

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, March 12, 2024

7:00 PM

AGENDA

- I. Pledge of Allegiance/Moment of Silence
- II. Roll Call – Borough Manager
- III. Presentations
- IV. Public Participation
- V. Consent Agenda
 - A. Approval of the February 13, 2024 Regular Meeting Minutes.
 - B. Items from Historical and Architectural Review Board:
 - 1. Motion to approve/deny the Certificate of Appropriateness for a hanging shingle sign with logo for 116 Bridge Street as recommended 4-0 by the HARB in their Action Memo of March 5, 2024.
 - 2. Motion to approve/deny the Certificate of Appropriateness for a hanging shingle sign with logo for 243 Bridge Street as recommended 4-0 by the HARB in their Action Memo of March 5, 2024.
 - C. Items from Parks and Recreation Committee:
 - 1. Motion to approve a Temporary Community Event Application for Alianzas 14th Annual Diversity Festival in Reeves Park on Saturday, August 3, 2024 from 1:00 pm to 5:00 pm. No Street closures. 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 Borough of Phoenixville Birthday Celebration at the Recreation Center and Dayton Street Field on Saturday, April 20, 2024 from 5:00 pm to 9:30 pm. Fillmore Street to be closed from Franklin Avenue to South Street from 6:30 pm to 9:30 pm.
 - 3. Motion to approve a Temporary Community Event Application for the Borough of Phoenixville Fireworks display at Dayton Street Field on Friday, July 5, 2024 from 6:00 pm to 10:30 pm. Fillmore Street to be closed from Franklin Avenue to South Street from 6:00 pm to 10:00 pm.
 - D. Items from Finance Committee:

1. Motion to approve the 2023 Pre-Paid dated 1/1/2024 - 1/31/2024 in the amount of \$186,112.41.
2. Motion to approve the 2024 Pre-Paid dated 1/1/2024 - 1/31/2024 in the amount of \$1,226,185.73.
3. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 1/1/2024 - 1/31/2024 in the amount of \$27,920.27.
4. Motion to approve the 2024 Pre-Paid Credit Card Statement dated 1/1/2024 - 1/31/2024 in the amount of \$24,311.09.
5. Motion to approve the 2024 Pre-Paid ACH dated 1/31/2024 in the amount of \$37,922.83.
6. Motion to adopt a Resolution revising the 2024 Master Schedule of Fees.
7. Motion to approve Staff's recommendation for Ply-Mar Construction's proposal of the Gay Street Streetscapes Project in an amount not to exceed of \$350,000.

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, Tree Advisory Commission, and Zoning Hearing Board.

IX. New Business

- A. Motion to adopt an Ordinance amending Chapter 27, "Zoning," "Skill Games Ordinance."
- B. Motion to adopt Ordinance amending Chapter 22 "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking."
- C. Motion to adopt an Ordinance amending Chapter 1, "Administration and Government," Part 7 "Pensions, Retirement and Social Security."
- D. Motion to adopt an Ordinance accepting dedication of Right-of-Way - portion of UPI Nos. 15-8-12, 15-9-91, 15-8-23, 15-9-92, 15-9-92.1; 15-9-93 and 15-9-97.
- E. Motion to adopt an Ordinance accepting dedication of Right-of-Way – 195 & 199 Mowere Road.

X. Public Hearings

- A. Continued Conditional Use Application from ROCKET AMUSEMENT INC., which proposes to operate a skill game room with Pennsylvania skill machines in

the first floor of the existing building on the Property as an Entertainment Hall use, in addition to maintaining the existing apartment residential uses on the upper floors of the existing building.

XI. Reports of Committees, Boards, and Commissions

- A. Historical and Architectural Review Board – Ms. Dugan
- 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 Paradise Village.
- C. Phoenixville Regional Planning Committee – Mr Kirkner
- D. Recreation Board – Ms. Dugan
- E. Tree Advisory Commission – Mr. Carminito
- F. Human Relations Commission – Ms. Burckley

XII. Council Action referred from:

- A. Personnel and Public Safety Committee- Ms. Burckley
 - 1. Consider request from J. D. Maloney for appointment to the Civil Service Commission - Alternate for the term expiring January 31, 2026.
 - 2. Consider request from Carolyn Treglia for appointment to the Zoning Hearing Board for the term expiring January 31, 2027.
 - 3. Consider request from Josh Gould for appointment to the Planning Commission for the term expiring March 31, 2028.
 - 4. Consider request from Amanda Irwin for appointment to the Planning Commission for the term expiring March 31, 2028.
 - 5. Consider request from Andrew Hungerbuhler for appointment to any open vacancy.
 - 6. Consider request from Kristiaan Wiedegreen for reappointment to the Planning Commission for the term expiring March 31, 2028.
 - 7. Consider request from Debra Johnston for reappointment to the Planning Commission for the term expiring March 31, 2028. Recommended in Committee 3-0.
- B. Parks and Recreation Committee - Mr. Moore
 - 1. Motion to approve a Temporary Community Event Application for the Annual Dogwood Festival from May 15 through May 18, 2024 (6:00 pm to

10:00 pm Wed - Fri) and (1:00 pm to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade, Paradise Street from Cedar Hollow, Smithworks Boulevard from Paradise Street to Main Street, Main Street from Smithworks Boulevard to 5th Avenue at 11:00 pm to 2:00 pm on Saturday, May 18, 2024 for the parade. No parking in the Smithworks Parking Lot and on Main Street from Smithworks Boulevard to 5th Avenue. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

C. Policy Committee - Carminito

1. Motion to schedule and advertise an Ordinance amending Chapter 24 "Taxation, Special," Part 8 "Neighborhood Improvement District"
2. Motion to schedule and advertise an Ordinance amending Chapter 15, "Motor Vehicles."

D. Infrastructure, Technology Transportation & Sustainability Committee - Mr. Weiss

1. No Action to Report.

E. Finance Committee - Ms. Dugan

1. No Additional action to Report.

XIII. Public Participation

XIV. Communication/Council Participation

XV. Staff Reports

- A. Manager
- B. Police
- C. Fire
- D. Planning and Codes
- E. Public Works
- F. Finance
- G. Human Resources
- H. Recreation

XVI. Adjournment

Upcoming Meetings:

Planning Commission	March 14 – 6:00 pm
Recreation Board	March 18 – 6:30 pm
Parks and Recreation Committee	March 19 – 6:00 pm
Infrastructure Committee	March 19 – 7:00 pm
Finance Committee	March 26 – 6:00 pm
Policy Committee	March 26 – 7:00 pm
HARB	April 1 – 5:00 pm
Personnel/Public Safety Committee	April 1 – 6:00 pm
Tree Advisory Commission	April 1 – 7:00 pm
Civil Service Commission	April 1 – 7:00 pm
Borough Council	April 9 – 7:00 pm

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, February 13, 2024

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. Kirkner	Present
Mr. Moore	Present
Mr. Strenfel	Present
Mr. Weiss	Present
Mayor Urscheler	Present
Mr. Krack, Borough Manager	Present
Ms. Getzfread, Asst. Borough Manager	Virtual
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

III. Presentations

A. Swearing in of Chris Valerio as Firefighter

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

Mr. Ewald swore in Chris Valerio as Firefighter of the Phoenixville Fire Department.

B. Swearing in of Ron Schlecht as Firefighter

Chief Brazunas provided a background on Mr. Schlecht and his experience as a Firefighter for Phoenix Hose, Hook and Ladder No 1, Boyertown Area Fire & Rescue, Goshen Fire Company and Phoenixville Borough.

Mr. Ewald swore in Ron Schlecht as Firefighter of the Phoenixville Fire Department.

Chief Brazunas expressed his gratitude to Borough Staff and Borough Council for approving the additional full-time fire fighters.

IV. Public Participation

Susan Meadows, resident and business owner. She stated she is here once again representing the voices of the fifty-five businesses, breweries, restaurants and services located in and around our business district. She stated the operative word, business. Not a park, walking path, dog walking path, skateboarding path, a free for all after hours or whatever else you want to call Bridge Street during the weekly closures from Memorial Day through the first weekend of October. She stated she hopes the Council had an opportunity to read the emails from many of the owners and managers of the businesses downtown. She stated she is here to address the concerns and ask for a compromise on the weekend closures instead of every week to once a month and for special events. She expressed her concerns on the loss of parking and the additional traffic on the adjacent streets in the downtown.

Keely Wrigley, owner of Lulu Boutique and Gifterie. She stated she is certain that someone will address the Council and speak in favor of the street closure. They will state they come every weekend, the closure makes downtown safe for their children, they love it and it's great. She stated that some suffer real negative effects from the closure, the residents, the shop owners and the even some of the restaurants. Our business sacrifice because of the closure while the average attendee sacrifices nothing. They have nothing to lose while the shop owners lose sales and resident lose peace and quiet in their homes. She asked the Council to listen to the business owners and challenged the Council to engage in a robust conversation with the businesses and residents no on board with the street closure every weekend.

Mike Kajak owner of 425 Bridge Street. He expressed his continued opposition to the Right of Way for the continuation of Hall Street. The project known as Steelworks received approval and their plan shows a 30 foot Right of Way on my property. He has concerns that the Belgian block on his property not be destroyed in the creation of the Hall Street Extension. He cited information on the use of eminent domain on property for private use.

Sean Connolly, Upper Providence resident. He spoke about the development in the Borough as well as Upper Providence. He indicated he has gone after Toll Brothers before and he discovered the water intrusion in one of their developments. He expressed his concerns with the use of eminent domain on Hall Street and potential violations of the Sunshine Act Law violations.

Neal Fisher, Hankin Group. He thanked Borough Council for their support. Hankin has two projects in the Borough one being the Foundry and the other is the Senior Housing on Buchanan Street at the former Public Works Building. He stated if it weren't for the foresight of the Council, Hankin may not have gotten involved in restoring the Foundry and constructing affordable housing for seniors.

Warren Brown, resident and owner of Brown's Cow. He stated his opposition to the closure every weekend and asked the Council to consider a compromise of once a month. He expressed his concerns on the loss of parking on the closure weekends and he hope everyone can work together on this to address the concerns of businesses and residents.

Dodi Strunk, property owner. She stated she does not feel that Bridge Street has the infrastructure to support the consistent closures the Borough is proposing. She realizes a pedestrian mall is enjoyable as she herself has a favorite one in Cape May. She stated the businesses here do not have access to parking behind their buildings when the road is closed. She expressed her shock that the Main and Bridge Parking lot is being considered to become a gathering space. She has never heard any one ask for more gathering space but they do ask for more parking. That lot is used by every single business on Main and Bridge and its vital to these small businesses.

Jeff Klein, owner of Maddie's Castle. He stated his in support of the road closure for First Friday only. He feels that an every weekend closure loses its luster and that First Friday only is a better closure for everyone.

Krysta Knaster, resident and manager of Soltane Café on Bridge Street. She stated the café has consistently lost thirty percent of their revenue as a non-profit with the road closure every weekend. Soltane's mission is to help adult with intellectual and physical disabilities. She is asking that the Council consider the closure only on First Friday. The closure is preventing the very people she helps from getting to the café to work and she is asking for help to keep them employed and to be part of the Phoenixville community like the rest of us.

Ana Cephas, resident. She stated she is the co-owner of Forever Changes on Main Street with Shawn Cephas and she shared her experience as a local artist or musician when booking shows it is difficult for people from out of town to find parking and he closure only makes it more difficult. The lack of accessibility to parking she feels will have a negative impact on the arts in Phoenixville and she believes the legacy of Phoenixville is rooted in the arts and music. She would hate to see it go away because people simply can't come to events in town.

Joan Moore, co-owner of Lulu Boutique and Gifterie. She stated month after month and now year after year, business owners have been attending these meetings. To share their hardships and express our concerns about the Inside Out street closure. We've conducted surveys, written emails, and spoken at council meetings to try and have our voices heard. She stated she would say that you are probably tired of hearing from us, but there's no need because it is clear the Council members are not hearing us at all. The dismissal of our input and the lack of communication and consideration for the business community is appalling and downright shameful. She thinks it is something that the council members should take a hard look at before continuing to claim to be in service of this community and not their own agendas.

Henrik Stubbe Teglbjaerg, resident. He stated he is in support of the vision of Phoenixville and he hopes dialogue can begin to work on a parking garage to maintain this vision of the downtown.

Hilary Sell, non-resident. She stated she is here tonight to be the voice of the people she is not hearing from tonight and she wanted to thank the Council and everybody who has been involved in survey and asking for broader opinion. She believes a lot of people have strong opinions on the Phoenixville Inside Out agenda item that can't get here for a 7:00 pm meeting. She stated she loves the road closure and her and her family use it all the time and she frequents the very businesses who are opposing the closure and will continue to do so, but she thinks its important to know there are people who are in support of the closure.

John Cunningham, resident and co-owner of Ravensgate Tattoos, Leather and Fine Art. He stated he lives and works downtown so he spends a lot of time downtown. He stated they are in the second year of operation and one of the reasons he came to Phoenixville was the street closure. For him it has been a positive experience, the atmosphere that's created is more positive on the closure weekends than weekends with heavy traffic downtown. Families with children and their pets frequent the streets and the sounds heard are conversation and laughter not the loud cars, loud motorcycles and the revving of engine while trying to enjoy a meal outside at one of the many restaurants on Bridge Street. He addressed the issue of drinking downtown specifically the window that was broken at his business last year as it was brought to his attention it was mentioned at a previous meeting. He confirmed his window was broken but it was not during the street closure it happened on the weekend of the Dogwood Festival.

