

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, January 9, 2024

7:00 PM

AGENDA

- I. Pledge of Allegiance/Moment of Silence
- II. Roll Call – Borough Manager
- III. Presentations
- IV. Public Participation
- V. Approval of the December 12, 2023 Regular Meeting Minutes and the January 2, 2024 Reorganization Meeting Minutes.
 - A. December 12, 2023 and January 2, 2024 Minutes
- 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 Civil Service Commission, Human Relations Commission, and Tree Advisory Commission.
 - B. Motion to adopt a Resolution appointing David Petty to the Zoning Hearing Board for a new term expiring January 31, 2029.
 - C. Motion to reappoint Amara Thornton-Brown to the Civil Service Commission for the new term expiring January 31, 2030.
 - D. Motion to appoint Susmita Sukla to the Human Relations Commission for a term expiring March 31, 2027.
- IX. New Business
 - A. Motion to appoint Conflict Solicitor.
- X. Resolution/Ordinances
 - A. Motion to adopt a Resolution acknowledging Jessie Webb for her two years of service on Borough Council.
 - B. Motion to adopt an Ordinance amending Chapter 10, Health and Safety, by adding a new Part 5 Plastics.

- C. Motion to schedule and advertise an Ordinance amending Chapter 15, Motor Vehicles.
- XI. Hearings
- XII. Reports of Committees, Boards, and Commissions
 - A. Historical and Architectural Review Board – Ms. Dugan
 - 1. Motion to approve/deny the Certificate of Appropriateness for renovations for 99 Bridge Street as recommended by the HARB in their Action Memo of January 9, 2024.
 - 2. Motion to approve/deny the Certificate of Appropriateness for renovations and additions for 123 Main Street as recommended by the HARB in their Action Memo of January 9, 2024.
 - B. Planning Commission - Mr. Moore
 - 1. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as 785A Starr Street.
 - 2. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as Phoenix Crossing – 99 Bridge Street.
 - 3. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as 123 Main Street.
 - C. Phoenixville Regional Planning Committee – Mr Kirkner
 - D. Recreation Board – Ms. Dugan
 - E. Tree Advisory Commission – Mr. Carminito
 - F. Human Resources Commission – Ms. Burckley
- XIII. Council Action referred from:
 - A. Personnel and Public Safety Committee - Ms. Burckley
 - 1. No additional action to report.
 - B. Parks and Recreation Committee - Mr. Moore
 - 1. No action to report.
 - C. Policy Committee - Carminito
 - 1. No action to report.

- D. Infrastructure, Technology Transportation & Sustainability Committee - Mr. Weiss
 - 1. No action to report.
- E. Finance Committee - Ms. Dugan
 - 1. No action to report.
- XIV. Public Participation
- XV. Communication/Council Participation
- XVI. Staff Reports
 - A. Manager
 - B. Police
 - C. Fire
 - D. Planning and Codes
 - E. Public Works
 - F. Finance
 - G. Human Resources
 - H. Recreation
- XVII. Council met in Executive Session on December 12, 2023 to discuss Personnel, Real Estate and Litigation.
- XVIII. Executive Session – Personnel, Real Estate and Litigation
- XIX. Adjournment

Next Meeting Date:

Planning Commission	January 11 – 6:00 pm
Parks and Recreation Committee	January 16 – 6:00 pm
Infrastructure Committee	January 16 – 7:00 pm
Recreation Board	January 22 – 6:30 pm
Finance Committee	January 23 – 6:00 pm
Policy Committee	January 23 – 7:00 pm
HARB	February 5 – 5:00 pm
Personnel/Public Safety Committee	February 5 – 6:00 pm
Tree Advisory Commission	February 5 – 7:00 pm
Civil Service Commission	February 5 – 7:00 pm

Planning Commission
Borough Council

February 8 – 6:00 pm
February 13 – 7:00 pm

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, December 12, 2023

7:00 PM

MINUTES

I. Pledge of Allegiance/Moment of Silence

II. Roll Call – Borough Manager

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

III. Presentations

- A. Swearing in of Patrol Officer Chase Rondeau – Mayor Urscheler.
Chief Marshall introduced Officer Chase Rondeau and provided a brief biography of his accomplishments.

Mayor Urscheler swore in Officer Rondeau as a Patrolman with the Phoenixville Police Department.

IV. Public Participation

Sally Doyle, resident and member of ReReRe Plastics. She stated she is here in support of the adoption of the Plastics Ordinance. She stated she attended many of the Policy Committee meetings and she appreciates all the hard work put into the Ordinance and working with the businesses to bring this item back to the Council Agenda for approval.

