signing and acknowledging any necessary documents, advertising this Ordinance, and forwarding a copy of this Ordinance to the Chester County Board of Elections.

SECTION V. - Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of Borough Council that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION VI. - Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VII. - Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED by the Borough Council of the Borough of Phoenixville, Chester County, Pennsylvania, this 10th day of January, 2023.

BOROUGH OF PHOENIXVILLE

By: _____
Jonathan M. Ewald, President
Borough Council

APPROVED by the Mayor this 10th day of January, 2023.

By: _____
Peter J. Urscheler, Mayor

ENACTED this 10th day of January, 2023.

By: _____
E. Jean Krack, Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 10th day of January, 2023.

By: _____
E. Jean Krack, Borough Manager/Secretary

EXHIBIT “A”
WARD AND PRECINCT MAP

General Notes and Data Sources:

This ward & election precinct boundary map is for demonstration purposes only, any use of this product with respect to accuracy and precision shall be the sole responsibility of the end user.

The areas, boundaries, and details, shown on this ward & election precinct boundary map, are referenced, in part, from ground surveys, aerial surveys and recorded plans, tax assessment maps and documents, and are to be used for ward/election precinct boundary purposes only.

The 2020 Census demographic data was obtained and provided by the U.S. Census Bureau: <http://www.census.gov/>.

Additional cadastral feature mapping data, such as, parcels, waterways, roadways, railroads, etc. was obtained from the Chester County GIS HUB.

All positions are based on the following:
- NAD 83 (horizontal datum)
- Pennsylvania South State Plane Coordinate System
- English units (feet)

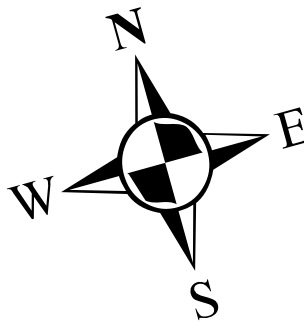
The geodetic accuracy and precision of the Geographic Information System (GIS) data contained in this mapping has not been developed nor verified by a professional licensed land surveyor and shall not be nor is intended to be used in matters requiring delineation and location of true ground horizontal and/or vertical controls.

All precinct mapping was prepared in compliance with Title 11 and Title 53 statutes and is the property of Phoenixville Borough and states the following: "Not for distribution, no reproduction without permission by Phoenixville Borough".