John McPhee, business manager of Diving Cat Studios and property owner. He stated he has submitted letters and emails regarding Inside Out and he hopes the Council will move forward with the Resolution this evening.

Shaina Pratt, host of the Art Festival in Phoenixville. She stated she is in support of the closer and suggested that perhaps the access point for the Main and Bridge Street lot be moved to Main Street. She expressed her support of a parking garage and in making the decision on the PXV Inside Out so that event planers like herself can plan and book artists earlier.

Chris McKay, Mont Clare resident. He wanted to express his support of the closure and he stated it is hard for businesses and events to plan with all the back and forth on this topic. He feels it may be time to decide on its permanence as an annual event.

Jennifer Carlson, Executive Director of the Colonial Theatre. She stated she is very grateful to have a very good relationship with the Borough and a lot of the businesses here tonight. She stated she doesn't not want to be a rabble rouser and even though a lot of the Colonial staff live and work in the Borough do love the street closure the Colonial Theatre is in support of the First Friday weekend closure only. She explained it is because in talking to patrons and former patrons, there are significant issues with people of

various accessibility issues trying to get to the theater. Sundays tend to be a day for families taking grandma to the movie and it's very difficult for people to get to the theater, sometimes getting from some of the lots if they drop them off and get up from the back of the building is very challenging.

Tom Duffy, owner of the House of Jerky. He expressed his support of the closure only occurring on First Friday. He loves and supports the events downtown like LuLu, Blobfest, Pride Fest and the Art Festival. These worked really well and had no negative impact on his business. The closure hinders are business since eighty-two percent of our business comes from outside of the Phoenixville, the street closure is preventing our customers from coming to town. He asked that the compromise of First Friday weekends be considered every weekend is excessive.

David Saneck, resident. He expressed his confusion with the Ordinance Amendment for Motor Vehicles. He stated he hopes the section that relates to Fillmore and Franklin can be explained more when the Council reaches that section of the agenda.

Donna Metz, resident. She stated she has lived on Church Street for forty-five years and has concerns about the closure and parking on her street. She explained the closure effects the movement on traffic on the 100 Block of Church Street, it prevents residents there from even being able to pull out of a parking spot onto the street. Church Street is getting torn up, since the block is free parking many visitors will park there and then residents can't find parking at their own homes. She is concerned that parking will be lost that can't not be afforded to be lost if Church Street is made a two-way street.

Sage Perisse, resident. She stated she was glad to hear from the business owners and she agrees it sounds like that have concerns. She does really enjoy going downtown when the streets are closed and she also enjoys going to the park. She suggested trying to have similar plans for areas on the north side, perhaps at the Recreation Center. She stated she would like to see the closure continue but not if it is hurting all of our businesses.

Lee Pohlsander, resident. She stated she is opposed to the street closure occurring every weekend since she works downtown. She feels it is more dangerous for her walking home during the closure, vehicles travel the wrong way on Prospect Street and she has difficulty crossing the street especially at Church Street.

Josh Bentley, resident. He stated he and his wife moved here to Phoenixville in 2022 after living in Blue Bell for twenty years. He expressed his gratitude on the new fire fighters being sworn in tonight and is here to support the weekend closures on Bridge Street. He stated he loves the small town feel festival feel and the pedestrian focused experience each week. He finds it too crowded on First Friday and he doesn't enjoy the closure as much on that weekend. He knows some people avoid the bigger crowds at First Friday and if the weather derails First Friday folks can still look forward to coming back the next weekend. He stated he has gone to many of the businesses downtown but he doesn't do his major shopping down there. He is interested in seeing some data that

supports the loss of business from the closure and not because of product or service. He stated most people don't want to sit out and dine next to smelly cars.

Dustin Richard, resident. He stated he had not intended to attend the meeting tonight and thought the idea of not closing the street every weekend was preposterous until he received the flyer at his home from the downtown businesses. He stated hearing the pain of the business owners resonates with him as he is the son of a small business owner and he is now officially on the fence for the street closure every weekend. He thanked the Borough for taking the time to listen to all of us and the shop owners for coming forward and giving us your stories.

Stephanie Nicolosi, resident. She wanted to express her support of the closure every weekend. She stated the closure makes the businesses downtown more accessible to her as a mother of two children in the Borough. She disagrees with the statement people will come anyway if the street is open. She stated when the street is open she and her family come down less because it doesn't feel safe for her children. She does agree steps need be taken to provide parking for accessible handicapped people and she is sure that the borough with its all its flexibility and adaptability can think of a solution.

Teresa Brewer, resident and owner of TC House of Style. She pleaded with the Council to hear the cries of the businesses owners and to not close the street every weekend. She stated that not many of the people speaking tonight lived here in the eighties when there were no businesses downtown. She stated she is trying to make a living with her business downtown and she is finding out from her customers they no longer come down to shop because of the loss of parking. She has felt the pinch of lost revenue and she is asking the closure only occur once a month so she can continue to make a living and provide for her family.

Anna Woodford, resident. She stated she appreciates everyone's perspective on the closure that has been shared tonight. She was definitely all for having the street closure every weekend but hearing the business perspectives she does appreciate the challenges they are facing. She stated she was previously living in West Chester and after attending the street closure she ended up moving to Phoenixville. She feels the closure really draws people to the town and she has many friends who don't live hear but they talk about how awesome the closure is and how much they enjoy coming here. She agrees the accessibility issue should be addressed so everyone can enjoy the closure and she asked if there is any data on visitor volume on a closure weekend versus a non-closure weekend. The data may be helpful to have to support and understand why some businesses are struggling.

V. Consent Agenda:

- A. Approval of the January 9, 2024 Regular Meeting Minutes.
- B. Historical and Architectural Review Board

1. Motion to approve/deny the Certificate of Appropriateness for the installation of non-illuminated business signage on the east and west facades for 37 Bridge Street as recommended 5-0 by the HARB in their Action Memo of February 6, 2024.
2. Motion to approve/deny the Certificate of Appropriateness for a hanging shingle sign with logo for 260 Bridge Street as recommended 5-0 by the HARB in their Action Memo of February 6, 2024.

C. Items from Parks and Recreation Committee.

1. Motion to approve a Temporary Community Event Application for Walk a Mile in Her Shoes on Saturday, April 13, 2024 in Reeves Park from 9:30 am to 11:00 am. No Street Closures. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.
2. Motion to approve a Temporary Community Event Application for Phoenixville Earth Day 2024 at Reservoir Park on Saturday, April 20, 2024 from 12:00 noon to 4:00 pm. Franklin Street above Fillmore and the Reservoir Parking Lot to be closed from 10:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.
3. Motion to approve a Temporary Community Event Application for the Chester County Pride Fest in the 100 and 200 Blocks of Bridge Street on Saturday, June 8, 2024 from 12:00 noon to 5:00 pm. 100 and 200 Blocks of Bridge Street between Gay Street and Starr Street and the Bridge and Main Street Parking Lot to be closed from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.
4. Motion to approve a Temporary Community Event Application for Phoenixville Art Street Festival in the 100 and 200 Blocks of Bridge Street on Saturday, June 15, 2024 from 11:00 am to 5:00 pm. Bridge Street between Gay Street and Starr Street and the Bridge and Main Street Parking Lot to be closed from 8:00 am to 6:30 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.
5. Motion to approve a Temporary Community Event Application for the Juneteenth Celebration in the 200 Block of Bridge Street and the Bridge and Main Street Parking Lot on Sunday, June 16, 2024 from 2:00 pm to 6:00 pm. The 200 Block of Bridge Street between Gay Street and Main Street and Bridge and Main Street Parking Lot to be closed from 10:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance

naming the Borough of Phoenixville as Additional Insured.

6. Motion to approve a Temporary Community Event Application for Blobfest 2024 on Friday, July 12 from 5:00 pm to 10:00 pm and Saturday, July 13, 2024 in the 100 and 200 Blocks of Bridge Street and the Bridge and Main Street Parking Lot on Saturday, July 13, 2024 from 8:00 am to 6:00 pm. Bridge Street to be closed on July 12, 2024 from 5:00 pm to 10:00 pm between Gay Street and Main Street. Bridge Street and Bridge and Main Street Parking Lot to be closed on July 13, 2024 from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

D. Items from Finance Committee.

1. Motion to approve the 2023 Pre-Paid dated 11/1/2023 - 11/30/2023 in the amount of \$2,548,801.28.
2. Motion to approve the 2023 Pre-Paid dated 12/1/2023 - 12/31/2023 in the amount of \$1,724,932.10.
3. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 11/1/2023 - 11/30/2023 in the amount of \$99,844.37.
4. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 12/1/2023 - 12/31/2023 in the amount of \$130,053.04.
5. Motion to approve the 2023 Pre-Paid ACH dated 11/30/2023 in the amount of \$1,636,473.92.
6. Motion to approve the 2023 Pre-Paid ACH dated 12/31/2023 in the amount of \$39,015.43.
7. Motion to approve the Staff recommendation authorizing the Finance Director to make the necessary end of year adjustments and to provide a listing of those adjustments to the Finance Committee and the Borough's Auditor.
8. Motion to approve the Staff recommendation for suggested Accounts Receivable write-offs – 2024.
9. Motion to approve/deny the waiving of permit fees as requested by the Historical Society of the Phoenixville Area.

Mr. Moore asked that the Temporary Community Event for the Phoenixville Blues Festival be moved from the Consent Agenda to Parks and Recreation.

Mr. Ewald asked that the Certificate of Appropriateness for 100 Bridge Street be moved from the Consent Agenda to HARB.

Ms. Burckley made a Motion to approve the Consent Agenda and move the Phoenixville Blues Festival and the Certificate of Appropriateness for 100 Bridge Street to their respective sections later in the Agenda. Seconded by Mr. Weiss.

Motion Approved 7-0. Mr. Kirkner out of the room.

VI. Communications/Council Participation

Ms. Burckley reminded the public the Borough will be celebrating its 175th Anniversary and the Fire Department will be celebrating its 150th Anniversary. She stated she and Ms. Dugan along with Staff, the Fire Department, the Phoenixville Jaycees and community members have been planning events and celebrations. She stated announcements will be coming for the celebrations so keep an ear out for them. She reminded everyone Phoenixville is a Borough and it utilizes a Council system, many times it's referred to as township and she wanted to clarify this is a Borough. She stated the Council does want to engage business members and she stated the Council is aware people feel like these meetings are a little bit of a waste of time, but having that dialogue and being able hearing what the Council is planning is really important. Lastly, she reported on her appointment to the Civil Service Commission as liaison and the commission has begun the process to hire additional officers for the Police Department.

Mr. Ewald stated he appreciates all the hard work of the Public Works Department and all of the Borough's departments that teamed up to take on the return of snow.

VII. Mayor's Report

Mayor Urscheler thanked the residents and business for being involved in the various conversations. He reported on the extraordinary Black History Month program at Grimes AME Church, the Phoenixville Community Education Foundation will be hosting their annual Phantom Fundraiser. Finally, he wished the Fire Department a Happy 150th Anniversary on March 3rd and a Happy 175th Anniversary to the Phoenixville Borough, The Borough is looking pretty good at 175.

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, Tree Advisory Commission, and Zoning Hearing Board.

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

IX. New Business

- A. Motion to approve an Anchor Grant Substituted Consideration Agreement with Hankin Phoenixville Foundry Partners, LP, and further authorizing Borough Council President to execute documentation associated with it.

Mr. Denlinger explained in 2009 the Pennsylvania Department of Community and Economic Development lovingly known as DCED, provided the Borough with grant funding to lend to owners of buildings with historical significance that needed monetary assistance for refurbishment. These were known as anchor grants, the Borough lent the money, through these grants, to the Colonial Theatre and also the Foundry. The DCED anchor grant program no longer exists and as a result in September of 2022 the Council authorized the acceptance and acknowledgement of an alternative consideration from the Colonial Theatre in lieu of the full monetary repayment of the anchor grant. The agreement before the Council does the same thing for the Foundry in accepting substituted consideration.

Ms. Burckley made a Motion to approve an Anchor Grant Substituted Consideration Agreement with Hankin Phoenixville Foundry Partners, LP, and further authorizing Borough Council President to execute documentation associated with it. Seconded by Mr. Carminito.

On the Question:

Mr. Moore asked if the Downtown Economic Revitalization program still exists and what does it do actively at this point.

Mr. Krack explained the program that that being referred to is the anchor grant program. He stated it was designed as a revolving loan to lend money to the Borough or to any municipality that would apply and in turn the municipality would be able to establish a revolving loan fund. That revolving loan fund then lends money to, in this case to the two entities that were mentioned, the Colonial Theatre and to the Hankin Group for the Foundry for them to do revitalization of their properties. The repayment of the loan can be anything from one to twenty-five years, it could be structured with no interest or to a specific interest rate. Staff negotiated substituted considerations with the Colonial Theatre and tonight before the Council are the substituted considerations for the Hankin project to satisfy the

mortgage on the Foundry building. He stated there are no taxpayers' dollars involved as the monies came for the Commonwealth. Hankin would no longer have to pay back the funds on the twenty-year note, the interest payments made by Hankin would be applied to the downtown revitalization, and the Borough is not required to pay any funds to the Commonwealth since the program has been closed out and audited.

Mr. Moore asked if Hankin is paying the Borough \$60,000 dollars.

Mr. Krack explained that is part of the substituted considerations, Staff reviewed all the Hankin Group has done for the Phoenixville Borough and its community over the last sixteen years and how much was involved in acquiring the walking bridge across the French Creek. Further consideration from Hankin they have agreed that the downtown program that the Borough has is important. Hankin would like to take the remaining four years on the existing note and contribute \$15,000 each year. With the approval of this and then for the next three years to continue supporting the downtown program.

