

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, March 14, 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 February 14, 2023 Regular Meeting Minutes.
 - B. Items from Parks and Recreation Committee:
 - 1. Motion to approve a Temporary Community Event Application for Earth Festival at Reservoir Park on Saturday, April 22, 2023 from 10:00 am to 4:00 pm. Franklin Street above Fillmore and the Reservoir Parking Lot to be closed from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
 - 2. Motion to approve a Temporary Community Event Application for the Annual Dogwood Festival from May 17 through May 20, 2023 (6:00 pm to 10:00 pm Wed - Fri) and (12:00 Noon to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade, Franklin Avenue between Fillmore Street and Bridge Street, Grant Street between Fairview Street and Ann Street, and Main Street from Bridge Street to 5th Avenue at 11:00 pm to 2:00 pm on Saturday, May 20, 2023 for the parade. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
 - 3. Motion to approve a Temporary Community Event Application for Phoenixville Police Department National Night Out on Tuesday, August 1, 2023 from 6:00 pm to 9:00 pm at the Recreation Center Parking Lot at 501 Franklin Avenue.
 - 4. Motion to approve a Temporary Community Event Application for the Phoenixville Blues Festival in Reeves Park on Saturday, September 9, 2023 from 12:00 noon to 10:00 pm. Third Avenue closed between Main and B Street from 9:00 am to 12:00 midnight. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

5. Motion to approve a Temporary Community Event Application for the Phoenixville Green Earth Festival under the Veterans Memorial Gay Street Bridge and along the French Creek Trail on Saturday, September 23, 2023 from 9:00 am to 12:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
6. Motion to approve a Temporary Community Event Application for Movie in the Park at Reeves Park on Saturday, September 23, 2023 from 7:00 pm to 9:30 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.

C. Items from Finance Committee:

1. Motion to approve the 2022 Pre-Paid dated 1/1/2023 - 1/31/2023 in the amount of \$337,330.68.
2. Motion to approve the 2023 Pre-Paid dated 1/1/2023 - 1/31/2023 in the amount of \$1,880,622.94.
3. Motion to approve the 2022 Pre-Paid Credit Card Statement dated 1/1/2023 - 1/31/2023 in the amount of \$119,462.89.
4. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 1/1/2023 - 1/31/2023 in the amount of \$21,381.89.
5. Motion to approve the 2023 Pre-Paid ACH dated 1/31/2023 in the amount of \$41,669.62.
6. Motion to approve the acquisition of a recycling truck and a hook truck with separate leaf pickup, dump, and flatbed bodies.

D. Items from Personnel and Public Safety Committee:

1. Motion to approve the appointment of Jane Dugdale to the Tree Advisory Commission for the vacant term expiring June 30, 2025.
2. Motion to reappoint David Gill to the Recreation Board for a new term expiring April 30, 2027.

VI. Communications/Council Participation

VII. Mayor's Report

VIII. Appointments

- A. Call for Residents interested in being appointed to various Boards and Commissions. Current vacancies exist on the Zoning Hearing Board, Recreation Board, HARB, Tree Advisory Commission, and Human Relations Commission.

IX. New Business

- A. Review ZHB Application from 675 W. High Street requesting a Special Exception to change a non-conforming use of a building or structure from an automobile repair shop to another non-conforming use proposed to be a warehouse, storage and office space for a plumbing business and to determine whether to send the Borough Solicitor to the March 15, 2023 Zoning Hearing Board Meeting.
- B. Motion to award the 2023 chemical bid for Ammonium Sulfate to the next lowest responsible bidder Brenntag Northeast.
- C. Motion to approve the Civil Service Commission Resolution for Adoption dated March 6, 2023 which recommends changes to their Rules and Regulations.

X. Resolutions/Ordinances

- A. Motion to adopt a Resolution acknowledging Eric Schmidt for his service on the Beautification Advisory Commission.
- B. Motion to adopt a Resolution acknowledging Michael Hill for his service on the Beautification Advisory Commission.
- C. Motion to adopt a Resolution acknowledging Jane Dugdale for her service on the Beautification Advisory Commission.
- D. Motion to adopt a Resolution acknowledging Tom Ransom for his service on the Beautification Advisory Commission.
- E. Motion to adopt a Resolution acknowledging Vincent Tavani for his service on the Beautification Advisory Commission.
- F. Motion to adopt a Resolution acknowledging Shanlee Fisher for her service on the Recreation Board.
- G. Motion to adopt an Ordinance amending Chapter 6 Conduct - Part 4 Noise.

XI. Hearings

- A. Conditional Use
 - 1. Motion to recess the public meeting and open the hearing on the Conditional Use Application from Hardware Landlord, LP and Arnold Andersen for an Automobile Sales & Services (Pep Boys) at the property located at 700 Nutt Road, Suite 540.

XII. Reports of Committees, Boards, and Commissions

- A. Planning Commission - Mr. Moore
- B. Historical and Architectural Review Board – Ms. Dugan
- C. Phoenixville Regional Planning Committee – Mr Kirkner
- D. Recreation Board – Ms. Dugan

- E. Tree Advisory Commission – Ms. Burckley
- XIII. Council Action referred from:
 - A. Personnel and Public Safety Committee (**Burckley**, Webb, and Weiss)
 - B. Parks and Recreation Committee (**Moore**, Carminito, Dugan, Weiss)
 - C. Policy Committee (**Kirkner**, Burckley, and Ewald)
 - D. Infrastructure, Technology Transportation & Sustainability Committee - (**Weiss**, Burckley, Carminito, and Webb)
 - 1. Motion to approve the proposal for renovations at 218 Church Street subject to an easement agreement with the Borough and to a professional services agreement whereby the applicant agrees to cover the necessary legal costs and recording fees.
 - E. Finance Committee (**Dugan**, Ewald, Kirkner, and Moore)
- 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
 - H. Recreation
- XVII. Executive Session – Personnel, Real Estate and Litigation
- XVIII. Adjournment

Upcoming Meetings:

Parks and Recreation Committee	March 21 – 6:00 pm
Infrastructure Committee	March 21 – 7:00 pm
Finance Committee	March 28 – 6:00 pm
Policy Committee	March 28 – 7:00 pm
HARB	April 3 – 5:00 pm

Personnel/Public Safety Committee	April 3 – 6:00 pm
Tree Advisory Commission	April 3 – 7:00 pm
Borough Council	April 11 – 7:00 pm
Planning Commission	April 13 – 6:00 pm

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, February 14, 2023

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	Excused
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

Mr. Ewald stated that Council held an Executive Session before the meeting tonight to discuss Personnel and Litigation.

III. Presentations

A. Swearing in of Keith Bliss as Assistant Fire Chief - Council President

Chief Brazunas provided a background on Mr. Bliss and his experience as a Firefighter for Phoenix Hose, Hook and Ladder No 1, Spring City Fire Department and the Phoenixville Borough..

Mr. Ewald swore in Keith Bliss as Assistant Chief of the Phoenixville Fire Department.

B. Swearing in of Craig Lear as Assistant Fire Chief - Council President

Chief Brazunas provided a background on Mr. Lear and his experience as a Firefighter for Phoenix Hose, Hook and Ladder No 1 and Phoenixville Borough.

Mr. Ewald swore in Craig Lear as Assistant Chief of the Phoenixville Fire Department.

IV. Public Participation

Tom DeLuca, resident. He expressed his concerns about the Agenda publication and the

eminent domain item in tonight's Agenda for Hall Street. He feels the public should have more time to review it and asked that the item be considered at the next Council Meeting on March 14, 2023.

Theresa Mowry, resident. She stated she had concerns about a neighbor who has seven cars parked on E. Grant Street. She has knowledge that the cars are not in good working condition yet he has managed to have them stickered with a valid inspection.

Mr. Ewald stated the issue with the property and the vehicles would be a Police and/or Codes issue and asked that they work together to address it.

Dennis Fenstermacher, resident. He stated he watches his neighbors struggle to find parking on E. Grant Street and he feels his neighbors are suffering at the hands of one resident and his excessive vehicles.

V. Consent Agenda

A. Approval of the January 10, 2023 Regular Meeting Minutes.

B. Items from Historical and Architectural Review Board:

1. Motion to approve the Certificate of Appropriateness for the sign installation at 215 Bridge Street as recommended by the HARB 5-0 per their Action Memo of February 7, 2023.
2. Motion to approve the Certificate of Appropriateness for the sign installation at 323 Bridge Street as recommended by the HARB 5-0 per their Action Memo of February 7, 2023.