OFFICIAL WARD & VOTING PRECINCT MAP

in the
Borough of
Phoenixville
Chester County, Pennsylvania

DATE: OCTOBER 13, 2022
REVISED: DECEMBER 13, 2022



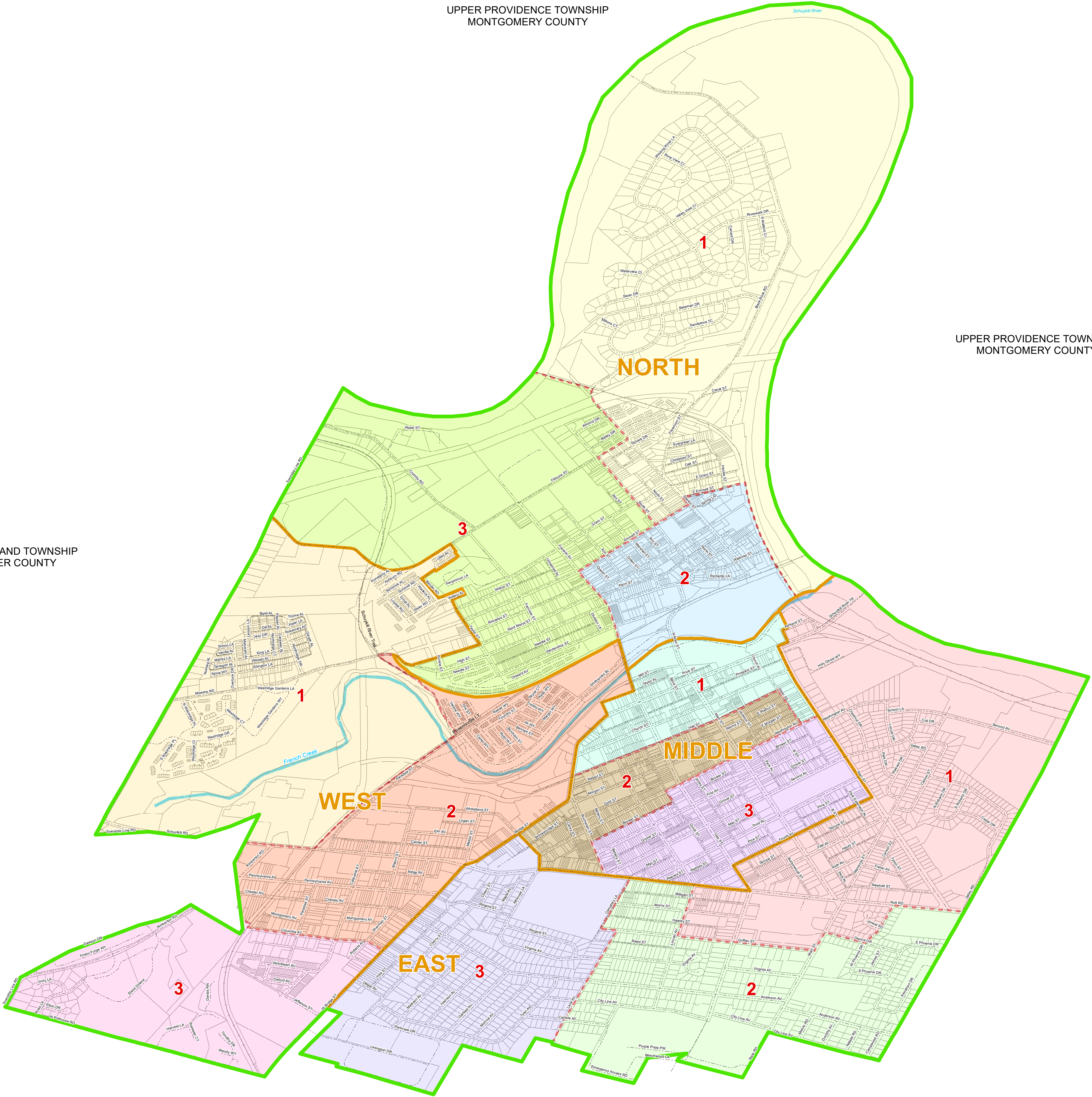
Legend

- Municipal Boundary
- Ward Boundaries

Ward, Precinct

- EAST, 1
- EAST, 2
- EAST, 3
- MIDDLE, 1
- MIDDLE, 2
- MIDDLE, 3
- NORTH, 1
- NORTH, 2
- NORTH, 3
- WEST, 1
- WEST, 2
- WEST, 3

- Parcels
- Railroads
- Road Centerlines
- Streams



Revised Ward and Precinct boundaries per the Borough	12/13/2022
REVISIONS	DATE



REMINGTON & VERNICK ENGINEERS
CROTON ROAD CORPORATE CENTER, SUITE 401
555 CROTON ROAD, KING OF PRUSSIA, PA 19406
(610) 940-1050, FAX (610) 640-1161, RVE.COM
Excellence • Innovation • Service

EXHIBIT “B”
LEGAL DESCRIPTION



BOROUGH OF PHOENIXVILLE

Descriptions of New Ward Boundaries

December 22, 2022

The following current data resources were provided by the Pennsylvania Spatial Data Access (PASDA) and the Chester County GIS HUB site: Stream centerlines; PENNDOT Street centerlines; parcels (2022); municipal boundaries (2021). This source data was utilized for the preparation of the ward district word description as stipulated under Title 53, Chapter 9; “Municipal Reapportionment” and Title 11, Chapter 104; “Creation and Division of Wards” and Act 320, Chapter 5; “Election Districts and Polling Places” for submission to Phoenixville Borough and Chester County, Pennsylvania.

The Borough of Phoenixville in the County of Chester in the Commonwealth of Pennsylvania is comprised of a total of Four (4) Wards. Due to population changes and other concerns documented during Census 2020, new boundaries for these wards are required to meet Title 11 and Title 53 statutory guidelines and the Borough’s current needs. The new boundaries for these wards are described herein.