Mr. Moore asked would the funds then be earmarked for the downtown or are they part of the General Fund and then Council uses them during budget season.

Mr. Krack explained the funds go into the General Fund, however Staff restricts those funds and will add the interest that has been paid into one account for use in the downtown revitalization program.

Mr. Kirkner asked what the balance on the mortgage is currently.

Mr. Krack explained it is a balloon payment due for the \$500,000 dollars to satisfy the mortgage.

Mr. Kirkner asked for clarification that the Borough is getting a bridge and \$60,000 dollars.

Mr. Krack confirmed the Borough would receive \$60,000 dollars and the walking bridge valued at \$750,000 dollars.

Mr. Kirkner asked if the bridge was valued at \$750,000.

Mr. Krack explained the \$750,000 were in 2008 dollars to acquire, install and refurbish the walking bridge.

Mr. Ewald stated the money loaned to the Hankin Group was not from the General Fund and not the Borough's General Fund. He stated the two projects chosen by the Council and Staff in 2009 were excellent and he is unsure if they are better Anchor Grant examples out there state wide.

Motion Approved 8-0.

- B. Motion to approve a Settlement Agreement between the Borough and the owners of the structure at 209 High Street relating to the Abatable Structure Decision & Order dated November 14, 2023.

Mr. Denlinger explained on November 14, 2023 Borough Council after holding a hearing and reviewing the testimony that was provided Borough Council issued an Abatable Structure for 209 High Street. Since that time the owners have appealed the decision because it is their desire to repair the structural issues related to the existing building, regardless of the cost. As you may recall the decision found it was economically infeasible to repair the structure. This fact has not deterred the owners and he stated his understanding was the Council simply desires the unsafe condition be remedied. The settlement agreement presented tonight will permit the owners to repair the structure provided they commit to doing so on a strict timeline.

Mr. Kirkner made a Motion to approve a Settlement Agreement between the Borough and the owners of the structure at 209 High Street relating to the Abatable Structure Decision & Order dated November 14, 2023, which was appealed to the Court of Common Pleas, in a form substantially similar to what has presented to Council tonight, subject to reasonable and limited modifications approved by the Borough Solicitor, and further authorizing the Borough Council President, Borough Manager, and Borough Solicitor to execute such Settlement Agreement and prepare, file and execute any further documents necessary to comply with the terms and conditions of such Settlement Agreement. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger clarified there will be some additional documentation that may be required to be executed and filed related to the appeal, should the owners comply with the timeline in the settlement agreement documents will have to file with the court to terminate the settlement agreement and discontinue the appeal process.

Motion Approved 8-0.

X. Resolutions/Ordinances

- A. Motion to adopt a Resolution acknowledging Theresa Nowrey for her three years of service on the Zoning Hearing Board.

Ms. Burckley made a Motion to adopt a Resolution acknowledging Theresa Nowrey for her three years of service on the Zoning Hearing Board. Seconded by Mr. Weiss.

On the Question:

Mr. Ewald read aloud the Resolution for the record and thanked Ms. Nowrey for her service to the Borough. He reminded the public this resignation will create an opening on the Zoning Hearing Board.

Motion Approved 8-0.

B. 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 amendments to the Motor Vehicle Ordinance. He stated section one provides for the one-way road on Buchanan Street between Nutt Road and Breckenridge Street, it is correcting the previous information that said between Morgan and Bridge Streets. He stated that Dean Street was a southbound direction of travel from Church Street to Washington Avenue when in fact it should be northbound between Washington Avenue and the new parking lot apron at 140 Church Street. Section two establishes “left hand turns prohibited at certain intersections”, the intersection of Cromby Road and Fillmore Street at the driveway entrance to Renaissance Academy and the intersection of Nutt and Valley Roads, vehicles traveling eastbound can now turn left at the intersection of Nutt Road and Starr Street. Turning left on Valley is no longer permitted. Section three establishes “a parking prohibited at all times in certain locations”, this is on both sides of Fillmore Street between Bunning Road and Franklin Avenue. This is to address an issue created by parents dropping off and picking up their students at Renaissance Academy. The only exception to this is the six parking spaces already established on the southside of Fillmore as part of the Fillmore Village development. Section four addresses “parking in certain areas on certain days and hours” for Brower, Buchanan, Buttonwood, and Jones Streets and Oxford Avenue. These areas are prohibited in conjunction with the trash days in those areas, the prohibited parking will allow the trash and recycling trucks to make turns unobstructed. He stated these changes do not affect a property owner from parking in off street parking on your own parcel, this is strictly related to parking on the public roadways.

Mr. Denlinger explained the Ordinance was confirmed to be advertised in the Pottstown Mercury on January 29, 2024.

Mr. Kirkner expressed his gratitude to Staff and the Police Department for working on the traffic situation up at Renaissance Academy. He asked if the wording in the Ordinance can be modified to add the words the existing to the

description of the drive way at Renaissance Academy or would that be a substantive change requiring re-advertisement.

Mr. Denlinger said if the change was to add the parcel number that would be a substantive change and require re-advertising but adding the words the existing to the Ordinance would not be.

Mr. Kirkner made a Motion to adopt an Ordinance amending Chapter 15, Motor Vehicles with the addition of the word existing to section 15-209 1.C. Seconded by Ms. Burckley.

Mr. Denlinger stated there are two Motions on the floor unless Ms. Burckley and Mr. Weiss would like to vacate their motion.

Ms. Burckley and Mr. Weiss agreed to vacate their motion.

Motion Approved 8-0.

- C. Motion to adopt a Resolution supporting the Borough of Phoenixville's participation in the Delaware Valley Regional Planning Commission's Transportation & Community Development Initiative (TCDI) grant program.

Mr. Weiss made a Motion to adopt a Resolution supporting the Borough of Phoenixville's participation in the Delaware Valley Regional Planning Commission's Transportation & Community Development Initiative (TCDI) grant program. Seconded by Mr. Moore.

On the Question:

Mr. Kirkner asked Mr. Krack for an explanation of the grant request.

Mr. Krack explained the Schuylkill River Passenger Rail Authority successfully secured their grant from the Federal Railway Administration to move forward with all the details needed to bring Amtrak service back to Phoenixville, Pottstown and Reading. The federal money is used for rails, track beds, moving cars and engines, but is not about building the train stations. This grant application is for the Phoenixville station so the Borough can fully tie in. He stated the grant is a no match required.

Ms. Getzfread confirmed there is not a match.

Motion Approved 8-0.

- D. Motion to adopt a Resolution approving an application for Green Light - Go grant funds from the Department of Transportation (PennDOT) for full upgrades of traffic signal installations at two intersections in the commercial center of

Phoenixville, PA, Gay Street at Church Street and Main Street at Church Street.

Mr. Weiss made a Motion to adopt a Resolution approving an application for Green Light - Go grant funds from the Department of Transportation (PennDOT) for full upgrades of traffic signal installations at two intersections in the commercial center of Phoenixville, PA, Gay Street at Church Street and Main Street at Church Street. Seconded by Ms. Burckley.

On the Question:

Mr. Kirkner stated the total cost of updating the signals is \$769,000 dollars.

Motion Approved 8-0.

- D. Motion to adopt a Resolution for the sale and disposition of personal property valued at or below \$2,000.

Ms. Burckley made a Motion to adopt a Resolution for the sale and disposition of personal property valued at or below \$2,000. Seconded by Mr. Weiss.

On the Question:

Mr. Denlinger explained the Borough needs to authorize the sale of Borough property above a certain value, however the Borough Code provides Borough Staff with the authority to sell property valued at or below \$2,000 without the need for repetitive authorizations from council, provided that council approved such procedures once annually.

Motion Approved 8-0.

- F. Motion to adopt a Resolution officially granting an extension of time for the completion of the development known as “Jennie Grace Homes”, previously approved by resolution 2018-09.

Mr. Denlinger explained this is a Resolution extending the period of time for the construction of the development known as Jenny Grace Homes located at 409 to 417 South Street. The Pennsylvania Municipalities Planning Code provides for a one-year construction period. Typically, if a developer is proceeding diligently in and in good faith, Staff does not enforce this one-year deadline. Jenny Grace has been proceeding diligently. However, the bank that the developer has worked with to post the financial security for this project requires an extension of our deadline in order to keep that financial security in place for the project. For that reason, Staff and the Solicitor are asking the Council to provide a one-year extension and all the terms and conditions of the prior approval Resolution would remain intact beyond this one-year extension.

Mr. Weiss made a Motion to adopt a Resolution officially granting an extension

of time for the completion of the development known as “Jennie Grace Homes”, previously approved by resolution 2018-09. Seconded by Mr. Moore.

Motion Approved 7-1. Mr. Kirkner voting No.

- G. Motion to adopt a Resolution authorizing Seasonal PXV Inside Out Weekends.

Mr. Weiss made a Motion to adopt a Resolution authorizing Seasonal PXV Inside Out Weekends. Seconded by Mr. Moore.

On the Question:

Ms. Dugan asked if the Resolution is specific to the weekends of PXV Inside Out and is it for every weekend.

Mr. Krack confirmed the weekends were included for every weekend as it came out of the Parks and Recreation Committee.

Ms. Dugan stated that she voted no for this to be adopted. She expressed her concerns the Council is deliberately risking the livelihood of all of these businesses who have been pleading with us not to do it every weekend and has asked for a compromise that still allows the closure and has less of an impact on their businesses. She expressed concerns on the loss of parking and the additional traffic that is diverted around the closure on the residential streets. She questioned the Resolution in which it recognizes the positive economic impact when business owners have come to these meetings indicating it's hurting their businesses. She asked the Council to really reconsider about passing this Resolution.

Ms. Burckley stated as a Councilmember for the downtown area, living downtown, working downtown and having owned a business downtown, she respectfully disagrees with Ms. Dugan. She acknowledged she sees Ms. Dugan's points and stated they have agreed to disagree. She stated she has interacted with businesses and has received email from the residents. There are lot of positives to the closure as well as barriers. Many robust conversations have taken place and Mr. Moore has been very diligent at looking at all sides of this at the Parks and Recreation Committee meetings. So how do we address the barriers and concerns? The Staff memo addresses the drinking downtown by adding a curfew for the open container. The Police have brought the Power Shift back to focus on having police downtown on foot and in vehicles. She stated the hours of the closure have been adjusted to accommodate Friday deliveries and Staff will be opening the road on Monday mornings regardless if it is a holiday. She realizes some things need to still be addressed and improved like handicapped parking and access and calling off the closure for weather, like rain or excessive heat, that can make the experience less than desirable.

Mr. Carminito asked what dates are we talking about for the closure.

Mr. Weiss stated the days of the week were specified but not the date.

Mr. Krack stated the Council has not determined the dates yet.

Mr. Carminito stated the discussion for dates is still on the Council floor.

Ms. Burckley stated that in committee she remembers the discussion that we wanted to leave the date decision up to all of Council if she was remembering it correctly.

Mr. Moore stated that was not how he understood it and was surprised by the fact the dates are not in the Resolution. He stated he believed it was agreed that it would be from Memorial Day weekend, every weekend through September, he could not recall if it was the last weekend of September or the first weekend of October. He asked if the Motion would need to be amended.

Mr. Kirkner called for point of order, he asked what was the Motion.

Mr. Weiss clarified the Motion was made as it appears on the Agenda and he stated he believed the dates would be worked out tonight.

Mr. Kirkner stated there were no dates attached to the Motion.

Mr. Moore indicated he would make a new Motion including the dates.

Mr. Kirkner stated the way to do that is to vacate the Motion and then make a new Motion.

Mr. Weiss asked if discussion could continue under this Motion and then vote on as amended or have an amendment to the Motion.

Mr. Denlinger confirmed discussion could continue.

Mr. Moore stated he is strongly supportive of the full weekend beginning with Memorial Day through the last weekend of September for the following reasons. He stated he believes the 4 pm closure on Friday through Sunday night which includes the proposed changes to the open container guidelines, the adjustments for improved emergency access from Main Street. He stated he considered limiting the weekend closures, his time on Council began when First Friday was on Main Street and in the Bridge and Main Parking lot, and Bridge Street still operated and it was enjoyable but on occasion it would get rained out and it could not be held. The PXV Inside Out program is no longer a special event it's a defining characteristic of the borough. It is how the borough is now seen as conducting business in the spring time and summer time into fall. In all the interactions with constituents and people he just met he stated he has been asking

for their feelings on the closure. He believes the closure creates a new environment for us and one that is incredibly positive for families and businesses. He stated he is aware of businesses who are in support of the closure and he hears the concerns of those attending the meetings. The concerns about parking are always brought up yet we have a parking lot on Smithworks Blvd. that is underutilized and has been since it opened. He doesn't believe the walk from the Smithworks, Ashland Street and Holy Ghost parking lots are any longer than a walk when you park at Target or Costco. He stated that we can look at ways to adjust the barriers to make handicapped access easier. The town is transforming. He doesn't discount the information presented to us but he still believes the closure is still the most beneficial from the last weekend in May through September.

Mr. Ewald stated he wanted to revisit the Temporary Community Events approved earlier tonight in the Consent Agenda. None of these events take place on First Friday and we are looking at many planned closures in the downtown. He feels the Staff and event organizers have done an excellent job bringing in more events, higher value events and that brings a whole myriad of different people to our downtown.