C. Items from Parks and Recreation Committee:

1. Motion to approve the Temporary Community Event Application for Molly Maguires St. Patrick's Community Celebration on Saturday, March 18, 2023 from 11:00 am to 10:00 pm. Main and Bridge Parking Lot to be closed from 7:00 am to 12:00 am. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
2. Motion to approve the Temporary Community Event Application for A Whole Lot of LuLu on Saturday, April 29, 2023 and Saturday, October 14, 2023 from 10:00 am to 4:00 pm on Main Street and the Bridge and Main Street Parking Lot. Main Street to be closed between Bridge Street and Church Street and the Parking Lot to be closed from 6:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
3. Motion to approve the Temporary Community Event Application for Relay for Life – Paint the Town Purple on Sunday, April 30, 2023 from 9:00 am to

3:00 pm in Reeves Park. Main Street to be closed between Second and Third Avenues between 7:30 am and 1:30 pm. Third Avenue to be closed between Main Street and Starr Street from 7:30 am to 3:30 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

4. Motion to approve the Temporary Community Event Application for the Chester County Pride Fest in the 100 and 200 Blocks of Bridge Street on Saturday, June 10, 2023 from 9:00 am to 6:00 pm. 100 and 200 Blocks of Bridge Street between Gay Street and Starr Street and the Bridge and Main Street Parking Lot to be closed from 9:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
5. Motion to approve the Temporary Community Event Application for Phoenixville Art Street Festival in the 100 and 200 Blocks of Bridge Street on Saturday, June 17, 2023 from 10:00 am to 5:00 pm. Bridge Street between Gay Street and Starr Street to be closed from 8:00 am to 6:30 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
6. Motion to approve the Temporary Community Event Application for the Juneteenth Celebration in the 200 Block of Bridge Street and the Bridge and Main Street Parking Lot on Sunday, June 18, 2023 from 2:00 pm to 6:00 pm. The 200 Block of Bridge Street between Gay Street and Main Street and Bridge and Main Street Parking Lot to be closed from 10:00 am to 8:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
7. Motion to approve the Temporary Community Event Application for Blobfest 2023 on Friday, July 14 from 7:00 pm to 9:00 pm and Saturday, July 15, 2023 in the 100 and 200 Blocks of Bridge Street and the Bridge and Main Street Parking Lot on Saturday, July 15, 2023 from 11:00 am to 5:00 pm. Bridge Street to be closed on July 14, 2023 from 7:00 pm to 9:00 pm between Starr Street and Gay Street. Bridge Street and Bridge and Main Street Parking Lot to be closed on July 15, 2023 from 11:00 am to 5:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
8. Motion to approve the Temporary Community Event Application for WuFF Jam 2023 on Saturday, September 16, 2023 from 11:00 am to 5:00 pm in Reeves Park. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
9. Motion to award the 2023 Independence Day Celebration fireworks contract to D&M Fireworks in the amount of \$11,000 scheduled for Sunday, July 2, 2023.

D. Items from Finance Committee:

1. Motion to recommend Borough Council approve the 2022 Pre-Paid dated 11/1/2022 - 11/30/2022 in the amount of \$1,327,599.25.
 2. Motion to recommend Borough Council approve the 2022 Pre-Paid dated 12/1/2022 - 12/31/2022 in the amount of \$1,652,472.98.
 3. Motion to recommend Borough Council approve the 2022 Pre-Paid Credit Card Statement dated 11/1/2022 - 11/30/2022 in the amount of \$31,008.40.
 4. Motion to recommend Borough Council approve the 2022 Pre-Paid Credit Card Statement dated 12/1/2022 - 12/31/2022 in the amount of \$88,674.62.
 5. Motion to recommend Borough Council approve the 2022 Pre-Paid ACH dated 11/30/2022 in the amount of \$1,751,009.86.
 6. Motion to recommend Borough Council approve the 2022 Pre-Paid ACH dated 12/31/2022 in the amount of \$42,953.09.
 7. Motion to recommend Borough Council approve the Staff recommendation authorizing the Finance Director to make the necessary end of year adjustments and to provide a listing of those adjustments to the Finance Committee and the Borough's Auditor.
 8. Motion to recommend Borough Council approve the Staff recommendation for suggested Accounts Receivable write-offs – 2023.
 9. Motion to recommend Borough Council approve the Budget Increase 2023-02 in the amount of \$4,295 from General Fund Balance to IT/Communications (Equipment) to replace the damaged AV controller used for Borough hybrid meeting presentations.
 10. Motion to recommend Borough Council approve the Budget Increase 2023-03 in the amount of \$125,000 from General Fund Balance to Legislative (Stormwater Management Feasibility Study) for Engineering Services to conduct the Phoenixville Drainage Study.
- Mr. Weiss made a Motion to approve the Consent Agenda. Seconded by Mr. Kirkner.

Motion Approved 8-0.

VI. Communications/Council Participation

Mr. Ewald reported on the issues with the County and the update to the Ward and Precinct maps. He stated they were presented on time but not adopted by the County for the 2023 Primary Election. Residents will continue to vote in their current Wards and Precincts. Residents can visit the Borough website and social media for updates on the voting process. He shared that PXV-NEO successfully processed their first batch of Hydro-Char.

Mr. Moore paid tribute to the late Bill Davidson. He shared Bill's support of the Phoenixville Community and read aloud the Obituary issued by his family which included his co-founding of Our Night Out and his service to the Borough on the Human Relations and Planning Commissions.

Ms. Burckley expressed her condolences to the Davidson Family and shared the many efforts Bill spearheaded and his numerous contributions to the Phoenixville Community.

Mr. Ewald spoke of Mr. Davidson's belief in the revitalization of the Borough when he moved here and purchased a home. He stated he was an absolute delight, a good friend and he sadly passed tragically quick.

Mr. Krack stated he had the pleasure of working with Bill, he was a dear friend and he single-handedly helped guide the Planning Commission. He had amazing resolve and incredible leadership that benefitted so many in the Borough.

VII. Mayor's Report

Mayor Urscheler expressed his condolences on the passing of his friend Bill Davidson and stated he filled the world with love. He reported the Borough would be celebrating it 174 Anniversary on March 6, 2023 and on upcoming events including the annual Down to the Heart benefiting Ann's Heart and there mission to help those in need.

VIII. Appointments

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

Current vacancies exist on the Zoning Hearing Board, HARB, Tree Advisory Commission, Recreation Board, and Human Relations Commission

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.

IX. New Business

- A. Motion to approve the Cooperative Employment Agreement with the Phoenixville Communities That Care for the period January 1 to June 30, 2023.

Ms. Dugan made a Motion to approve the Cooperative Employment Agreement with the Phoenixville Communities That Care for the period of January 1 to June 30, 2023. Seconded by Mr. Weiss.

Motion Approved 8-0.

- B. Motion to authorize Borough Staff and the Borough solicitor to take the necessary

actions to effectuate the termination of the Main Pool and Chemical (MP&C) contract for the provision of ammonium sulfate.

Ms. Burckley made a Motion to authorize the Borough Staff and the Borough Solicitor to take the necessary actions to effectuate the termination of the Main Pool and Chemical (MP&C) contract for the provision of ammonium sulfate. Seconded by Ms. Webb.

On the Question:

Mr. Denlinger explained the background on the termination and the procedure that needs to be taken to procure the needed supplies from the next lowest bidder.

Motion Approved 8-0.

- C. Motion to approve a Park Improvement and Use Agreement between the Borough of Phoenixville and the Ruckets Corporation at Veterans Park.

Ms. Burckley made a Motion to approve a Park Improvement and Use Agreement between the Borough of Phoenixville and the Ruckets Corporation at Veterans Park. Seconded by Mr. Weiss.

On the Question:

Mr. Krack explained the background of the agreement and the contribution from the Ruckets (Rugby and Cricket) Organization to install lighting at Veterans Park. The lights will benefit the rugby and cricket teams as well as our own Recreation Department, by having a lighted field in the Borough. The agreement is for seven years and there are no conflicts with their use of the field and our recreation programs.

Mr. Kirkner asked if the Solicitor had reviewed the agreement and it passed muster.

Mr. Denlinger confirmed he had prepared the agreement.

Mr. Moore stated the Council approved doing this last year and included discussion on the installing of the lights on the field. The agreement references a number of exhibits and his only concern is that they were not in the packet.

Mr. Krack shared the exhibits on the screen and he explained the pole placement and the lighting layout. There are two near the Westridge Development and showed the area those poles will light on the field and the possible light they could see would be the far light pole from the Westridge development.

Mr. Moore asked about the spray of light coming from the fixtures.

Mr. Krack explained the filters that would be placed on the lights and how the heads would be angled to light the field.

Mr. Denlinger stated the foot candles were provided and they meet the industry standard for lighting and how it affects adjacent properties.

Mr. Moore asked about the use of the field that was included in the agreement with the Ruckets Corporation.

Mr. Krack explained the schedule for the Borough, rugby and the cricket teams.