Ward One - North

The Ward One - North of the Borough of Phoenixville shall include all of the territory and inhabitants thereof contained, in an area which is bounded and described as follows:

Beginning at a point where the physical centerline of Township Line Road, which is also the Borough of Phoenixville and the Township of East Pikeland, Chester County shared border, is intersected by the physical centerline of Fillmore Street;

Thence, Northeast, following along the physical centerline of Township Line Road, which is also the Borough of Phoenixville and the Township of East Pikeland, Chester County shared border, to its point of intersection with the centerline of the Schuylkill River (a waterway), which is also the Borough of Phoenixville, Chester County and the Township of Upper Providence, Montgomery County shared border;

Thence, Northeasterly then Southwesterly, various courses, following along the centerline of the Schuylkill River (a waterway), which is also the Borough of Phoenixville, Chester County and the Township of Upper Providence, Montgomery County shared border, crossing over the physical centerline of Black Rock Road (State Route 113), to its point of intersection with the centerline of French Creek (a waterway);

Thence, Southwesterly, various courses, following along the centerline of French Creek (a waterway), to its point of intersection with the physical centerline of Gay Street (State Route 113);

Continue, Northwest, following along the physical centerline of Gay Street (State Route 113), which transitions into the physical centerline of Franklin Avenue (State Route 113), to its point of intersection with the centerline of Conrail (formerly Phoenixville I.T. mainline) (a railroad);

Proceed, Southwesterly then Westerly, following along the centerline of Conrail (formerly Phoenixville I.T. line) (a railroad), following along the former centerline of a branch of the Phoenixville I.T. mainline) (a railroad), which is also parallel to the physical centerline of Onward Avenue, running behind the Townhomes at French Creek, to its point of intersection with the physical centerline of High Street;

Ward One - North (cont'd)

Thence, Southeast, following along the physical centerline of High Street, to its point of intersection with the physical centerline of Saint Mary's Street;

Thence, Northeast, following along the physical centerline of Saint Mary's Street, to its point of intersection with the physical centerline of Taylor Street;

Thence, Northwest, following along the physical centerline of Taylor Street, which transitions into the physical centerline of Sisler Road, to its point of intersection with the physical centerline of Rollins Alley;

Thence, Northeast then Northwest, following along the physical centerline of Rollins Alley, to its point of terminus, which is also at the end of the parking lot area;

Thence, Southwest, extending along from the end of the parking lot area, which is from the terminus of the physical centerline of Rollins Alley, running parallel to the physical centerline of Rollins Alley, behind the townhomes of Fillmore Village, to its point of intersection with the physical centerline of Sisler Road;

Thence, Southwesterly, following along the physical centerline of Sisler Road, to its point of intersection with the physical centerline of Bender Road;

Thence, Northwest, following along the physical centerline of Bender Road, to its point of intersection with the physical centerline of Utley Alley;

Thence, Northeasterly, following along the extended physical centerline of Utley Alley, to a point of intersection with the centerline of the concrete sidewalk, running behind the townhomes of Fillmore Village;

Continue, Northeasterly then Northwesterly, following along the centerline of the concrete sidewalk, running parallel to the physical centerline of Utley Alley, behind the townhomes of Fillmore Village, to its point of intersection again with the physical centerline of Utley Alley;

Proceed, Northwesterly, following along the extended physical centerline of Utley Alley, to its point of intersection with the physical centerline of Fillmore Street;

Thence, Westerly then Northwesterly, following along the physical centerline of Fillmore Street, crossing over the centerline of the Schuylkill River Trail, to a point where said border intersects the physical centerline of Township Line Road, which is also the Borough of Phoenixville and the Township of East Pikeland, Chester County shared border, which is also the point of beginning.

