

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, June 11, 2024

7:00 PM

AGENDA

- I. Pledge of Allegiance/Moment of Silence
- II. Roll Call – Borough Manager
- III. Presentations
 - A. Honor Officer Peter Karpovich – Mayor Urscheler
 - B. 2023 Audit – Dale Umbenhauer, Maille, LLP.
 - C. Motion to accept the 2023 Audit as presented.
- IV. Public Participation
- V. Consent Agenda
 - A. Approval of the May 14, 2024 Regular Meeting Minutes.
 - B. Items from Historical and Architectural Review Board:
 - 1. Motion to approve/deny the Certificate of Appropriateness for business signage for 238 Bridge Street as recommended by the HARB in their Action Memo of June 3, 2024.
 - 2. Motion to approve/deny the Certificate of Appropriateness for HVAC screening for 35 Bridge Street as recommended by the HARB in their Action Memo of June 3, 2024.
 - C. Items from Personnel and Public Safety Committee:
 - 1. Motion to authorize the Civil Service Commission to begin the process of developing an Eligibility List for Firefighter for the Phoenixville Fire Department.
 - D. Items from Finance Committee:
 - 1. Motion to approve the 2024 Pre-Paid dated 4/1/2024 - 4/30/2024 in the amount of \$1,146,643.33.
 - 2. Motion to approve the 2024 Pre-Paid Credit Card Statement dated 4/1/2024 - 4/30/2024 in the amount of \$46,957.82.
 - 3. Motion to approve the 2024 Pre-Paid ACH dated 4/30/2024 in the amount of \$39,506.57.

4. Motion to approve Staff's recommendation to write-off four accounts in the total amount of \$809.44.
5. Motion to approve the Proposal for Engineering Services for the survey of the Sanitary Sewer within the Norfolk Southern ROW in the amount of \$29,695.00.

VI. Communications/Council Participation

VII. Mayor's Report

VIII. Appointments

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

IX. New Business

- A. Motion to award the Mowere Road Realignment Project contract to Construction Masters Services, LLC for a Base Bid in the amount of \$1,804,997.50 and Alternate Bid No. 1 in the amount of \$100,540.00 for a Total Bid amount of \$1,905,537.50 as the lowest responsible bidder as recommended by the Borough Engineer.
- B. Motion to approve the Settlement Agreement of the assessment appeal matter identified as Chester County Court of Common Pleas docket no. 23-09353-AB, between Phoenixville Hospital, LLC, the Chester County Board of Assessment Appeals, the Phoenixville Area School District and the Borough, establishing an agreed property valuation for real estate taxation purposes.

X. Public Hearings

XI. Resolutions/Ordinances

- A. Motion to adopt an Ordinance amending Chapter 13, "Licenses," "Part 7 "Peddlers, Transient Retailers, Handbills, Advertising, and Banners."

XII. 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 119 S. Main Street.
- C. Phoenixville Regional Planning Committee – Mr Kirkner
- D. Recreation Board – Ms. Dugan

- E. Tree Advisory Commission – Mr. Carminito
- F. Human Relations Commission – Ms. Burckley

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 Firebird Festival at Veterans Park on Saturday, December 14, 2024 from 5:00 pm to 10:30 pm. Street closure – Mowere Road between St. Mary’s and Northridge Drive from 4:00 pm to 11:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured. Committee recommended 3-0-1.
- C. Policy Committee - Carminito
 - 1. Motion to adopt a Resolution Supporting the Pennsylvania Commission for the United States Semiquincentennial (America250pa).
 - 2. Motion to schedule and advertise an Ordinance amending Chapter 27, “Zoning,” “Part 6 “Supplemental Regulations.”
 - 3. Motion to schedule and advertise an Ordinance amending Chapter 27, “Zoning,” to Amend the Official Zoning Map of the Borough of Phoenixville to rezone fifteen (15) properties in the vicinity of and including the existing train line along the Schuylkill River to “MI” Mixed-Use Infill District.
- D. Infrastructure, Technology Transportation & Sustainability Committee - Mr. Weiss
 - 1. No action to report.
- E. Finance Committee - Ms. Dugan
 - 1. No action to report.