Mr. Moore asked if the Recreation Department was in agreement with the schedule submitted.

Mr. Krack stated he received the schedule from Ms. Gibbons.

Motion approved 8-0.

X. Ordinances/Resolutions

- A. Motion to adopt a Resolution acknowledging Kate Ward for her service on the Borough Zoning Hearing Board.

Ms. Webb made a Motion to approve a Resolution acknowledging Kate Ward for her service on the Zoning Hearing Board. Seconded by Ms. Burckley.

Motion Approved 8-0.

Mr. Ewald read the Resolution aloud for the record.

- B. Motion to adopt a Resolution acknowledging Matthew Handley for his service on the Borough Zoning Hearing Board.

Ms. Webb made a Motion to approve a Resolution acknowledging Matthew Handley for his service on the Zoning Hearing Board. Seconded by Ms. Burckley.

Motion Approved 8-0.

Mr. Ewald read the Resolution aloud for the record.

- C. Motion to adopt a Resolution for the sale and disposition of personal property, a 2007 and a 2008 Chevrolet Impala, each valued above \$2,000.00 pursuant to Section 1201.2 of the Borough Code.

Ms. Webb made a Motion to adopt a Resolution for sale and disposition of personal property, a 2007 and a 2008 Chevrolet Impala, each valued above \$2,000.00 pursuant to Section 1201.2 of the Borough Code. Seconded by Ms. Burckley.

Motion Approved 7-0. Ms. Dugan out of the room.

- D. Motion to adopt a Resolution for the emergency procurement of ammonium sulfate for the Borough's Water Plant.

Ms. Burckley made a Motion to adopt a Resolution for the emergency procurement of ammonium sulfate for the Borough's Water Plant. Seconded by Mr. Weiss.

Motion Approved 7-0. Ms. Dugan out of the room.

- E. Motion to approve a 425 Bridge Street Condemnation Stipulation Agreement, more particularly identified as Chester County UPI No. 15-9-91.1, between the Borough of Phoenixville and M&B Partners, LLC.

Mr. Weiss made a Motion to approve a 425 Bridge Street Condemnation Stipulation Agreement, more particularly identified as Chester County UPI No. 15-9-91.1, between the Borough of Phoenixville and M&B Partners, LLC. Seconded by Ms. Webb.

Motion Approved 6-0-1. Ms. Dugan out of the room. Ms. Burckley abstained due to conflict of interest.

- F. Motion to adopt an Ordinance Authorizing the Condemnation, by Eminent Domain, a portion of the Real Property Located at Chester County UPI No. 15-9-91.1 for Municipal Purposes.

Ms. Webb made a Motion to adopt an Ordinance Authorizing the Condemnation, by Eminent Domain, a portion of the Real Property Located at Chester County UPI No. 15-9-91.1 for Municipal Purposes. Seconded by Mr. Weiss.

On the Question:

Mr. Denlinger stated the Ordinance was duly advertised in the Pottstown Mercury.

Motion Approved 7-0-1. Ms. Burckley abstained due to conflict of interest.

XI. Hearings

A. Conditional Use

- 1. Motion to recess the public meeting and re-open the hearing on the Conditional Use Application for Clinton Weiler on an entertainment hall to be operated on the property located at 119 S. Main Street.

Mr. Weiss made a Motion to recess the public meeting and re-open the Conditional Use Hearing for 119 S. Main Street. Seconded by Mr. Carminito.

Motion Approved 8-0.

The hearing opened at 7:59 pm.

Mr. Denlinger explained the history of the hearings that were held in December and January. This is the continuation of hearing on the record tonight and at the time the hearing is closed. He asked Mr. Weiler if he has any closing statements.

Mr. Weiler confirmed he did not have any closing statements.

Mr. Denlinger asked Mr. Kajak if he had any closing statements.

Mr. Kajak indicated he did not.

Ms. Burckley made a Motion to close the Conditional Use Hearing and reopen the public meeting. Seconded by Mr. Weiss

Motion Approved 8-0.

The hearing closed at 8:01 pm.

2. Motion to approve/deny Conditional Use Application of Clinton Weiler for an entertainment hall to be operated on the property located at 119 S. Main Street.

Ms. Burckley made a Motion to approve the Conditional Use Application of Clinton Weiler for an entertainment hall to be operated on the property located at 119 S. Main Street with the conditions set forth in the approval. Seconded by Ms. Webb.

Motion Approved 8-0.

Mr. Denlinger indicated the applicant and parties to the hearing would receive copies of the order and conditions. The letters will be sent on February 15, 2023 from the Borough offices.

3. Motion to recess the public meeting and open the hearing on the Conditional Use Application from Hardware Landlord, LP and Arnold Andersen for an Automobile Sales & Services (Pep Boys) at the property located at 700 Nutt Road, Suite 540. This item is tabled and will be revisited after the appropriate advertising has been completed.***

XII. Reports of Committees, Boards, and Commissions

A. Planning Commission - Mr. Moore

B. Historical and Architectural Review Board – Ms. Dugan

1. Motion to approve the Certificate of Appropriateness for the addition at 193-197 Bridge Street as recommended by the HARB 4-0-1 per their Action

Memo of February 7, 2023.

Mr. Weiss made a Motion to approve the Certificate of Appropriateness for the addition at 193-197 Bridge Street. Seconded by Ms. Burckley.

On the Question:

Mr. Ewald asked for clarification that HARB is the first step and the project would need to go through the planning process.

Mr. Denlinger stated he is not familiar with the project. However, if this project falls under the SALDO requirements, it will go before the Planning Commission.

Mr. Krack further clarified the motion tonight has nothing to do with subdivision or land planning approval, it is for the approval of the proposed facade of the building only.

Ms. Dugan stated she missed the first meeting that this project was submitted to HARB. Upon reviewing the information, it appears they are adding another story to this building. She stated her concerns about allowing the addition of upper floors as it takes away from the historic look of the downtown and will set a bad precedent if the Council allows this construction.

Mr. Moore asked if HARB addresses the building height in the downtown.

Mr. Ewald stated the Borough Zoning Ordinance addresses the height of buildings, not our Historical Architectural Review Board.

Mr. Weiss asked whether it is a consideration as it relates to the height of the other buildings around the site, not to the historic preservation of any specific building? You can't have one building that is considerably higher than the others in the surrounding area.

Ms. Burckley asked if the height is part of the HARB approval or if that would occur in the Zoning process?

Mr. Ewald stated the items covered in this evening's potential approval relate to things like the facade, windows and other exterior changes to the building itself.

Ms. Dugan asked why the project went through HARB first.

Mr. Krack explained that the HARB process is less expensive and it gives a developer an opportunity to see if the facade is approvable before spending more money on the design and engineering of the building for review by the

Planning Commission.

Mr. Kirkner expressed concerns about the use of vinyl siding on a historic brick building downtown and it's a bad precedent.

Mr. Ewald clarified that the facade on the front of the building is not vinyl but Hardy Board cement siding. It holds up a lot better than vinyl, but he didn't look to see if the rear of building was vinyl.

Mr. Kirkner stated the rear of the building is vinyl siding.

Mr. Moore asked what the discussion on the project was at HARB.

Ms. Dugan stated that the discussion was that HARB did not feel they could deny it.

Mr. Kirkner stated that it looks like siding to him.

Mr. Ewald agreed on the look of vinyl but that the material is a cement siding.

Mr. Carminito explained the Hardy Board material is actually three times more expensive than vinyl siding.

Mr. Weiss asked if the Council is permitted to judge this on our personal preference for the materials being used.

Mr. Ewald stated this is really the only time when we can judge the aesthetic of a project.

Mr. Denlinger stated it should be judged on the design features, not whether you like it or not, but if it fits the historical features of the building.

Mr. Weiss asked that if it fits the HARB guidelines but I really don't like it, I am bound by the rules of HARB for its approval.

Mr. Moore asked about the rendering on page five of the submission. He asked if there is a different facing material to use or could you use brick versus the Hardy Board.

Mr. Zur stated the reason they went with the Hardy Board versus brick is that it would be almost impossible to match the existing brick with new brick.

Mr. Moore asked for further clarification.

Mr. Zur stated they would never be able to match the facade of the adjacent

building at 193 Bridge Street. Any attempt would make the newer section stand out more.

Mr. Kirkner stated it looks like a siding pattern.

Mr. Zur clarified it is the same material that is currently on 191 Bridge Street and it is a HARB approved material.

Mr. Kirkner stated it may be an approved material, but do we want something that looks like siding on a downtown building?

Mr. Zur did state the building would be stepped back and would not be easily visible from the street level.

Mr. Kirkner asked how far back it would be set back.

Mr. Zur stated it would be stepped back approximately two feet and from the corner another 12 inches or so.

