

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, July 11, 2023

7:00 PM

AGENDA

- I. Pledge of Allegiance/Moment of Silence
- II. Roll Call – Borough Manager
- III. Presentations
 - A. Presentation by Mackenzie Frees on Augmentative and Alternative Communication (AAC) which is a communication board that helps non-verbal students interact outside. Parks and Recreation Committee recommend Borough Council approve a sign in the All Abilities Playground at Reeves Park which her company Frees Speech would donate.
 - B. Motion to accept the donation of an Augmentative and Alternative Communication Sign to the Borough by Frees Speech, to be placed in the All Abilities Playground at Reeves Park, with the content thereon approved by the Borough Parks and Recreation Department.
- IV. Public Participation
- V. Consent Agenda
 - A. Approval of the June 13, 2023 Regular Meeting Minutes.
 - B. Items from Historical and Architectural Review Board:
 - 1. Motion to approve the Certificate of Appropriateness for the addition/renovation at 101 Buchanan Street as recommended by the HARB 5-0 per their Action Memo of July 11, 2023.
 - 2. Motion to approve the Certificate of Appropriateness for the sign installation at 207-209 Bridge Street as recommended by the HARB 5-0 per their Action Memo of July 11, 2023.
 - C. Items from Parks and Recreation Committee:
 - 1. Motion to approve a Temporary Community Event Application for the 41st Anniversary Andre Thornton Day at Andre Thornton/C' Jon Saunders Park on Saturday, September 16, 2023 from 1:00 pm to 4:00 pm. North Main Street to be closed between Vanderslice Street and High Street from 10:00 am to 7:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
 - D. Motion to approve a Temporary Community Event Application for the Bridgetoberfest in the Main and Bridge Street Parking Lot on Friday,

October 6, from 5:00pm to 10:00 pm and Saturday, October 7 & Sunday October 8, 2023 from 11:00 am to 10:00 pm. Main and Bridge Street Lot and 100 and 200 Block of Bridge Street to be used consistent with existing street closure. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

- E. Motion to approve a Temporary Community Event Application for the Fall Festival and Trunk or Treat Event at the Recreation Center Parking Lot on Saturday, October 28, 2023 from 10:00 pm to 3:00 pm.

F. Items from Finance Committee:

1. Motion to approve the 2023 Pre-Paid dated 5/1/2023 - 5/31/2023 in the amount of \$1,140,558.72.
2. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 5/1/2023 - 5/31/2023 in the amount of \$102,238.83.
3. Motion to approve the 2023 Pre-Paid ACH dated 5/31/2023 in the amount of \$448,367.80.
4. Motion to approve Budget Increase 2023-019 in the amount of \$30,000 from Water Fund Balance to Water Distribution (Large Meter Replacement) at Eland Downe and Westridge.
5. Motion to approve Budget Increase 2023-020 in the amount of \$23,000 from Water Fund Balance to Water Treatment (Equipment Maintenance & Repair) to replace damaged motor in the High Service Pump.
6. Motion to approve Budget Increase 2023-021 in the amount of \$100,000 from General Fund Balance to Legal (General Solicitor) for additional legal costs relating to the K Center property.
7. Motion to approve the Budget Transfer Request 2023-07 in the amount of \$15,000 from Water Distribution (Meter Programs) to Water Distribution (Other Repair & Maint Supplies) due to rising cost of materials.
8. Motion to authorize the funding of a Compliance Officer position in Public Works.

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, HARB, and Human Relations Commission.

IX. New Business

- A. Motion to approve Budget Increase 2023-023 in the amount of \$24,800 from Waste Water Fund Balance to Sewer Pumping System (Repair and Maintenance Supplies) for emergency replacement and upgrade of the PLC System at Ashland Street Pumping Station.
 - B. Motion to approve Conditional Police Officer Offer.
- X. Resolutions/Ordinances
 - A. Motion to adopt an Ordinance - Acceptance of ROW Dedications from 19 E. Grant St.
- XI. Public Hearings
 - A. Motion to recess the public meeting and reopen the hearing on the Conditional Use Application from MEK2 PROPERTY GROUP, LLC to develop as an adaptive reuse the existing building located at 123 Main Street on the Tract to be a multi-family residential building having eighteen (18) dwelling units, fifteen (15) parking spaces, and 85% impervious coverage.
 - B. Motion to approve/deny Conditional Use Application from MEK2 PROPERTY GROUP, LLC to develop as an adaptive reuse the existing building located at 123 Main Street on the Tract to be a multi-family residential building having eighteen (18) dwelling units, fifteen (15) parking spaces, and 85% impervious coverage.
- 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)
 - 1. No action to report.
 - B. Parks and Recreation Committee (**Moore**, Carminito, Dugan, Weiss)
 - 1. No additional action to report.
 - C. Policy Committee (**Kirkner**, Burckley, and Ewald)
 - 1. Motion to schedule and advertise an Ordinance amending Chapter 10, Health and Safety, by adding a new Part 5 “Plastics.”

2. Motion to schedule and advertise an Ordinance amending Chapter 15, Motor Vehicles.
- 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 additional 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
 - H. Recreation
- XVII. Executive Session – Personnel, Real Estate and Litigation
- XVIII. Adjournment

Upcoming Meetings:

Recreation Board	July 17 – 6:30 pm
Parks and Recreation Committee	July 18 – 6:00 pm
Infrastructure Committee	July 18 – 7:00 pm
Finance Committee	July 25 – 6:00 pm
Policy Committee	July 25 – 7:00 pm
Planning Commission	July 27 – 6:00 pm
HARB	August 7 – 5:00 pm
Personnel/Public Safety Committee	August 7 – 6:00 pm
Tree Advisory Commission	August 7 – 7:00 pm
Borough Council	August 8 – 7:00 pm
Planning Commission	August 10 – 6:00 pm

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more	afraid	he/him	she/her	help	open	get	wash	down	on	some	happy	mad	when	where	making/has	swing	slide	fall/down
más	leído	él	ella	ayudar	abrir	conseguir	lavar	abajo	sobre	un poco	feliz	enojado	cómo	dónde	hacer/has	columpio	deslizar	caerse
please	thank you	it	that	go	look	turn	no	here	out	some	sad	tried	why	how	about	spin	push	small
por favor	gracias	eso	aquello	ir	mirar	gírar	contra	aquí	allí	algo	triste	conscio	por qué	cómo	escribir	gírar	empujar	pequeño
What/stop	What/stop/what/stop	bathtub	face	lie	play	rest	do	can	in	different	feeling	something's wrong	not	stop	car	big	bench	home/house
¿qué?	¿qué?	baño	carro	gusar	jugar	descansar	hacer	poder	dentro	diferente	me siento mal	algo está mal	no	de	auto	grande	banco	casita/casita

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PHOENIXVILLE BOROUGH COUNCIL

Tuesday, June 13, 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	Virtual at 7:30pm
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. 2022 Audit – Christopher Fratinardo, Maille, LLP.

Mr. Fratinardo presented the 2022 Audit.

B. Motion to accept the 2022 Audit as presented.

Ms. Dugan made a Motion to accept the 2022 Audit as presented. Seconded by Mr. Weiss.

Motion Approved 7-0.

IV. Public Participation

David Lutzger, resident and President of the Green Team. He read aloud a statement regarding the use of plastic in the community mentioning the downside of the use of plastic bags, straws and single-use utensils. He stated he is in support of the ban on plastics.

Dennis Fenstermacher, resident of Grant Street. He expressed his concerns on the cars parked on Grant Street. He stated he has been in contact with PennDOT about antique and classic tags. He is happy to see the progress being made to address the cars parked on the street.

Travis Ford-Bey, Jr., resident of Heckle Street. He expressed his concerns about the no-parking signs that had been put in place on Heckle. He stated parking is difficult in the neighborhood and the new restrictions are greatly reducing the available parking for residents and visitors. He is in favor of the street being one way, but would like to see the parking restored.

Jesse Lurito, resident of Heckle Street. He stated he is here tonight to express his concerns about the loss of parking on Heckle Street and he stated the addition of eight new houses in the neighborhood has affected the available parking. He understands the trash truck needs to be able to travel on Heckle but the neighborhood needs all the parking it can get.

Dennis Floria, resident of Heckle Street. He stated he has the same complaint about the loss of parking in the neighborhood. The issue of the trash trucks is understandable, but they are ready to struggle with parking for the residents. The loss of parking will cause trouble for visitors to the homes in the neighborhood.

V. Consent Agenda

A. Approval of the May 9, 2023 Regular Meeting Minutes.

B. Items from Historical and Architectural Review Board:

1. Motion to approve the Certificate of Appropriateness for the installation of vinyl signage on storefront windows and an aluminum shingle sign over the sidewalk at 207 Bridge Street as recommended by the HARB 5-0 per their Action Memo of June 6, 2023.
2. Motion to approve the Certificate of Appropriateness to remove the black awning, revealing the original tiles hidden below and allow more sunlight to be able to enter the shop at 322 Bridge Street as recommended by the HARB 5-0 per their Action Memo of June 6, 2023.

C. Items from Parks and Recreation Committee:

1. Motion to approve a Temporary Community Event Application for the Rhythm and Brews in the Main and Bridge Street Parking Lot on Saturday, June 24, 2023, Saturday, August 19, 2023 and Saturday, September 16, 2023 from 6:00pm to 10:00 pm. Main and Bridge Street Lot to be used consistent with existing street closure. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.
2. Motion to approve a Temporary Community Event Application for the Blobfest 5K, 10K, and Half Marathon on the Schuylkill River Trail on Sunday, July 16, 2023 from 7:00 am to 11:00 am. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.

3. Motion to approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Saturday, August 5, 2023 from 12:00 pm to 5:00 pm. Third Avenue between Main Street and Starr Street to be closed from 9:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.
4. Motion to approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Sunday, August 6, 2023 from 12:00 pm to 5:00 pm. Third Avenue between Main Street and Starr Street to be closed from 9:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.

D. Items from Finance Committee:

1. Motion to approve the 2023 Pre-Paid dated 4/1/2023 - 4/30/2023 in the amount of \$1,703.506.85.
2. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 4/1/2023 - 4/30/2023 in the amount of \$92,273.06.
3. Motion to approve the 2023 Pre-Paid ACH dated 4/30/2023 in the amount of \$31,486.24.
4. Motion to approve the Budget Increase 2023-16 in the amount of \$42,582.00 from General Fund Balance to General Capital Project Fund (Council Chamber Microphone Upgrade) to acquire a new microphone system for Borough Council Chambers.
5. Motion to approve the Budget Increase 2023-17 in the amount of \$9,760.00 from Waste Water Fund Balance to Waste Water Sewer Treatment (HTC Biosolids Construction) for training on the new Schwing Pump.

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

Motion Approved 7-0.

VI. Communications/Council Participation

Mr. Weiss reported on the success of PXV Inside Out and the Chester County Pride Festival. He stated there has been good feedback on both events. The Council and Staff will continue to monitor PXV Inside Out to see it continually evolve and grow. He thanked the many officials who attended Pride Festival, including Chester County Commissioner Marion Moskowitz, Senator Katie Muth, Congresswoman Chrissy Houlahan and State Reps Paul Friel and Melissa Schusterman.

Mr. Ewald reported on a recent tour conducted with the Chester County Commissioners and Chester County Planning Commission on the revitalization of Phoenixville. It was a pleasure to present the successes we have had with the help of Chester County with

funding the Borough has received from them over the years. He congratulated More Kids on Bikes for the Grand Opening of the Bike Park at Reservoir Park. He stated this fall the Park and Reservoir will be upgraded with new fencing, sidewalks and parking to enhance the park and its community usage. Finally, he reported that the World Atlas named Phoenixville as one of the Cutest Small Towns in America.

Mr. Kirkner stated he had the pleasure of meeting with John and Anthony Colarusso to tour 211-221 High Street. The large renovation of the property includes sixteen market rate apartments and the revitalization of that block of High Street. He stated the improvements are the fulfillment of the vision for that block. He stated the Colarusos wanted him to express their gratitude to the Borough Staff and the Police Department for their support in bringing the project to life. He congratulated Jean Krack on 15 years as Borough Manager and stated in his time as manager he has attended seven hundred twenty night meetings, oversaw construction of the Borough Hall, Recreation Center, Fire Station and Public Works Buildings. The Borough has seen the creation of four new parking lots and at every intersection there are street signs for every road, something that wasn't always the case. He stated he thinks hiring Mr. Krack was a pretty good decision and he can't wait to see what the next fifteen years bring.