Ward Two - West

The Ward Two – West of the Borough of Phoenixville shall include all of the territory and inhabitants thereof contained, in an area which is bounded and described as follows:

Beginning at a point where the physical centerline of Township Line Road, which is also the Borough of Phoenixville and the Township of East Pikeland, Chester County shared border, is intersected by the physical centerline of Fillmore Street;

Ward Two – West (cont'd)

Thence, Southeasterly then Easterly then Northeasterly, following along the physical centerline of Fillmore Street, crossing over the centerline of the Schuylkill River Trail, to its point of intersection with the physical centerline of Utley Alley;

Thence, Southeast, following along the extended physical centerline of Utley Alley, to a point of intersection with the centerline of the concrete sidewalk, running behind the townhomes of Fillmore Village;

Thence, Southwest, following along the centerline of the concrete sidewalk, running parallel to the physical centerline of Utley Alley, behind the townhomes of Fillmore Village, to its point of intersection again with the physical centerline of Utley Alley;

Continue, Southwesterly, following along the physical centerline of Utley Alley, to its point of intersection with the physical centerline of Bender Road;

Turn, Southeast, following along the physical centerline of Bender Road, to its point of intersection with the physical centerline of Sisler Road;

Thence, Northeast, following along the physical centerline of Sisler Road, to a point intersecting the extend edge of the parking lot area, which is from the terminus of the physical centerline of Rollins Alley, running behind the townhomes of Fillmore Villages, to its point of intersection with the physical centerline of Rollins Alley;

Proceed, Southeast then Southwest, from the edge of the parking lot area, following along the physical centerline of Rollins Alley, in front of the townhomes of Fillmore Village, to its point of intersection with the physical centerline of Sisler Road;

Thence, Southeast, following along the physical centerline of Sisler Road, to its point of intersection with the physical centerline of Taylor Street;

Proceed, Southeast, following along the physical centerline of Taylor Street, to intersect the physical centerline of Saint Mary's Street;

Thence, Southwesterly, following along the physical centerline of Saint Mary's Street, to its point of intersection with the physical centerline of High Street;

Continue, Northwest, following along the physical centerline of High Street, to its point of intersection with the former centerline of a branch of the Phoenixville I.T. mainline) (a railroad);

Thence, Southeasterly, following along the former centerline of a branch of the Phoenixville I.T. mainline) (a railroad), to a point of intersection with the centerline of Conrail (formerly Phoenixville I.T. line) (a railroad);

Proceed, Easterly then Northeasterly, following along the centerline of Conrail (formerly Phoenixville I.T. line) (a railroad), which is also parallel to the physical centerline of Onward Avenue, running behind the Townhomes at French Creek, to its point of intersection with the physical centerline of Franklin Avenue (State Route 113);

Ward Two – West (cont'd)

Continue, Southeast, following along the physical centerline of Franklin Avenue (State Route 113), which transitions into the physical centerline of Gay Street (State Route 113), crossing over the centerline of French Creek (a waterway), to its point of intersection with the physical centerline of Taylor Alley;

Thence, Southwest then Southeast, following along the physical centerline of Taylor Alley, which travels through Taylor Alley Parking Lot #4, to its point of intersection with the physical centerline of Bridge Street (State Route 113);

Thence, Southwesterly, following along the physical centerline of Bridge Street (State Route 113), crossing over the physical centerline of Nutt Road (State Route 23), to its point of intersection with the physical centerline of W. Bridge Street (State Route 1019);

Continue, Southwesterly, following along the physical centerline of W. Bridge Street (State Route 1019), to a point where said border intersects the physical centerline of E. Pothouse Road (State Route 1036), which is also the Borough of Phoenixville and the Township of Schuylkill, Chester County shared border;

Proceed, Northeast, following along the physical centerline of E. Pothouse Road (State Route 1036), which transitions into the physical centerline of W. Pothouse Road (State Route 1036), which is also the Borough of Phoenixville and the Township of Schuylkill, Chester County shared border, to a point where said border intersects the physical centerline of Township Line Road (State Route 1038), which is also the Borough of Phoenixville and the Township of East Pikeland, Chester County shared border;

Thence, Northeast, following along the physical centerline of Township Line Road (State Route 1038), which is also the Borough of Phoenixville and the Township of East Pikeland, Chester County shared border, to its point of intersection with the physical centerline of Dawson Drive;

Continue, Northeasterly then Southwesterly, following the Borough of Phoenixville, Chester County border, which is also the physical centerline of Dawson Drive, to a point where said border intersects the physical centerline of Kimberton Road (State Route 113);