Mr. Denlinger stated the Council would be acting in a quasi-judicial capacity and we do need to act on this tonight.

Mr. Moore presented a final observation that the downtown does have a very eclectic mix of facades with different textures. If it were a solid brick downtown, I would have a bigger concern about the material.

Mr. Kirkner expressed issue with topping historic buildings with a more modern design and do we want to see something like this on other buildings downtown. He feels the intention of the HARB is to preserve the historical look of the downtown.

Mr. Weiss expressed this is why he asked the earlier question about personal taste as it relates to the design of this building and plausible reasons to deny the application.

Mr. Denlinger stated that is an issue that could be discussed in the Executive Session.

Mr. Weiss made a Motion to Recess the public meeting to Executive Session. Seconded by Ms. Burckley.

Motion Approved 8-0.

The Public Meeting recessed at 8:24 pm.

Mr. Weiss made a Motion to reopen the Public Meeting. Seconded by Ms.

Burckley

Motion Approved 8-0.

The meeting resumed at 8:29 pm.

Mr. Ewald called for the vote on the Motion for the application of 193-197 Bridge Street.

Motion Approved 6-2. Ms. Dugan and Mr. Kirkner voting No.

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Nothing to Report.

D. Recreation Board – Ms. Dugan

Ms. Dugan provided an update on the programs at the Recreation Department, including Shining Knights Chess Club, Flag Football, Table Tennis and Ultimate Frisbee.

E. Tree Advisory Commission – Ms. Burckley

Ms. Burckley reported on the upcoming planting for the Tree Advisory Commission and there is still a vacancy on the commission for those residents interested in applying.

XIII. Council Action referred from Council Committees

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

1. Motion to authorize the Borough of Phoenixville Civil Service Commission to begin the process of developing an Eligibility List for Patrolman for the Phoenixville Police Department.

Ms. Burckley made a Motion to authorize the Borough of Phoenixville Civil Service Commission to begin the process of developing an Eligibility List for Patrolman for the Phoenixville Police Department. Seconded by Mr. Weiss.

Motion Approved 8-0.

2. Motion to appoint Jonathan Steitzer for appointment to the TAC for the vacant term expiring June 30, 2025 or the ZHB for the vacant term expiring January 31, 2024 or 2028.

Ms. Burckley made a Motion to appoint Jonathan Steitzer for appointment to the ZHB for the vacant term expiring January 31, 2028. Seconded by Ms. Webb.

Motion Approved 8-0.

3. Motion to adopt a Resolution appointing Jonathan Steitzer to the Zoning Hearing Board for a new term expiring January 31, 2028.
Ms. Burckley made a Motion to adopt a Resolution appointing Jonathan Steitzer to the Zoning Hearing Board. Seconded by Mr. Weiss.

Motion Approved 8-0.

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

1. No Action to Report.

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

1. Motion to schedule and advertise an Ordinance amending Ordinance - Chapter 6 Conduct - Part 4 Noise.

Mr. Kirkner made a Motion to schedule and advertise an Ordinance amending Ordinance- Chapter 6 Conduct- Part 4 Noise. Seconded by Ms. Burckley.

Motion Approved 8-0.

D. Infrastructure, Technology Transportation & Sustainability Committee - (**Weiss**, Burckley, Carminito, and Webb)

1. No Action to Report.

Mr. Weiss stated the Ribbon Cutting for PXV- NEO will hopefully be in March or April.

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

1. Any item removed from Consent Agenda.

XIV. Public Participation

None.

XV. Communication/Council Participation

None.

XVI. Staff Reports

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

- E. Public Works
- F. Finance
- G. Human Resources
- H. Recreation

XVII. Executive Session –Personnel, Real Estate and Litigation

XVIII. Adjournment

8:38 pm. Ms. Burckley made a Motion to Adjourn to Executive Session to discuss Real Estate and Litigation. Seconded by Mr. Weiss

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
February 2023

3/10/2023

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 - Vice Chair	March 9, 2021		March 31, 2025
Joseph Sikora	March 8, 2022		March 31, 2026
Thomas Carnevale - Chairman	April 12, 2011	March 8, 2022	March 31, 2026
Kevin Dwyer	January 10, 2023		March 21, 2027

Zoning Hearing Board - 5 Year Term	Appointed	Reappointed	Term Expiration
Jonathan Seitzer	February 14, 2023		January 31, 2028
Vacant			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
Vacant			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	Appointed	Reappointed	Term Expiration
Brian Slater - Chair - Real Estate	September 11, 2007	August 11, 2020	August 31, 2024
William Felton - 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 Staff			N/A
Catherine Bianco - Planning Comm	March 11, 2021		March 31, 2025

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
Vacant			March 31, 2026
Vacant			March 31, 2026
Heather Bird	January 12, 2021	March 8, 2022	March 31, 2025
Rev. Lee Paczulla	March 8, 2022		March 31, 2025
Vacant			March 31, 2024

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

NOTICE

Notice is hereby given that on March 15, 2023, at 7:00 p.m., the Borough of Phoenixville Zoning Hearing Board will hold a public hearing to consider Applicant Thomas A. Messere's request for a special exception in accordance with Zoning Ordinance § 27-706.5 to change a non-conforming use of a building or structure from an automobile repair shop to another non-conforming use proposed to be a warehouse, storage and office space for a plumbing business. The subject property is located at 675 W. High Street, UPI No. 15-4-37, which is in the Borough's Residential Infill (R-I) Zoning District.

The hearing will be held in person at the Phoenixville Borough Hall, 351 Bridge Street, Phoenixville, PA 19460. A copy of the application may be examined at the Borough Hall without charge or obtained for a charge not greater than the copying cost thereof. If you wish to attend the hearing and are a person with a disability requiring an auxiliary aide, service, or other accommodation to participate or attend the hearing, please contact the Borough Office (610-933-8801) to discuss how the Borough can best accommodate your needs.

Eric M. Brown, Esquire
Solicitor, Borough of Phoenixville Zoning
Hearing Board

Chemical Bids
Borough of Phoenixville
BID SUMMARY

	Shannon Chemical 602 Jeffers Circle # 116 Exton, PA 19341	Coyne Chemical 3015 State Road Croydon PA 19021-6962	Chemtrade Chemicals US LLC 90 E Harlsey Road Parsippany NJ 07054	USALCO Baltimore Plant LLC. 2601 Cannery Ave Baltimore MD 21226	Brenntag Northeast 81 West Huller Lane Reading PA 19605	Univar Solutions 200 Dean Sievers Place Morrisville, PA 19067	Carus Corp. 315 Fifth Street P.O.Box 599 Peru IL 61354	CHEMRITE 5202 Belle Wood Ct Buford GA 30518	Main Pool and Chemical Co. 110 Commerce Road. Dupont PA 18641
2021 Chemicals									
1. Liquidated Alum Sulfate - 45,000 Gal									
Unit Price	N/B	N/B	\$ 1.4418	\$ 1.2290	N/B	N/B	N/B	N/B	N/B
Total Bid	N/B	N/B	\$ 64,881.00	\$ 55,305.00	N/B	N/B	N/B	N/B	N/B
2. Fluosilic Acid - 1200 Gal									
Unit Price	\$ 4.07	\$ 5.0758	N/B	N/B	\$ 4.1250	\$ 3.93	N/B	N/B	\$ 3.96
Total Bid	\$ 4,884.00	\$ 6,090.96	N/B	N/B	\$ 4,950.00	\$ 4,716.00	N/B	N/B	\$ 4,752.00
3. Potassium Prmanganate 55.125 LB Pails - 80									
Unit Price	\$ 151.51	\$ 111.4200	N/B	N/B	\$ 111.00	\$ 125.89	N/B	\$ 124.01	\$ 97.55
Total Bid	\$ 12,120.80	\$ 8,913.60	N/B	N/B	\$ 8,880.00	\$ 10,071.20	N/B	\$ 9,920.80	\$ 7,804.00
4. Zinc Orthophosphate -8 Tons									
Unit Price	\$ 3,677.77	\$4,270.9534	N/B	N/B	N/B	N/B	\$ 3,900.00	N/B	N/B
Total Bid	\$ 29,422.16	\$ 34,167.63	N/B	N/B	N/B	N/B	\$ 31,200.00	N/B	N/B
5. Hydrated Lime-1 Ton Lots									
Unit Price	N/B	\$ 780.9677	N/B	N/B	\$ 700.00	\$ 575.00	N/B	N/B	\$ 590.00
Total Bid	N/B	\$ 780.9677	N/B	N/B	\$ 700.00	\$ 575.00	N/B	N/B	\$ 590.00
6. Soda Ash - 38 (Ton)									
Unit Price	N/B	\$ 988.6111	N/B	N/B	\$ 962.35	\$ 832.71	N/B	N/B	\$ 648.00
Total Bid	N/B	\$ 37,567.22	N/B	N/B	\$ 36,569.30	\$ 31,622.46	N/B	N/B	\$ 24,624.00
7. Ammonium Sulfate - 10 (Ton)									
Unit Price	N/B	\$1,495.1500	N/B	N/B	\$ 1,289.75	\$ 1,980.00	N/B	N/B	\$ 1,088.00
Total Bid	N/B	\$ 14,951.50	N/B	N/B	\$ 12,897.50	\$ 19,800.00	N/B	N/B	\$ 10,880.00
8. Brine Salt - 60 (Ton)									
Unit Price	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B
Total Bid	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B
Non-collusion	yes	yes	yes	yes	yes	yes	yes	yes	yes
Bid Security	bond	bond	bond	bond	bond	bond	bond	bond	bond

CHAPTER 11. RESOLUTION FOR ADOPTION

The foregoing Rules and Regulations, which are in accordance with powers granted by the Civil Service section of the PA Borough Code, enacted by General Assembly of the Commonwealth of Pennsylvania and in accordance with the authority granted by the municipal governing body of the Borough of Phoenixville, Chester County Pennsylvania, are hereby adopted by the Civil Service Commission of Phoenixville, Pennsylvania and shall be effective upon final approval by Borough Council.