Rodney Platt, resident and member of Phoenixville Area Transition. He stated he is in support of the Plastics Ordinance and he thanked the Policy Committee and the Council for their conscientiousness and mindful work.

David Lutzker, resident and President of the Green Team. He summarized the Ordinance to encourage consumers in commercial establishments within the borough to reduce the use of single-use plastic bags and replace them with reusable bags. It is a great goal and

he is glad the Borough is here with the Plastics Ordinance.

Lucy Graham, resident and member of ReReRe Plastics. She stated she is reiterating what the others have said in support of the ordinance. We're hoping that the plastics ordinance will be approved tonight and we really appreciate the work that you've done on it. We're really happy that Phoenixville Borough is a community that is taking this step and acting as a model for other communities around us.

V. Consent Agenda

A. Approval of the November 14, 2023 Regular Meeting Minutes.

B. Items from Parks and Recreation Committee:

1. Motion to approve the Eagle Scout Proposal from Troop 58 Life Scout Ian Cockerham. The Proposal is for repair/refurbishment of lighting at Reeves Park Veterans Memorial. Some landscape upgrades will be included.

C. Items from Finance Committee:

1. Motion to approve the 2023 Pre-Paid dated 10/1/2023 – 10/31/2023 in the amount of \$2,030,626.08.
2. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 10/1/2023 - 10/31/2023 in the amount of \$109,553.57.
3. Motion to approve the 2023 Pre-Paid ACH dated 10/31/2023 in the amount of \$38,669.30.
4. Motion to approve Budget Increase 2023-032 in the amount of \$7,613 from General Fund Balance to Fire Protection – New Vehicle for additional costs to outfit Fire Chief's new truck.
5. Motion to adopt a Resolution eliminating member payments to the Police Pension Plan Fund for the Calendar Year 2024.

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

Motion Approved 8-0.

VI. Communications/Council Participation

Mr. Ewald made a minor clarification of item B from the Parks and Recreation Committee. Ian Cockerham's proposal for Reeves Park has been approved and the Council looks forward to the refurbishment.

Mr. Kirkner spoke about the recent passing of Pasquale "Pat" Nattle, Sr. He described the hard work and dedication Pat gave to the Borough. He spoke about his 40-year friendship with Mr. Nattle and of his time working for the borough in the Public Works Department and as President of the Rec Board. Mr. Nattle was a life-long resident of Phoenixville who dedicated himself to the town, his family and friends. He sent his condolences to his family and stated he would be missed.

Ms. Burckley thanked Ms. Webb for her service on Borough Council, as this is her last meeting and for her continued help with the 175 Celebration plans for the Borough. She reported on Mrs. Claus' activities this holiday season including the tree lighting and the Police Association's annual Shop with a Cop. She thanked the Borough Staff, the Phoenixville Jaycees and the Firebird Committee for the work on the festival and reported on the record number of attendees.

Ms. Webb thanked the Council members and Borough Staff for all the help you guys have given me while being on this side of the podium. I can truly tell everyone every single person up here cares just so much about this town and really just wants what's best for it. She thanked the residents who come to all the meetings because she knows everyone has so much passion for Phoenixville.

Mr. Ewald thanked Ms. Webb as well. He stated his appreciation for her enthusiasm and willingness to step up midterm to serve the Borough.

VII. Mayor's Report

Mayor Urscheler reported on the events in town, including the mid-block crosswalk ribbon cutting in the 100 Block of Bridge Street, Joy of Socks receiving their 1 millionth pair of socks donated, the Firebird film at the Colonial Theatre, and he wished a Happy 100th Birthday to resident Jacqueline Taglieber.

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

Motion Approved 8-0.

Recess at 7:33 PM

Return at 7:42 PM

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

Motion Approved 8-0.

Mr. Denlinger stated the Executive Session was to discuss personnel.

VIII. Appointments

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

Commissions. Current vacancies exist on the Civil Service Commission, Human Relations Commission, and Tree Advisory 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.

- B. Motion to accept the resignation of Nicholas Kraynak from the Civil Service Commission.

Ms. Burckley made a Motion to accept the resignation of Nicholas Kraynak from the Civil Service Commission. Seconded by Mr. Weiss.

Motion Approved 8-0.

- C. Motion to appoint Beth Burckley to the vacant position on the Civil Service Commission.

Mr. Weiss made a Motion to appoint Beth Burckley to the vacant position on the Civil Service Commission. Seconded by Ms. Webb.

On the Question:

Mr. Kirkner stated there is no compensation for the Civil Service Commission.

Motion Approved 7-0-1. Ms. Burckley Abstained

IX. New Business

- A. Motion to schedule and advertise the Borough Council Reorganization Meeting for January 2, 2024 at 6:00 pm.