Ms. Burckley thanked the community for a very successful Dogwood Festival and Borough Staff for all of their support. She stated Pride Fest was a very interesting experience and she had participated in a community meetings sponsored by Chester County Pride to discuss diversity and the LGBTQIA+ community. She reminded the public to check out Facebook for updates on the Firebird Festival and its fundraising. Lastly, she stated she and Ms. Getzfreed have started discussing the Borough's holiday plans and she can't wait for the surprises to come.

VII. Mayor's Report

Mayor Urscheler reported on various events throughout the borough, including French Creek Manor's First Responders Luncheon, Kiwanis' Patriotic Day Celebration at Reeves Park, the Chamber of Commerce's Lemonade Day, the Soroptimists dedication of the Peace Garden to honor Tammy Klotzbach and the Historical Society's Strawberry Festival. He congratulated all the PASD students who graduated and those who have moved up to middle school and high school. He reported that after 27 years, Father Newns is retiring from St. Ann's Church. Some upcoming events include Juneteenth, Diner en Vert, Fire Works on July 2nd and the Hospital Thrift Store has moved from Church Street to right next door to the hospital.

VIII. Appointments

- A. Call for Residents interested in being appointed to various Boards and Commissions. Current vacancies exist on the Zoning Hearing Board, HARB, 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 schedule and advertise an Ordinance - Acceptance of ROW Dedications from 19 E. Grant St.

Ms. Burckley made a Motion to schedule and advertise an Ordinance- Acceptance of ROW Dedications from 19 E. Grant Street. Seconded by Ms. Webb.

On the Question:

Mr. Denlinger provided information on the offer for dedication from 19 E. Grant Street.

Mr. Kirkner asked if acceptance of the ROW would provide additional parking opportunities in the neighborhood.

Mr. Denlinger stated he did not know if the ROW would have the ability to provide additional parking.

Mr. Krack explained the dedication covers mostly sidewalks and curbs.

Motion Approved 7-0.

- B. Motion to award the 2023 Liquid Fuels Road Program Base Bid contract to Meco Constructors, Inc. in the amount of \$649,587.00 as the lowest responsible bidder as recommended by the Borough Engineer.

Ms. Burckley made a Motion to award the 2023 Liquid Fuels Road Program Base Bid contract to Meco Constructors, Inc. in the amount of \$649,587.00 as the lowest responsible bidder as recommended by the Borough Engineer. Seconded by Mr. Weiss.

Motion Approved 7-0.

- C. Motion to award the Paradise Street Improvement Project contract to Marino Corporation in the amount of \$1,341,950.90 as the lowest responsible bidder as recommended by the Borough Traffic Engineer.

Ms. Burckley made a Motion to award the Paradise Street Improvement Contract to Marino Corporation in the amount of \$1,341,950.90 as the lowest responsible bidder as recommended by the Borough's Traffic Engineer. Seconded by Ms. Webb.

On the Question:

Mr. Moore asked for a quick summary of the project.

Mr. Krack explained this portion covers Paradise Street from the bridge to Center

Street. The second phase will be to take Paradise Street to Nutt Road and add the 4th leg at Videon Chevrolet and Holly Court Apartments.

Mr. Moore asked about the effect the construction would have on Desanno Field.

Mr. Krack explained the timeline and that the construction would take place after the baseball season is concluded.

Motion Approved 7-0.

- D. Motion to adopt a Resolution officially accepting the dedication by Bill of Sale, the Mountain Bike Park improvements in Reservoir Park.

Mr. Moore made a Motion to adopt a Resolution officially accepting the dedication by Bill of Sale, the Mountain Bike Park Improvements in Reservoir Park.
Seconded by Mr. Weiss.

Motion Approved 7-0.

- E. Motion to approve a settlement agreement with the Fillmore Village Community Association related to the condemnation of 2,636 square feet for road purposes, whereby the Borough will pay to the Association \$14,544 for the estimated just compensation and attorney's fees of the Association in consideration of the Association waiving its right to contest the condemnation any further, subject to any amendments deemed necessary by the Borough Solicitor, and further authorizing Borough Council President, Borough Manager and Borough Solicitor to execute the agreement and any other documents necessary to effect the agreement.

Ms. Burckley made a Motion to approve a settlement agreement with the Fillmore Village Community Association related to the condemnation of 2,636 square feet for road purposes, whereby the Borough will pay to the Association \$14,544 for the estimated just compensation and attorney's fees of the Association in consideration of the Association waiving its right to contest the condemnation any further, subject to any amendments deemed necessary by the Borough Solicitor, and further authorizing Borough Council President, Borough Manager and Borough Solicitor to execute the agreement and any other documents necessary to effect the agreement. Seconded by Mr. Weiss.

Motion Approved 6-0. Ms. Dugan out of the room.

- F. Motion to approve a Subordination, Non-Disturbance and Attornment Agreement with The Victory Bank and Rockwell Phoenixville, LLC for the Borough's parking lease on 99 Bridge Street, subject to any amendments deemed necessary by the Borough Solicitor, and further authorizing Borough Council President, Borough Manager and Borough Solicitor to execute the agreement and any other documents necessary to effect the agreement.

Ms. Burckley made a Motion to approve a Subordination, Non-Disturbance and

Attornment Agreement with The Victory Bank and Rockwell Phoenixville, LLC for the Borough's parking lease on 99 Bridge Street, subject to any amendments deemed necessary by the Borough Solicitor, and further authorizing Borough Council President, Borough Manager and Borough Solicitor to execute the agreement and any other documents necessary to affect the agreement. Seconded by Mr. Moore.

On the Question:

Mr. Denlinger provided the background and explained this is a very common request by a lender.

Motion Approved 6-0. Ms. Dugan out of the room.

X. Resolutions/Ordinances

A. Motion to adopt an Ordinance amending Chapter 15 – Motor Vehicles.

Ms. Burckley made a Motion to adopt an Ordinance amending Chapter 15 - Motor Vehicles. Seconded by Mr. Weiss,

On the Question:

Mr. Krack explained the changes began with the concerns brought up on Grant Street. It was discovered by Staff that Heckle Street was ordained as a one way street from Emmett to Grant with no parking. The road itself is very narrow and there is a basin on that side before the hill rises. Sidewalks and curbing were installed on one side by the developer. However, the other side is falling away and is a concern. Trash trucks and fire apparatus have trouble making the turns in that area, parking in the area is a life safety issue that needs to be addressed.

Mr. Kirkner stated he appreciates the information on emergency access on Heckle Street. This section of the Borough east of Dayton Street is unique as it has no curbs and they are not traditional streets. He also understands that people do not like having things taken away, especially parking. Fire engines need to be able to get in and out of all our neighborhoods. He stated we can act tonight or bring it back to the Policy Committee for more review.

Mr. Moore inquired how big the ROW is and could we develop the land for the potential of widening the road to get the parking reinstated.

Mr. Krack stated he drove through the area twice today and at one point there was a car parked at the corner and the wheels of his car were right on the edge of the fall away. Improvements could be made but there is not enough area to widen it enough for adequate parking. Work needs to be done in the area to the vegetation, as even a truck is hitting the branches. We are in an untenable situation as the land

is owned by someone other than the Borough and even with improvements there will still be a choke point area on Heckle that can't be corrected. He agrees with Mr. Kirkner when he said that Council can enact the ordinance tonight and monitor the situation to see if adjustments and changes can be made in the future.

Ms. Webb stated she drove through the area twice as well, once at lunch and once before the meeting tonight at around 6:30pm. She stated she did encounter one car parked and she had trouble getting by in her SUV. She could see how a fire truck or trash truck would have trouble getting through. She realizes the issue is greater when the residents have guests and she stated she agrees that the ordinance should be enacted tonight and the area be monitored to see if improvements can be made.

Ms. Burckley stated she feels this needs to be enacted for safety reasons and that the issue can continue to be monitored and discussed at the committee level for improvements and potential changes that can be made in the future. She understands the issue of parking as she too struggles in her neighborhood to find parking and knows it can be very frustrating for the residents.

Mr. Kirkner stated this is a true aberration of the streets in this area of the Borough and, unfortunately, there is no good solution. The safety of the public has to come first.

Motion Approved 7-0.

- B. Motion to adopt an Ordinance amending Chapter 1 Administration and Government, Part 4 Bureaus, Boards, Commissions and Agencies, A – Beautification Advisory Commission.

Ms. Webb made a Motion to adopt an Ordinance amending Chapter 1 Administration and Government, Part 4 Bureaus, Boards, Commissions and Agencies, A – Beautification Advisory Commission. Seconded by Ms. Burckley.

Motion Approved 7-0.

XI. Public Hearings

- A. Motion to recess the public meeting and open the hearing on the Conditional Use Application from MEK2 PROPERTY GROUP, LLC to develop as an adaptive reuse the existing building located at 123 Main Street on the Tract to be a multi-family residential building having eighteen (18) dwelling units, fifteen (15) parking spaces, and 85% impervious coverage.

Ms. Burckley made a Motion to recess the Public Meeting and open the Conditional Use Hearing for 123 Main Street Seconded by Mr. Weiss

Motion Approved 7-0.

Mr. Denlinger opened the Conditional Use Hearing at 8:20 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 July 11, 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 9:35 pm

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 an addition to the existing building and site that evokes the industrial history of Phoenixville, by the incorporation of metal panels and brick work, as well as architectural features similar to historic factories found throughout the Borough at 100 Bridge Street as recommended by the HARB 4-1 per their Action Memo of June 6, 2023.

Mr. Denlinger explained the project at 100 Bridge Street and the existing building as it relates to the incorporated elements in the panels, brickwork and architectural features. He stated that some members of Council have concerns and he would like to hear those before considering any motions.

Ms. Dugan expressed her concerns with the cosmetic portions of the building and she feels it doesn't fit in the HARB District as it should. She stated she feels it doesn't come across as historical and it looks like it belongs at a mall setting not in the downtown of Phoenixville. She also expressed concerns about blocking more of the mural and if the applicant has plans for another mural to be painted on his building.

Mr. Moore asked for clarification on the purpose of HARB and read from the regulations provided to applicants. He spoke about the requirements for material and what materials should not be approved, like vinyl siding. He finds it alarming HARB approved the application four to one without applying some of the principles in the HARB guidelines. He feels this design is being pushed to the edge of being appropriate in the HARB District. He stated the developer has presented a modern, sleek look and should reconsider the design.

Ms. Burckley spoke about the design of the current building and the submitted design, specifically the side of the building on Starr Street with the

bay doors or what looks to be a garage. She stated the current struck is what looks to be painted concrete and brick. The proposed building is also brick, so she is not sure if it is the material itself that members feel strongly about.

Mr. Ewald clarified the concern is about the use of the rolled steel material in the middle of the building that isn't replicated anywhere else in the downtown.

Mr. Moore stated he thinks it is the demonstration of metal siding or capping. He recognizes these are common and popular systems right now and he appreciates the juxtaposition of steel and brick, but, it's going to be like a sore thumb in the downtown.

Mr. Kirkner referenced the guidelines that formed the Ordinance for HARB. He cited the sections relating to building, material and the relationship of the building to the street as well as the other buildings or structures. He does not feel like the design has any relationship to the buildings around it.

Mr. Denlinger addressed the mural and it was not mentioned in the application. He stated HARB approval can not supersede a land development approval and he read aloud the section of the ordinance that references the repainting of the building that has already been painted. He asked the applicant if they wished to address the Council.

Jared Atkins of Bluebird stated the HARB was mostly supportive of the project because the current building is not historic and the structure will be built to match the height of the surrounding structures. He stated the design of the building is a nod to the former Phoenix Steel buildings and the former nail factory in town.

Mr. Jonathan Long, Attorney for the applicant, stated the building is a distillery and not a Victorian building like some of the other structures in town. The design uses elements of steel that was produced in Phoenixville.

Mr. Atkins stated the design got its inspiration from the Foundry building and its use of the Phoenix Steel that runs through its building and grounds. He stated the metal is used to complement the glass stairwell and gives the feel of the outside coming into the building.

Mr. Moore stated he thought this is the argument he would make and we are trying to defend the concept of the HARB and its guidelines. He stated he feels the objection is that we created the guidelines and some feel it goes beyond what should be allowed.

Mr. Long stated that if the entirety of the downtown had a Victorian feel it would be hard to defend the design, but this is in an area with a big modern

banking building and various other more modern buildings mixed in. He stated that Jared and his company have been good community members and they are trying to add another jewel to the crown, that is Phoenixville.

Mr. Ewald stated that whenever Council has a building with a new idea or material, we have gone through great discussions about it. He stated we review any project that brings a new element to Bridge Street. The point of concern is only the one material that is new to Bridge Street.