Attached is Addendum A which includes the language change for CSC Rules and Regulations

Date: 3-6-23

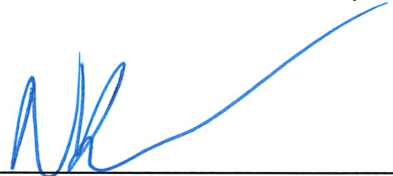
By: Phoenixville Borough Civil Service Commission



Chairperson



Vice-Chairperson



Secretary

Approved by the Borough Council of the Borough of Phoenixville, Pennsylvania on:

DATE: _____

Municipal Secretary

Borough of Phoenixville

President

Phoenixville Borough Council

NAK ATB

Addendum A

Changing the language of the CSC rules and regulations.

“Section 3.5 General Qualifications & Penalty for False Statements – All Applicants

Every applicant for any position in the police department or fire department shall possess a diploma from an accredited high school or a graduate equivalency diploma. In addition, every applicant must be a United States citizen, be physically and mentally fit to perform the full duties of their positions, and, prior to appointment, possess a valid motor vehicle operator’s license issued by the Commonwealth of Pennsylvania. To be eligible **to** apply for a position in the police department, an applicant must have satisfactorily completed **or must be currently enrolled in** a Pennsylvania Act 120 approved Police Academy training curriculum and may be required to qualify (after instruction) with a police issue firearm. ***Any conditional offer of employment to a candidate currently enrolled in a Pennsylvania Act 120 approved Police Academy training curriculum would also be contingent on the enrolled candidate successfully graduating and providing proof of Act 120 certification from the Municipal Police Officers’ Education and Training Commission.”***

RESOLUTION 2023 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF ERIC SCHMIDT AS A
MEMBER OF THE BEAUTIFICATION ADVISORY COMMISSION FOR THE BOROUGH
OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.**

WHEREAS: Eric Schmidt served diligently and honorably as an original member and Vice Chairman of the Beautification Advisory Commission since September 10, 2013; and

WHEREAS: Mr. Schmidt provided invaluable and dedicated service to the Phoenixville Beautification Advisory Commission and Borough Council during that time; and

WHEREAS: Borough Council wishes to express its most sincere gratitude and appreciation to Eric Schmidt for all of his efforts and commitment to the Borough in performing his dedicated responsibilities over the past year.

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

PASSED by Borough Council this 14th day of March, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of March, 2023.

By: _____
E. Jean Krack
Borough Manger/Secretary

RESOLUTION 2023 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF MICHAEL HILL AS A
MEMBER OF THE BEAUTIFICATION ADVISORY COMMISSION FOR THE BOROUGH
OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.**

WHEREAS: Michael Hill served diligently and honorably as an original member of the Beautification Advisory Commission since September 10, 2013; and

WHEREAS: Mr. Hill provided invaluable and dedicated service to the Phoenixville Beautification Advisory Commission and Borough Council during that time; and

WHEREAS: Borough Council wishes to express its most sincere gratitude and appreciation to Michael Hill for all of his efforts and commitment to the Borough in performing his dedicated responsibilities over the past year.

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

PASSED by Borough Council this 14th day of March, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of March, 2023.

By: _____
E. Jean Krack
Borough Manger/Secretary

RESOLUTION 2023 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF JANE DUGDALE AS
A MEMBER OF THE BEAUTIFICATION ADVISORY COMMISSION FOR THE
BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.**

WHEREAS: Jane Dugdale served diligently and honorably as a member of the Beautification Advisory Commission since October 13, 2020; and

WHEREAS: Ms. Dugdale provided invaluable and dedicated service to the Phoenixville Beautification Advisory Commission and Borough Council during that time; and

WHEREAS: Borough Council wishes to express its most sincere gratitude and appreciation to Jane Dugdale for all of her efforts and commitment to the Borough in performing her dedicated responsibilities over the past three years.

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

PASSED by Borough Council this 14th day of March, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of March, 2023.

By: _____
E. Jean Krack
Borough Manger/Secretary

RESOLUTION 2023 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF TOM RANSOM AS A
MEMBER OF THE BEAUTIFICATION ADVISORY COMMISSION FOR THE BOROUGH
OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.**

WHEREAS: Tom Ransom served diligently and honorably as a member of the Beautification Advisory Commission since September 14, 2021; and

WHEREAS: Mr. Ransom provided invaluable and dedicated service to the Phoenixville Beautification Advisory Commission and Borough Council during that time; and

WHEREAS: Borough Council wishes to express its most sincere gratitude and appreciation to Tom Ransom for all of his efforts and commitment to the Borough in performing his dedicated responsibilities over the past two years.

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

PASSED by Borough Council this 14th day of March, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of March, 2023.

By: _____
E. Jean Krack
Borough Manger/Secretary

RESOLUTION 2023 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF VINCENT TAVANI AS
A MEMBER OF THE BEAUTIFICATION ADVISORY COMMISSION FOR THE
BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.**

WHEREAS: Vincent Tavani served diligently and honorably as a member of the Beautification Advisory Commission since January 11, 2022; and

WHEREAS: Mr. Tavani provided invaluable and dedicated service to the Phoenixville Beautification Advisory Commission and Borough Council during that time; and

WHEREAS: Borough Council wishes to express its most sincere gratitude and appreciation to Vincent Tavani for all of his efforts and commitment to the Borough in performing his dedicated responsibilities over the past year.

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

PASSED by Borough Council this 14th day of March, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of March, 2023.

By: _____
E. Jean Krack
Borough Manger/Secretary

RESOLUTION 2023 -

BOROUGH OF PHOENIXVILLE

A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF SHANLEE FISHER AS A MEMBER OF THE RECREATION BOARD FOR THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.

WHEREAS: Shanlee Fisher served diligently and honorably as a Member of the Phoenixville Recreation Board since June 8, 2021; and

WHEREAS: Ms. Fisher provided an invaluable service to the Phoenixville Recreation Board during that time; and

WHEREAS: Borough Council wishes to express its thanks and full appreciation to Shanlee Fisher for all of her efforts and commitment to the Recreation Board while performing her duties.

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

PASSED by Borough Council this 14th day of March, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of March, 2023.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE NO. 2023 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 6 “CONDUCT”, PART 4 “NOISE” 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 6, Part 4 “Noise” of the Code of Ordinances of the Borough of Phoenixville is hereby
amended to repeal and replace the text in Chapter 6, Part 4 “Noise” with the following:

§ 6-401 Purpose and Scope.

The purpose and scope of this chapter is to ensure that public health, safety and welfare shall not
be abridged by the making or creating of public nuisances from disturbing or excessive noises in
the Borough of Phoenixville and to protect the physical, mental and social well-being of the
residents of the Borough by prohibiting such noise and/or sound. Although it is recognized that
in present society certain amounts of noise are unavoidable, the citizens of the Borough are
entitled to be protected from unnecessary disturbance, annoyance or injury from sound.

§ 6-402 Definitions.

For the purpose of this chapter, the following words, terms and phrases shall have the meanings
indicated herein:

BOROUGH

The Borough of Phoenixville.

NOISE

Any sound emitted by a person, group of persons, an appliance, equipment, instrument or
other device, object or animal.

PERSON

Any individual, association, trust, partnership or corporation, including any members,
directors, officers, employees, partners or principals thereof. Whenever used in any
clause prescribing and imposing a penalty, "person" includes the members, trustees,
partners, directors, officers, managers and supervisors, or any of them, of partnerships,
associations, corporations or other forms of entity.