Ms. Burckley made a Motion to schedule and advertise the Borough Council Reorganization Meeting for January 2, 2024 at 6:00 pm. Seconded by Ms. Webb

Motion Approved 8-0.

- B. Motion to schedule and advertise the 2024 meetings of Borough Council and various Boards, Commissions, and Committees.

Ms. Burckley made a Motion to schedule and advertise the 2024 meetings of Borough Council and various Boards, Commissions, and Committees. Seconded by Ms. Webb.

Motion Approved 8-0.

- C. Motion to approve the 2024 General Fund and Enterprise Funds Budget.

Ms. Dugan made a Motion to approve the 2024 General Fund and Enterprise

Funds Budget. Seconded by Mr. Kirkner.

On the Question:

Mr. Ewald thanked the Borough Staff for the hard work that led up to this moment.

Ms. Dugan stated it had been especially hard to get everything approved on the budget but the Staff succeeded. It has been a joy to work with the Staff on the 2024 Budgets.

Mr. Moore thanked the public for their participation at the Finance Committee meetings.

Motion Approved 8-0.

- D. Motion to take action on Borough personnel employment status.

Ms. Burckley made a Motion for Council to approve the Honorable Discharge due to disability, effective immediately, of Officer Hakeem Lee/Officer Badge #63 and approval of a service connected disability pension for this officer subject to the terms and conditions outlined in the Police Pension Plan, and further approving Borough Counsel President or the Borough Manager to execute any documents necessary to effect the same. Seconded by Mr. Weiss.

Motion Approved 8-0.

- E. Motion to approve the Brandywine Valley SPCA Animal Protective Services Division Full Service Contract - 5 Year Agreement

Ms. Burckley made a Motion to approve the Brandywine Valley SPCA Animal Protective Services Division Full Service Contract - 5 Year Agreement. Seconded by Ms. Webb.

On the Question:

Mr. Denlinger stated he reviewed the contract and some changes were made. He stated its a standard contract.

Motion Approved 8-0.

- X. Resolutions/Ordinances

- A. Motion to adopt an Ordinance for the 2024 Tax Levy.

Ms. Dugan made a Motion to adopt an Ordinance for the 2024 Tax Levy. Seconded by Mr. Weiss.

Motion Approved 8-0.

- B. Motion to adopt an Ordinance Redistricting of Wards/Precincts.

Mr. Kirkner made a Motion to adopt an Ordinance Redistricting the Wards/Precincts. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger explained the history of the Ordinance being previously approved and the need for the Borough to address the Precincts. He stated the new maps redefine the Wards as well as the Precincts as required from the 2020 Census numbers in the Brough.

Mr. Ewald thanked Remington Vernick Engineers for their work on the GIS maps and stated this mapping will be good for the next ten years.

Mr. Moore encouraged the residents to verify their wards and poling places as some of the shift of Wards and Precincts may affect them in the upcoming elections.

Motion Approved 8-0.

- C. 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.

Motion Approved 8-0.

- D. Motion to adopt an Ordinance changing the name of a Borough Street.

Mr. Weiss made a Motion to adopt an Ordinance changing the name of a Borough Street. Seconded by Ms. Burckley.

Motion Approved 8-0.

- E. Motion to adopt a Resolution Authorizing the purchase of certain Chester County owned Real Estate located at 13 Railroad Street.

Mr. Kirkner made a Motion to adopt a Resolution Authorizing the purchase of certain Chester County-owned Real Estate located at 13 Railroad Street. Seconded by Ms. Burckley.

On the Question:

Mr. Ewald asked about the purchase price.

Mr. Denlinger explained Chester County dissolved its redevelopment authorities. So the borough has been maintaining this property for a couple of years now and

now Chester County has offered to sell the property to the borough for \$1.00.

Motion Approved 8-0.

- F. Motion to adopt a Resolution authorizing the reimbursement of the Phoenixville Volunteer Firefighters Relief Association for ten percent (10%) of the equipment installed on Ladder 65 and Engine 65-2 in the event of the divestiture thereof by the Borough.

Ms. Burckley made a Motion to adopt a Resolution authorizing the reimbursement of the Phoenixville Volunteer Firefighters Relief Association for ten percent (10%) of the equipment installed on Ladder 65 and Engine 65-2 in the event of the divestiture thereof by the Borough. Seconded by Mr. Weiss.

On the Question:

Mr. Krack explained the relief association over the years has outfitted fire trucks with equipment and this Resolution provides them with reimbursement of 10% of the monies spent.

Motion Approved 8-0.