Ms. Burckley made a Motion to recess to Executive Session. Seconded by Mr. Kirkner.

Motion Approved 8-0

Recessed at 9:55 pm

Returned at 10:05 pm

Ms. Burckley made a Motion to approve the Certificate of Appropriateness subject to the terms and conditions of the land development approval provided by Resolution 2023-20 for an addition to the existing building and site that evokes the industrial history of Phoenixville, by the incorporation of metal panels and brick work, as well as architectural features similar to historic factories found throughout the Borough at 100 Bridge Street. Seconded by Mr. Weiss.

ON THE ROLL CALL;

Yes – Ms. Burckley, Mr. Carminito, Mr. Ewald, Mr. Moore, Ms. Webb, and Mr. Weiss

No – Ms. Dugan and Mr. Kirkner

Motion Approved 6-2.

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner stated nothing to report.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the programs available at the Recreation Center, including Fresh to You, Pop-Up Ballet and Healthy Seniors Seminars. She congratulated the More Kids on Bikes for their Grand Opening and she reminded the public about the Fireworks on July 2, 2023.

E. Tree Advisory Commission – Ms. Burckley

Ms. Burckley reported a new dogwood tree was planted in the park at the conclusion of the Dogwood Festival.

XIII. Council Action referred from:

- A. Personnel and Public Safety Committee (**Burckley**, Webb, and Weiss)
 - 1. No action to report.
- B. Parks and Recreation Committee (**Moore**, Carminito, Dugan, Weiss)
 - 1. No additional action to report.
- C. Policy Committee (**Kirkner**, Burckley, and Ewald)
 - 1. Motion to schedule and advertise an Ordinance amending Chapter 10, Health and Safety, by adding a new Part 5 Plastics.

Mr. Kirkner made a Motion to schedule and advertise an Ordinance amending Chapter 10, Health and Safety, by adding a new Part 5 Plastics. Seconded by Ms. Burckley.

On the Question:

Mr. Weiss stated there were some items he believed were overlooked in the Ordinance, such as some plant-based and biodegradable items, but he stated he does love the addition of this to the Borough Code.

Ms. Burckley cited the area where it refers to these items but only addresses straws. Perhaps we could change it to say items to cover a broader list.

Mr. Ewald asked if that would be a substantive change.

Mr. Kirkner withdrew the Motion. Ms. Burckley agreed.

Mr. Ewald stated it would be sent back to the Policy Committee for the changes to be made.

Mr. Weiss just wants to make it as easy as it can be for compliance.

Mr. Moore asked about the state statutes.

Mr. Denlinger explained that the Borough could enact the Ordinance.

Mr. Ewald commented that the bans were not allowed until after January 2016.

Mr. Denlinger stated he has not seen any litigation against these types of bans.

Mr. Ewald said it will be on the next Policy Committee meeting agenda.

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. Motion to adopt a Resolution to designate and appropriate funding for Borough Council initiatives using ARPA Funds.

Ms. Dugan made a Motion to adopt a Resolution to designate and appropriate funding for Borough Council initiatives using ARPA Funds. Seconded by Mr. Kirkner.

On the Question:

Mr. Moore asked if the ARPA funds would expire or are they permanently ours to use.

Mr. Krack stated they do expire and must be used by a certain date in 2026.

Mr. Moore asked about the use of the funds in the Resolution, what process will you use to determine their use and how it will be communicated to the Council.

Mr. Krack explained we have 1.8 million in funding. Originally there were three categories for the use of the funds, which were for Water Sewer or Broadband communications. The IRS ruled that the funding could be used for other infrastructure. As we bring a project forward to Council you will be aware of the use of funds.

Mr. Moore asked about communicating the use to the public so they are aware projects are not coming from tax dollars.

Mr. Krack explained the funds can be used to bridge the gap in funding the Paradise Street project.

Motion Approved 8-0.

XIV. Public Participation

Rodney Platt, resident. He congratulated the Council for bringing the Plastic Ordinance this far and you deserve a lot of credit for it.

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

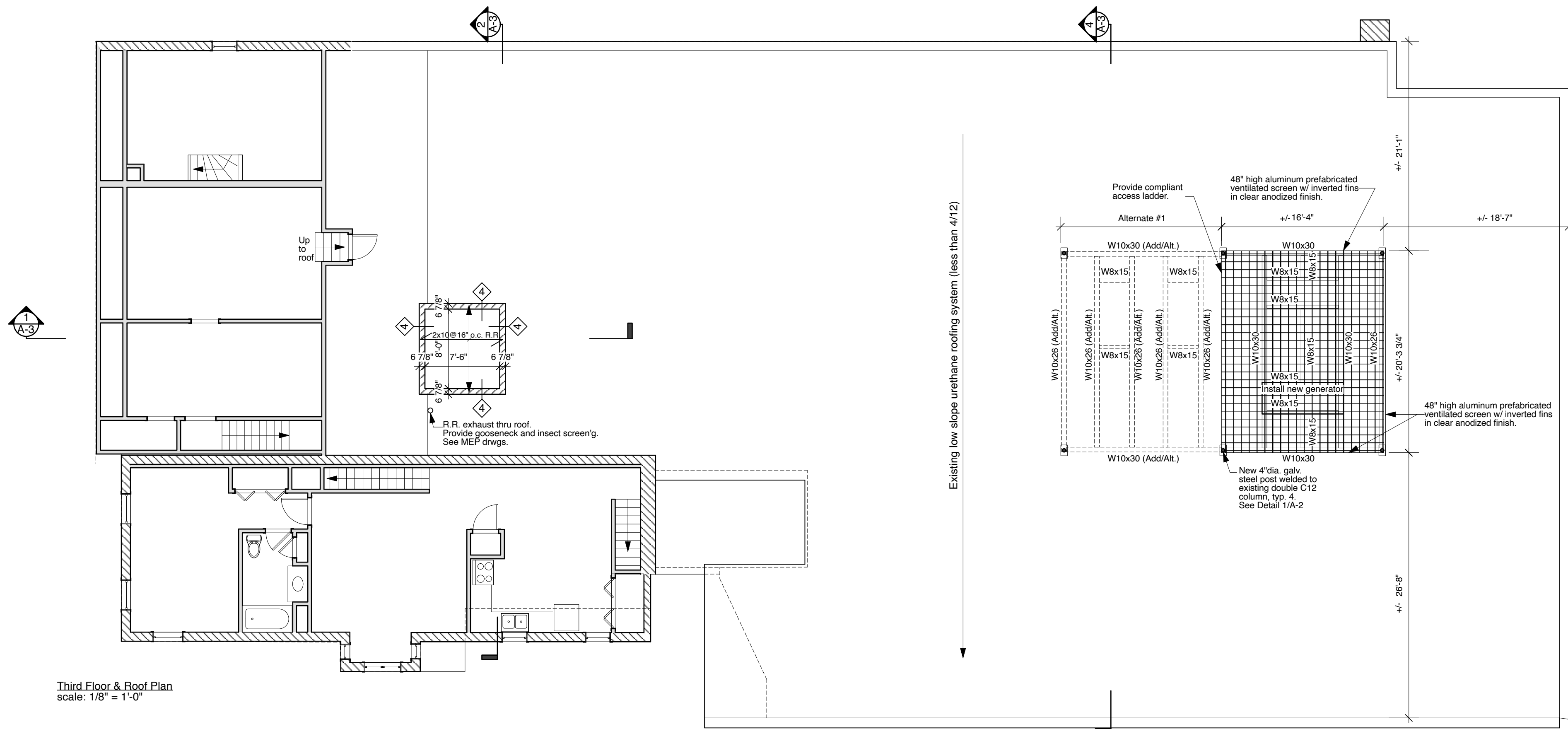
XVII. Executive Session – Personnel, Real Estate and Litigation

XVIII. Adjournment

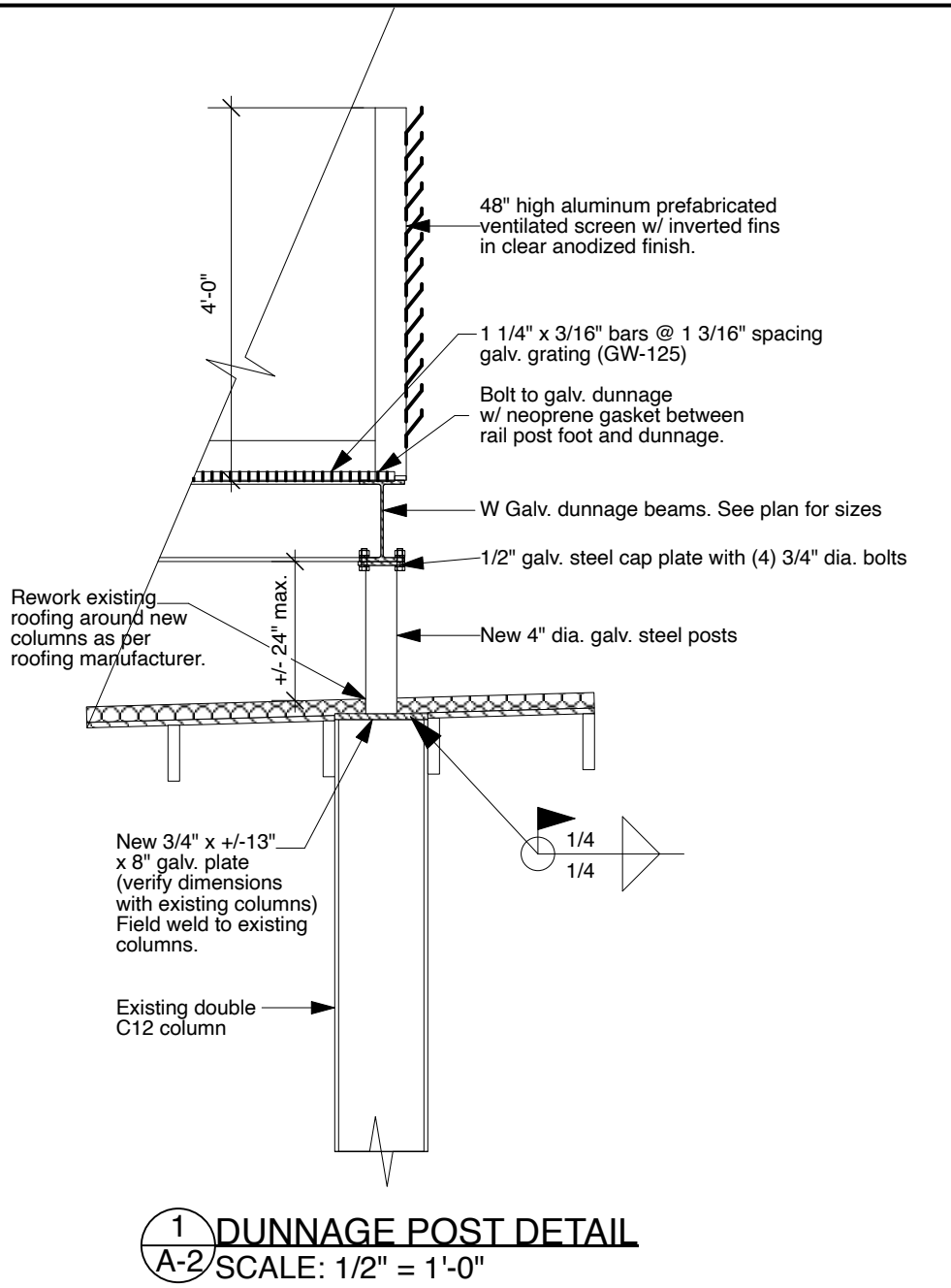
10.36 pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
June 2023