Ms. Burckley stated Mr. Ewald makes a very good point and just because she supports the closure doesn't mean she doesn't understand. She stated she hears the residents, specifically the lady on Church Street. She appreciates her getting up to address the Council and asked to speak with her after tonight to discuss her experience as far as parking and the changing landscape of parking in her area. She stated the Council is looking at parking and an updated parking study.

Mr. Weiss stated he feels Mr. Moore eloquently explained the reason he is still in support of the closure and he wanted to highlight an item that was mentioned but wants to put a fine point on. He said just because councilmembers don't agree with the sentiments that are expressed to them does not mean they are not listening or they don't care. The Council cares deeply and are listening, but he stated in his experience and the feedback he has received it's overwhelming in support for PXV Inside Out. He further explained it is a very small minority of people that are not in favor of this events in terms of the individuals he comes in contact with. He wants everyone to work together to forge ahead and make Phoenixville better tomorrow than it is today.

Mr. Kirkner stated in previous years he had voted in favor of the closure every weekend, however he hears the overwhelming number of businesses saying they are losing revenue because of the weekly closure through the summer. Ms. Brewer spoke about her experiences in Phoenixville before we had our current downtown. He related his and his wife's experience in the town from vacant store fronts and the lack of people willing to walk downtown. His wife lived on Washington Avenue and when she would leave work at 10 pm from the newspaper office she would run down Bridge Street and up Main Street until she

reached Phoenixville Federal because she said it was scary. He expressed his concerns if the borough starts losing businesses in our storefronts no one will be coming to our downtown. He stated the residents of Church and Prospect Streets have issues with the closure, this town was constructed in the 1900's and Bridge Street is a connector road for state routes 113 and 29. Closing the road causes traffic issues. The Council talks about improving accessibility yet nothing has been done to improve it. He stated Bridge Street is not a promenade. It's a business district and while he supported the closure initially, he has concerns on what will happen to the downtown businesses if the Council continues to approve PXV Inside Out.

Mr. Carminito stated he is mostly in support of the closure and he admits he and his family do frequent the downtown more when the streets are closed. He stated Ms. Burckley had spoken about the flexibility that was discussed at the Parks and Recreation Committee meeting specifically on Sundays and during bad weather and that this is an item the Council can discuss a compromise for Sundays and its effect on Staff as well as the slower times in the summer like the hotter days in August.

Mr. Ewald agreed the things mentioned were discussed at the Parks and Recreation meeting and with Staff. Our ability to offer the flexibility is improved as the HR Department has us fully staffed and that was not the case during Covid.

Mr. Carminito asked if the possibility of a compromise is in the month of August the Council could entertain opening the road on Sunday morning.

Mr. Ewald stated he feels this can be addressed at a later date as tonight's intent is to begin the process for the closure and just like the Motor Vehicle Ordinance the Council and Staff can make changes as we get closer and he feels it is important to have a vote approving or denying that will allow all the downtown businesses to begin making decisions related to the closure. Things like Sunday and weather adjustments are easily handled in the next few months.

Mr. Carminito stated he feels it's important for the businesses to know the road may be open every Sunday in August.

Mr. Moore stated it was discussed but no one made the recommendation to reopen the road Saturday Night or Sunday Morning. He still feels the closure works when it is the whole weekend and if the Council wants to dig in deeper to this option he would be opposed to it. He has been downtown on Sunday, it is quieter but it is still lively. He feels the standard needs to be set so people know when the road is closed and they don't come down because they don't know if the road is or is not closed. He asked if it is reasonable to decide tonight and then refine it as he is not opposed to that but he would like a decision to be made tonight since so many of these businesses and residents have been discussing the issue for months and they have a right to know what Council's decision will be.

Mr. Ewald clarified there is language in the Resolution allowing for decisions on the closure for weather and Staff has the ability to make those decisions and not stray away from the Resolution that has been presented.

Ms. Burckley stated she is interested in the process for cancelling due to weather and how the businesses are notified, how they could go about signing up for the alerts. She would also like to hear from Staff if the Council was to entertain the idea of Sunday openings what time would they recommend for bringing Staff in to open the road.

Mr. Ewald stated the Borough does have a very good Parking Department and they work diligently to add additional ADA parking in the lots and on Prospect Street. They monitor the use of the spots and can add spots as needed and have the ability to make those decisions.

Mr. Carminito stated he feels the Council should still discuss and address hot weather days especially in August when no one is coming downtown. He stated he doesn't have faith this will happen and it not going to stop people from coming down even if the road is open.

Mr. Ewald stated he feels the Council can't predict the weather in August right now and he stated the Council and Staff can start working out the details and the alert system over the next few weeks and months.

Mr. Carminito stated he feels the businesses came here tonight for a compromise and there are less favorable days in August the Council let them know that and the businesses can make the appropriate plans.

Mr. Weiss stated he thinks the best thing to offer when setting expectations is consistency on the times and weekends the roads are closed. He does respect looking into ways to reach compromises or find ways to help and assist, but he just doesn't know if there is data to support no weekends in August.

Ms. Burckley stated she was not thinking of a specific month but more like a set temperature like is done at schools. She suggested the call be made when the temperature is going to be over 101 degrees Fahrenheit and then provide the information on how to sign up for notifications from Borough Staff.

Mr. Moore stated the Resolution does have language that approximates the weather issue unless someone wants to refine the statement it currently calls for the Council President and Borough Manager to make the decision.

Mr. Kirkner explained the issue of weather occurred last year as he recalled and the Borough Manager and Staff made the decision to not close the road. He believes the manager and staff have the expertise to make the decision without us

establishing any parameters. He stated it is obvious if there is rain in the forecast they are going to make the call. Its why the Council has hired professionals for these jobs.

Mr. Weiss stated he agrees with Mr. Kirkner.

Mr. Carminito stated he too agrees, but he expressed why he arbitrarily selected August as it is tends to be a hot month, the crowd's downtown are less and Mr. Krack isn't required to be the weather man and determine if it's too hot. He wants the Council if they intend to do anything that it be spelled out and that the message to the businesses be specific.

Mr. Ewald stated there is a Motion on the floor that the Council will need to amend to add some dates to and there are several methods to do this. He explained the Motion can be vacated or the current motion can be amended. He asked Mr. Denlinger what the best option.

Mr. Denlinger stated the best course of action is for Mr. Weiss the motion maker and Mr. Moore the second rescind their motion and new motion is made on the floor.

Mr. Weiss and Mr. Moore agreed to rescind the motion on the floor.

Mr. Carminito made a Motion to adopt a Resolution authorizing the PXV Inside Out weekends from Memorial Day to the last weekend of September and the roads opened on Sunday mornings in the month of August. Seconded by Ms. Burckley.

On the Question:

Mr. Krack clarified the weekends of the closure would begin on Friday, May 24, 2024 through Monday, October 7, 2024 and the road would be opened at 9am on Sundays on August 4th, 11th, 18th and 25th. Staff will remove the barriers and the rest of the day is open. The 9 am time was selected to ensure the removal is out of the morning church service window and then is open in time for afternoon services. He reassured the Council that the current budget can support the overtime for this as well as the overtime on Mondays when the road is reopened before working hours.

Mr. Kirkner asked if the employees coming in on Sunday have a mandatory minimum of four hours.

Mr. Krack explained for those departments it is not and the overtime will be scheduled in advance to figure out who is available to work. They would be scheduled and paid the double time rate for coming in.

Ms. Burckley asked if any events have come in that would be affected by this change.

Mr. Ewald confirmed not as of yet.

Mr. Weiss stated he is not sure the Sunday compromise really solves anyone's issues. He thinks it just adds to the confusion and doesn't actually solve a problem or get the compromise that has been asked for by the businesses tonight.

Mr. Carminito and Ms. Burckley withdrew their motion.

Mr. Carminito made a Motion to adopt a Resolution authorizing the PXV Inside Out weekends from May 24, 2024 through October 7, 2024. Seconded by Mr. Weiss.

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

XI. Public Hearings

- A. Motion to recess the public meeting and open the hearing on the Conditional Use Application from ROCKET AMUSEMENT INC., which proposes to operate a skill game room with Pennsylvania skill machines in the first floor of the existing building on 313 Bridge Street as an Entertainment Hall use, in addition to maintaining the existing apartment residential uses on the upper floors of the existing building.

Mr. Moore made a Motion to recess the Public Meeting and open the Conditional Use Hearing for 313 Bridge Street. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Denlinger opened the Conditional Use Hearing at 9:37pm.

Mr. Denlinger explained the process of the hearing and the location of the project requesting the Conditional Use. Mr. Denlinger explained the applicant has requested a continuance of the hearing and read the request aloud for the record. Mr. Denlinger stated he and Conflict Solicitor Robert Jefferson agreed to the continuance.

Mr. Denlinger explained the hearing will be continued until March 12, 2024 at 7 pm.

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

Motion Approved 8-0.

Hearing recessed at 9:42 pm

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 a revision which includes a primarily one-story addition to the existing distillery and bar as well as an angled element that protrudes above the first floor for 100 Bridge Street as recommended 5-0 by the HARB in their Action Memo of February 6, 2024.

Ms. Dugan made a Motion to approve the Certificate of Appropriateness for a revision which includes a primarily one-story addition to the existing distillery and bar as well as an angled element that protrudes above the first floor for 100 Bridge Street. Seconded by Ms. Burckley.

On the Question:

Ms. Dugan explained that she fought very hard against the first rendition of the alterations and it was a step back from what was originally proposed she was inclined to let it go since she had lost on the approval of the original submission.

Mr. Ewald asked if this change will be presented to the Planning Commission as a revision.

Mr. Krack explained it has not been presented to Planning as Staff does not have enough information for the engineer so he can make the determination if this is a minor or major revision to the plan. He stated he and Mr. Denlinger will work with the engineer and if need be it will be taken back through the Planning Commission.

Mr. Ewald stated he wanted to make certain tonight's vote is not the end of the discussion on this revision.

Mr. Carminito asked if comment can be made on the shape of the building and if it fits in with historical district.

Mr. Denlinger explained that the HARB process is exactly about that and how the submission fits in the historic district, the regulations and standards contained in the Historic District Ordinance and allows for the comparison of buildings to one another in the vicinity of the applicants building.

Mr. Carminito stated he does not feel the shape of this building fits in the downtown and he doesn't see that shape anywhere in our historic district.

Mr. Weiss stated he wondered if the design pulled inspiration from other building that are not longer in the historic district and that does or doesn't weigh in the Council's decision to approve or deny. He recognizes there may have been some industrial buildings in the Borough's past but they're not present now.

Ms. Dugan asked if Council doesn't approve this will it revert back to one previously approved.

Mr. Ewald stated he didn't believe that was the case as they have no plans to build the previous design.

Mr. Denlinger explained this Certificate of Appropriateness deals with the architectural view of the outside it doesn't deal with their land development project and that is what Mr. Ewald asked Mr. Krack earlier about the engineer determining if this is a minor or major revision to the land development plan.

Ms. Dugan stated then why would the Council approve this now. She feels the steps are out of order again.

Mr. Denlinger explained it is two separate paths sometimes a property owner wants to know that the Council likes the vision before they spend the money on the engineering and other property owners care more about the engineering and they'll figure out look of the outside of the building later. He stated there is no requirement that one path is done before another and oftentimes they occur on parallel paths.

Ms. Dugan asked what will happen if this is not approved tonight. Does it still go back to planning?

Mr. Denlinger reiterated because it's a different path, it's kind of a different question. From an architectural standpoint if the Council doesn't approve it tonight and they are still seeking this design they will have to come back in with an amended HARB application.

Mr. Ewald stated he finds this project more jarring he agrees it is smaller but he prefers the original project.

Mr. Carminito agrees he prefers the original project as well.

Ms. Burckley stated she agrees as well; this angle is not something seen in the historic district.

Mr. Moore stated he can see where they may have tried to look at the building next doors chimney line if you turned the building ninety degrees.

Mr. Weiss stated he thinks a roofline where it comes to a point is different than a ninety-degree angle.

Mr. Moore stated the roof line is not perpendicular to the other roof lines on the block.

Mr. Carminito stated the design looks similar to a bank building in a shopping center.

Mr. Denlinger clarified the plan can't be denied because the Council doesn't like it, however it can be denied if it does not meet the regulations of the HARB district.

Ms. Dugan stated the consultant from Barry Isett that is appointed to the board didn't seem to have any issue with the design.

Mr. Kirkner reminded the Council that the project across the way from this at 99 Bridge Street is being converted into apartments is a modern glass and steel building. He stated he is not defending the weird angle here on this building as he agrees with Mr. Ewald it is a jarring design, but you have to keep in mind the character of the neighborhood.

Ms. Dugan stated this project and 99 Bridge Street are constantly comparing each other to the other project in a way that feels like they are using each other to get approval.

Ms. Burckley stated she too went back to look at the submission for 99 Bridge Street like Mr. Kirkner. She expressed that the angle is very different than what is approved across the street and she doesn't think there is anything downtown like this or that we have any written regulations about it however the angle is what sticks out the most to her.

Motion Fails 0-8.

Mr. Kirkner made a motion to deny the Certificate of Appropriateness for a revision which includes a primarily one-story addition to the existing distillery and bar as well as an angled element that protrudes above the first floor for 100 Bridge Street. Seconded by Mr. Strenfel.

Motion to Deny Approve 8-0.

B. Planning Commission - Mr. Moore

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner reported the Regional Planning Committee reviewed the proposed draft Borough Ordinance for skill games and found it consistent with the regional plan. He stated the committee had its reorganization and they elected him Chairperson.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming camps and programs at the Recreation Center including Safe Sitter, Young Rembrandt's, Snapology, Adult and Youth Pickleball, Soccer Shots and various Yoga programs.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito reported on the activities of the commission including volunteer tree tenders monthly pruning and new trees scheduled for planting.