UNREASONABLE NOISE

Noise that is above and beyond the ordinary noises associated with the appropriate and customary uses of the particular forum in which the sound is made, taking into account the time of day, day of week, location, and/or other relevant factors, and such noise is of such a volume, frequency, pattern, or duration, that it prevents, disrupts, injures, or endangers the health, safety, welfare, comfort or repose of reasonable persons of ordinary sensitivities within the Borough of Phoenixville.

§ 6-403 Prohibited Acts.

1. General Prohibition. It shall be unlawful for any person to make or cause to be made unreasonable noise, or to allow any unreasonable noise to be caused or made on any real or personal property occupied or controlled by that person within the limits of the Borough of Phoenixville, except as otherwise permitted in this chapter.
2. Specific Prohibitions. The following are specifically prohibited, except as otherwise permitted in this chapter:
 - A. No person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, cassette player, sound amplifier or similar device which produces, reproduces or amplifies sound in such manner as to cause unreasonable noise.
 - B. No person shall operate or permit the operation of any tools or equipment used in construction operations, drilling or demolition or other work or in the sweeping of parking lots in Residential District and in areas adjacent to Residential Districts between the hours of 9:00 p.m. of one day and 7:00 a.m. of the following day on weekdays and Saturdays or at any time on Sundays or legal holidays such that the sound therefrom creates unreasonable noise.
 - C. No person shall operate or permit the operation of any electrically powered saw, drill, sander, grinder, lawn or garden tool, snowblower or similar device used outdoors between the hours of 9:00 p.m. of one day and 7:00 a.m. of the following day so as to create unreasonable noise.
 - D. No person shall load, open, close or otherwise handle boxes, crates, containers, building materials, garbage cans or other objects between the hours of 9:00 p.m. of one day and 7:00 a.m. of the following day in such a manner as to create unreasonable noise. This subsection shall not apply to municipal or utility services in or about the public right-of-way.

- E. No person shall offer for sale or sell by shouting or outcry or by any other amplified or unamplified sound, except between the hours of 8:00 a.m. of one day and 6:00 p.m. of the same day.
 - F. No person shall remove or render inoperative, other than for purposes of maintenance, repair, replacement or other work, any muffler or sound-dissipative device or element of design or noise label of any product; intentionally move or render inaccurate or inoperative any sound-monitoring instrument or other device positioned by or for the Borough or other governmental entity, provided that such device or the immediate area is clearly labeled or posted to warn of the potential illegality; or use a product which has had a muffler or sound-dissipative device or element of design or noise label removed or rendered inoperative with knowledge or reason to know that such action has occurred.
 - G. No person shall repair, rebuild or test or otherwise work on any motorcycle or other motor vehicle, motorboat or aircraft in such a manner as to create unreasonable noise.
 - H. No person shall create such other noise as might pose a danger to the public health, safety or welfare of the Borough or otherwise constitute a nuisance in fact.
 - I. No person, including, without limitation, a pedestrian, shall make, continue or cause to be made or continued any noise which creates or causes unreasonable noise.
 - J. No person shall own, possess, harbor or control any animal which howls, barks, meows, squawks or makes other sounds continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for 30 minutes or more to the disturbance of any person at any time of the day or night, regardless of whether the animal or bird is situated in or upon private property; provided, however, that at the time the animal or bird is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated or for any other cause which teased or provoked the animal or bird.
 - K. No person shall operate a motorcycle, truck, automobile or other motor vehicle in such a manner as to cause unreasonable noise.
3. Most-Restrictive Provisions to Apply. Where any two or more provisions of these sound-performance standards apply to any sound source, the most-restrictive section shall be applicable to that source.

§ 6-404 **Exemptions.**

1. The following noises are exempted from the provisions above:
 - A. Band concerts, carnivals, fireworks, or other performances or similar activities publicly or privately sponsored and presented in any public or private space outdoors which are approved by Borough Council as a Temporary Community Event (TCE), provided that such activities do not occur between 10:00 p.m. on one day and 10:00 a.m. on the following day.
 - B. Noises caused by the performance of emergency work or by the ordinary and accepted use of emergency apparatus and equipment.
 - C. Noises resulting from the provision, repair and maintenance of municipal/governmental facilities, services or public spaces, open spaces, or utilities.
 - D. Noises created by organized school-related programs, activities, athletic and entertainment events or other public programs, activities or events, other than motor vehicle racing events.
 - E. Noises made by warning devices operating continuously for three minutes or less, except that, in the event of an actual emergency, the limitation shall not apply.
 - F. Noises made by bells, chimes, or carillons used for religious purposes or in conjunction with national celebrations or public holidays; existing bells, chimes and carillons or any other clock strike mechanism currently in use for any purpose.

Provided: the provisions of this Section shall not be applicable to any public parade or to the celebration of any public event for which a permit has been issued by the Borough, or to the sounding of bells or sirens or other noises made by the fire fighters, police officers or ambulance drivers in the Borough, in the performance of their duties.

§ 6-405 **Penalty for Violation.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

§ 6-405 **Special Relief.**

A temporary waiver from strict compliance with this Part may be granted for:

1. Emergencies as determined by the Borough Manager to protect the health, safety and welfare or to comply with other laws, regulations, or ordinances; and
2. Special events as approved by Borough Council or its designee, upon the filing of a written request with the Borough Manager, together with such information as the Borough may reasonably require to determine whether such relief is appropriate.

Section 2: Officer Authorization. The appropriate officers of the Borough are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

Section 3: Severability. 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 sections 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 4: Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 5: Effective Date. This Ordinance shall become effective upon enactment as provided by law.

PASSED by Borough Council this 14th Day of March, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 14th Day of March, 2023.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 14th Day of March, 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 14th Day of March, 2023.

By: _____
E. Jean Krack
Borough Manager/Secretary

Personnel and Public Safety Committee Meeting
Monday, March 6, 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).

Deputy Chief Dixon – TowerDIRECT

I. Call to Order at 6 pm.

II. Presentations - None

III. Committee Member Updates/Discussions - None

IV. New Business

A. Review Monthly Fire and Ambulance Reports.

Chief Brazunas reported the second ambulance for TowerDIRECT is at the station Monday – Thursday from 6 am to 6 pm.

B. Consider request from Jane Dugdale for appointment to the TAC for the vacant term expiring June 30, 2025.

Mr. Weiss made a Motion to recommend appointment of Ms. Dugdale to the TAC for the vacant term expiring June 30, 2025. Seconded by Ms. Webb.

Ms. Webb stated she feels Ms. Dugdale is a good fit for TAC as she was a valued member of the Beautification Advisory Commission.

Motion Approved 3-0.

C. Consider request from David Gill for reappointment to the Recreation Board for a new term expiring April 30, 2027.

Ms. Webb made a Motion to recommend the reappointment of David Gill to the Recreation Board for a new term expiring April 30, 2027. Seconded by Mr. Weiss.

Motion Approved 3-0.

- D. Call for Residents interested in being appointed to various Boards and Commissions. Current vacancies exist on the Zoning Hearing Board, HARB, Tree Advisory Commission, Recreation Board, and Human Relations Commission

Ms. Burckley reviewed the current vacancies and stressed the need for volunteers on the Zoning Hearing Board and Human Relations Commission.

- V. Current Focus Business
 - A. Community Policing – Nothing to Report.
 - B. Emergency Management.

Mr. Krack stated discussions on the Emergency Management will be resuming.

- C. PXV Inside Out - Nothing to Report
- D. Downtown Shuttle. - Nothing to Report.
- E. Consider using the Constable to collect on parking Citations.

Chief Marshall explained the program and how the Constable would serve the warrants.

Ms. Burckley asked about when the Constable would be engaged by the Police Department and the procedure after the warrant is served.

Chief Marshall explained the individual would not be arrested. The Constable would instruct them to go to court to pay the fines or the Constable can collect it on the spot.

Mr. Weiss made a Motion to recommend Council consider a contract with the Constable for the collection of parking citations pending review by the Borough Solicitor. Seconded by Ms. Webb.

Motion Approved 3-0.

- VI. Public Participation- None
- VII. Executive Session - None
- VIII. Adjournment at 6:22 pm by Mr. Weiss

Next Meeting Date: Monday, April 3, 2023 at 6:00 pm.

Parks and Recreation Committee Meeting
Tuesday, February 21, 2023
6:00 pm

MINUTES

Committee: Chairman, Mr. Moore, Mr. Carminito, Ms. Dugan, and Mr. Weiss

Public Members: Janet Hunter

Staff: Mr. Krack, Ms. Gibbons, Ms. Getzfread, and Mr. Watson

I. Call to Order at 6:00 pm

II. Public Participation on Non-Agenda Items

Eric Schmidt asked whether the approved budget for the BAC remains in place since this Committee has absorbed their work.