XI. Hearings

XII. Reports of Committees, Boards, and Commissions

A. Planning Commission - Mr. Moore

- 1. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as 197 Bridge Street Expansion.

Mr. Moore made a Motion adopt a Resolution officially conditionally approving the Preliminary/Final Subdivision and Land Development Plan for the development known as 197 Bridge Street Expansion . Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger explained this project is to add additions to the existing second and third floors and add a fourth floor to create new residential apartments in addition to the existing ones. As a part of the development, the applicant has agreed to some streetscape improvements. In order to increase the walkability and ADA compliance of the sidewalk along Main Street, the applicants went before the Planning Commission several times and received a recommendation for approval. One of the conditions in the draft approval Resolution includes compliance with the HARB decision since this is a matter of land development, Mr. Denlinger asked the applicant if they wished

to address the Council or if anyone had any public comment.

Public Comment

None.

Mr. Denlinger stated the applicant indicated they did not want to address the Council.

Ms. Dugan expressed her concerns about the addition of the new apartments in the downtown as it relates to available parking for these units.

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

B. Historical and Architectural Review Board – Ms. Dugan

Ms. Dugan stated she has nothing to report.

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner stated the committee will be resuming public meetings in 2024.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the programs at the Recreation Center, including the blood drive on December 18, 2023, the Safe Sitter program, yoga, flag football and pickleball clinics.

E. Tree Advisory Commission – Ms. Burckley

Ms. Burckley reported on the fall tree planting and thanked the Boy Scouts for their assistance.

XIII. Council Action referred from:

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

Ms. Burckley congratulated Officer Rondeau on his appointment to the Police Department.

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 Mr. Weiss.

On the Question:

Mr. Kirkner indicated there may need to be a minor adjustment to the Ordinance as it relates to the requirement for signage in December and an effective date of January.

Mr. Krack stated the intention was to say they had until December 31, 2024, to put everything in place and then, on January 1, 2025 it would become effective.

Mr. Kirkner stated in paragraph one the effective date is January 1, 2025 so the wording may need minor editing for clarification.

Mr. Carminito asked if the vote tonight is to approve the Ordinance or just advertise it.

Mr. Ewald stated it is to advertise the amendment.

Mr. Carminito stated the business owners would still have time to review the final draft.

Mr. Ewald stated they would have time to review it before the January 9, 2024, meeting. Many of the businesses attended the last two Policy Committee meetings and have commented on the Ordinance.

Ms. Burckley commented that the advertising of the ordinance makes the changes more public. The Borough Staff is working on educational documents for the public and businesses and we as good stewards of the community, can spread the word on the upcoming requirements for the reduction of plastic bag usage in town. Mr. Carminito and I attended the community round table at the Colonial theater and we and other members of the Council can continue to engage the community. She asked Mr. Kirkner and Mr. Ewald if it would be appropriate to discuss the educational materials for the public at the next meeting in January.

Mr. Carminito stated he thinks it would be helpful to get the draft out to the business owners and receive feedback from them before we approve the Ordinance.

Ms. Dugan stated she understands this is only to schedule, but this is something she feels needs to be handled at the state level. She thinks the idea of each county, borough or township having their own regulations makes it confusing, and it won't work out when you have all of this patchwork of

differing laws.

Mr. Kirkner stated this Ordinance has gone through a long and thorough review process, and he wanted to thank Ms. Burckley and Mr. Ewald for sticking with it. He also thanked Mr. Boelker and Mr. Krack for their hard work in researching other ordinances and, finally, he thanked the public for their continued support of the Plastics Ordinance. He stated we have made it to this point and, while I agree with Ms. Dugan that it should be at the state level, I am also aware they won't take up a state wide ban on plastics.

Mr. Ewald stated it is a small step we can take like other communities before us, and until the state gets on board with allowing for such a ban, this is the way municipalities will have to address the issue.

Mr. Carminito asked if we would have to vote on this at the January meeting since we are just seeing the final draft now. Is this something we can vote on at the February meeting, so we can have more time to review the final draft?

Mr. Denlinger explained we have to schedule and advertise for a certain date and my understanding of the motion is to schedule for the January 9, 2024, meeting. If a member of the Council wishes to make a different motion from the current one, they could do so or the motion maker and second could amend the motion. Once the Ordinance is advertised, the Council would have to act at the January 9, 2024, meeting.

Ms. Dugan thinks that advertising for February may be the right thing to do as we are coming into the Christmas shopping season and the business's focus is elsewhere.

Mr. Carminito agrees with Ms. Dugan, businesses are not focused on the Plastic Bag Ordinance right now.