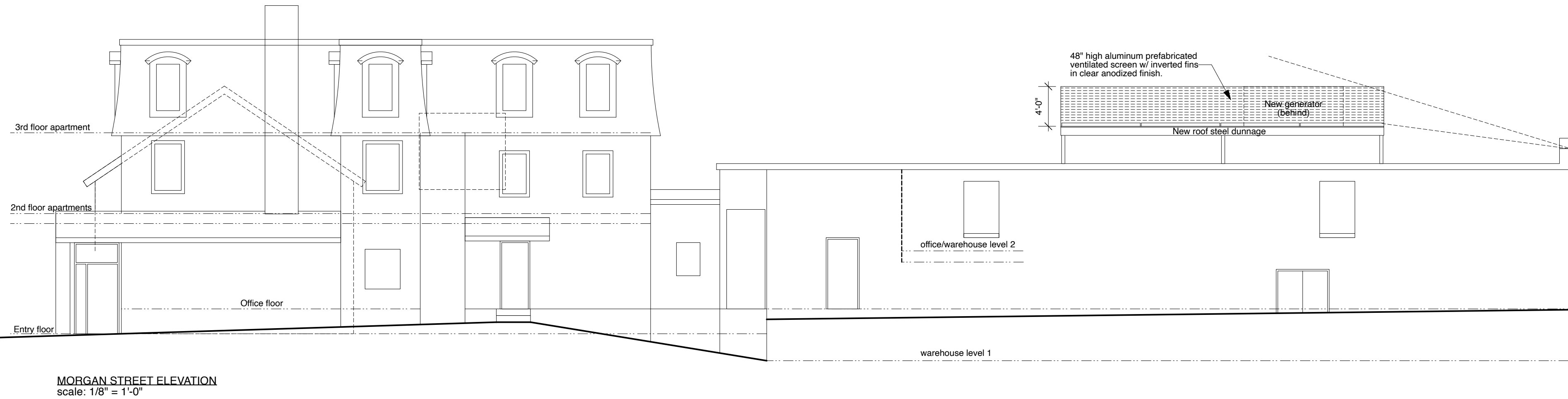
LOUVER SCREENING SYSTEM



1 DUNNAGE POST DETAIL
A-2 SCALE: 1/2" = 1'-0"



STREET VIEW



MORGAN STREET ELEVATION
scale: 1/8" = 1'-0"

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A NEW LIFT, GENERATOR & RESTROOM for:

PACS

101 Buchanan Street, Phoenixville, PA 19460
Borough of Phoenixville, Chester County

FLOOR PLANS, WALL TYPES, SCHEDULES, DUNNAGE DETAIL

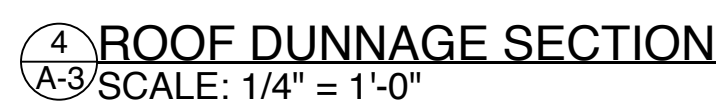
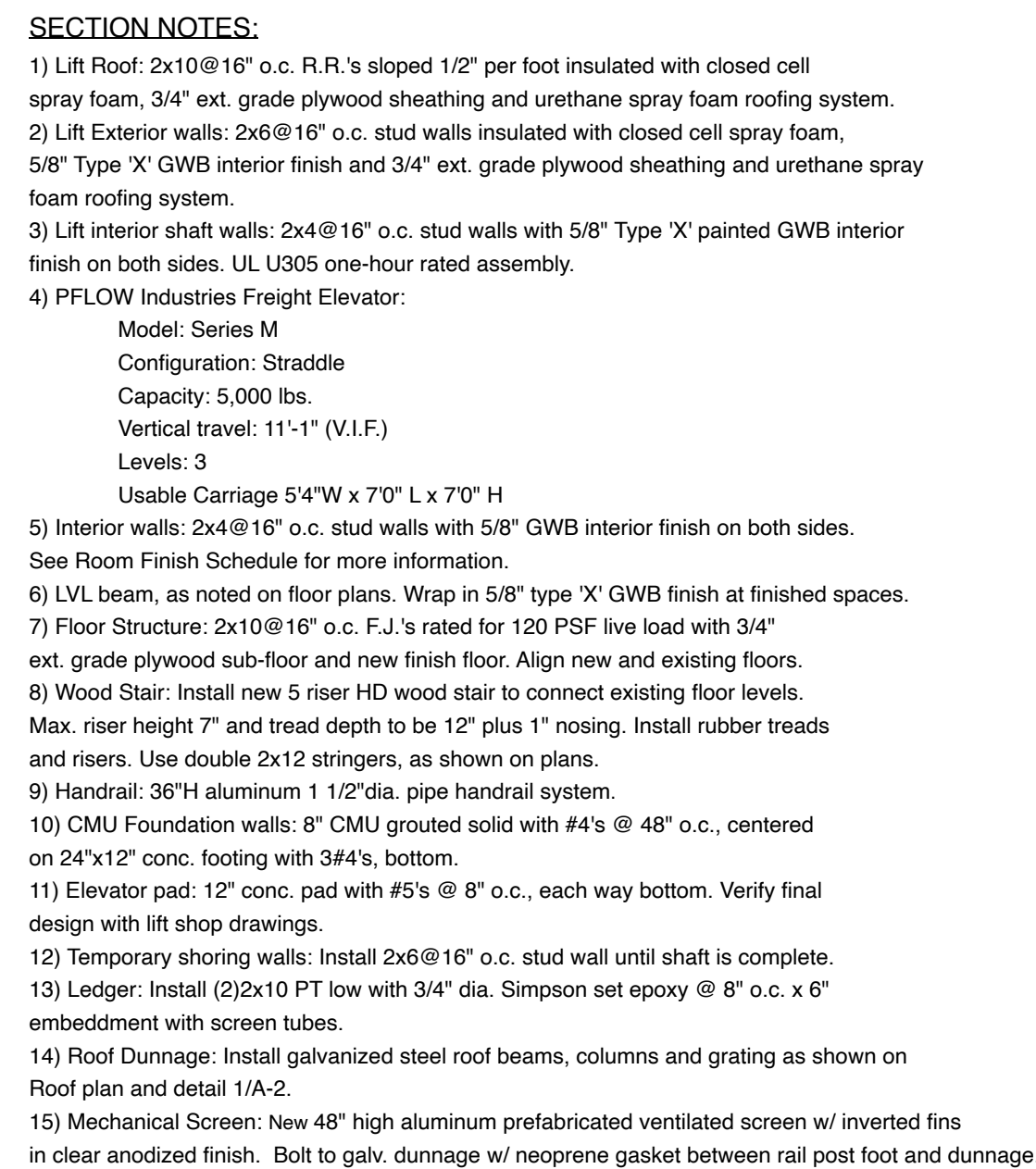
Carnevale Eustis Architects, Inc.

181 Bridge Street, Phoenixville, PA 19460

phone (610) 933-0197

www.cearchitects.com

PHOENIXVILLE HARB REVIEW
NOT FOR CONSTRUCTION





MODEL 250XPI

STANDARD CONSTRUCTION

- Material: Extruded Aluminum 6063-T6
- Vertical Supports: 5" x 2" x .125" Aluminum Support Channels
- Blades: 2" (50.8mm) deep, .063" (1.6mm) nominal wall thickness
- Blade Spacing: 3.125" (79mm) on center
- Finish: Mill

OPTIONAL ACCESSORIES

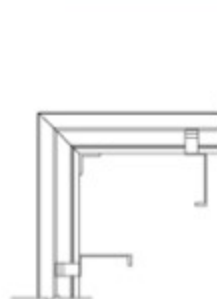
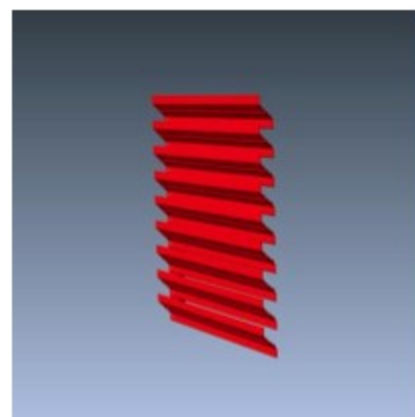
- Cap Flashing
- Hinged Access Panels
- Visible Mullions
- Invisible Mullions for continuous blade appearance

FINISHES

- 2 coat fluoropolymer: Kynar® 500 / custom colors available in 70% PVDF (AAMA 2605). Living Building Challenge (LBC) Red List Free.
- 3 coat fluoropolymer: Kynar 500 / Hylar 5000 custom colors available in 70% PVDF (AAMA 2605). LBC Red List Free.
- Anodic finishes: Class I and Class II in Clear, Light/Medium/Dark Bronze, Champagne, and Black.
- Prime coat
- Mill

SUGGESTED SPECIFICATIONS

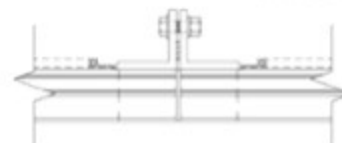
- General: Furnish and install where indicated on drawings 2" (50.8mm) Extruded Aluminum Inverted Equipment Screen Model 250XPI as manufactured by Industrial Louvers, Inc., Delano, MN.
- Material: Extruded aluminum supports and blades shall be one piece 6063-T6 alloy. Vertical supports shall have a material thickness of .125" (3.2mm). Fixed inverted blades shall have a material thickness of .063" (1.6mm). Supports and blades shall be joined by stainless steel mechanical fastener.



Corner View



Vertical Section



Invisible Vertical Mullion

Qty.	Size:		Actual ☐ M.O. ☐	Mullion Type	No. of Sections	Notes
	Width	Height				
☐	Sill flashing:			Project:		
☐	Screen:			Location:		
☐	Finish:			Architect:		
	Color:			Representative:		
☐	Other:			Date:	Job #:	

CATALOG NO. 250XPI Rev. FEB 2017



www.industriallouvers.com
info@industriallouvers.com

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7/7/2023

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 Chairperson	March 9, 2021		March 31, 2025
Joseph Sikora	March 8, 2022		March 31, 2026
Thomas Carnevale - Chairperson	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 Steitzer	February 14, 2023		January 31, 2028
Vacant			January 31, 2024
Maureen Ahearn	February 11, 2020		January 31, 2025
Bryan Emmanuel - Chairperson	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
Frank Markey	May 9, 2023		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 - Chairperson	May 10, 2010	March 14, 2023	April 30, 2027
Dana Dugan - Council Rep	April 27, 2010		N/A

HARB - 4 Year Term	Appointed	Reappointed	Term Expiration
Brian Slater - Chairperson - 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 - Chairperson	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
Jane Dugdale	March 14, 2023		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 - Chairperson	July 9, 2019		June 30, 2026

Human Relations - 3 Year Term	Appointed	Reappointed	Term Expiration
Christopher Book	April 11, 2023		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

**BOROUGH COUNCIL OF
THE BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 2023-__

**ORDINANCE ACCEPTING DEDICATION OF RIGHT-OF-WAY OF
E. GRANT STREET, OAK STREET & HECKLE STREET**

WHEREAS, JUSTIN FARRAR and AMANDA SOPKO, adult individuals (“Farrars”), are the owners of a certain tract of land situate 10 Oak Street in the Borough of Phoenixville, which parcel is more particularly identified as Chester County Tax UPI Number 15-5-360.1 (the “Farrars Parcel”); and

WHEREAS, HEATHER COHEN and ANDREW MAIER, adult individuals (“Cohens”), are the owners of a certain tract of land situate 8 Oak Street in the Borough of Phoenixville, which parcel is more particularly identified as Chester County Tax UPI Number 15-5-360.2 (the “Cohens Parcel”); and

WHEREAS, PROVIDENCE CAPITAL GROUP, LLC, a Pennsylvania Limited Liability Company (“PCG”), is the owner of a certain portion of the tract of land situate 19 E. Grant Street in the Borough of Phoenixville, which parcel is more particularly identified as Chester County Tax UPI Number 15-5-360.3 (the “PCG Parcel”); and

WHEREAS, PATRICIA YAK, an adult individual (“Yak”), is the owner of a certain tract of land situate 17 E. Grant Street in the Borough of Phoenixville, which parcel is more particularly identified as Chester County Tax UPI Number 15-5-360.4 (the “Yak Parcel”); and

WHEREAS, the Farrars, Cohens, PCG and Yak shall sometimes hereinafter be referred to as the “Grantor”; and

WHEREAS, the Farrars Parcel, Cohens Parcel, PCG Parcel and Yak Parcel shall sometimes hereinafter be referred to as the “Premises”; and

WHEREAS, and as a condition of the approval of a certain subdivision and land development, PCG agreed to dedicate to the Borough of Phoenixville (“Borough”) certain rights-of-way of the Premises along Oak Street, E. Grant Street and Heckle Street consisting of the area between the title line and right-of-way line, as more particularly described in the legal descriptions included with the Deed of Dedication attached hereto and incorporated herein as Exhibits “A”, “B”, “C” and “D” (collectively the “Right-of-Way”); and

WHEREAS, the Borough, by accepting the Deed of Dedication and recording the same with this Ordinance, accepts the Right-of-Way; and

WHEREAS, as authorized by Section 1734(a) of the Borough Code, 8 Pa.C.S.A. §1734(a), the Borough desires to accept the Right-of-Way as and for a public street, road or highway, sidewalk, trail, utilities and other public improvements, together with any sidewalks or trails thereon and sanitary sewer lines and storm sewer lines constructed thereunder; and

WHEREAS, the Borough, by accepting and filing this Resolution with the Clerk of Courts for the Chester County Court of Common Pleas, accepts the Right-of-Way to the extent that such acceptance is necessary at this time.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Borough Council of the Borough of Phoenixville accepts the Right-of-Way described in Exhibits “A”, “B”, “C” and “D” to have and to hold, forever, as and for public street, road or highway, sidewalk, trail, utilities and other public improvements, together with any sidewalks or trails thereon and sanitary sewer lines and storm sewer lines constructed thereunder (if any), and with the same effect as if the same had been opened by a Decree of Court of Common Pleas in and for

the County of Chester after proceedings duly had for that purpose under and in pursuance with the laws of the Commonwealth of Pennsylvania.