Mr. Krack explained that the 2023 budget remains in effect and that Colonial Gardens would still manage the plantings and watering throughout the year as scheduled. He also suggested that they work together to review any remaining BACK items are brought forward to this Committee.

III. Presentations - None

IV. Committee Member Updates/Discussions

Mr. Moore stated that he was very pleased with the new sidewalk work recently completed in Reeves Park.

Ms. Gibbons reported the ramps and railings were installed at Reeves Park, the contract was approved for lighting at Veterans Park, and the Mountain Bike Park work continues.

V. New Business

A. Review Parks and Recreation Rules and Regulations.

Mr. Krack stated that he added this to the Agenda because there was some disparity with the language in the Ordinance and that which is on the signs. He thought it a good idea for the Committee members to review and make any additional recommendations. He also gave background on whether there should be posted hours on the trails.

Mr. Moore asked the Committee to bring their recommendations to the next meeting in March.

- B. Motion to recommend Borough Council approve a Temporary Community Event Application for Earth Festival at Reservoir Park on Saturday, April 22, 2023 from 10:00 am to 4:00 pm. Franklin Street above Fillmore and the Reservoir Parking Lot to be closed from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a motion to recommend Borough Council approve the application. Seconded by Mr. Weiss. Motion passed 4-0.

- C. Motion to recommend Borough Council approve a Temporary Community Event Application for the Annual Dogwood Festival from May 17 through May 20, 2023 (6:00 pm to 10:00 pm Wed - Fri) and (12:00 Noon to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade, Franklin Avenue between Fillmore Street and Bridge Street, Grant Street between Fairview Street and Ann Street, and Main Street from Bridge Street to 5th Avenue at 11:00 pm to 2:00 pm on Saturday, May 20, 2023 for the parade. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Weiss made a motion to recommend Borough Council approve the application. Seconded by Ms. Dugan. Motion passed 4-0.

- D. Motion to recommend Borough Council approve a Temporary Community Event Application for Phoenixville Police Department National Night Out on Tuesday, August 1, 2023 from 6:00 pm to 9:00 pm at the Recreation Center Parking Lot at 501 Franklin Avenue.

Ms. Dugan made a motion to recommend Borough Council approve the application. Seconded by Mr. Weiss. Motion passed 4-0.

- E. Motion to recommend Borough Council approve a Temporary Community Event Application for the Phoenixville Blues Festival in Reeves Park on Saturday, September 9, 2023 from 12:00 noon to 10:00 pm. Third Avenue closed between Main and B Street from 9:00 am to 12:00 midnight. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a motion to recommend Borough Council approve the application. Seconded by Mr. Weiss.

Mr. DiGuiseppe stated that he would like to add a Beer Garden to his application as that would provide greater opportunity to fund the overall festival.

Mr. Krack stated that if the Committee were in agreement, the motion should be to amend the original motion to include the approval of a Beer Garden and that the location for the Beer Garden should be on Third Avenue.

Mr. Carminito made a motion to amend the original motion as recommended. Seconded by Mr. Weiss. Motion to amend passed 4-0.

Original Motion as amended passed 4-0.

Motion passed 4-0.

- F. Motion to recommend Borough Council approve a Temporary Community Event Application for the Phoenixville Green Earth Festival under the Veterans Memorial Gay Street Bridge and along the French Creek Trail on Saturday, September 23, 2023 from 9:00 am to 12:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a motion to recommend Borough Council approve the application. Seconded by Mr. Weiss. Motion passed 4-0.

- G. Motion to recommend Borough Council approve a Temporary Community Event Application for Movie in the Park at Reeves Park or Pat Nattle Ball Field on Saturday, September 23, 2023 from 7:00 pm to 9:30 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a motion to recommend Borough Council approve the application. Seconded by Mr. Carminito.

Discussion was had regarding which location.

Ms. Klinedinst and Ms. Burckley indicated their recommendation would be Reeves Park.

Mr. Weiss made a motion to amend the original motion to only include Reeves Park. Seconded by Mr. Carminito. Motion to amend passed 4-0.

Original Motion as amended passed 4-0.

VI. Current Focus Business - None

VII. Public Participation - None

VIII. Adjournment at 6:50 pm by Mr. Weiss.

Next Meeting Date: Tuesday, March 21, 2023 at 6:00 pm

**Policy Committee Meeting
Tuesday, February 28, 2023
7:00 pm**

MINUTES

Committee: Chairman, Mr. Kirkner, Ms. Burckley, and Mr. Ewald
Staff: Mr. Krack and Mr. Boelker

- I. Call to Order 7:00 pm.
- II. Public Participation – None.
- III. Presentations – None.
- IV. Committee Member Updates/Discussions – None.
- V. New Business
- VI. Current Focus Business
 - A. Discussion regarding HARB/Sign review and approval.
Nothing new to report.
 - B. Enforcement of bans on reproductive health services.
Nothing new to report.
 - C. Mr. Krack reported that Staff is working on an ordinance amendment regarding use of plastic in the Borough and one for Grease Traps in commercial buildings.
- VII Adjournment at 7:10 pm by Mr. Ewald.

Next Meeting Date: Tuesday, March 28, 2023 at 7:00 pm.

INFRASTRUCTURE, TECHNOLOGY, TRANSPORTATION, AND SUSTAINABILITY (ITTS)
COMMITTEE MEETING
Tuesday, February 21, 2023
7:00 PM

MINUTES

Committee: Chairman, Mr. Weiss, Ms. Burckley, Mr. Carminito, and Ms. Webb
Staff: Mr. Krack, Mr. Watson, and Ms. Getzfread

I. Call to Order at 7:03 pm. Ms. Webb excused.

II. Public Participation

Nickolai Jablovkov, resident. He stated he was present to address any questions the Committee might have about his request regarding 218 Church Street.

Tom DeLuca, resident. He asked how the Committee members were selected. He also raised some concerns as to whether Norfolk Southern was required to provide the Borough with a report as to what they have in their train cars since the rail goes through the Borough.

Mr. Krack explained the Committee is made up of Council persons who are assigned by the Council President for the purpose of vetting information in a public forum prior to items going on the Council Agenda. Staff is present to provide information regarding those topics. Ms. Burckley further explained that there are also Boards and Commissions which is primarily made up of public members to provide Borough Council with recommendations on various topics which they may be reviewing.

Mr. Krack explained the Borough does not receive any such information from the rail industry regarding what cargo they may be carrying in the various rail cars. He is not aware of any federal requirement for such notifications by any cargo carriers to provide every municipality in their route for such information.

III. Committee Member Updates/Discussions - None

IV. New Business

A. Motion to recommend Borough Council approved the proposal from 218 Church Street.

Mr. Krack provided background on the request and stated the request is fully supported by Staff.

Ms. Burckley made a Motion to recommend Borough Council approve the request. Seconded by Mr. Carminito. Motion passed 3-0

V. Infrastructure Updates

A. Demolition – 177 Church Street

Mr. Watson reported the demolition is half completed and should be completed within the next couple of weeks.

B. Stormwater Management

Mr. Krack reported that Council had approved the proposal from the Borough Engineer and that work should begin within a week. He estimates the project to take approximately six months to complete. HE suggested the Committee members review the document to ensure all work they are expecting will be in the final product.

Mr. Carminito asked whether the document could be shared with affected residents. Mr. Krack indicated it could.

VI. Transportation Updates

A. Review McMahon and RVE Engineering Reports

Mr. Weiss asked if any member had any questions. There were none.

B. Starr and Nutt Intersection

Mr. Krack reported the bids were being let and the project should be awarded in April and an estimated early May start of construction.

C. Bridge and Starr Street Intersection

Mr. Krack reported we have an MTF Grant submitted for this location and a response has not been received back on the request to improve the intersection.

D. Paradise and Hall Street

Mr. Krack reported the Borough moved forward with securing its ability to use a portion of Hall Street for the extension. Paradise Street is still moving forward with the first phase being the section from the Fire House to Center Street.

E. Mowere Road

Mr. Krack reported an MTF grant was submitted for this project. Staff is working toward securing all the necessary funding to reconstruct Mowere Road.

F. French Creek Trail

Mr. Watson reported his department will commence clearing the trail area in the next couple of weeks. Mr. Krack stated Staff will be submitting a grant to DCNR for funding to pave the trail.

G. Train Station

Mr. Krack reported the Schuylkill River Passenger Rail Authority (SRPRA) is organizing a meeting for mid to late March to discuss the three potential locations of Phoenixville, Pottstown and Reading. Borough Staff and members of Council will be in attendance.

VII. Sustainability Updates

A. PXV NEO Project

Mr. Watson reported that the initial testing of the HTC equipment went well. Next testing will occur in March. We are hoping to have a ribbon cutting in April.