Mr. Ewald understands the concerns but at this point we have discussed this Ordinance more than we discussed the \$34 million dollar budget we just passed. He felt after six meetings every shop owner has seen this ordinance in some iteration.

Mr. Carminito stressed that this version has only been finalized as of two weeks ago.

Ms. Burckley asked if this change happened would it affect the implementation date.

Mr. Carminito asked if Mr. Kirkner would be willing to amend his motion to the February Council meeting.

Mr. Moore asked if the Ordinance would have to be passed at the hearing on January 9, 2024.

Mr. Denlinger stated the enactment of the Ordinance does not require a hearing and, yes, you are not required to act. The Council could if they choose to table the ordinance after it is advertised. However, if the item is tabled it will need to be re-advertised for the Council to act.

Mr. Kirkner stated he did not wish to amend the motion, taking it to February means changes could be made, and those actions would push this back even further and have a negative impact on the timeline in the current Ordinance enactment.

Mr. Denlinger stated, Mr. Kirkner makes a good point. Whether this is advertised in January or February. It will be the version that is before you tonight.

Mr. Moore stated he thinks the committee process needs to be respected, and we can move forward with advertising the ordinance for January.

Ms. Burckley stated she can see both sides, and she appreciates Mr. Carminito's dedication to making sure the businesses are aware of this change.

Mr. Kirkner stated this is the second time this Ordinance has been before the Council. The changes in tonight's document steamed from the many meeting held to discuss the ordinance at the Policy Committee.

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

2. Motion to authorize a letter to the state Representatives seeking legislation to give municipalities the ability to regulate Games of Chance.

Mr. Kirkner made a Motion to authorize a letter to the state Representatives seeking legislation to give municipalities the ability to regulate Games of Chance. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger explained the loophole in the state regulations as it relates to games of chance versus games of skill not being clearly defined.

Mr. Krack explained the letter and noted the letter would be written to refer to a game of skill and not of chance.

Mr. Denlinger stated this is a hot topic in the court system right now.

Motion Approved 8-0.

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

1. No additional action to report.

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

1. No additional action to report.

XIV. Public Participation

David Lutzker, resident. He asked if the Phoenixville Regional Planning Commission would consider hybrid meetings that allow remote attendance as well as in person.

XV. Communication/Council Participation

Mr. Kirkner stated the idea of a hybrid meeting is being discussed for the Regional Planning meetings.

XVI. Staff Reports

A. Manager

B. Police

C. Fire

D. Planning and Codes

E. Public Works

F. Finance

G. Human Resources

XIX. Council met in Executive Session on November 14, 2023 to discuss Real Estate and Litigation

XVII. Executive Session – Personnel, Real Estate and Litigation

XVIII. Adjournment

8:31pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
December 2023

PHOENIXVILLE BOROUGH COUNCIL
Reorganization Meeting
January 2, 2024
6:00 PM

MINUTES

I. Pledge of Allegiance/Moment of Silence

Mayor Urscheler opened the meeting with the Pledge of Allegiance followed by a moment of silence.

II. Elected Councilpersons provide Affidavit of Residency – Borough Secretary

Mr. Krack confirmed he was in receipt of the Affidavit of Residency for Mr. Ewald, Mr. Moore, Mr. Strenfel, and Mr. Weiss.

III. Swearing in by the Honorable James C. Kovaleski, Magisterial District Judge

Mayor Urscheler introduced the Honorable James C. Kovaleski, Magisterial District Judge who conducted the Oath of Office for:

- A. Councilperson Middle Ward - Jonathan M. Ewald
- B. Councilperson West Ward - Brian Moore
- C. Councilperson North Ward - David Strenfel
- D. Councilperson East Ward - Brian Weiss

IV. Call to Order – Mayor

Mayor Urscheler called the meeting to order at 6:11 pm.

V. Roll Call – Borough Secretary

Mayor Urscheler asked the Borough Secretary for Roll Call. Those present on Roll Call were: Ms. Burckley, Mr. Carminito, Ms. Dugan, Mr. Ewald, Mr. Kirkner, Mr. Moore, Mr. Strenfel, and Mr. Weiss. Also present were: Mayor Urscheler, Borough Manager Krack, Assistant Manager Getzfread, Police Chief Marshall and Solicitor Denlinger.

VI. Nomination and Election of Council President

Mr. Weiss nominated Mr. Ewald. Seconded by Mr. Kirkner. Nomination approved 8-0.

VII. Nomination and Election of Council Vice President

Ms. Dugan nominated Ms. Burckley. Seconded by Mr. Carminito. Nomination approved 8-0.