PASSED by Borough Council this ____ day of _____, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this ____ day of _____, 2023.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this ____ day of _____, 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 ____ day of _____, 2023.

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

Deed of Dedication 10 Oak Street

EXHIBIT "A"

Prepared By: Scott C. Denlinger, Esquire
Wisler Pearlstine, LLP
Blue Bell Executive Campus
460 Norristown Road, Suite 110
Blue Bell, PA 19422

Return To: Same as above

Parcel No.: 15-5-360.1

DEED OF DEDICATION

10 Oak Street (Lot 1) Right-of-Way

THIS INDENTURE is made this 10 day of may, 2023,

FROM

JUSTIN FARRAR and AMANDA SOPKO, adult individuals with an address of 10 Oak Street (hereinafter collectively referred to as "Grantor"), of the one part,

TO

THE BOROUGH OF PHOENIXVILLE, a duly organized Pennsylvania Borough with a mailing address of 351 Bridge Street, 2nd Floor, Phoenixville, Pennsylvania 19460 (hereinafter called "Grantee"), of the other part;

W I T N E S S E T H:

THAT the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America unto it well and truly paid by the said Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has dedicated and by these presents does dedicate for public use and enjoyment as and for a public street, road or highway, sidewalk, trail, utilities and other public improvements, together with any sidewalks or trails thereon and sanitary sewer lines and storm sewer lines constructed thereunder, unto the said Grantee, its successors and assigns.

ALL those certain tracts or parcels of ground situate in the Borough of Phoenixville, Chester County, Pennsylvania, more particularly described in the legal description attached hereto and made a part hereof as Exhibit "A".

TO have and to hold the tract(s) or parcel(s) of land above described and hereby dedicated, or mentioned and intended to be, unto the said Grantee, its successors and assigns, forever, as and for a public street, road, highway, sidewalk, trail, utilities or other public improvements, together with any sidewalks or trails thereon (if any) and sanitary sewer lines and storm sewer lines constructed thereunder, and for no other use or purpose whatsoever, and to the same extent and with the same effect as if the said public street, road, highway, sidewalk, trail, utilities or other public improvements had been approved by a Decree of the Court of Common Pleas in and for the County of Chester after proceedings duly had for that purpose under and pursuant to the laws of the Commonwealth of Pennsylvania.

AND the said Grantor, its successors and assigns, does by these presents, covenant, promise and agree to and with the said Borough of Phoenixville, its successors and assigns, that neither it, the said Grantor, nor its successors and assigns, shall or will at any time hereafter ask, demand, recover or receive of or from the said Borough of Phoenixville, its successors and assigns, any sum or sums of money as and for damages for or by reason of the physical grading of the said public street, road, highway, sidewalk, trail, utilities or other public improvements to grade as now established, and if such grade shall not be established at the date of these presents, that neither it, the said Grantor, nor its successors and assigns, shall or will at any time thereafter ask, demand, recover or receive any damages by reason of the physical grading of the public street, road, highway, sidewalk, trail, utilities or other public improvements to conform with the grades as first thereafter established or confirmed according to law.

AND the said Grantor, for itself and its heirs, successors and assigns, does covenant, promise and agree to and with the said Grantee, its successors and assigns, that he, the Grantor, has not heretofore done or committed any act, matter or thing whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged, or encumbered in title, charge, estate or otherwise howsoever.

AND the said Grantor, for itself and its successors and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that it, the said Grantor, shall and will warrant and forever defend the hereinabove described tracts or parcels of land against it, the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it or any of them.

AND the Grantee, by accepting and recording this Deed, accepts the tracts or parcels of ground described herein as and for a public street, road, highway, trail, sidewalk, utilities and other public improvements.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be signed on the day and year first above written.

GRANTOR:

By: _____

Justin Farrar

By: _____

Amanda Sopko

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF Montgomery :

On this, the 10 day of May, 2023, before me, the undersigned officer, a Notary Public, personally appeared **Justin Farrar**, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Teri M. Falco
Notary Public

My Commission Expires:

Commonwealth of Pennsylvania - Notary Seal
Teri M. Falco, Notary Public
Montgomery County
My commission expires June 19, 2027
Commission number 1047602
Member, Pennsylvania Association of Notaries

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF Montgomery :

On this, the 10 day of May, 2023, before me, the undersigned officer, a Notary Public, personally appeared **Amanda Sopko**, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Teri M. Falco
Notary Public

My Commission Expires:

Commonwealth of Pennsylvania - Notary Seal
Teri M. Falco, Notary Public
Montgomery County
My commission expires June 19, 2027
Commission number 1047602
Member, Pennsylvania Association of Notaries

Legal Description

EXHIBIT "A"



Civil Engineers, Surveyors & Land Development Consultants

Legal Description

Oak Street Right of Way Dedication Across Lot 1
Phoenixville Borough, Chester County, Pennsylvania
Inland Project No. 11183
February 23, 2023

ALL THAT CERTAIN parcel of land **SITUATE** in Phoenixville Borough, Chester County, Pennsylvania, bounded and described according to a Title Sheet for 19 E. Grant Street, dated April 23, 2018, last revised October 20, 2020, and monumentation set per As-Built Plan for 19 E. Grant Street, dated October 27, 2022, prepared by Inland Design, West Chester, Pennsylvania, and being more fully described as follows:

BEGINNING at a concrete monument set on the southwesterly side of Oak Street (20.0 feet half width), said point being the common corner with Lot 1, and also common line with lands of Gerald A. Petrus, Jr. (UPI: 15-5-359.2), continuing through the bed of Oak Street the 3 following courses; thence North 13 degrees 36 minutes 6 seconds East 9.74 Feet to a point; thence South 83 degrees 30 minutes 0 seconds East 33.22 Feet to a point; thence South 6 degrees 10 minutes 4 seconds West 9.46 Feet to a concrete monument set on the southwesterly side of Oak Street and common corner with Lot 1 and Lot 2, continuing along the southwesterly side of Oak Street the 1 following course; thence North 83 degrees 49 minutes 56 seconds West 34.48 Feet to a point and place of beginning.

CONTAINING 324 Square Feet of land, more or less.

BEING Oak Street Right of Way Dedication across Lot 1 on the aforementioned plan.



Deed of Dedication 8 Oak Street

EXHIBIT “B”

Prepared By: Scott C. Denlinger, Esquire
Wisler Pearlstine, LLP
Blue Bell Executive Campus
460 Norristown Road, Suite 110
Blue Bell, PA 19422

Return To: Same as above

Parcel No.: 15-5-360.2

DEED OF DEDICATION

8 Oak Street/Heckle Street (Lot 2) Right-of-Way

THIS INDENTURE is made this 17 day of may, 2023,

FROM

ANDREW MAIER and HEATHER COHEN, adult individuals with an address of 8 Oak Street (hereinafter collectively referred to as "Grantor"), of the one part,

TO

THE BOROUGH OF PHOENIXVILLE, a duly organized Pennsylvania Borough with a mailing address of 351 Bridge Street, 2nd Floor, Phoenixville, Pennsylvania 19460 (hereinafter called "Grantee"), of the other part;

WITNESSETH:

THAT the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America unto it well and truly paid by the said Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has dedicated and by these presents does dedicate for public use and enjoyment as and for a public street, road or highway, sidewalk, trail, utilities and other public improvements, together with any sidewalks or trails thereon and sanitary sewer lines and storm sewer lines constructed thereunder, unto the said Grantee, its successors and assigns.

ALL those certain tracts or parcels of ground situate in the Borough of Phoenixville, Chester County, Pennsylvania, more particularly described in the legal description attached hereto and made a part hereof as Exhibit "A".

TO have and to hold the tract(s) or parcel(s) of land above described and hereby dedicated, or mentioned and intended to be, unto the said Grantee, its successors and assigns, forever, as and for a public street, road, highway, sidewalk, trail, utilities or other public improvements, together with any sidewalks or trails thereon (if any) and sanitary sewer lines and storm sewer lines constructed thereunder, and for no other use or purpose whatsoever, and to the same extent and with the same effect as if the said public street, road, highway, sidewalk, trail, utilities or other public improvements had been approved by a Decree of the Court of Common Pleas in and for the County of Chester after proceedings duly had for that purpose under and pursuant to the laws of the Commonwealth of Pennsylvania.

AND the said Grantor, its successors and assigns, does by these presents, covenant, promise and agree to and with the said Borough of Phoenixville, its successors and assigns, that neither it, the said Grantor, nor its successors and assigns, shall or will at any time hereafter ask, demand, recover or receive of or from the said Borough of Phoenixville, its successors and assigns, any sum or sums of money as and for damages for or by reason of the physical grading of the said public street, road, highway, sidewalk, trail, utilities or other public improvements to grade as now established, and if such grade shall not be established at the date of these presents, that neither it, the said Grantor, nor its successors and assigns, shall or will at any time thereafter ask, demand, recover or receive any damages by reason of the physical grading of the public street, road, highway, sidewalk, trail, utilities or other public improvements to conform with the grades as first thereafter established or confirmed according to law.

AND the said Grantor, for itself and its heirs, successors and assigns, does covenant, promise and agree to and with the said Grantee, its successors and assigns, that he, the Grantor, has not heretofore done or committed any act, matter or thing whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged, or encumbered in title, charge, estate or otherwise howsoever.

AND the said Grantor, for itself and its successors and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that it, the said Grantor, shall and will warrant and forever defend the hereinabove described tracts or parcels of land against it, the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it or any of them.

AND the Grantee, by accepting and recording this Deed, accepts the tracts or parcels of ground described herein as and for a public street, road, highway, trail, sidewalk, utilities and other public improvements.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be signed on the day and year first above written.

GRANTOR:

By: 

Andrew Maier

By: 

Heather Cohen

ACKNOWLEDGEMENT

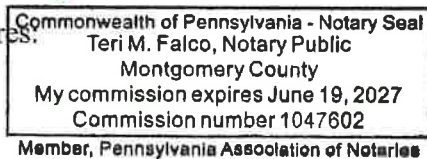
COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF Montgomery :

On this, the 17 day of May, 2023, before me, the undersigned officer, a Notary Public, personally appeared **Andrew Maier**, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Teri M. Falco
Notary Public

My Commission Expires:



ACKNOWLEDGEMENT

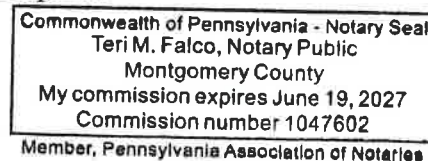
COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF Montgomery :

On this, the 17 day of May, 2023, before me, the undersigned officer, a Notary Public, personally appeared **Heather Cohen**, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Teri M. Falco
Notary Public

My Commission Expires:



Legal Description

EXHIBIT "A"



Civil Engineers, Surveyors & Land Development Consultants

Legal Description

Oak Street & Heckle Street Right of Way Dedication Across Lot 2
Phoenixville Borough, Chester County, Pennsylvania
Inland Project No. 11183
February 23, 2023

ALL THAT CERTAIN parcel of land **SITUATE** in Phoenixville Borough, Chester County, Pennsylvania, bounded and described according to a Title Sheet for 19 E. Grant Street, dated April 23, 2018, last revised October 20, 2020, and monumentation set per As-Built Plan for 19 E. Grant Street, dated October 27, 2022, prepared by Inland Design, West Chester, Pennsylvania, and being more fully described as follows:

BEGINNING at a concrete monument set on the southwesterly side of Oak Street (20.0 feet half width), said point being the common corner with Lot 1 and Lot 2, continuing through the bed of Oak Street the 2 following courses; thence North 6 degrees 10 minutes 4 seconds East 9.46 Feet to a point; thence South 83 degrees 30 minutes 0 seconds East 54.78 Feet to a point in the intersection of Oak Street and Heckle Street, continuing through the bed of Heckle Street the 2 following courses; thence South 12 degrees 50 minutes 0 seconds West 105.10 Feet to a point; thence North 82 degrees 0 minutes 0 seconds West 2.70 Feet to a mag nail set on the northwesterly side of Heckle Street and common corner with Lot 2 and Lot 4, continuing along the northwesterly side of Heckle Street the 2 following courses; thence North 12 degrees 50 minutes 0 seconds East 78.95 Feet to a concrete monument set; thence along an arc curving to the left having a radius of 15.00 Feet an arc distance of 25.31 Feet (chord bearing North 35 degrees 29 minutes 58 seconds West, a distance of 22.41 Feet) to a mag nail set on the southwesterly side of Oak Street, continuing along the southwesterly side of Oak Street the 1 following course; thence North 83 degrees 49 minutes 56 seconds West 34.14 Feet to a point and place of beginning.