Proceed, Northeasterly then Southeasterly then Northerly then Southeasterly, following along the physical centerline of Kimberton Road (State Route 113), then crossing over the physical centerline of Kimberton Road (State Route 113) and then crossing over the physical centerline of Nutt Road (State Route 23), to its point of intersection with the physical centerline of Nutt Road (State Route 23), which is also the Borough of Phoenixville, Chester County border;

Thence, Westerly, following along the physical centerline of Nutt Road (State Route 23), which transitions into the physical centerline of Schuylkill Road (State Route 23), to its point of intersection with the physical centerline of Township Line Road;

Thence, Southwesterly then Northeasterly, following along the physical centerline of Township Line Road, which is also the Borough of Phoenixville and the Township of East Pikeland, Chester County shared border, to its point of intersection with the physical centerline of Fillmore Street, which is also the point of beginning.

Ward Three - Middle

The Ward Three – Middle of the Borough of Phoenixville shall include all of the territory and inhabitants thereof contained, in an area which is bounded and described as follows:

Beginning at a point where the centerline of the French Creek (a waterway) is intersected by the physical centerline of Gay Street (State Route 113);

Thence, Northeasterly, various courses, following along the centerline of the French Creek (a waterway), crossing over the physical centerline of Main Street, to its point of intersection with the extended physical centerline of access driveway to the Ashland Street public parking lot area;

Thence, Southeast, following along the extended physical centerline of access driveway to the Ashland Street public parking lot area, from the centerline of the French Creek (a waterway), to its point of intersection with the physical centerline of Ashland Street;

Thence, Southwest then Southeast, following along the physical centerline of Ashland Street, to its point of intersection with the physical centerline of Bridge Street (State Route 113);

Continue, Southwest, following along the physical centerline of Bridge Street (State Route 113), to its point of intersection with the physical centerline of Starr Street (State Route 29);

Proceed, Southeast, following along the physical centerline of Starr Street (State Route 29), to its point of intersection with the physical centerline of 4th Avenue;

Thence, Southwest, following along the physical centerline of 4th Avenue, to its point of intersection with the physical centerline of Gay Street;

Turn, Southeast, following along the physical centerline of Gay Street, to its point of intersection with the physical centerline of Nutt Road (State Route 23);

Continue, Northwest, following along the physical centerline of Nutt Road (State Route 23), to its point of intersection with the physical centerline of Wheatland Street;

Travel, North then Northwest, following along the physical centerline of Wheatland Street, to its point of intersection with the physical centerline of Bridge Street (State Route 113);

Ward Three – Middle (cont'd)

Thence, Northeasterly, various courses, following along the physical centerline of Bridge Street (State Route 113), to its point of intersection with the physical centerline of Taylor Alley;

Thence, Northwest then Northeast, following along the physical centerline of Taylor Alley, which travels through Taylor Alley Parking Lot #4, to its point of intersection with the physical centerline of Gay Street (State Route 113);

Thence, Northwest, following along the physical centerline of Gay Street (State Route 113), to its point of intersection with the centerline of the French Creek (a waterway), which is also the point of beginning.

Ward Four - East

The Ward Four – East of the Borough of Phoenixville shall include all of the territory and inhabitants thereof contained, in an area which is bounded and described as follows:

Beginning at a point where the physical centerline of W. Bridge Street (State Route 1019) is intersected by the Borough of Phoenixville and the Township of Schuylkill, Chester County shared border;

Thence, Northeast, following along the physical centerline of W. Bridge Street (State Route 1019), crossing over the physical centerline of Nutt Road (State Route 23), then transitioning into Bridge Street (State Route 113), to its point of intersection with the physical centerline of Wheatland Street;

Proceed, Southeast then Southwest, following along the physical centerline of Wheatland Street, to its point of intersection with the physical centerline of Nutt Road (State Route 23);

Thence, Southeast, following along the physical centerline of Nutt Road (State Route 23), to its point of intersection with the physical centerline of Gay Street;

Thence, North, following along the physical centerline of Gay Street, to its point of intersection with the physical centerline of 4th Avenue;

Continue, East, following along the physical centerline of 4th Avenue, to its point of intersection with the physical centerline of Starr Street (State Route 29);