VIII. Motion to reappoint E. Jean Krack as Secretary up to and through reappointment in 2026.

Motion to reappoint made by Ms. Burckley. Seconded by Mr. Weiss. Motion approved 8-0.

IX. Nomination and Election of Assistant Secretary up to and through reappointment in 2026.

Mr. Kirkner nominated Mr. Moore. Seconded by Ms. Dugan. Nomination approved 8-0.

X. Motion to reappoint Monica Koza-Lubinsky as Treasurer up to and through reappointment in 2026.

Motion to reappoint made by Ms. Dugan. Seconded by Ms. Burckley. Motion approved 8-0.

XI. Motion to reappoint Margaret Niemczuk as Assistant Treasurer up to and through reappointment in 2026.

Motion to reappoint made by Ms. Dugan. Seconded by Ms. Burckley. Motion approved 8-0.

XII. Appointment of Committee Members and Chairpersons – Council President

Mr. Ewald appointed members of Council to the Committees as follows:

- A. Personnel and Public Safety to be chaired by Ms. Burckley with Mr. Strenfel and Mr. Weiss as members.
- B. Parks and Recreation to be chaired by Mr. Moore with Ms. Burckley, Ms. Dugan, and Mr. Weiss as members.
- C. Finance to be chaired by Ms. Dugan with Mr. Carminito, Mr. Ewald, and Mr. Kirkner as members.
- D. Infrastructure, Technology and Transportation to be chaired by Mr. Weiss with Ms. Burckley, Mr. Strenfel and Mr. Moore as members.
- E. Policy to be chaired by Mr. Carminito with Mr. Ewald, Mr. Strenfel, and Mr. Kirkner as members.

XIII. Other Appointments – Council President

Mr. Ewald appointed the following committee liaisons:

- A. Recreation Board - Ms. Dugan as a non-voting member.
- B. Phoenixville Regional Planning Committee - Mr. Kirkner as a voting member.

- C. Planning Commission Liaison - Mr. Moore as a non-voting member.
- D. Pension Board - Mr. Ewald and Mr. Kirkner as voting members.
- E. HARB – Ms. Dugan as a voting member.
- F. Human Relations Commission - Ms. Burckley as a non-voting member.
- G. Phoenixville Community Health Foundation - Mr. Ewald.
- H. Tree Advisory Commission – Mr. Carminito as a non-voting member.

XIV. Motion to appoint Leo Scoda as the Vacancy Board Chairperson with term expiring December 31, 2024.

Mr. Kirkner made a Motion to appoint Leo Scoda as the Vacancy Board Chairperson with a term expiring on December 31, 2024. Seconded by Ms. Burckley. Motion Approved 8-0.

XV. Public Comment

No Public Comment.

Adjournment at 6:19 Ms. Burckley made a Motion to adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
January 2024

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
David Petty	October 10, 2023		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 Liaison	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
Jon Ichter	November 14, 2023		August 31, 2025
Joel Bartlett - Architect		August 8, 2023	August 31, 2027
Matthew McCloskey - BCO	September 12, 2023		N/A
Joseph Sikora - Planning Comm	January 12, 2023		March 31, 2026

Borough Council - 4 Year Term	Appointed	Reappointed	Term Expiration
Beth Burckley - Vice President	January 2, 2018	January 3, 2022	January 5, 2026
James Carminito	January 3, 2022		January 5, 2026
Dana Dugan	January 4, 2010	January 3, 2022	January 5, 2026
Jonathan Ewald - President	January 4, 2016	January 2, 2024	January 3, 2028
Richard Kirkner	January 2, 2018	January 3, 2022	January 5, 2026
Brian Moore - Assistant Secretary	January 6, 2020	January 2, 2024	January 3, 2028
David Strenfel	January 2, 2024		January 3, 2028
Brian Weiss	January 6, 2020	January 2, 2024	January 3, 2028
Peter Urscheler - Mayor	January 2, 2018	January 3, 2022	January 3, 2026

Civil Service Commission - 6 YR Term	Appointed	Reappointed	Term Expiration
Mari Wineburg - Chairperson	September 14, 2021	August 8, 2023	January 31, 2028
Amara Thornton-Brown - Vice Chair	July 14, 2020		January 31, 2024
Beth Burckley	December 12, 2023		January 5, 2026
Alternate - Vacant			January 31, 2026
Alternate - Vacant			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
Vacant			June 30, 2028
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, 2024

RESOLUTION NO. 2024 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION RE-APPOINTING DAVID PETTY
TO THE ZONING HEARING BOARD**

WHEREAS, David Petty's term on the Zoning Hearing Board expires on January 31, 2024;
and

WHEREAS, Mr. Petty has expressed her desire to be re-appointed to the Zoning Hearing Board for another five-year term; and

WHEREAS, the Council of the Borough of Phoenixville desires to re-appoint David Petty to the Zoning Hearing Board, pursuant to Section 901 of the Borough Code and 53 P.S. § 10903 et seq.