F. Human Resources Commission – Ms. Burckley

Ms. Burckley reported the commission meets on the first Wednesday of the month and still has one vacancy to fill.

XIII. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

1. No action to report.

B. Parks and Recreation Committee – Mr. Moore

1. Motion to approve a Temporary Community Event Application for the Phoenixville Blues Festival in Reeves Park on Saturday, September 7, 2024 from 12:00 noon to 10:00 pm. Third Avenue closed between Main and Starr Street from 9:00 am to 12:00 midnight. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

Mr. Moore made a Motion to approve a Temporary Community Event Application for the Phoenixville Blues Festival in Reeves Park on Saturday, September 7, 2024 from 12:00 noon to 10:00 pm. Third Avenue closed between Main and Starr Street from 9:00 am to 12:00 midnight. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured. Seconded by Mr. Weiss.

On the Question:

Mr. Moore stated the application is very similar event to last year. He stated he and Ms. Burckley had a conversation regarding the event and the request to once again have a beer garden. The applicant indicates they are working with the Jaycees to run the beer garden again. He expressed his concerns on the exact details of the beer garden and he is unsure if there is a policy about when somebody wants to run an event and have somebody else run a beer garden. How can the Council be sure there is an agreement and should the that be wrapped up when they make the application to the Borough.

Mr. Ewald stated his preference is for all aspects of the application and event be tied up in a bow prior to the Council voting on it.

Ms. Burckley agreed and stated if the Jaycees are formally involved in the event she will need to recuse herself from the vote.

Mr. Ewald asked the applicant to address the Council.

Mr. Moore asked Jim DiGuiseppe to confirm the Jaycees are running the beer garden or when you think you will have that confirmed.

Jim DiGuiseppe applicant for the Blues Festival explained they intend to duplicate the festival from last year. He stated the beer garden is intended to be fifty feet by twelve feet and he reached out to the Jaycees to ensure they are available on September 7th and they are holding the date.

Mr. Moore stated he feels this is sufficient information and he asked if Borough Staff need any further documentation the Jaycees are running the beer garden. He stated other events have had beer off premises such as Dogwood and Molly Maguires but he is unsure of how the liquor licensing works.

Mr. Krack explained Molly's has had in the past with their license extending across the street to the Main and Bridge parking lot and he stated what is presented here does not have confirmation from the Jaycees for the beer garden. He indicated that both the Blues Festival and the Jaycees would have to name the borough as additionally insured.

Mr. Kirkner stated there is nothing in the application about a beer garden.

Mr. Krack confirmed it is not in the application but in the map associated with the layout for the festival.

Mr. Kirkner stated the applications stated no alcohol in the borough parks.

Mr. Krack stated this is why the beer garden is in the street.

Mr. Ewald expressed his concerns on not approving the event having a negative impact on the booking of acts for the festival and that perhaps the Council vote on the event and revisit the beer garden aspect later.

Mr. Denlinger suggested the Motion makers rescind the motion and a new motion be put forth approving without the beer garden and the event be additionally approved for the beer garden upon receipt of confirmation the Jaycees are participating and the provide insurance naming the borough additionally insured or provide the same for any other like organization who may be providing the beer garden for the Blues Festival.

Mr. Moore asked Ms. Getzfread how it was done last year.

Ms. Getzfread explained this is the same plan as last years event, they had an agreement with the Jaycees but she didn't know if that agreement has been established for this year's event. She pointed out thesis not the only event that has used a non-profits liquor license for an event and that staff will notify the local office of the LCB that a license is being used for an event and where the event is taking place. She stated the requirements for any beer garden would be across the board for all events and requested by Staff for any application wishing to have a beer garden. She explained the LCB has particular regulations for this type of alcohol sales.

Mr. Moore and Mr. Weiss rescinded their motion.

Mr. Moore made a Motion to approve a Temporary Community Event Application for the Phoenixville Blues Festival without the beer garden, the event will be additionally approved with the beer garden subject to the written confirmation that the Jaycees or another like organization has agreed to be involved and has named the Borough of Phoenixville as additionally insured, in Reeves Park on Saturday, September 7, 2024 from 12:00 noon to 10:00 pm. Third Avenue closed between Main and Starr Street from 9:00 am to 12:00 midnight. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

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

C. Policy Committee – Mr. Carminito

1. Motion to schedule and advertise an Ordinance amending Chapter 27, “Zoning,” “Skill Games Ordinance.”

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 27, "Zoning," "Skill Games Ordinance." Seconded by Mr. Weiss.

Motion Approved 8-0.

2. Motion to schedule and advertise an Ordinance amending Chapter 22 "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking."

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 22 "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking." Seconded by Mr. Strenfel.

Motion Approved 8-0.

3. Motion to adopt Amendment #3 to the Borough of Phoenixville Police Pension Plan.

Mr. Carminito made a Seconded by M

Motion Approved

4. Motion to schedule and advertise an Ordinance amending Chapter 1, "Administration and Government," Part 7 "Pensions, Retirement and Social Security."

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 1, "Administration and Government," Part 7 "Pensions, Retirement and Social Security." Seconded by Ms. Burckley.

Motion Approved 8-0.

5. Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way - Tague.

Mr. Carminito made a Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way - Tague. Seconded by Ms. Burckley.

Motion Approved 8-0.

6. Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way – 195 & 199 Mowere Road.

Mr. Carminito made a Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way – 195 & 199 Mowere Road. Seconded by Mr. Strenfel.

Motion Approved 8-0.

D. Infrastructure/Technology/Transportation/Sustainability Committee – Mr. Weiss

1. No Action to Report.

E. Finance Committee – Ms. Dugan

1. Motion to approve the Parking Study Update Proposal as recommended 4-0 from the ITTS Committee using Parking Enterprise Funds.

Ms. Burckley made a Motion to approve the Parking Study Update Proposal. Seconded by Mr. Carminito.

On the Question:

Ms. Dugan expressed her concerns about the expense for the Parking Study update since parking is already negatively impacted by the closing of Bridge Street in the summer and the proposal to change an existing parking lot into a park downtown.

Mr. Weiss explained why the ITTS committee recommended the funding of the study including the potential train station, changes to the travel on Church Street potentially to two ways and the proposal for the Main and Bridge Street lot. He feels it will show us where the pain points are that can help direct the decisions and conversations in the future.

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

2. Motion to authorize Staff and the Solicitor to take the necessary steps to obtain easement agreements from the property owners and steps to take dedication of the unnamed alleys behind Callowhill Street, Woodlawn Avenue, and Oxford Avenue.

Ms. Dugan made a Motion to authorize Staff and the Solicitor to take the necessary steps to obtain easement agreements from the property owners and steps to take dedication of the unnamed alleys behind Callowhill Street, Woodlawn Avenue, and Oxford Avenue. Seconded by Ms. Burckley.

On the Question:

Ms. Dugan explained the issue with trash collection in this area of the Borough especially after bad weather and the trucks can't get down the alleys to collect.

Motion Approved 8-0.

XIV. Public Participation

John McPhee, Diving Cat Studios Business Manager. He provided the background on the design of the building at 99 Bridge Street and stated the windows and look of the building were to evoke the feel of building six of the former steel site property as there was no existing commercial building on Bridge Street.

Irene Hilly, resident. She expressed her concerns with the adopted Ordinance for Chapter 15 "Motor Vehicles. She does not believe it is correct and that it will prevent her from accessing her driveway on Fillmore Street and asked the Council to rescind or review the Ordinance.

Patrick Merriman, resident and owner of the Boardroom Restaurant on Bridge Street. He thanked the Council for all they have done to navigate the downtown closure and he admires the way it has been handled and that everyone will be able to figure out how it can be beneficial for everyone.

XV. Communications/Council Participation

XVI. Staff Reports are in the packets.

- A. Manager
- B. Police
- C. Fire
- D. Planning and Codes
- E. Public Works
- F. Finance
- G. Human Resources
- H. Recreation

XVII. Adjournment

Mr. Ewald announced the Council will Adjourn the meeting into executive session for the purpose of:

- a. Holding an attorney-client privileged discussion related to the proper purposes and announcements for executive sessions;
- b. For the purpose of discussing the condition of the 500 block of Bridge Street, for which identifiable adjudication and/or litigation may result; and
- c. For the purpose of discussing a matter of personnel related to our public works sanitation department.

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
February 2024

Upcoming Meetings

Parks and Recreation Committee	February 20 – 6:00 pm
Infrastructure Committee	February 20 – 7:00 pm
Recreation Board	February 26 – 6:30 pm
Finance Committee	February 27 – 6:00 pm
Policy Committee	February 27 – 7:00 pm
HARB	March 4 – 5:00 pm
Personnel/Public Safety Committee	March 4 – 6:00 pm
Tree Advisory Commission	March 4 – 7:00 pm
Civil Service Commission	March 4 – 7:00 pm
Borough Council	March 12 – 7:00 pm
Planning Commission	March 14 – 6:00 pm

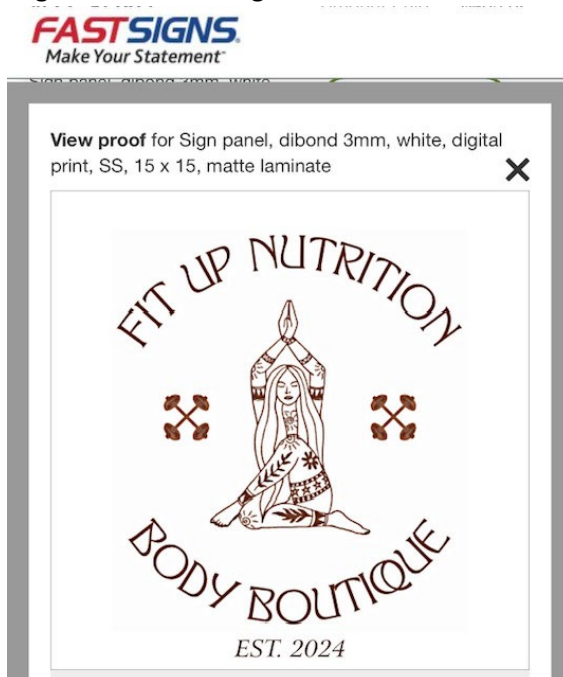
Fit Up Nutrition Body Boutique – Storefront sign mock-up

116 Bridge St. Phoenixville, Pa 19460

- 8'5" from ground to the bottom of the sign
- 40" long hanging bracket



- Logo on 15 x 15 Shingle



PHOENIXVILLE SIGNS THE SWEET SHOPPE - DIV. APPLES

DOUBLE CHECK ALL SPELLING FOR ACCURACY

APPROVAL SIGNATURE

DATE

COLOR SPECIFICATIONS
DIGITALLY PRINTED ON WHITE PVC

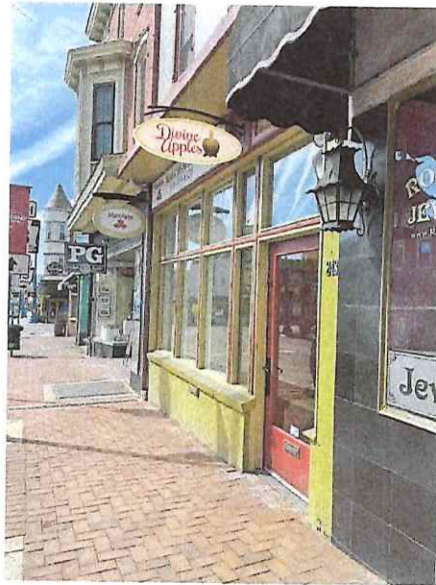
QUANTITIES/DIMENSIONS
1 SINGLE SIDED PANEL
17" X 120"

DRAWING #: 1
START DATE: 1-18-24
CONTACT: TINA
LOCATION: P'VILLE
DRAWN BY: CHRIS
PAGES: 1

EDGE
SIGNS & GRAPHICS, LLC.
181 Possum Hollow Rd, Bldg 200, Suite 110, Pottstown, PA 19468
484.961.8984 edgesigns.net



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PHOENIXVILLE SIGNS THE SWEET SHOPPE - DIV. APPLES

DOUBLE CHECK ALL SPELLING FOR ACCURACY

APPROVAL SIGNATURE

DATE

COLOR SPECIFICATIONS
DIGITALLY PRINTED ON WHITE PVC

QUANTITIES/DIMENSIONS
1 DOUBLE SIDED PANEL
14.5" X 37.5"

DRAWING #: 1
START DATE: 1-18-24
CONTACT: TINA
LOCATION: P'VILLE
DRAWN BY: CHRIS
PAGES: 1

EDGE
SIGNS & GRAPHICS, LLC.