XIV. Public Participation

XV. Communication/Council Participation

XVI. Staff Reports

- A. Manager
- B. Police

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

XVII. Adjournment

Upcoming Meetings:

Planning Commission	June 13 – 6:00 pm
Recreation Board	June 17 – 6:30 pm
Parks and Recreation Committee	June 18 – 6:00 pm
Infrastructure Committee	June 18 – 7:00 pm
Finance Committee	June 25 – 6:00 pm
Policy Committee	June 25 – 7:00 pm
HARB	July 1 – 5:00 pm
Tree Advisory Commission	July 1 – 6:00 pm
Personnel/Public Safety Committee	July 2 – 6:00 pm
Civil Service Commission	July 2 – 7:00 pm
Borough Council	July 9 – 7:00 pm

Employee Service Anniversaries - June

Dennis Himes, Streets Utility – 34 years
 Sergeant Robert Sutton, Police Department – 27 years
 Officer Francis Bryan, Police Department – 19 years
 Corporal Nicholas Natale, Police Department – 16 years
 David Boelker, Director of Planning and Code Enforcement – 15 years
 Officer Thomas Hyland, Police Department – 15 years
 Christopher Bungo, Water Distribution Laborer – 10 years
 Joseph Raggazino, Water Treatment Mechanic/Operator – 9 years
 Francis Goleash, Borough Mechanic – 8 years
 Shawn Casey, Sanitation Driver/Laborer – 7 years
 Daniel Roskos, Parks & Rec Laborer – 3 years
 William “Bo” Matzye, Streets Laborer II – 2 years
 David Catalano, Sanitation Driver/Laborer – 1 year

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, May 14, 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	Present
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

III. Presentations - None

IV. Public Participation

Mr. Ewald stated “Immediately before this evening's Council Meeting the Council met in an Executive Session to engage in quasi-judicial deliberation on the Nutt Road LP’s Conditional Use Application as well as Attorney/Client, privileged advice and discussion related to Borough sidewalks and ADA accessibility.”

Barbara Cohen, President of the Schuylkill River Heritage Center. She stated the Heritage Center is the owner of the oldest Phoenix Wheel, made here in Phoenixville in 1895 by the Phoenix Bridge Company. She explained the wheel was acquired by the Heritage Center in 2008 to be restored and preserved. Since then she has been working on securing a location for the wheel to be reassembled and placed on display. She thanked Jean Krack, Kelly Getzfread and Staff on their hard work in finding a home for the wheel. Currently Gern Jaeger of Specialty Metals is cataloging the pieces of the wheel, restoring and preparing the wheel for reassembly and installation. She invited the Council and Public to attend the October 7, 2024 Heritage Award presentation for the Phoenix Wheel.

John McPhee, Business Manager of Diving Cat Studio Gallery. He stated he provided a copy of an email he sent to Borough Staff and the Police Chief for each of the Council

Members tonight. He explained far too frequently, police departments are not given credit for quality work and for being an awesome part of the community. From the email that he sent you'll see that at Diving Cat Studio Gallery, while it is very rare, recently had a very significant theft. Working with Chief Marshall, Corporal Gray and Officer Rondeau they were successful in tracking down the individual and were able to get all of the stolen merchandise back to the gallery. Corporal Gray and Officer Rondeau were professional, friendly and courteous. They did an awesome job and they are very grateful.

Nancy Thomas, resident and member of Diversity in Action. She read aloud a letter to Borough Council in follow up to recent comments made about the costs of community events. She stated; "This is an echo of what we talked about a month ago, and we're back to kind of continue the conversation. What makes for healthy communities? Persons are good, stewards of land and property, resources exist for everyone, everyone matters and has a voice. Leadership involves service to others and groups form to help the whole community thrive. Phoenixville is a growing and changing in complex ways, but it also has nearly 50 plus not-for-profit groups who, I believe, exist to create a healthier community. If you read the mission statements of the nonprofits, their purposes span environmental concerns, medical availability, equitable housing, job training, celebration of cultures, education for leadership, equity in all areas. the arts and the valuing of every person, every voice in this town. One of the significant ways Borough Council could affect the health of our community would be to become aware of what the nonprofits are doing daily, often without acknowledgement. They are working on the ground, with heart, so that all of us become the answers to each other's' needs, what we were created to be, after all."

Kris Keller, resident. She stated she has been to the Council Meetings the last two months and has asked for a task force or a group of people to get together to talk with the nonprofits that are holding events in town. To talk about the pricing the cost of security and police force to the costs of trash removal and setting up tents, those kinds of things. She stated she is being contacted from the nonprofit groups asking what she has heard from Council and she doesn't have anything to share. She stated an invitation was extended to participate in last month's Policy Committee Meeting. Originally, we believed the meeting would be on Tuesday, but it was Election Day and it was moved to Wednesday. On Wednesday we found out it was cancelled. Any rate, she stated she has been asked to follow up with you folks, and if someone could get back with her or with some of the nonprofits, they would really appreciate it.