NOW BE IT RESOLVED, the Council of the Borough of Phoenixville, by simple motion, hereby re-appoints David Petty to the Zoning Hearing Board effective January 9, 2024 for a new term which expires on January 31, 2029 by a vote of ____ to ____ in favor.

PASSED by Borough Council, this 9th day of January, 2024.

Jonathan M. Ewald, Council President

ENACTED, this 9th day of January, 2024.

E. Jean Krack, Borough/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Resolution duly adopted at a regular meeting of Borough Council held on the 9th day of January, 2024.

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

RESOLUTION 2024 -

**A RESOLUTION BY THE COUNCIL OF THE BOROUGH OF PHOENIXVILLE,
CHESTER COUNTY, PENNSYLVANIA ACKNOWLEDGING JESSIE WEBB FOR
HER TWO YEARS OF SERVICE ON BOROUGH COUNCIL**

WHEREAS, Jessie Webb has served honorably as Councilperson for the North Ward since March 8, 2022; and

WHEREAS, Jessie Webb has served on the Personnel and Public Safety Committee, Parks and Recreation Committee, and Infrastructure, Technology, Transportation and Sustainability Committee since March 8, 2022; and

WHEREAS, Jessie Webb completes her term of office as the North Ward Councilperson on January 2, 2024; and

WHEREAS, Jessie Webb's participation in the affairs of the Borough Government has provided invaluable service to the North Ward and Borough residents as a whole; and

WHEREAS, Borough Council wishes to express its appreciation to Jessie Webb for her public service.

NOW, THEREFORE, BE IT RESOLVED and it is hereby resolved by the Borough Council of the Borough of Phoenixville that Jessie Webb is recognized and publicly acknowledged for her efforts to provide for the efficient and effective government which is responsive to the needs of its citizens.

PASSED by Borough Council this 9th day of January, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 9th day of January, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE 2024 -

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" 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 reduce the use and environmental impact of single-use plastics
by promoting the use of reusable bags, utilizing alternatives to single-use plastic
straws, 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), biopolymer, natural
fiber, 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; or
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; or
2. Contains no old growth fiber.

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; or
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 January 1, 2025, 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 which collects a charge for a compliant 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).

3. Signage Requirement.

- A. From the effective date of this Part through January 1, 2025, 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) Explain what types of bags and uses are impacted; and
 - (3) 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 January 1, 2025, 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; or

- 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 \$25.
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 \$50.
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 \$25 with each subsequent violation punishable by a fine not to exceed \$50.
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 9th day of January, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 9th day of January, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 9th day of January, 2024.

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 9th day of January, 2024.

By: _____

E. Jean Krack

Borough Manager/Secretary

ORDINANCE NO 2024 -

BOROUGH OF PHOENIXVILLE CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE PHOENIXVILLE BOROUGH COUNCIL, CHESTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 15, “MOTOR VEHICLES AND TRAFFIC,” PART 2, “TRAFFIC REGULATIONS,” SECTION 15-207 “ONE-WAY ROADWAYS ESTABLISHED” AND SECTION 15-209 “LEFT TURNS PROHIBITED AT CERTAIN INTERSECTIONS” AND PART 4, “GENERAL PARKING REGULATIONS,” SECTION 15-402, “PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS” AND SECTION 15-403, “PARKING PROHIBITED IN CERTAIN LOCATIONS CERTAIN DAYS AND HOURS” OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE

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

SECTION 1.

Chapter 15, “Motor Vehicles and Traffic,” Part 2, “Traffic Regulations,” Section 15-207 “One-Way Roadways Established,” is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

Street	From	To	Direction of Travel
Buchanan Street	Nutt Road	Bridge Street/Morgan Street Intersection <u>Breckinridge Street</u>	North
Dean Street	Church Street <u>Washington Avenue</u>	Washington Avenue <u>Parking Lot Entrance</u> <u>North of Hall Street</u>	South <u>North</u>

SECTION 2.

Chapter 15, “Motor Vehicles and Traffic,” Part 2, “Traffic Regulations,” Section 15-209 “Left Turns Prohibited at Certain Intersections,” 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:

1. Left turns are hereby prohibited at the following locations:

C. At the driveway entrance to Renaissance Academy located on the south side of Fillmore Street approximately 100 feet west of the northwest corner of Fillmore Street and Cromby Road. A “No Left Turn 7:00 a.m. to 8:00 a.m. and 3:00 p.m. to 4:00 p.m. (School Busses Allowed)” sign shall be placed as erected.