181 Possum Hollow Rd, Bldg 200, Suite 110, Pottstown, PA 19468
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Signage
from previous
tenant

Being
replaced with
same size signs
with new tenant name
and logo

HOUSE OF WE
BOUTIQUE

 **State Farm**

MARK BEAUDOIN
610-933-6320

243

2/27/2024

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 31, 2027
Brian Moore - Council Liaison			N/A

Zoning Hearing Board - 5 Year Term	Appointed	Reappointed	Term Expiration
Jonathan Steitzer	February 14, 2023		January 31, 2028
David Petty	October 10, 2023	January 9, 2024	January 31, 2029
Maureen Ahearn	February 11, 2020		January 31, 2025
Bryan Emmanuel - Chairperson	April 10, 2018	January 12, 2021	January 31, 2026
Vacant			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
Jon Ichter	November 14, 2023		August 31, 2025
Joel Bartlett - Architect		August 8, 2023	August 31, 2027
Joseph Sikora - Planning Comm	January 12, 2023		March 31, 2026
Matthew McCloskey - BCO	September 12, 2023		N/A
Dana Dugan - Borough Council			N/A

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, 2030
Beth Burckley	December 12, 2023		January 5, 2026
Alternate - Vacant			January 31, 2026
Alternate - Vacant			January 31, 2027

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
James Carminito - Council Liaison			N/A

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
Susmita Sukla	January 9, 2024		March 31, 2027
Beth Burckley - Council Liaison			N/A

Other Appointments	Appointed	Reappointed	Term Expires
Emergency Management Coordinator			
Karin Williams	January 1, 2015		N/A
Vacancy Board Chairman			
Leo Scoda	February 9, 2021	January 2, 2024	December 31, 2024

ORDINANCE NO. 2024 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

“SKILL GAMES ORDINANCE”

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 “ZONING,” PART 2 “DEFINITIONS,” SECTION 27-202 “DEFINITIONS AND PART 3 “ZONING DISTRICTS,” SECTION 27-301 “REGULATIONS AND STANDARDS APPLICABLE TO ALL ZONING DISTRICTS” OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE IN ORDER TO PROVIDE FOR THE REGULATION OF SKILL GAMES IN THE BOROUGH SUBJECT TO CERTAIN TERMS AND CONDITIONS.

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

Section 1:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 27, “Zoning”, Part 2 “Definitions,” Section 27-202 “Definitions,” is hereby amended as indicated by the black underlined interlineations indicating insertions of language:

SKILL GAME USE

A use involving an electronic, computerized, or mechanical machine, or other similar device that requires payment and/or the insertion of a coin, ticket, token, or similar object, or a fee paid to access such device, to operate, activate, or play a game, the outcome of which is determined by any element of skill of the player, rather than chance determining the outcome, and that, in some or all circumstances, delivers or entitles the person playing or operating the device to receive cash or cash equivalents, gift cards, vouchers, billets, tickets, tokens, or electronic credits to be exchanged for cash, or cash equivalents, whether the payoff is made automatically from the device or other service or manually. A skill game use shall not be considered an amusement devise or game.

Section 2:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 27, “Zoning”, Part 3 “Zoning Districts,” Section 27-301.2.A.(1) 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:

Conditional Uses	RI	TC	MI	Zoning District				I
				NC	CD	MG		
Skill Games Use					X			

Section 3.

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 27, "Zoning", Part 3 "Zoning Districts," Section 27-301.2.A.(2) is hereby amended as indicated by the black underlined interlineations indicating insertions of language:

(2) Additional Conditional Use Standards Applicable to Specific Uses.

(h) Skill Game Use

- 1) When sought as a conditional use, Skill Games Uses are subject to the following additional regulations:
 - a. No person who shall conduct or operate a Skill Game Use or shall allow such Skill Game Use to remain open at any time on Sunday; or on any other day or days between the hours of 11:00 p.m. and 7:00 a.m. of the following day (Daylight Saving Time when in effect).
 - b. No person shall knowingly allow or permit any person under the age of 18 years to engage in a Skill Game Use or to be present in an establishment providing a Skill Games Use.

Section 4. Officer Authorization. The appropriate officers of the Borough are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

Section 5. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.

Section 6. Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 7. Effective Date. This Ordinance shall become effective upon enactment as provided by law.

PASSED by Borough Council this _____ day of _____, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this _____ day of _____, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this _____ day of _____, 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 _____ day of _____, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE NO. 2024 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 22, "SUBDIVISION AND LAND DEVELOPMENT," PART 4 "DESIGN STANDARDS" 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:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 22, "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking" 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:

2. Design Standards for Parking Lots.

E. Parking Area Dimensions.

- (1) Parallel parking stalls shall have minimum dimensions of seven feet by 22 feet. Parallel parking stalls at each end of a row of parallel parking having no other physical obstruction may be reduced to 18 feet in length.
- (2) Perpendicular parking stalls shall have minimum dimensions of nine feet by 18 feet with a twenty-two-foot aisle. ~~Perpendicular parking stalls designated for compact vehicles may be reduced to eight feet in width.~~ Compact spaces are not permitted.

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

Section 3. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby

declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.

Section 4. Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

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

PASSED by Borough Council this 12th day of March, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 12th day of March, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 12th day of March, 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 12th day of March, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE NO. 2024 -

BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 1 "ADMINISTRATION AND GOVERNMENT," PART 7 "PENSIONS, RETIREMENT AND SOCIAL SECURITY," 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:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 1, "Administration and Government", Part 7 "Pensions, Retirement and Social Security – C. Police Pension Plan" 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:

~~§ 1-755 — Deferred Retirement Option Plan (DROP) Established.~~
~~Effective January 1, 2022, there is hereby established the "Borough of Phoenixville Deferred Retirement Option Plan" pursuant to Act 44 and hereinafter referred to as "the DROP Plan."~~

~~§ 1-756 — DROP Plan Amendment and/or Restatement.~~

~~A. — The current DROP Plan as set forth in Exhibit C and is incorporated herein and made a part hereof as if fully set forth. A copy of the stated DROP Plan shall be kept on file at the Borough's office and be made available upon request.~~

~~B. — The Borough has the right to amend the DROP Plan at any time to any extent that it may deem advisable. Such amendment shall by resolution and in conformance with other applicable law or regulation. A copy of any amendment shall be kept on file at the Borough's office and be made available upon request.~~

§ 1-755 Cessation of Additional Participation in Deferred Retirement Option Plan

- A. Effective January 1, 2022, the "Borough of Phoenixville Deferred Retirement Option Plan" was established pursuant to Act 44 and thereafter referred to as "the DROP Plan."
- B. Pursuant to the Collective Bargaining Agreement between the Borough of Phoenixville and the Phoenixville Police Association effective January 1, 2024, the DROP Plan was removed from the Agreement.
- C. Effective January 1, 2024, the DROP Plan is hereby terminated and no additional employees shall commence participation in the plan on or after this date. This shall not prevent the payment of benefits to an alternate payee under the terms of a qualified domestic relations order.

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

Section 3. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.

Section 4. Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

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

PASSED by Borough Council this 12th day of March, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 12th day of March, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 12th day of March, 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 12th day of March, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

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

ORDINANCE NO. 2024 -

**ORDINANCE ACCEPTING DEDICATION OF RIGHT-OF-WAY OF
HALL STREET**

WHEREAS, TAGUE FAMILY LIMITED PARTNERSHIP II, a Pennsylvania Limited Partnership (“Grantor”), is the owner of a two contiguous tracts of land situate west of the intersection of Bridge Street and Hall Street in the Borough of Phoenixville, which parcels are more particularly identified as Chester County Tax UPI Numbers 15-8-12, 15-9-91, 15-8-23, 15-9-92, 15-9-92.1; 15-9-93 and 15-9-97 (collectively the “Premises”); and

WHEREAS, and as a condition of the approval of a certain subdivision and land development, Grantor agreed to dedicate to the Borough of Phoenixville (“Borough”) certain rights-of-way of the southern property line of the Premises along the existing Hall Street right of way in order to extend the Hall Street right of way, as more particularly described in the legal descriptions included with the Deed of Dedication attached hereto and incorporated herein as Exhibit “A” (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 Exhibit “A” 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 12th day of March, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 12th day of March, 2024.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 12th day of March, 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 12th day of March, 2024.

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

Deed of Dedication Hall Street Right-of-Way

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 Nos.: 15-8-12; 15-8-23; 15-9-91; 15-9-92; 15-9-92.1; 15-9-93; 15-9-97

DEED OF DEDICATION

Hall Street Right-of-Way

THIS INDENTURE is made this 20 day of November, 2023,

FROM

TAGUE FAMILY LIMITED PARTNERSHIP II, a Pennsylvania limited partnership,
with a registered address of 560 E. High Street, Philadelphia, Pennsylvania, 19144 (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 Exhibit "A" which is attached hereto and made a part hereof.

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:

TAGUE FAMILY LIMITED PARTNERSHIP II,
by and through its General Partner, **VINCENT J.**
TAGUE, JR.

By: _____


Vincent J. Tague, Jr., General Partner

ACKNOWLEDGEMENT

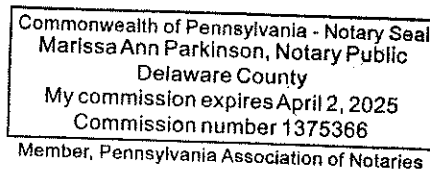
COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF Delaware :

On this, the 20 day of Nov., 2023, before the undersigned officer, personally appeared **Vincent J. Tague, Jr.** known to me or satisfactorily proven to be the General Partner of Tague Family Limited Partnership II, and as such officer, being duly authorized to do so, executed the within instrument on behalf of the company for the purposes therein contained by signing the name of the corporation by herself as such officer.

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

Marissa Ann Parkinson
Notary Public

My Commission Expires: 04/02/2025



Legal Description

EXHIBIT “A”

DESCRIPTION OF AREA TO BE DEDICATED FOR HALL STREET.

ALL THAT CERTAIN tract of land located on the northerly side of Hall Street, approximately 377 feet west of the north west corner of Hall Street and Bridge Street (S.R. 113), and shown as "Proposed Right of Way" on a plan titled "Preliminary/Final Lot Consolidation Plan-Land Development Plan", prepared by Bercek and Smith Engineering, Inc., dated December 15, 2017, last revised August 10, 2023, Plan No. D-17-086, situate in the Borough of Phoenixville, Chester County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the northerly legal right of way line of Hall Street (25 feet wide legal right of way) at a corner in common with lands of Tague Family Limited Partnership II as shown on the previously described plan by Bercek and Smith Engineering;

Thence leaving lands of Tague Family Limited Partnership II and along the northerly legal right of way line of Hall Street, South 85 degrees 57 minutes 18 seconds West for a distance of 102.81 feet to a point, a corner in common with lands of Anna M. Mirabile and Thomas A., Jr. Mirabile et al;

Thence along said lands of Anna M. Mirabile and Thomas A., Jr. Mirabile et al, the two (2) following courses and distances:

1. South 85 degrees 21 minutes 36 seconds West for a distance of 132.06 feet to a point of curvature;
2. By a line curving to the right through an angle of 18 degrees 48 minutes 19 seconds, having a radius of 281.00 feet, an arc length of 92.23 feet and whose long chord bears North 85 degrees 14 minutes 14 seconds West for a distance of 91.82 feet to a point of tangent;

Thence leaving lands of Anna M. and Thomas A, Jr. Mirabile and over and through lands of the grantor herein the two (2) following courses and distances:

1. North 85 degrees 21 minutes 36 seconds East for a distance of 222.56 feet to a point;
2. North 85 degrees 57 minutes 18 seconds East for a distance of 103.05 feet to a point in line of lands of M & B Partners, LLC;

Thence along said lands of M & B Partners, LLC, South 04 degrees 02 minutes 42 seconds East for a distance of 15.00 feet to the place of BEGINNING.

CONTAINING 4,435 square feet of land, be the same more or less.

BEING PART OF THE SAME PREMISES which Thomas A. Mirabile, Jr. and Anthony T. Mirabile, by deed dated September 30, 2008 and recorded in the Office of the Recorder of Deeds in and for the County of Chester in Record Book 7525, page 2390 granted and conveyed unto Tague Family Limited Partnership II, in fee.

BEING UPI #15-9-91.

BEING PART OF THE SAME PREMISES which Ohlert Brothers, Inc., by deed dated September 7, 2011 and recorded in the Office of the Recorder of Deeds in and for the County of Chester in Record Book 8245, page 25 granted and conveyed unto Tague Family Limited Partnership II, in fee.

BEING UPI #15-8-23.

Dated: November 10, 2023

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

ORDINANCE NO. 2024-__

**ORDINANCE ACCEPTING DEDICATION OF ADDITIONAL
RIGHT-OF-WAY OF MOWERE ROAD**

WHEREAS, THE POLLOCK CORPORATION, a Pennsylvania corporation (“Grantor”), is the owner of two contiguous tracts of land situate along the north side of Mowere Road, between Mowere Road’s intersections with Northridge Drive and Saint Mary Street, in the Borough of Phoenixville, which parcels are more particularly identified as Chester County Tax UPI Numbers 15-4-7 and 15-4-8.1 (collectively the “Premises”); and

WHEREAS, at the request of the Borough of Phoenixville (“Borough”) in order to install right-of-way improvements along Mowere Road and for other permitted public purposes, Grantor agreed to dedicate to the Borough certain additional rights-of-way along the southern property line of the Premises abutting the existing Mowere Road right of way, as more particularly described in the legal descriptions included with the Deed of Dedication attached hereto and incorporated herein as Exhibit “A” (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 Ordinance 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 Exhibit “A” 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 12th day of March, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 12th day of March, 2024.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 12th day of March, 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 12th day of March, 2024.

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

Deed of Dedication Mowere Road Additional Right-of-Way

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.: 15-4-7 P/O; 15-4-8.1 P/O

DEED OF DEDICATION

195 & 199 Mowere Road Right-of-Way

THIS INDENTURE is made this 14th day of December, 2023,

FROM

THE POLLOCK CORPORATION, a Pennsylvania corporation with an address of 850 Industrial Highway, P.O. Box 759, Pottstown, Pennsylvania 19464, (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 referred to as "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, utilities, park, trail, and other public improvements, together with any sidewalks, trails or other improvements located thereon and sanitary sewer

lines, storm sewer lines and utilities constructed thereunder, unto the said Grantee, its successors and assigns.