Turn, Northeasterly, following along the physical centerline of Starr Street (State Route 29), to its point of intersection with the physical centerline of Bridge Street (State Route 113);

Thence, East, following along the physical centerline of Bridge Street (State Route 113), to its point of intersection with the physical centerline of Ashland Street;

Proceed, North then East, following along the physical centerline of Ashland Street, to its point of intersection with the physical centerline of access driveway to the Ashland Street public parking lot area;

Thence, Northerly, following along the extended physical centerline of access driveway to the Ashland Street public parking lot area, from the physical centerline of Ashland Street, to its point of intersection with the centerline of the French Creek (a waterway);

Proceed, Easterly, various courses, following along the centerline of the French Creek (a waterway), to its point of intersection with the centerline of the Schuylkill River (a waterway), which is also the Borough of Phoenixville, Chester County and the Township of Upper Providence, Montgomery County shared border;

Thence, Southeasterly, following along the centerline of the Schuylkill River (a waterway), which is also the Borough of Phoenixville, Chester County and the Township of Upper Providence, Montgomery County shared border, to its point of intersection with the Borough of Phoenixville and the Township of Schuylkill, Chester County shared border;

Continue, Southwesterly then Northwesterly, various courses, following along the Borough of Phoenixville and the Township of Schuylkill, Chester County shared border, to its point of intersection with the physical centerline of W. Bridge Street (State Route 1019), which is also the point of beginning.

The Borough of Phoenixville is currently located in Senate District Forty-four, House District Twenty-six, and Congressional District Six.

Personnel and Public Safety Committee Meeting
Tuesday, January 3, 2023
6:00 pm

MINUTES

Committee: Chairwoman, Ms. Burckley, Ms. Webb, and Mr. Weiss

Mayor Urscheler

Staff: Mr. Krack, Ms. Getzfread, Chief Marshall, Chief Brazunas, and Ms. Donato (as needed).

Chief Cosgrove – TowerDIRECT Ambulance

- I. Call to Order at 6:06 pm
- II. Presentations - None
- III. Committee Member Updates/Discussions - None
- IV. New Business

- A. Review Monthly Fire and Ambulance Reports.

Chief Brazunas reported on the transition from Freedom Valley to TowerDIRECT, on the relocating of the OEM to the new Fire House and feedback he's received on the use of Paradise Street by non-emergency vehicles.

Mr. Krack explained the process for dedication of the road and why the usage of the road is not enforceable.

- B. Consider request from Kevin Dwyer for appointment to the Planning Commission for the vacant term expiring March 31, 2023.

Mr. Dwyer introduced himself and explained why he is interested in being appointed to the Planning Commission.

Ms. Webb asked about his experience if any with Planning.

Mr. Dwyer explained he has an extensive background in government compliance and feels his knowledge will be a benefit to the Commission when reviewing proposed development.

Mr. Krack indicated the current vacancy term expires on March 31, 2023. He recommended if a Motion is made, that it include that the appointment go through March 31, 2027.

Mr. Weiss made a Motion to recommend Borough Council appoint Kevin Dwyer to the Planning Commission with a term expiring March 31, 2027. Seconded by Ms. Webb. Motion passed 3-0.

C. Review Traffic Calming Reports

Mr. Krack provided an update on the reports and indicated he is working with Staff to include them on the Borough's website.

Ms. Burckley asked whether the results of the reports was reported back to the residents. Mr. Krack stated he would discuss with the Police Chief.

D. Discussion regarding Committee Changes

Mr. Krack provided background on the merging of the Beautification Advisory Commission into the Park and Recreation Committee and potential name change of the latter. Committee agreed this is a good direction to go. Mr. Krack stated this would be on the Agenda for Parks and Recreation later this month.

V. Current Focus Business

- A. Community Policing
- B. Emergency Management.
- C. PXV Inside Out
- D. Downtown Shuttle.

Nothing new to report on the above four items.

VI. Public Participation - None

VII. Executive Session - Personnel

VIII. Adjournment at 6:27 pm by Mr. Weiss.

Next Meeting Date: Monday, February 6, 2023 at 6:00 pm.