- D. At the intersection of Nutt Road and Valley Road for traffic proceeding in a northern direction on Valley Road.

SECTION 3.

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>Fillmore Street</u>	<u>Both</u>	<u>Bunning Road and Franklin Avenue. This excludes the six designated and marked spots on the south side of Fillmore Street west of Utley Alley. “No Parking, Standing or Stopping” signs shall be placed as erected.</u>

SECTION 4.

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

Street	Side	Between	Days	Hours
<u>Brower Street</u>	<u>North</u>	<u>Buchanan Street and Lincoln Ave. No Parking Here to Corner. Signs shall be placed as erected.</u>	<u>Wednesday</u>	<u>7:00 a.m. to 2:00 p.m.</u>
<u>Buchanan Street</u>	<u>Both</u>	<u>Brower Street and Washington Avenue. No Parking. Signs shall be placed as erected.</u>	<u>Wednesday</u>	<u>7:00 a.m. to 2:00 p.m.</u>
<u>Buttonwood Street</u>	<u>East</u>	<u>May Street and Second Avenue. No Parking between Signs. Signs shall be placed as erected.</u>	<u>Thursday</u>	<u>7:00 a.m. to 2:00 p.m.</u>
<u>Jones Street</u>	<u>West</u>	<u>Washington Ave. and First Ave. No Parking between Signs. Signs shall be placed as erected.</u>	<u>Thursday</u>	<u>6:30 a.m. to 3:00 p.m.</u>
<u>Oxford Avenue</u>	<u>East</u>	<u>South of Lyndon Lane. No Parking Here to Corner. Signs shall be placed as erected.</u>	<u>Wednesday</u>	<u>7:00 a.m. to 2:00 p.m.</u>

SECTION 5.

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 6.

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

SECTION 7.

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

PASSED by Borough Council this 13th day of February, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 13th day of February, 2024.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 13th day of February, 2024.

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 13th day of February, 2024.

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

Personnel and Public Safety Committee Meeting

Monday, January 8, 2024

6:00 pm

MINUTES

Committee: Chairperson, Ms. Burckley, Mr. Strenfel, and Mr. Weiss

Mayor Urscheler

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

- I. Call to Order at 6:08 pm.
- II. Public Participation on Non-Agenda Items. No public participation.
- III. Committee Member Updates/Discussions. No member updates or discussion.
- IV. New Business

- A. Review Monthly Fire and Ambulance Reports.

Ms. Burckley acknowledged receipt of the various reports. Deputy Chief Dixon provided an update on changes coming in 2024 including the potential for a new vehicle which will carry blood products as may be needed in certain emergencies. HE also thanked the Borough Council and Staff on such an easy transition in 2023.

- B. Consider request from David Petty for reappointment to the Zoning Hearing Board for the new term expiring January 31, 2029.

Ms. Burckley made a Motion to recommend Borough Council reappoint Mr. Petty. Seconded by Mr. Weiss. Motion passed 2-0.

- C. Consider request from Amara Thornton-Brown for reappointment to the Civil Service Commission for the new term expiring January 31, 2030.

Mr. Weiss made a Motion to recommend Borough Council reappoint Ms. Thornton-Brown. Seconded by Ms. Burckley. Motion passed 2-0.

- D. Consider request from Susmita Sukla for appointment to the Human Relations Commission for the term expiring March 31, 2027.

Ms. Burckley introduced Ms. Sukla and asked that she provide her background and why she was interested in being appointed to the HRC. Ms. Sukla provided her background and answered questions.

Ms. Burckley made a Motion to recommend Borough Council appoint Ms. Sukla to the HRC. Seconded by Mr, Weiss. Motion passed 2-0.

- E. Call for Residents interested in being appointed to various Boards and Commissions. Current vacancies exist on the HARB, Tree Advisory Commission, Civil Service Commission, and Human Relations Commission.

Ms. Burckley made the announcement of the various openings.

V. Current Focus Business

- A. PXV Inside Out.

Ms. Burckley noted various recommendations from Staff that will be discussed at the next Parks and Recreation Committee Meeting.

- B. Recruitment and retention incentives.

Nothing new to report at this time.

- C. Emergency Management.

Mr. Krack noted that he would be setting a meeting later in the month to discuss additional next steps with the EOC and personnel.

- D. Community Policing.

Ms. Burckley noted that she continues dialogue with the Mayor and Chief.

VI. Public Participation. No public participation.

VII. Executive Session. No Executive Session.

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

Next Meeting Date: Monday, February 5, 2024 at 6:00 pm