V. Consent Agenda:

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

1. Motion to approve the Certificate of Appropriateness for signage as represented in the application for 101 Bridge Street as recommended 6-0 by the HARB in their Action Memo of May 6, 2024.
 2. Motion to approve the Certificate of Appropriateness for signage as represented in the application for 209 Church Street as recommended 6-0 by the HARB in their Action Memo of May 6, 2024.
 3. Motion to approve the Certificate of Appropriateness for signage as represented in the application for 252 Bridge Street as recommended 6-0 by the HARB in their Action Memo of May 6, 2024.
- C. Items from Personnel and Public Safety Committee.
1. Motion to reappoint Randy Morin to the Tree Advisory Commission for the new term expiring June 30, 2029.
- D. Items from Parks and Recreation Committee.
1. Motion to approve a Temporary Community Event Application for the Kiwanis Patriotic Celebration at Reeves Park on Friday, May 24, 2024 from 9:30 am to 12:00 noon. No parking on the north side Third Avenue between B Street and Main Street from 8:30 am to 12:00 noon to allow school buses to park.
 2. Motion to approve a Temporary Community Event Application for the Phoenixville Car Show on Saturday, July 20, 2024 from 11:00 am to 3:00 pm at Reeves Park. Second Avenue and Third Avenue to be closed between Starr Street and Main Street from 9:00 am to 4:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.
 3. Motion to approve a Temporary Community Event Application for Phoenixville Police Department National Night Out on Tuesday, August 6, 2024 from 6:00 pm to 9:00 pm at the Recreation Center Parking Lot at 501 Franklin Avenue.
 4. Motion to approve a Temporary Community Event Application for the 42nd Anniversary Andre Thornton Day at Andre Thornton/C' Jon Saunders Park on Saturday, September 14, 2024 from 11:00 am to 7:00 pm. North Main Street to be closed between Vanderslice Street and High Street from 8:00 am to 8:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
 5. Motion to approve a Temporary Community Event Application for the SHRC – Phoenix Wheel Heritage Award Celebration at the Borough Hall Parking Lot on Friday, October 11, 2024 from 5:30 pm to 8:30 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
- E. Items from Finance Committee.

1. Motion to approve the 2024 Pre-Paid dated 3/1/2024 - 3/31/2024 in the amount of \$1,011,357.38.
2. Motion to approve the 2024 Pre-Paid Credit Card Statement dated 3/1/2024 - 3/31/2024 in the amount of \$83,318.44.
3. Motion to approve the 2024 Pre-Paid ACH dated 3/31/2024 in the amount of \$39,594.02
4. Motion to adopt a Resolution authorizing the filing of an application for funding under the Flood Mitigation Program for the Borough of Phoenixville's Third Avenue & Gay Street stormwater flood mitigation project.
5. Motion to adopt a Resolution for the sale and disposition of personal property valued at or above \$2,000.
6. Motion to approve Budget Increase 2024-04 from Waste Water Restricted Fund Balance in the amount of \$117,400 to Waste Water – Sewer Treatment (HTC Professional Services – Arcadis) for professional services to Arcadis for ongoing HTC project.

Ms. Burckley made a Motion to Approve the Consent Agenda. Seconded by Mr. Strenfel.

Motion Approved 8-0.

VI. Communications/Council Participation

Ms. Burckley reminded the public to come out to the Dogwood Festival and Parade. She stated the parade on Saturday, May 18, 2024 will also be part of the celebration of the Borough's 175th Anniversary and the Fire Department's 150th Anniversary.

Ms. Dugan reported on the Mental Health Awareness Day at the Recreation Center. She stated it was an amazing day and there are many programs for all ages. She stated she hopes these awareness days will continue to be offered at the Recreation Center.

VII. Mayor's Report

Mayor Urscheler reported on the Phoenixville Library's Adult Spelling Bee, the new business Fit Up Nutrition and Body Boutique on the 100 block of Bridge Street, PACS' Empty Bowl Event, the opening of Hankin Manor, the upcoming Patriotic Celebration at Reeves Park, The Senior Center's 45th Anniversary and of course the Dogwood Fair and Parade. He stated this year's parade will be as collaborative effort with Phoenixville Fire Department as they celebrate their 150th Anniversary. Mayor Urscheler congratulated Vivona Xu for her work on coordinating the Walk a Mile in Her Shoes Event in conjunction with the Crime Victims' Center of Chester County. He stated this event brings awareness to sexual assaults on women.