B. EV Charging Stations

Mr. Krack reported on the progress to date. Goal remains to have 50 stations on line by the end of 2023.

C. Update regarding EV Recycling Truck.

Mr. Watson provided background on the acquisition of the recycling truck and his request to authorize the purchase of a hook truck for multiple purposes including leaf pickup and the HTC site.

VIII. Technology Updates

A. Website

Ms. Straut presented an overview of the changes to the Website in this redesign and sent the committee members the information to view the mock site for themselves.

B. Audio in Council Chambers.

Ms. Getzfread provided background on the age of our existing system and the need to look at 2024 for purchasing of new equipment.

C. Lighting in Council Chambers.

Mr. Krack stated Staff will look into the reason the lighting tends to automatically turn off even though persons are in the room.

IX. Adjournment at 7:50 pm by Mr. Carminito.

Next Meeting Date: Tuesday, March 21, 2023 at 7:00 pm

Borough Managed Public Parking



Proposed Future Public Parking:

Lot 9 – 177 Church Street

- 50 Parking Spaces

Lot 10 – 395 Bridge Street

- 48 Parking Spaces

Lot 1 – Prospect Street

- 91 Parking Spaces, including 3 handicap

Lot 2 – Main & Bridge Street

- 36 Parking Spaces, including 2 handicap

Lot 3 – Mill Street

- 87 Parking Spaces, including 4 handicap

- *EV Charging*

Lot 4 – Taylor Alley

- 97 Parking Spaces, including 2 handicap

- *EV Charging*

Lot 5 – Borough Hall

- 80 Parking Spaces, including 4 handicap

Lot 6 – Wheatland Street

- 50 Parking Spaces, including 2 handicap

Lot 7 – Ashland Street

- 120 Parking Spaces, including 4 handicap

Lot 8 – Smithworks Boulevard

- 117 Parking Spaces, including 6 handicap

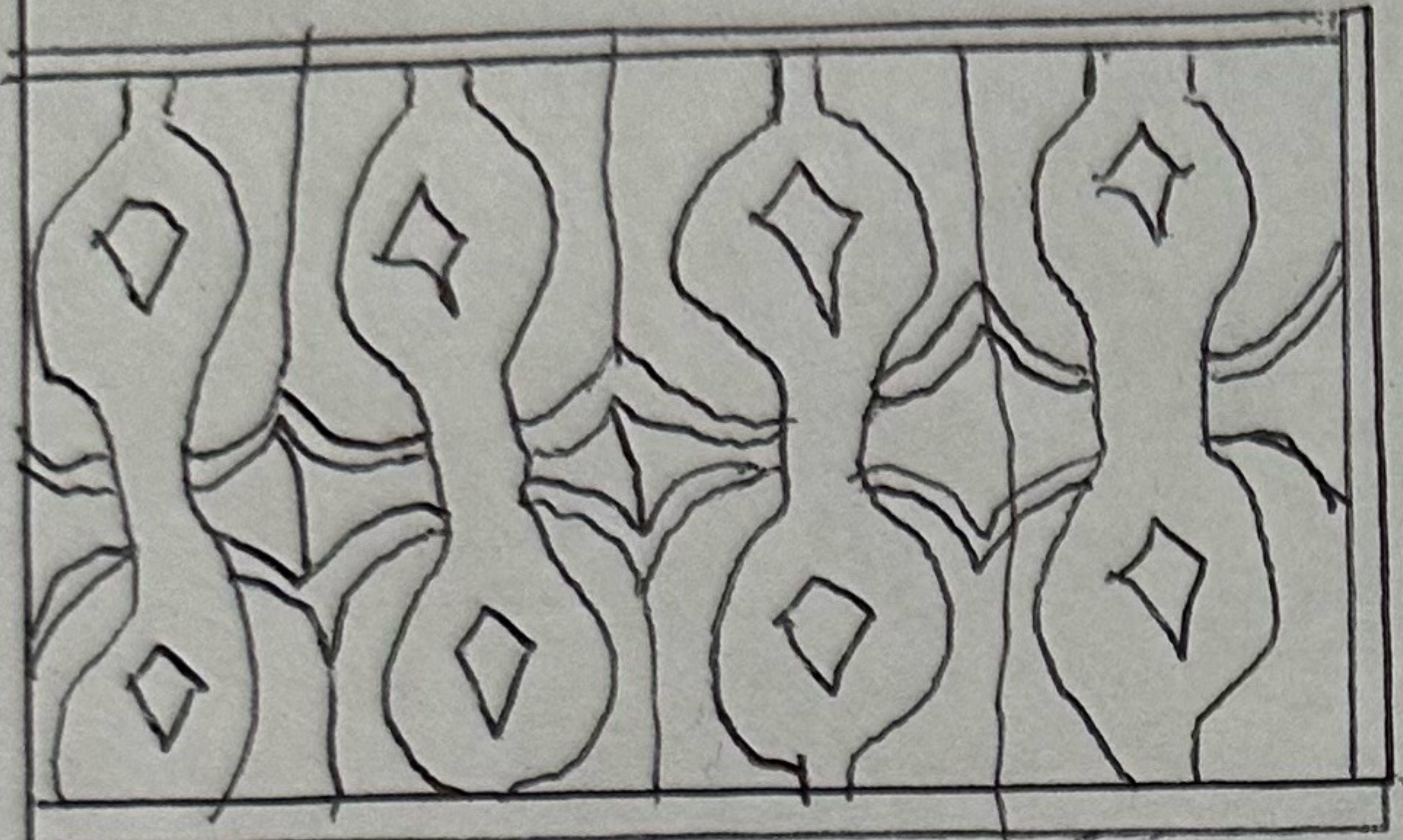
**TOTAL – 678 Borough Managed
Parking Spaces**





Google

9 inches
from Design to Design



34 inches
in Rail
height

48 inch
overhang

120 inches
from Bottom
to Sidewalk



98 inches from Front to Street

Church
street

218
Side

FINANCE COMMITTEE MEETING
Tuesday, February 28, 2023
6:00 pm

MINUTES

Committee: Chairwoman Ms. Dugan, Mr. Ewald, Mr. Kirkner, and Mr. Moore

Staff: Mr. Krack, Ms. Getzfread, Ms. Koza-Lubinsky, Ms. Donato, and Ms. Niemczuk

- I. Call to Order. 6:02 pm.
- II. Public Participation – None.
- III. Committee Member Updates/Discussions – None.
- IV. New Business

- A. Motion to recommend Borough Council approve the 2022 Pre-Paid dated 1/1/2023 - 1/31/2023 in the amount of \$337,330.68.

Motion to recommend approval by Mr. Moore. Seconded by Mr. Kirkner.

On the question. Mr. Kirkner asked why the Solicitor's fees for a Right to Know request from PASD was over \$8,000. Mr. Krack explained that was the invoice for December 2022. He explained that due to the amount of information being requested and the work of redacting, the invoice for January was over \$35,000 and the he expected something similar for the February invoice. He also stated that since PASD filed appeals, the amount would continue to grow beyond March. He further reported that several residents asked for similar information which has also added to the legal costs in responding to these requests.

Motion passed 4-0.

- B. Motion to recommend Borough Council approve the 2023 Pre-Paid dated 1/1/2023 - 1/31/2023 in the amount of \$1,880,622.94.

Motion to recommend approval by Mr. Kirkner. Seconded by Mr. Moore.
Motion passed 4-0.

- C. Motion to recommend Borough Council approve the 2022 Pre-Paid Credit Card Statement dated 1/1/2023 - 1/31/2023 in the amount of \$119,462.89.

Motion to recommend approval by Mr. Moore. Seconded by Mr. Kirkner.
Motion passed 4-0.

- D. Motion to recommend Borough Council approve the 2023 Pre-Paid Credit Card Statement dated 1/1/2023 - 1/31/2023 in the amount of \$21,381.89.

Motion to recommend approval by Mr. Kirkner. Seconded by Mr. Moore.
Motion passed 4-0.

- E. Motion to recommend Borough Council approve the 2023 Pre-Paid ACH dated 1/31/2023 in the amount of \$41,669.62.

Motion to recommend approval by Mr. Kirkner. Seconded by Mr. Moore.
Motion passed 4-0.

- F. Review recommendation on acquisition of recycling truck and hook truck.

Mr. Krack, Ms. Getzfread, Mr. Watson, and Ms. Lubinsky provided background on Staff's recommendation on the use of funds to acquire both vehicles.

Motion to recommend approval by Mr. Ewald. Seconded by Mr. Kirkner.
Motion passed 4-0.

- V. Adjournment at 6:27 pm by Mr. Kirkner

Next Meeting Date: Tuesday, March 28, 2023 at 6:00 pm