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

ALL those certain portions of tracts or parcels of ground situate in the Borough of Phoenixville, Chester County, Pennsylvania, more particularly described in Exhibit "B" which is attached hereto and made a part hereof.

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 or highway, sidewalk, utilities, park, trail, and 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 or highway, sidewalk, utilities, park, trail, and 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 or highway, sidewalk, utilities, park, trail, and 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 p public street, road or highway, sidewalk, utilities, park, trail, and 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.

[Signature page to follow]

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

GRANTOR:

THE POLLOCK CORPORATION

By:



Steven M. Abrams, Vice President

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA

:

: SS

COUNTY OF MONTGOMERY

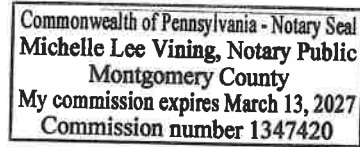
:

On this, the 14th day of December, 2023, before the undersigned officer, personally appeared **Steven M. Abrams**, known to me or satisfactorily proven to be the Vice President of The Pollock Corporation, and as such officer, being duly authorized to do so, executed the within instrument on behalf of the entity for the purposes therein contained by signing the name of the entity by himself as such officer.

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

Michelle Lee Vining
Notary Public

My Commission Expires: 3/13/2027



Legal Description UPI 15-4-7 (P/O)

EXHIBIT "A"



**REMINGTON
& VERNICK
ENGINEERS**

Croton Road Corporate Center
555 Croton Road, Suite 401
King of Prussia, PA 19406
O: (610) 940-1050
F: (610) 940-1161

**LEGAL DESCRIPTION
ADDITIONAL RIGHT-OF-WAY AREA
OVER A PORTION OF UPI 15-4-7
PHOENIXVILLE BOROUGH,
CHESTER COUNTY, PENNSYLVANIA**

All that certain lot, tract or parcel of land and premises, situate, lying and being in the Borough of Phoenixville, County of Chester, Commonwealth of Pennsylvania, and being more particularly described as follows:

BEGINNING at a point at the intersection of the dividing line between UPI #15-4-7 to the east and UPI #15-4-62 to the west with the northerly right-of-way line of Mowere Road (50' wide along UPI #5-4-7), said point being the following course and distance from a spike found in the bed of Mowere Road along said dividing line extended, North 6 degrees 07 minutes 17 seconds West, a distance of 24.87 to the point of beginning, and running thence;

1. Along said dividing line between UPI #15-4-7 and UPI #15-4-62, North 6 degrees 07 minutes 17 seconds West, a distance of 1.34 feet to a point; thence
2. South 87 degrees 04 minutes 47 seconds East, a distance of 78.26 feet to a point of curvature; thence
3. Along an arc of a curve to left, having a radius of 952.25 feet, an arc distance of 41.28 feet and a delta of 2 degrees 29 minutes 01 seconds, with a chord bearing of South 88 degrees 19 minutes 18 seconds East, a distance of 41.27 feet to a point of tangency; thence
4. South 89 degrees 33 minutes 48 seconds East, a distance of 248.78 feet to a point; thence
5. Along the dividing line between UPI #15-4-8.1 to the east and UPI # 15-4-7 to the west, South 10 degrees 18 minutes, 11 seconds west, a distance of 9.93 feet to a point; thence
6. Along said northerly right-of-way line of Mowere Road, along an arc of a curve to left, having a radius of 1115.43 feet, an arc distance of 33.97 feet and a delta of 1 degrees 44 minutes 41 seconds, with a chord bearing of South 85 degrees 58 minutes 31 seconds West, a distance of 33.96 feet to a point of a reverse curve; thence
7. Along the same, along an arc of a curve to right, having a radius of 1053.83 feet, an arc distance of 143.34 feet and a delta of 7 degrees 47 minutes 35 seconds, with a chord bearing of North 89 degrees 13 minutes 34 seconds West, a distance of 143.23 feet to a point of tangency; thence
8. Still along the same, North 85 degrees 10 minutes 25 seconds West, a distance of 189.84 feet to the point and place of BEGINNING.

Containing within said bounds 3,370 Sq. Ft. (0.077 acres) of land, more or less.

This description was written accordance with a filed plan entitled "Dedication Plan Exhibit, Mowere Road, UPI# 15-4-7 & UPI# 15-4-8.1, Borough of Phoenixville, Chester County, Pennsylvania", prepared by Remington & Vernick Engineers, Project No. PCPBT064, dated May 11, 2023.

Date: 5/11/23
Revised: 5/15/2023



Brian T. Yorkiewicz, P.L.S.
PA. License No. SU075193

Legal Description UPI 15-4-8.1 (P/O)

EXHIBIT "B"



**REMINGTON
& VERNICK
ENGINEERS**

Croton Road Corporate Center
555 Croton Road, Suite 401
King of Prussia, PA 19406
O: (610) 940-1050
F: (610) 940-1161

**LEGAL DESCRIPTION
ADDITIONAL RIGHT-OF-WAY AREA
OVER A PORTION OF UPI 15-4-8.1
PHOENIXVILLE BOROUGH,
CHESTER COUNTY, PENNSYLVANIA**

All that certain lot, tract or parcel of land and premises, situate, lying and being in the Borough of Phoenixville, County of Chester, Commonwealth of Pennsylvania, and being more particularly described as follows:

BEGINNING at a point at the intersection of the dividing line between UPI #15-4-8.1 to the east and UPI #15-4-7 to the west with the northerly right-of-way line of Mowere Road (60' wide along UPI #5-4-8.1) and running thence

1. Along said dividing line between UPI #15-4-8.1 and UPI #15-4-7, North 10 degrees 18 minutes 11 seconds East, a distance of 4.79 feet to a point; thence
2. South 89 degrees 33 minutes 48 seconds East, a distance of 44.61 feet to a point; thence
3. South 2 degrees 24 minutes 29 seconds East, a distance of 2.84 feet to a point; thence
4. Along said northerly right-of-way line of Mowere Road, along an arc of a curve to left, having a radius of 1403.31 feet, an arc distance of 45.61 feet and a delta of 1 degrees 51 minutes 44 seconds, with a chord bearing of South 88 degrees 04 minutes 30 seconds West, a distance of 45.61 feet to the point and place of BEGINNING.

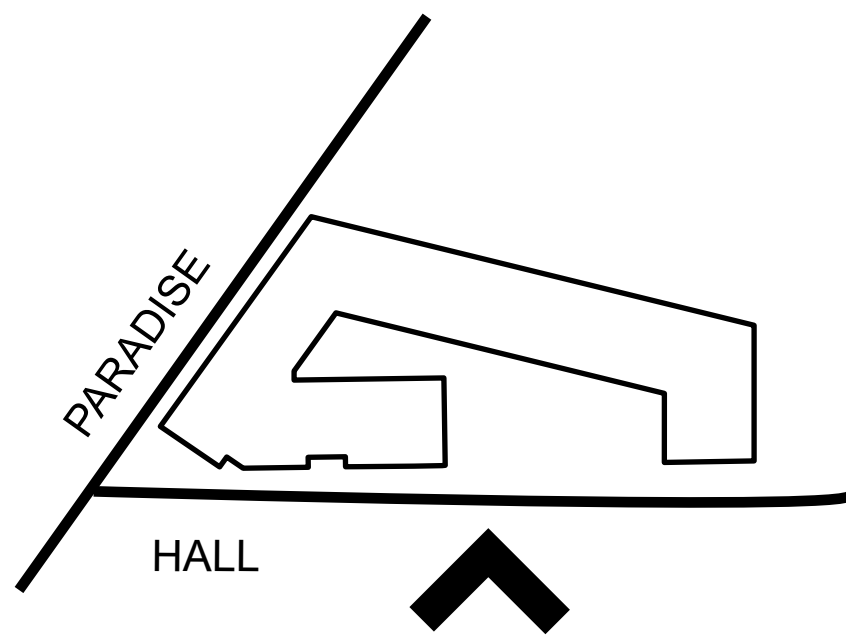
Containing within said bounds 164 Sq. Ft. (0.004 acres) of land, more or less.

This description was written accordance with a filed plan entitled "Dedication Plan Exhibit, Mowere Road, UPI# 15-4-7 & UPI# 15-4-8.1, Borough of Phoenixville, Chester County, Pennsylvania", prepared by Remington & Vernick Engineers, Project No. PCPBT064, dated May 11, 2023.

Date: 5/3/23
Revised: 5/15/2023




Brian T. Yorkiewicz, P.L.S.
PA. License No. SU075193

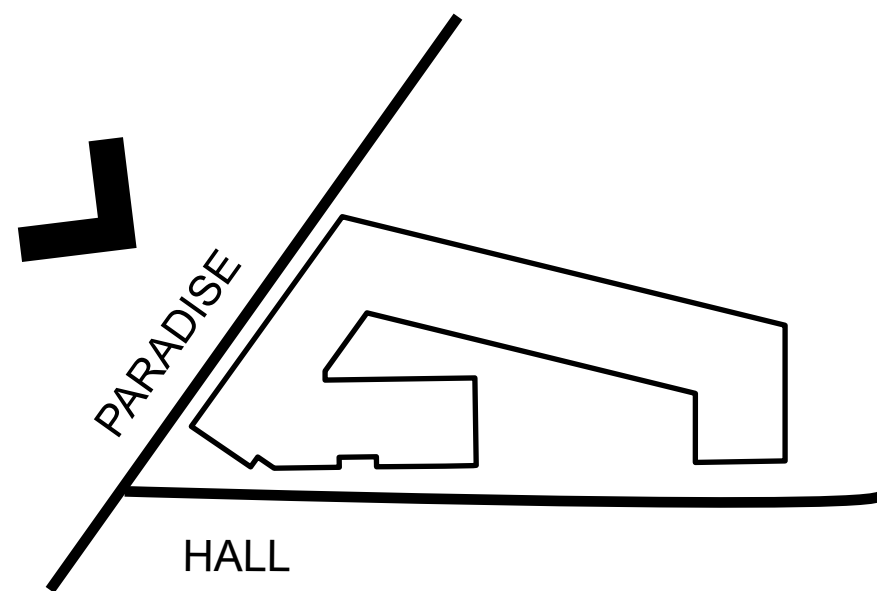


ELEVATION - SOUTH
HALL STREET ELEVATION

PARADISE DEVELOPMENT

PHOENIXVILLE, PA

LAND DEVELOPMENT 11.16.2023



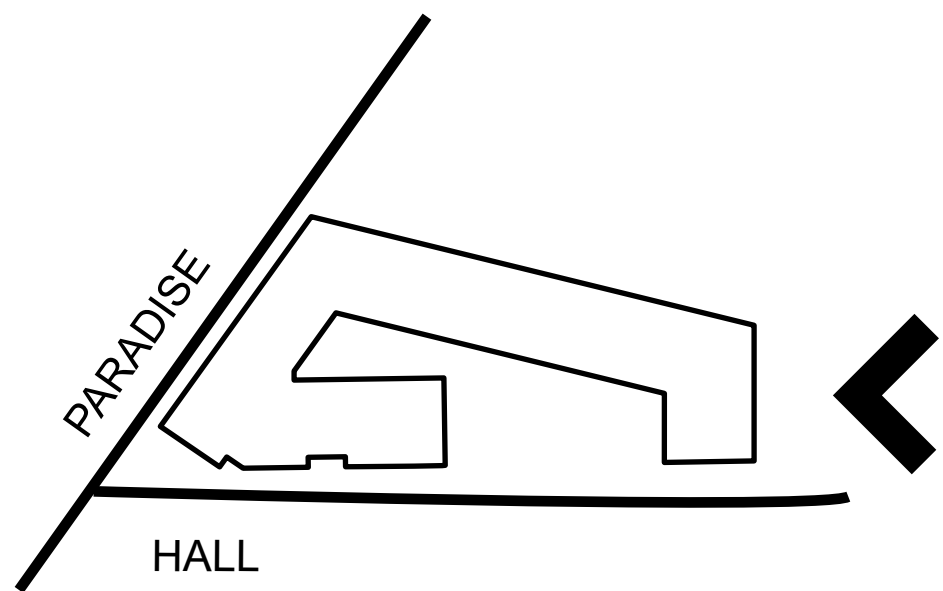
ELEVATION - WEST
PARADISE STREET ELEVATION

PARADISE DEVELOPMENT

PHOENIXVILLE, PA

LAND DEVELOPMENT 11.16.2023



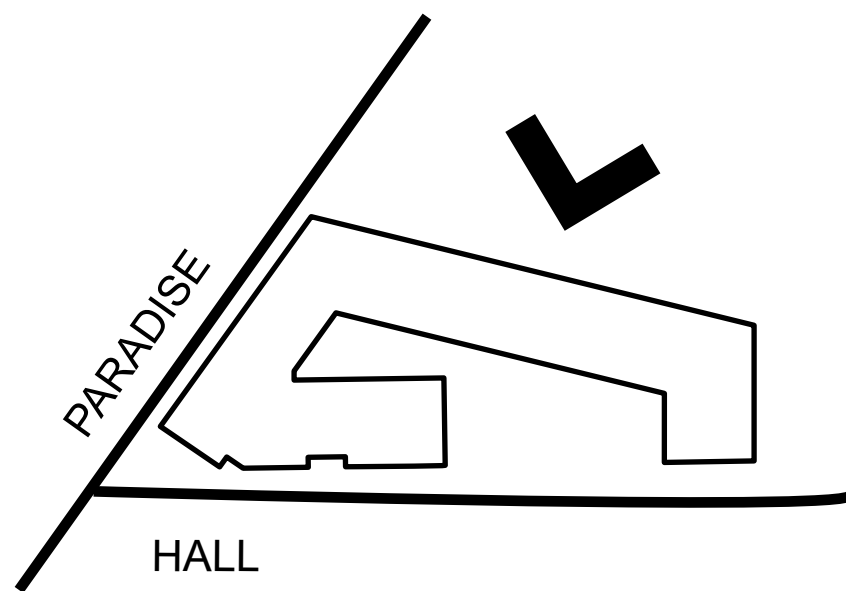


ELEVATION - EAST

PARADISE DEVELOPMENT

PHOENIXVILLE, PA

LAND DEVELOPMENT 11.16.2023



ELEVATION - SOUTH
TRAIL ELEVATION

PARADISE DEVELOPMENT

PHOENIXVILLE, PA

LAND DEVELOPMENT 11.16.2023





PARADISE STREET

PARADISE DEVELOPMENT

PHOENIXVILLE, PA

LAND DEVELOPMENT 11.16.2023





HALL STREET

PARADISE DEVELOPMENT

PHOENIXVILLE, PA

LAND DEVELOPMENT 11.16.2023





HALL & PARADISE

PARADISE DEVELOPMENT

PHOENIXVILLE, PA

LAND DEVELOPMENT 11.16.2023



Personnel and Public Safety Committee Meeting
Monday, March 4, 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 6:03 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.