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

X. Public Hearings

- A. Continued hearing on Conditional Use Application from Nutt Road LP – 1000 Schuylkill Road which proposes to add a restaurant with a drive-through to the property, in addition to the existing self-storage facility and the proposed coffee shop and carwash uses.

Ms. Burckley made a Motion to recess the Public Meeting and reopen the Conditional Use Hearing for Nutt Road LP – 1000 Schuylkill Road which proposes to add a restaurant with a drive-through to the property, in addition to the existing self-storage facility and the proposed coffee shop and carwash uses. Seconded by Mr. Weiss

Motion Approved 8-0

Mr. Denlinger reopened the Conditional Use Hearing at 7:25pm.

Mr. Denlinger asked Mr. Andersen is he wished to proceed with the hearing since the Court Reporter is not in attendance.

Mr. Andersen indicated he would like to proceed.

Mr. Denlinger explained the Borough received a Conditional Use Application from Nutt Road, LP. concerning the property located at 1000 Nutt Road commonly and collectively known as the Phoenixville Plaza requesting approval to operate a restaurant having a drive through on the property. He stated a hearing was opened and held last month on April 9, 2024, and the hearing was continued to this evening on the record of last month's hearing. He stated at the hearing, no one requested party status and the applicant presented its evidence and closed its case. The record was closed, public comment was accepted and the applicant had an opportunity to provide closing statements. No further testimony, evidence, argument, or comment will be accepted tonight. Typically, if there were any materials, conversations or communications between last month's hearing and this month's hearing, they would be entered into the record. Mr. Denlinger stated no additional evidence needs to be added to the record and he will entertain a Motion to close this hearing and resume our public meeting.

Ms. Burckley made a Motion to close the Public Hearing. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Denlinger closed the Conditional Use Hearing at 7:27pm.

- B. Motion to approve/deny the Conditional Use Application from Nutt Road LP – 1000 Schuylkill Road which proposes to add a restaurant with a drive-through to the property, in addition to the existing self-storage facility and the proposed coffee shop and carwash uses.

Mr. Moore made a Motion to approve the Conditional Use Application from Nutt Road LP – 1000 Schuylkill Road which proposes to add a restaurant with a drive-through to the property, in addition to the existing self-storage facility and the proposed coffee shop and carwash uses subject to the following conditions:

1. The level of service of the intersections surrounding the Property shall not be decreased by the traffic visiting the Drive-Through Restaurant.
2. The development of the pad site with the Drive-Through Restaurant shall reduce the impervious coverage of the Property.
3. No less than two (2) parking spaces shall be reserved for vehicles waiting to be informed that their mobile orders are ready for pick up via the drive-through, and those two (2) parking spaces shall not count toward the required parking for the restaurant use.
4. In the event that the Drive-Through Restaurant modifies its drive-through from a mobile pre-order pick-up only drive-through to a drive-through with a menu board where orders are taken on-site, the Drive-Through Restaurant shall provide for vehicle stacking for not less than six (6) vehicles from the location of the menu board.
5. The location and extent of the pedestrian sidewalks, crosswalks and general pedestrian circulation shall be more fully evaluated and provided through the review process required by the Borough's Subdivision and Land Development Ordinance, but in no event shall less sidewalk or a less efficient pedestrian circulation design be provided.
6. An access and use easement for the benefit of the owner, tenants and invitees of the Property over the parcel identified as Chester County UPI No. 15-8-16 shall be valid and of record at all times during the operation of the Drive-Through Restaurant.
7. Nothing in this Decision and Order of Borough Council on this Application shall be construed as either an express or implied waiver of any provision of any applicable ordinance of the Borough of Phoenixville. No level of development is guaranteed by virtue of this Conditional Approval and the proposed improvements shall be permitted only if the fully- engineered plans for the Property can demonstrate compliance with

all applicable zoning, land development and subdivision regulations of the Borough as well as any relevant statutes or regulations of any other governmental entity having jurisdiction over development on the Property.

8. All development permitted by this conditional Approval shall be consistent with the testimony and exhibits submitted to Borough Council at the hearings held on April 9, 2024 and May 14, 2024, subject to any design modifications needed to the satisfaction of the Borough, Borough Engineer, Borough Traffic Engineer and Borough Planner.