CONTAINING 826 Square Feet of land, more or less.

BEING Oak Street & Heckle Street Right of Way Dedication across Lot 2 on the aforementioned plan.



Deed of Dedication 19 E. Grant Street

EXHIBIT “C”

Prepared By: Scott C. Denlinger, Esquire
Wisler Pearlstine, LLP
Blue Bell Executive Campus
460 Norristown Road, Suite 110
Blue Bell, PA 19422

Return To: Same as above

Parcel No.: 15-5-360.4

DEED OF DEDICATION

17 E. Grant Street/Heckle Street (Lot 4) Right-of-Way

THIS INDENTURE is made this 10 day of May, 2023,

FROM

PATRICIA YAK, an adult individual with an address of 17 East Grant Street
(hereinafter referred to as "Grantor"), of the one part,

TO

THE BOROUGH OF PHOENIXVILLE, a duly organized Pennsylvania Borough with
a mailing address of 351 Bridge Street, 2nd Floor, Phoenixville, Pennsylvania 19460 (hereinafter
called "Grantee"), of the other part;

WITNESSETH:

THAT the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) lawful
money of the United States of America unto it well and truly paid by the said Grantee at and
before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged,
has dedicated and by these presents does dedicate for public use and enjoyment as and for a
public street, road or highway, sidewalk, trail, utilities and other public improvements, together
with any sidewalks or trails thereon and sanitary sewer lines and storm sewer lines constructed
thereunder, unto the said Grantee, its successors and assigns.

ALL those certain tracts or parcels of ground situate in the Borough of Phoenixville, Chester County, Pennsylvania, more particularly described in the legal description attached hereto and made a part hereof as Exhibit "A".

TO have and to hold the tract(s) or parcel(s) of land above described and hereby dedicated, or mentioned and intended to be, unto the said Grantee, its successors and assigns, forever, as and for a public street, road, highway, sidewalk, trail, utilities or other public improvements, together with any sidewalks or trails thereon (if any) and sanitary sewer lines and storm sewer lines constructed thereunder, and for no other use or purpose whatsoever, and to the same extent and with the same effect as if the said public street, road, highway, sidewalk, trail, utilities or other public improvements had been approved by a Decree of the Court of Common Pleas in and for the County of Chester after proceedings duly had for that purpose under and pursuant to the laws of the Commonwealth of Pennsylvania.

AND the said Grantor, its successors and assigns, does by these presents, covenant, promise and agree to and with the said Borough of Phoenixville, its successors and assigns, that neither it, the said Grantor, nor its successors and assigns, shall or will at any time hereafter ask, demand, recover or receive of or from the said Borough of Phoenixville, its successors and assigns, any sum or sums of money as and for damages for or by reason of the physical grading of the said public street, road, highway, sidewalk, trail, utilities or other public improvements to grade as now established, and if such grade shall not be established at the date of these presents, that neither it, the said Grantor, nor its successors and assigns, shall or will at any time thereafter ask, demand, recover or receive any damages by reason of the physical grading of the public street, road, highway, sidewalk, trail, utilities or other public improvements to conform with the grades as first thereafter established or confirmed according to law.

AND the said Grantor, for itself and its heirs, successors and assigns, does covenant, promise and agree to and with the said Grantee, its successors and assigns, that he, the Grantor, has not heretofore done or committed any act, matter or thing whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged, or encumbered in title, charge, estate or otherwise howsoever.

AND the said Grantor, for itself and its successors and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that it, the said Grantor, shall and will warrant and forever defend the hereinabove described tracts or parcels of land against it, the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it or any of them.

AND the Grantee, by accepting and recording this Deed, accepts the tracts or parcels of ground described herein as and for a public street, road, highway, trail, sidewalk, utilities and other public improvements.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be signed on the day and year first above written.

GRANTOR:

By: 
Patricia Yak

ACKNOWLEDGEMENT

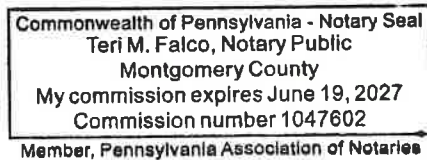
COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF Montgomery :

On this, the 10 day of May, 2023, before me, the undersigned officer, a Notary Public, personally appeared **Patricia Yak**, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Teri M. Falco
Notary Public

My Commission Expires:



Legal Description

EXHIBIT "A"



Civil Engineers, Surveyors & Land Development Consultants

Legal Description

East Grant Street & Heckle Street Right of Way Dedication Across Lot 4
Phoenixville Borough, Chester County, Pennsylvania
Inland Project No. 11183
February 23, 2023

ALL THAT CERTAIN parcel of land **SITUATE** in Phoenixville Borough, Chester County, Pennsylvania, bounded and described according to a Title Sheet for 19 E. Grant Street, dated April 23, 2018, last revised October 20, 2020, and monumentation set per As-Built Plan for 19 E. Grant Street, dated October 27, 2022, prepared by Inland Design, West Chester, Pennsylvania, and being more fully described as follows:

BEGINNING at a mag nail set on the northeasterly side of East Grant Street (25.0 feet wide), said point being the common corner with Lot 3 and Lot 4, continuing along the northeasterly side of East Grant Street the 2 following courses; thence South 82 degrees 7 minutes 47 seconds East 24.35 Feet to a mag nail set; thence along an arc curving to the left having a radius of 15.00 Feet an arc distance of 22.87 Feet (chord bearing North 54 degrees 11 minutes 6 seconds East, a distance of 20.72 Feet) to a mag nail set on the northwesterly side of Heckle Street (25.0 feet wide), continuing along the northwesterly side of Heckle Street the 1 following course; thence North 10 degrees 30 minutes 0 seconds East 88.50 Feet to a mag nail set and common corner with Lot 2 and Lot 4, continuing through the bed of Heckle Street the 3 following courses; thence South 82 degrees 0 minutes 0 seconds East 2.70 Feet to a point; thence South 12 degrees 50 minutes 0 seconds West 10.72 Feet to a point; thence South 9 degrees 36 minutes 13 seconds West 94.77 Feet to a point in the intersection of Heckle Street and East Grant Street, continuing through the bed of East Grant Street the 2 following courses; thence North 82 degrees 0 minutes 0 seconds West 42.31 Feet to a point; thence North 7 degrees 52 minutes 13 seconds East 2.60 Feet to a point and place of beginning.

CONTAINING 457 Square Feet of land, more or less.

BEING East Grant Street & Heckle Street Right of Way Dedication across Lot 4 on the aforementioned plan.



Deed of Dedication 17 E. Grant Street

EXHIBIT “D”

Prepared By: Scott C. Denlinger, Esquire
Wisler Pearlstine, LLP
Blue Bell Executive Campus
460 Norristown Road, Suite 110
Blue Bell, PA 19422

Return To: Same as above

Parcel No.: 15-5-360.3

DEED OF DEDICATION

19 E. Grant Street (Lot 3) Right-of-Way

THIS INDENTURE is made this 10 day of may, 2023,

FROM

PROVIDENCE CAPITAL GROUP, LLC, a Pennsylvania Limited Liability Company
with an address of 153 Persimmon Dr., Collegeville, PA 19426 (hereinafter referred to as
“Grantor”), of the one part,

TO

THE BOROUGH OF PHOENIXVILLE, a duly organized Pennsylvania Borough with
a mailing address of 351 Bridge Street, 2nd Floor, Phoenixville, Pennsylvania 19460 (hereinafter
called “Grantee”), of the other part;

W I T N E S S E T H:

THAT the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) lawful
money of the United States of America unto it well and truly paid by the said Grantee at and
before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged,
has dedicated and by these presents does dedicate for public use and enjoyment as and for a
public street, road or highway, sidewalk, trail, utilities and other public improvements, together

with any sidewalks or trails thereon and sanitary sewer lines and storm sewer lines constructed thereunder, unto the said Grantee, its successors and assigns.

ALL those certain tracts or parcels of ground situate in the Borough of Phoenixville, Chester County, Pennsylvania, more particularly described in the legal description attached hereto and made a part hereof as Exhibit "A".

TO have and to hold the tract(s) or parcel(s) of land above described and hereby dedicated, or mentioned and intended to be, unto the said Grantee, its successors and assigns, forever, as and for a public street, road, highway, sidewalk, trail, utilities or other public improvements, together with any sidewalks or trails thereon (if any) and sanitary sewer lines and storm sewer lines constructed thereunder, and for no other use or purpose whatsoever, and to the same extent and with the same effect as if the said public street, road, highway, sidewalk, trail, utilities or other public improvements had been approved by a Decree of the Court of Common Pleas in and for the County of Chester after proceedings duly had for that purpose under and pursuant to the laws of the Commonwealth of Pennsylvania.

AND the said Grantor, its successors and assigns, does by these presents, covenant, promise and agree to and with the said Borough of Phoenixville, its successors and assigns, that neither it, the said Grantor, nor its successors and assigns, shall or will at any time hereafter ask, demand, recover or receive of or from the said Borough of Phoenixville, its successors and assigns, any sum or sums of money as and for damages for or by reason of the physical grading of the said public street, road, highway, sidewalk, trail, utilities or other public improvements to grade as now established, and if such grade shall not be established at the date of these presents, that neither it, the said Grantor, nor its successors and assigns, shall or will at any time thereafter ask, demand, recover or receive any damages by reason of the physical grading of the public

street, road, highway, sidewalk, trail, utilities or other public improvements to conform with the grades as first thereafter established or confirmed according to law.

AND the said Grantor, for itself and its heirs, successors and assigns, does covenant, promise and agree to and with the said Grantee, its successors and assigns, that he, the Grantor, has not heretofore done or committed any act, matter or thing whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged, or encumbered in title, charge, estate or otherwise howsoever.

AND the said Grantor, for itself and its successors and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that it, the said Grantor, shall and will warrant and forever defend the hereinabove described tracts or parcels of land against it, the said Grantor, its successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it or any of them.

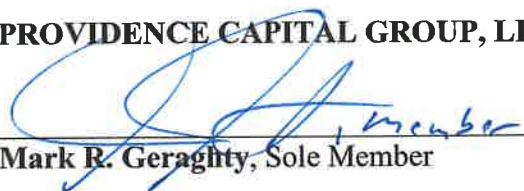
AND the Grantee, by accepting and recording this Deed, accepts the tracts or parcels of ground described herein as and for a public street, road, highway, trail, sidewalk, utilities and other public improvements.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be signed on the day and year first above written.

GRANTOR:

PROVIDENCE CAPITAL GROUP, LLC

By: _____


Mark R. Geraghty, Sole Member

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF Montgomery :

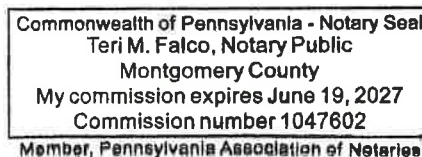
On this, the 10 day of May, 2023, before me, the undersigned officer, a Notary Public, personally appeared **Mark R. Geraghty**, known to me or satisfactorily proven to be the sole member of Providence Capital Group, LLC, whose name is subscribed to the within instrument, and acknowledged that he/she executed the same on behalf of the corporation for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Notary Public

My Commission Expires:



Legal Description

EXHIBIT "A"



Civil Engineers, Surveyors & Land Development Consultants

Legal Description

East Grant Street Right of Way Dedication Across Lot 3
Phoenixville Borough, Chester County, Pennsylvania
Inland Project No. 11183
February 23, 2023

ALL THAT CERTAIN parcel of land **SITUATE** in Phoenixville Borough, Chester County, Pennsylvania, bounded and described according to a Title Sheet for 19 E. Grant Street, dated April 23, 2018, last revised October 20, 2020, and monumentation set per As-Built Plan for 19 E. Grant Street, dated October 27, 2022, prepared by Inland Design, West Chester, Pennsylvania, and being more fully described as follows:

BEGINNING at a mag nail set on the northeasterly side of East Grant Street (25.0 feet wide), said point being the common corner with Lot 3, and also common corner with lands of Charles E. & Kimberly A. Snook (UPI: 15-5-359), continuing along the northeasterly side of East Grant Street the 1 following course; thence South 82 degrees 7 minutes 47 seconds East 46.62 Feet to a mag nail set and common corner with Lot 3 and Lot 4, continuing through the bed of East Grant Street the 3 following courses; thence South 7 degrees 52 minutes 13 seconds West 2.60 Feet to a point; thence North 82 degrees 0 minutes 0 seconds West 46.69 Feet to a point; thence North 9 degrees 25 minutes 10 seconds East 2.50 Feet to a point and place of beginning.