B. Consider request from J. D. Maloney for appointment to the Civil Service Commission - Alternate for the term expiring January 31, 2026.

C. Consider request from Carolyn Treglia for appointment to the Zoning Hearing Board for the term expiring January 31, 2027.

D. Consider request from Josh Gould for appointment to the Planning Commission for the term expiring March 31, 2028.

E. Consider request from Amanda Irwin for appointment to the Planning Commission for the term expiring March 31, 2028.

F. Consider request from Andrew Hungerbuhler for appointment to any open vacancy.

G. Consider request from Kristiaan Wiedegreen for reappointment to the Planning Commission for the term expiring March 31, 2028.

- H. Consider request from Debra Johnston for reappointment to the Planning Commission for the term expiring March 31, 2028.

Mr. Weiss made a Motion to reappoint. Seconded by Mr. Strenfel. Motion passed 3-0.

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

V. Old Business

- A. PXV Inside Out.

Ms. Burckley stated that Staff continues to look at ways to improve the overall experience.

- B. Recruitment and retention incentives.

Ms. Donato provided updated information on Staff's recommendations.

- C. Emergency Management.

Mr. Krack reported the Emergency Management Team met last week to discuss various needs in advance of the upcoming weather season.

- D. Community Policing.

Nothing new to report.

VI. Public Participation

No Public participation.

VII. Executive Session

VIII. Adjournment at 6:55 pm by Mr. Weiss.

Next Meeting Date: Monday, April 1, 2024 at 6:00 pm

Parks and Recreation Committee Meeting
Tuesday, February 20, 2024
6:00 pm

MINUTES

Committee: Chairperson, Mr. Moore, Ms. Burckley, 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. Shaina Pratte expressed concerns regarding the fees associated with the Temporary Community Events.

B. Nina Guzman expressed concerns regarding the fees associated with the Temporary Community Events.

III. Presentations

None.

IV. Committee Member Updates/Discussions

Ms. Gibbons provided an update on Camp registration in March and the timeframe for reopening the Bike Park once maintenance is completed sometime in April.

Mr. Krack expressed his understanding regarding the fees associated with Temporary Community Events. He also pointed out that there have been numerous events throughout the United States that have safety related issues occur. He stated the Borough has to keep those things in mind which increases the personnel needed for these types of events with thousands of people attending.

Ms. Burckley asked whether Staff could look into the schedule of fees to see where a medium could occur thereby possibly bringing down various fees.

Mr. Krack stated Staff would meet tomorrow and work out a reasonable compromise for this year and would come back to this Committee in the next couple of months with recommendations for moving forward in 2025 and beyond.

V. New Business

A. Motion to recommend Borough Council approve a Temporary Community Event Application for the Annual Dogwood Festival from May 15 through May 18, 2024 (6:00 pm to 10:00 pm Wed - Fri) and (1:00 pm to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade, Paradise Street from Cedar

Hollow, Smithworks Boulevard from Paradise Street to Main Street, Main Street from Smithworks Boulevard to 5th Avenue at 11:00 pm to 2:00 pm on Saturday, May 18, 2024 for the parade. No parking in the Smithworks Parking Lot and on Main Street from Smithworks Boulevard to 5th Avenue. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Weiss made a Motion to recommend Borough Council approve the TCE. Seconded by Ms. Dugan. Motion passed 3-0-1 with Ms. Burckley abstaining due to conflict.

- B. Motion to recommend Borough Council approve a Temporary Community Event Application for Alianzas 14th Annual Diversity Festival in Reeves Park on Saturday, August 3, 2024 from 1:00 pm to 5:00 pm. No Street closures. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a Motion to recommend Borough Council approve the TCE. Seconded by Ms. Burckley. Motion passed 4-0.

- C. Motion to recommend Borough Council approve a Temporary Community Event Application for the Borough of Phoenixville Birthday Celebration at the Recreation Center and Dayton Street Field on Saturday, April 20, 2024 from 5:00 pm to 9:30 pm. Fillmore Street to be closed from Franklin Avenue to South Street from 6:30 pm to 9:30 pm.

Ms. Dugan made a Motion to recommend Borough Council approve the TCE. Seconded by Ms. Burckley. Motion passed 4-0.

- D. Motion to recommend Borough Council approve a Temporary Community Event Application for the Borough of Phoenixville Fireworks display at Dayton Street Field on Friday, July 5, 2024 from 6:00 pm to 10:30 pm. Fillmore Street to be closed from Franklin Avenue to South Street from 6:00 pm to 10:00 pm.

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

VI. Public Participation.

Shaina Pratte expressed concerns regarding the number of porta-potties being required and suggested numerous retail establishments in the downtown provide opportunities to frequent the establishment and to utilize their facilities.

Mr. Krack stated there is no way the Borough can encourage something of that nature and that porta-potties are the responsible way to provide facilities.

Ms. Getzfread provided the background on where the number of porta-potties stems from, but that Staff will look a reasonable number based on the type of even it is.

VII. Adjournment at 6:40 by Mr. Weiss.

Next Meeting Date: Tuesday, March 19, 2024 at 6:00 pm.

**Policy Committee Meeting
Tuesday, February 27, 2024
7:00 pm**

MINUTES

Committee: Chairperson, Mr. Carminito, Mr. Ewald, Mr. Kirkner, and Mr. Strenfel
Staff: Mr. Krack and Mr. Boelker

I. Call to Order at 7:00 pm

II. Public Participation on Non-Agenda Items

No Public participation.

III. Committee Member Updates/Discussions

No updates or discussions.

IV. New Business

A. Motion to recommend Borough Council schedule and advertise an Ordinance amending Chapter 24 “Taxation, Special,” Part 8 “Neighborhood Improvement District”

Mr. Kirkner made a motion to recommend Borough Council schedule and advertise the proposed ordinance amendment. Seconded by Mr. Ewald. Motion passed 4-0.

B. Motion to recommend Borough Council schedule and advertise an Ordinance amending Chapter 15, “Motor Vehicles.”

Mr. Krack provided background on the ordinance amendment.

Mr. Kirkner made a motion to recommend Borough Council schedule and advertise the proposed ordinance amendment. Seconded by Mr. Strenfel. Motion passed 4-0.

- C. Motion to Approve/Deny the request for a Loading Zone at 117 Main Street. Staff and PD recommends denial.

Mr. Krack provided background on why Staff and PD recommended denial.

Mr. Ewald made a motion to Deny the request for a Loading Zone at 117 Main Street per Staff and PD recommendation. Seconded by Mr. Strenfel. Motion passed 4-0.

V. Old Business

- A. Enforcement of bans on reproductive health services.

Nothing new to report.

- B. Parking

Nothing new to report.

VI. Public Participation.

Mr. Saneck asked about the Ordinance Amendment regarding the NID. Mr. Ewald provided background on the proposed amendment.

VII Adjournment at 7:16 pm by Mr. Strenfel.

Next Meeting Date: Tuesday, March 26, 2024 at 7:00 pm.

**INFRASTRUCTURE, TECHNOLOGY, TRANSPORTATION,
AND SUSTAINABILITY (ITTS)
COMMITTEE MEETING
Tuesday, February 20, 2024
7:00 PM**

MINUTES

Committee: Chairperson, Mr. Weiss, Ms. Burckley, Mr. Moore, and Mr. Strenfel
Staff: Mr. Krack, Mr. Watson, and Ms. Getzfread

- I. Call to Order at 7:03 pm
- II. Public Participation on Non-Agenda Items

None.
- III. Committee Member Updates/Discussions

None.
- IV. New Business
 - A. Motion to recommend Finance Committee approve funding for the Gay Street Sidewalk Proposal.

Mr. Krack provided background on the proposal.

Ms. Burckley made a Motion to recommend the Finance Committee provide funding for the project proposal. Seconded by Mr. Moore. Motion passed 3-0. Mr. Moore asked Staff to provide Finance Committee with the previous proposals for comparison purposes.
- V. Infrastructure Updates
 - A. Engineering Reports (Jan, Apr, Jul, Oct)

No report for this month.
 - B. Stormwater Management

Owen Hyne from RVE provided an overview of the Stormwater Drainage Study and the various recommendations contained in the study.
 - C. The Phoenix Wheel

Owen Hyne from RVE provide an update on the status of The Wheel Project. HE expects to commence the first stages of the project within the next month.

VI. Transportation Updates

A. Bridge and Starr Street

Mr. Krack provided an update on the Concept Plan being prepared by TPD which is expected to go to PennDOT for initial review in early March timeframe.

B. Paradise Street – Phase 2

Nothing new to report at this time.

C. Hall Street

Nothing new to report at this time.

D. Mowere Road

Owen Hyne from RVE provided an update on the project and expects to go to bid by the end of March assuming PECO provides their engineering approvals.

E. French Creek Trail

Nothing new to report at this time.

F. Train Station

Nothing new to report at this time.

G. Washington/Gay Intersection return to stop signs

Mr. Krack reported that the Borough Engineer's review of the intersection shows there are not enough warrants to justify it being a signalized intersection. He stated Staff will provide a recommendation to the Committee on possible next steps.

H. Church Street Traffic Evaluation

Mr. Krack reported the Study provides various recommendations, but the main concern is whether the intersection at Church Street and Starr Street would be able to accommodate signalization or stop signs based on PennDOT warrants.

I. Parking Study Update

Mr. Krack reported that Staff met with the Engineer to go over the start of the update and what should be included in their review and analysis.

VII. Sustainability Updates

A. PXVNEO

Mr. Krack reported that Staff is working through items that came up during the recent startup.

B. Municipal Building Solar Installation

Mr. Krack reported that he signed the agreement to start the installation. Because of new data, the building footprint will allow a larger solar panel array which will provide more kilowatt hours of energy.

VIII. Technology Updates

Nothing new to report.

IX. Public Participation

None

X. Adjournment at 8:14 pm by Mr. Moore.

Next Meeting Date: Tuesday, March 19, 2024 at 7:00 pm.

FINANCE COMMITTEE MEETING

Tuesday, February 27, 2024

6:00 pm

MINUTES

Committee: Chairperson Ms. Dugan, Mr. Carminito, Mr. Ewald, and Mr. Kirkner

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

I. Call to Order at 6:02 pm

II. Public Participation on Non-Agenda Items

No Public Participation.

III. Committee Member Updates/Discussions

No Committee Member updates or discussion.

IV. New Business

A. Motion to recommend Borough Council approve the 2023 Pre-Paid dated 1/1/2024 - 1/31/2024 in the amount of \$186,112.41.

Motion by Mr. Carminito to recommend Borough Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

B. Motion to recommend Borough Council approve the 2024 Pre-Paid dated 1/1/2024 - 1/31/2024 in the amount of \$1,226,185.73.

Motion by Mr. Carminito to recommend Borough Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

C. Motion to recommend Borough Council approve the 2023 Pre-Paid Credit Card Statement dated 1/1/2024 - 1/31/2024 in the amount of \$27,920.27.

Motion by Mr. Carminito to recommend Borough Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

D. Motion to recommend Borough Council approve the 2024 Pre-Paid Credit Card Statement dated 1/1/2024 - 1/31/2024 in the amount of \$24,311.09.

Motion by Mr. Carminito to recommend Borough Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

E. Motion to recommend Borough Council approve the 2024 Pre-Paid ACH dated 1/31/2024 in the amount of \$37,922.83.

Motion by Mr. Carminito to recommend Borough Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

- F. Motion to recommend Borough Council approve/deny the waiving of \$9,045.00 in back payments due to the Borough from the Phoenixville Communities That Care.

Motion by Mr. Carminito to recommend Borough Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

Motion Tabled.

- G. Motion to recommend Borough Council adopt a Resolution revising the 2024 Master Schedule of Fees.

Motion by Mr. Carminito to recommend Borough Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

- H. Motion to recommend Borough Council approve Staff's recommendation for the Gay Street Streetscapes Project. Recommended in ITTS Committee 4-0.

Motion by Mr. Carminito to recommend Borough Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

- V. Public Participation

No Public participation

- VI. Adjournment at 6:12 pm by Mr. Kirkner

Next Meeting Date: Tuesday, March 26, 2024 at 6:00 pm