CONTAINING 119 Square Feet of land, more or less.

BEING East Grant Street Right of Way Dedication across Lot 3 on the aforementioned plan.



Parks and Recreation Committee Meeting
Tuesday, June 20, 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

A. Reeves Park Signage – Mackenzie Frees

Ms. Frees made a presentation on Augmentative and Alternative Communication (AAC) which is a communication board that helps non-verbal students interact outside. She asked the Committee to recommend Borough Council approve a sign in the All Abilities Playground at Reeves Park which her company Frees Speech would donate.

Mr. Weiss made a motion to recommend Borough Council approve the communication board in Reeves Park. Seconded by Ms. Dugan. Motion passed 3-0.

III. Presentations

IV. Committee Member Updates/Discussions

A. Ms. Gibbons provided an update on various Recreation Department activities.

B. Mr. Krack provided an update on the Parks section of the Borough's website which now uses a GIS storyboard to show the location of the parks on a GIS map, images of the parks, and what those parks offer. The site can be viewed here:
<https://storymaps.arcgis.com/stories/56a25a29cb00493caa09f2392609407c>

V. New Business

A. Motion to recommend Borough Council approve a Temporary Community Event Application for the 41st Anniversary Andre Thornton Day at Andre Thornton/C' Jon Saunders Park on Saturday, September 16, 2023 from 1:00 pm to 4:00 pm. North Main Street to be closed between Vanderslice Street and High Street from 10:00 am to 7:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a Motion to recommend Borough Council approve. Seconded by Mr. Weiss. Motion passes 3-0.

B. Motion to recommend Borough Council approve a Temporary Community Event Application for the Bridgetoberfest in the Main and Bridge Street Parking Lot on

Friday, October 6, from 5:00pm to 10:00 pm and Saturday, October 7 & Sunday October 8, 2023 from 11:00 am to 10:00 pm. Main and Bridge Street Lot and 100 and 200 Block of Bridge Street to be used consistent with existing street closure. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a Motion to recommend Borough Council approve. Seconded by Mr. Weiss. Motion passes 3-0.

- C. Motion to recommend Borough Council approve a Temporary Community Event Application for the Fall Festival and Trunk or Treat Event at the Recreation Center Parking Lot on Saturday, October 28, 2023 from 10:00 pm to 3:00 pm.

Ms. Dugan made a Motion to recommend Borough Council approve. Seconded by Mr. Weiss. Motion passes 3-0.

VI Public Participation - None

VII. Adjournment at 6:37 pm by Mr. Weiss

Next Meeting Date: Tuesday, July 18, 2023 at 6:00 pm

**Policy Committee Meeting
Tuesday, June 27, 2023
7:00 pm**

MINUTES

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

- I. Call to Order at 7:00 pm.
- II. Public Participation – None.
- III. Presentations – None.
- IV. Committee Member Updates/Discussions – None.
- V. New Business
 - A. Motion to recommend Borough Council schedule and advertise an Ordinance amending Chapter 10, Health and Safety, by adding a new Part 5 Plastics.

Mr. Ewald made a Motion to recommend Borough Council schedule and advertise the Ordinance amendment. Seconded by Ms. Burckley.

On the Question: general discussion was had regarding various definitions. Questions were asked and answered with the Committee making recommended changes to the Ordinance amendment. Motion passed 3-0.
 - B. Motion to recommend Borough Council schedule and advertise an Ordinance amending Chapter 15 - Motor Vehicles.

Ms. Burckley made a Motion to recommend Borough Council schedule and advertise the Ordinance amendment. Seconded by Mr. Ewald.

On the Question: general discussion was had regarding the “No Parking” signage on west side of Heckle Street. Questions were asked and answered with the Committee making recommended changes to the Ordinance amendment. Motion passed 3-0.
 - C. Consider request for employee parking permits.

Ms. Logan provided background on the permitting process and locations. General discussion was had with various questions being asked and answered. Committee took no action thus deeming the request a denial.

D. Review Disability Parking Ordinance.

Mr. Krack reported that this item was added based on resident concerns which the Police Department was able to resolve based on the current language. Ms. Burckley concurred that the language provides the Police Department with the flexibility needed to work out such details when issues may arise. No further action needed at this time.

VI. Current Focus Business

A. Enforcement of bans on reproductive health services. No action at this time.

VII Adjournment at 7:35 by Ms. Burckley.

Next Meeting Date: Tuesday, July 25, 2023 at 7:00 pm.

ORDINANCE 2023 -

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF PHOENIXVILLE, AS AMENDED, CHAPTER 10, "HEALTH AND SAFETY," BY ADDING A NEW PART 5 "PLASTICS".

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

Section 1. Chapter 10, "Health and Safety" is hereby amended by adding a new
Part 5 "Plastics" it in its entirety:

Part 5 PLASTICS

§ 10-501 Purpose and Intent.

The purpose of this Part is to encourage consumers and Commercial Establishments within the Borough to help reduce the use and environmental impact of single-use plastics by promoting the use of reusable bags, utilizing alternatives to single-use plastic straws, training employees to ask consumers first before providing a single use plastic item, and substituting other biodegradable products for polystyrene containers.

§ 10-502 Definitions.

For purposes of this Part, the following definitions shall apply:

BIODEGRADABLE BAG

Bags made from paper, bamboo, agave, polylactic acid (PLA), or other non-plastic content which are capable of being decomposed by bacteria or other living organisms.

BOROUGH

The Borough of Phoenixville.

COMMERCIAL ESTABLISHMENT

Any person, corporation, partnership, business venture, vendor, or retail sales establishment located within the Borough that regularly sells, rents, or provides food, merchandise, goods, or materials, whether perishable or nonperishable, for direct use or consumption and not for resale, whether or not for profit, including, but not limited to: restaurants (eat-in and/or take-out food), food trucks, farmers' markets, bars, hospitals, pharmacies, convenience and grocery stores, seasonal and temporary businesses or markets, service stations, delicatessens, retail stores, delivery services, or other similar nonresidential uses.

COMPLIANT BAG

The following:

1. Recyclable Paper Bag.
2. A Reusable Bag.
3. Biodegradable Bag.

COMPLIANT STRAW

A straw or drink stirrer made from paper, bamboo, agave, or other non-plastic content.

CONSUMER

Any person, organization, or entity receiving goods or services from a Commercial Establishment.

POST-CONSUMER RECYCLED MATERIAL

A material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle.

PRODUCT BAG

A very thin bag without handles used as follows inside a Commercial Establishment:

1. A bag used to package bulk items such as fruit, vegetables, nuts, grains, or candy, such as a produce bag;
2. A bag used to contain or wrap meats or fish; to contain unwrapped prepared foods or bakery goods;
3. A bag used solely to contain live animals, such as fish or insects sold in a pet store;
4. A bag sold in packaging containing multiple bags and packaged at the time of manufacture of the bag; or
5. A bag to contain or wrap flowers, potted plants, or similar items; or to transport chemical pesticides, drain-cleaning chemicals, or other caustic chemicals sold at the retail level.

DISTRIBUTE or PROVIDE

The vending, sale, giving, deployment, or delivering for any purpose of a single-use carry-out plastic bag, a single-use plastic straw, or polystyrene container whether or not incident to the sale, vending, or production of any merchandise or beverage.

POLYSTYRENE CONTAINER

A nonrecyclable plastic disposable food or drink container made of synthetic resin of polystyrene (one example is known as Styrofoam®) which is for single use and intended for serving or transporting ready-to-eat food or beverages. This definition includes cups, plates, trays, bowls, and hinged or lidded containers, but does not apply to cup lids.

RECYCLABLE

Material that can be sorted, cleansed and reconstituted using available recycling programs for the purpose of reusing the altered or converted waste for use in new materials.

RECYCLABLE PAPER BAG

A paper bag that meets all of the following criteria:

1. Is 100% recyclable;
2. Contains no old growth fiber;
3. Contains a minimum of 40% post-consumer recycled fiber; and
4. Displays the word "recyclable" in a highly visible manner on the outside of the bag, and is labeled with the name of the manufacturer, the location (country) where manufactured, and the percentage of post-consumer recycled content in an easy-to-read size font.

REUSABLE BAG

A bag that meets all of the following criteria:

1. Is designed and manufactured to withstand repeated uses over time;
2. Is made of cloth, fabric, cornstarch, or other non-plastic material that is specifically designed and manufactured for multiple reuses;
3. Is machine washable or can be cleaned and disinfected regularly; and
4. Has the capability of carrying a minimum of 18 pounds.

SINGLE-USE CARRY-OUT PLASTIC BAG

A bag that is made predominantly of plastic and is made using a blown-film extrusion process, provided at the check-out stand, cash register, point of sale, or other point of departure for the purpose of transporting food or merchandise out of the establishment. A single-use plastic carry-out bag shall not include any of the following:

1. Product bags;
2. Laundry or dry-cleaner bags, including bags provided by hotels to guests to contain wet or dirty clothing;
3. Bags used to contain a newspaper for home delivery;
4. Bags sold in packages containing multiple bags intended for use as food storage bags, garbage bags or pet waste bags; or
5. Any bags provided for use by a Commercial Establishment operated by the Commonwealth of Pennsylvania, or otherwise provided by a federal, Commonwealth, or local government agency.

SINGLE-USE PLASTIC STRAW OR STIRRER

A straw which is made predominantly of plastic and which is primarily intended for a single use. The term shall also include a plastic stirrer, a device used to mix beverages, intended for a single use, and made predominantly from plastic. The term single-use plastic straw or stirrer shall not include straws or stirrers composed of non-plastic materials, such as bamboo, sugar cane, agave, wood, or paper. The term single-use plastic straw or stirrer shall not include straws provided under any of the following circumstances:

1. When provided with a beverage on private property used as a residence.
2. When provided by a state, federal or local government agency.
3. When packaged with beverages prepared and packaged outside of the Borough, provided such beverages are not altered, packaged or repackaged within the Borough.
4. When provided as an assistance device to reasonably accommodate a disability.

STRAW

A tube designed or intended for transferring a beverage from its container to the mouth of the drinker by suction or for the stirring of a beverage.

§ 10-503 **Single-Use Carry-Out Plastic Bags Restricted.**

1. Restrictions on Single-Use Carry-Out Plastic Bags.

Except as provided in this section, beginning March 1, 2024, no Commercial Establishment or operator shall provide a single-use carry-out plastic bag to a consumer at the check-out, stand, cash register, point of sale, or other point of departure for the purposes of transporting food or merchandise out of the Commercial Establishment.

2. Permitted Bags.

A. A Commercial Establishment may make available for sale to a consumer, a recyclable paper bag for a mandatory, uniform charge of \$0.10 per recyclable paper bag.

- (1) Any charge for a recyclable paper bag shall be separately stated on a receipt provided to the consumer at the time of sale and shall be identified as the "paper carry-out bag charge" thereon.
- (2) All monies collected by a Commercial Establishment for the sale of recyclable paper bags under this section may be retained and used by the Commercial Establishment for any lawful purpose.
- (3) All Commercial Establishments must post within such Commercial Establishment signage clearly indicating the per bag charge for recyclable paper bags.
- (4) No Commercial Establishment shall rebate or otherwise reimburse a consumer any portion of the charge required in this Subsection 10-503.2.A, except as provided in Subsection 10-503.2.A(5) below. Any waiver of the charge by the Commercial Establishment or any reimbursement in any form to a consumer for any portion of the charge for the provision of a recyclable paper bag is a violation of this section.
- (5) A Commercial Establishment which collects a charge for a recyclable paper bag shall exempt a consumer from the fee when that consumer uses an electronic benefits transfer (EBT) card or is using a payment card or voucher issued by the Supplemental Nutrition Assistance Program (SNAP) or Special Supplemental Nutrition Program for Women, Infants and Children (WIC).

- B. A Commercial Establishment may make available for sale a reusable bag to a consumer, for a fee not less than ten cents (\$0.10) per bag. The requirements of Section 10-503.2 applicable to recyclable paper bags shall further apply to any supplied reusable bags.

3. Signage Requirement.

- A. From the effective date of this Part through February 29, 2024, Commercial Establishments shall be required to post at all check-out stands, cash registers, points of sale, or other points of departure from the Commercial Establishment, conspicuous signage which shall:
 - (1) Inform consumers, patrons, or users of the Commercial Establishment that single-use carry-out plastic bags will no longer be provided by the Commercial Establishment as of the date the prohibition begins;
 - (2) State the mandatory, uniform charge per bag for any compliant bag that will be provided by the Commercial Establishment;
 - (3) Provide the date such charges for compliant bags will begin to be collected;
 - (4) Explain what types of bags and uses are impacted; and
 - (5) Provide any other information the Borough may require by regulation.

4. Permitted Bags and Carry-Outs.

- A. Nothing in this section shall be construed to prohibit consumers, patrons, or users of the Commercial Establishment from:
 - (1) Using bags of any type that the consumers, patrons, or users of the Commercial Establishment bring to the Commercial Establishment for their own use or
 - (2) Carrying away from the Commercial Establishment by other means any items that are not placed in a bag provided by the Commercial Establishment.
- B. Nothing in this section shall be construed to prohibit the retail sale of compliant bags to consumers, patrons and users of the Commercial Establishment.

§ 10-504 **Prohibition Against Single-Use Plastic Straws and Polystyrene Food Containers.**

1. Beginning March 1, 2024, Commercial Establishments are prohibited from providing single-use plastic straws or polystyrene containers to a consumer, customer, patron, or user of the Commercial Establishment under any circumstance, unless subject to an exemption. The prohibition set forth in this section shall not apply to single-use plastic straws or polystyrene containers as follows:
 - A. Where multiple single-use plastic straws or polystyrene containers are grouped and sold in a single package, which package was prepared and sealed by the manufacturer of such items at the time of their manufacture;
 - B. Where an individual single-use plastic straw or polystyrene container is included as a part of a pre-packaged product where such single-use plastic straw or polystyrene containers is ancillary to the primary products, and such package was prepared and sealed by the manufacturer of such items at the time of their manufacture; or
 - C. Are ultimately sold to consumers for business use.

§ 10-505 **Exemptions.**

1. Borough Council may, in its sole discretion, upon written request of a Commercial Establishment, exempt a Commercial Establishment from the requirements of this Part for a period of not more than one year from the effective date upon a finding by the Council that the requirements of this section would cause undue hardship to the Commercial Establishment. Borough Council may make a finding of undue hardship only in the following circumstances or situations, and any exemptions that may be provided by the Council pursuant hereto may, in the Council's discretion, contain conditions:
 - A. The Commercial Establishment has a unique circumstance or situation such that there are no reasonable alternatives to single-use carry-out plastic bags, single-use plastic straws, or polystyrene containers;
 - B. Compliance with the requirements of this section would deprive a Commercial Establishment of a legally protected right;
 - C. Additional time is necessary in order to draw down an existing inventory held by the Commercial Establishment of single-use carry-out plastic

bags, single-use plastic straws, or polystyrene containers and a request for relief pursuant to this Subsection 10-505.1.C is submitted to the Borough within 180 days from the effective date of this Ordinance.

§ 10-506 Enforcement and Penalties.

1. The Borough Manager or their designee(s) shall have the primary responsibility for enforcement of this Part.
2. Failure of any Commercial Establishment, to comply with the provisions of this Part or any section thereof, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay fines as set forth in this section, plus costs.
3. If the Borough Manager or their designee(s) determines that a violation under this section has occurred, and such violation is the first such violation of the Commercial Establishment noted hereunder, the Borough Manager or their designee(s) shall issue a written warning ("written warning") to the Commercial Establishment which shall notify the Commercial Establishment that the violation has occurred. No other written warning of any kind shall be required at any time under this Part.
4. If the Borough Manager or their designee(s) determines that a violation under this section has occurred, and such violation occurs after the Commercial Establishment has been previously warned pursuant to the preceding paragraph, then the first such violation subsequent to the written warning ("first violation") shall be punishable by a fine not to exceed \$250.
5. Each violation of the Commercial Establishment subsequent to the first violation and occurring within 12 months of the first violation ("initial twelve-month period") shall be punishable by a fine not to exceed \$500.
6. For the purposes of this section, a new twelve-month period will begin on the one-year anniversary of the most recent violation ("subsequent twelve-month period"). The first violation to occur after each subsequent twelve-month period shall be punishable by a fine not to exceed \$250 with each subsequent violation punishable by a fine not to exceed \$500.
7. The Borough may institute suits, in equity or at law, to restrain, prevent, or abate a violation of this section. Such proceedings may be initiated before any court of competent jurisdiction. The expense of such proceedings shall be recoverable from the violator in any manner as may now or hereafter be provided by law.

Section 2. 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, sections or parts hereof. It is hereby declared as the intent of Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 3. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 4. This Ordinance shall become effective upon enactment as provided by law.

PASSED by Borough Council this 8th day of August, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 8th day of August, 2023.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 8th day of August, 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 8th day of August, 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 5-224 "LOADING AND UNLOADING ZONES" AND PART 4, "GENERAL PARKING REGULATIONS," SECTION 15-402, "PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS" 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 15-224 "Loading and Unloading Zones," 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:

Highway	Side	Between
Church Street	North	From a point 148 feet west of the northwest corner of Main Street. A 15 Minute Parking Loading Zone, Wednesday to Friday, 9:00 a.m. — 5:00 p.m. sign should be placed at a point on the north side of Church Street facing east.
Church Street	South	From a point 241 feet east of the southeast corner of Gay Street. A 15 Minute Parking Loading Zone, Monday to Friday, 10:00 a.m. — 4:00 p.m. sign should be placed at a point on the south side of Church Street facing west.

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
<u>Franklin Street</u>	<u>Both</u>	<u>Fillmore Street and the northern terminus thereof as it begins the entrance into the park.</u>
Heckle Street	Both <u>East</u>	East Emmett Street and Oak Street

SECTION 3.

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 4.

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

SECTION 5.

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

PASSED by Borough Council this 8th day of August, 2023.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 8th day of August, 2023.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 8th day of August, 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 8th day of August, 2023.

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

**INFRASTRUCTURE, TECHNOLOGY, TRANSPORTATION, AND SUSTAINABILITY (ITTS)
COMMITTEE MEETING
Tuesday, June 20, 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 7:00 pm
- II. Public Participation on Non-Agenda Items
 - A. David Lutzker asked the Committee to recommend Borough Council support the Regional Planning Committee's efforts on the Northern Chester County Clean Energy Plan.
- III. Committee Member Updates/Discussions - None
- IV. New Business
 - A. Eric Eason from RVE provided a video for public information regarding the Borough's 2022-2023 MS4 program.
- V. Infrastructure Updates
 - A. Engineering Reports (Jan, Apr, Jul, Oct)
Nothing new to report this month.
 - B. Stormwater Management
Mr. Krack reported the Borough Engineers continue collecting all of the needed data.
 - C. The Phoenix Wheel
Mr. Krack reported the Borough received the signed contract documents from DCED and that Staff and Borough Engineer are working with Barbara Cohen and her team. The Borough still has a number of things to work out with the site and the engineer needs to develop the bid package before any contracts can be awarded for the project.
- VI. Transportation Updates
 - A. Starr and Nutt Intersection

Mr. Krack reported the Notice to Proceed is estimated to be July 17. Once PennDOT releases their press packet, the Borough will populate its social media platforms to alert residents to the work being done.
 - B. Bridge and Starr Street

Mr. Krack reported the Borough submitted a CRP Grant application to the County for \$950,000 towards the project. He reported that he met with Traffic Planning and Design to get a proposal for the design and engineering.

C. Paradise and Hall Street

Mr. Krack reported the Paradise Street Project contract was awarded by Borough Council last week and he expects the notice to proceed will be around July 17. He also noted that the contractor is the same as for the Nutt and Starr project.

He also reported that the owner of 425 Bridge Street had filed for a Board of View regarding the just compensation provided for the ROW area the Borough acquired. No date has been set for this.

D. Mowere Road

Mr. Krack reported that he spoke with the owner of the property to secure a small area of ROW along the road and that the conversation was positive. He expects the Borough could put the project out to bid over the winter and be positioned to start construction in early Spring 2024.

E. North Street

Mr. Krack reported that he looked at the survey information and will be discussing next steps with Staff as to whether there is any need to construct roadway in the entire area of the ROW.

F. French Creek Trail

Mr. Krack reported there was nothing new to report at this time.

G. Train Station

Mr. Krack reported that there was nothing new to report at this time.

VII. Sustainability Updates

A. PXVNEO

Mr. Watson reported the system will attempt a restart over the weekend and into next week when the team from the pump company is in town. This will delay any ribbon cutting event.

B. EV Charging Stations

Ms. Getzfread reported that we have completed the installation of 46 charging stations to date. She also reported that we are participating in a large grant request being submitted by DVRPC for EV stations throughout the region and the Borough asking for eight of them.

C. Municipal Building Solar Proposal

Mr. Krack reported the Borough Engineer was working on the plans and that Staff provided the past two years of PECO bills to the engineer.

VIII. Technology Updates

A. Website

Mr. Krack reported that Alexis has been working on the GIS with a storyboard program that allows great flexibility in showing information on various projects and using the GIS map to show locations. This is going to be a great new resource on our website.

IX. Public Participation - None

X. Adjournment 7:50 by Ms. Burckley.

Next Meeting Date: Tuesday, July 18, 2023 at 7:00 pm

FINANCE COMMITTEE MEETING

Tuesday, June 27, 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 at 6:00 pm.

II. Public Participation – None.

III. Committee Member Updates/Discussions - None.

IV. New Business

- A. Motion to recommend Borough Council approve the 2023 Pre-Paid dated 5/1/2023 - 5/31/2023 in the amount of \$1,140,558.72.

Mr. Kirkner made a Motion to recommend Borough Council approve. Seconded by Mr. Moore. Motion passed 4-0.

- B. Motion to recommend Borough Council approve the 2023 Pre-Paid Credit Card Statement dated 5/1/2023 - 5/31/2023 in the amount of \$102,238.83.

Mr. Moore made a Motion to recommend Borough Council approve. Seconded by Mr. Kirkner. Motion passed 4-0.

- C. Motion to recommend Borough Council approve the 2023 Pre-Paid ACH dated 5/31/2023 in the amount of \$448,367.80.

Mr. Moore made a Motion to recommend Borough Council approve. Seconded by Mr. Kirkner. Motion passed 4-0.

- D. Motion to recommend Borough Council approve Budget Increase 2023-019 in the amount of \$30,000 from Water Fund Balance to Water Distribution (Large Meter Replacement) at Eland Downe and Westridge.

Mr. Moore made a Motion to recommend Borough Council approve. Seconded by Mr. Kirkner.

On the Question: Mr. Watson provided additional background on the request. Questions were asked and answered. Motion passed 4-0.

- E. Motion to recommend Borough Council approve Budget Increase 2023-020 in the amount of \$23,000 from Water Fund Balance to Water Treatment (Equipment Maintenance & Repair) to replace damaged motor in the High Service Pump.

Mr. Moore made a Motion to recommend Borough Council approve. Seconded by Mr. Kirkner.

On the Question. Mr. Watson provided additional background on the request. Questions were asked and answered. Motion passed 4-0.

- F. Motion to recommend Borough Council approve Budget Increase 2023-021 in the amount of \$100,000 from General Fund Balance to Legal (General Solicitor) for additional legal costs relating to the K Center property.

Mr. Kirkner made a Motion (with regret) to recommend Borough Council approve. Seconded by Mr. Moore.

On the Question: Ms. Dugan expressed major concerns regarding the reasoning for the budget increase. All members concurred with those concerns. Motion passed 4-0.

- G. Motion to recommend Borough Council approve the Budget Transfer Request 2023-07 in the amount of \$15,000 from Water Distribution (Meter Programs) to Water Distribution (Other Repair & Maint Supplies) due to rising cost of materials.

Mr. Kirkner made a Motion to recommend Borough Council approve. Seconded by Mr. Moore. Motion passed 4-0.

- H. Motion to recommend Borough Council authorize the funding of a Compliance Officer position in Public Works.

Mr. Moore made a Motion to recommend Borough Council approve. Seconded by Mr. Kirkner.

On the Question: Mr. Watson provided additional background on the request. Questions were asked and answered. Motion passed 4-0.

- V. Adjournment at 6:30 pm by Mr. Kirkner.

Next Meeting Date: Tuesday, July 25, 2023 at 6:00 pm