Seconded by Mr. Weiss.

Motion Approved 8-0.

- C. Motion to adopt Ordinance amending Chapter 22 “Subdivision and Land Development,” Part 4 “Design Standards,” Section 22-417 “Vehicular Parking.”

Ms. Burckley made a Motion to recess the Public Meeting and open the Public Hearing for an Ordinance amending Chapter 22 “Subdivision and Land Development,” Part 4 “Design Standards,” Section 22-417 “Vehicular Parking.”
Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Denlinger opened the Public Hearing at 7:30pm.

Mr. Denlinger explained the current subdivision and land development ordinance allows some of the required parking spaces to have a reduced size of 8 feet in width instead of the typically required 9 feet of width. The prior justification for this was to allow for a certain amount of smaller compact car parking spaces. However, it is the Borough Engineer’s opinion that the size of vehicles on the road no longer generally meet the “compact car criteria.” Therefore, the reduced parking space size no longer provides adequate parking spacing. As a result, before you this evening is the consideration of an Ordinance Amendment that would eliminate the compact car sized parking spaces and remove the ability of new developments to install parking spaces with a width of less than 9 feet.

Mr. Denlinger stated the ordinance was advertised in the Pottstown Mercury, on April 29, 2024, and May 6, 2024, and copies of the proposed Ordinance Amendment were sent to the Chester County Law Library and the Pottstown Mercury, on April 11, 2024, for public access. This Ordinance was also sent to the Borough Planning Commission, which voted 7-0 to recommend approval of the Ordinance at their December 15, 2023. Meeting. The Ordinance was sent to the Chester County Planning Commission and via a letter dated April 1, 2024 supports the adoption of the ordinance.

The ordinance was sent to the Phoenixville Regional Planning Commission, which found the ordinance to be consistent with the Phoenixville Regional comprehensive plan in its March 29, 2024 letter

He stated he will enter all of those items into the record of this hearing and asked if the Council has any questions or comments regarding this proposed ordinance amendment.

Council Participation

Mr. Weiss stated he found the change to be a pretty common change occurring in municipalities across the board.

Public Participation

None

Mr. Denlinger stated he would entertain a Motion to close the Public Hearing.

Ms. Burckley made a Motion to close the Public Hearing. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Denlinger closed the Public Hearing at 7:33pm.

Ms. Burckley made a Motion to adopt Ordinance amending Chapter 22 "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking." Seconded by Mr. Moore.

Motion Approved 8-0.

- D. Motion to adopt an Ordinance amending Chapter 27, "Zoning," "Part 3 "Zoning Districts."

Ms. Burckley made a Motion to recess the Public Meeting and open the Public Hearing for an Ordinance amending Chapter 27, "Zoning," "Part 3 "Zoning Districts." Seconded by Mr. Strenfel.

Motion Approved 8-0.

Mr. Denlinger opened the Public Hearing at 7:34pm.

Mr. Denlinger explained as you all are aware the Ordinance Amendment was approved to be scheduled and advertised for tonight's meeting. The Council has discussed the increase in the submission of Conditional Use Applications to be

heard by the Council than have been submitted in the past and with all the other business that the Council has to consider, the proposed Ordinance Amendment changes many of these uses currently permitted by Conditional Use to Special Exceptions, thereby reassigning these matters to the Zoning Hearing Board, which specializes in the review of zoning matters. Special Exceptions are basically the same as Conditional Uses, except that the Zoning Hearing Board is the hearing body instead of Borough Council. As a result, this Ordinance changes all but three of the current Conditional Uses to uses by Special Exception.

Mr. Denlinger stated this ordinance was advertised in the Pottstown Mercury, on April 29, 2024, and May 6, 2024, and copies of the proposed Ordinance Amendment were sent to the Chester County Law Library and Pottstown, Mercury on April 11, 2024, for public access. The ordinance was also sent to the Borough Planning Commission, which voted 7-0 to recommend approval of the Ordinance at its April 12, 2024, meeting, to the Chester County Planning Commission, which supports the adoption of the Ordinance per its April 25, 2024, letter and the Phoenixville Regional Planning Commission, which found the ordinance to be consistent with the Phoenixville Regional Comprehensive Plan per its April 24, 2024 letter.

He stated he would enter these items into the record and asked if the Council has any questions or comments regarding this ordinance amendment?

Council Participation

None

Public Participation

Dr. David Saneck, resident. He asked about the changes to the Ordinance specifically if the change affects the uses by right, why the adult commercial and adult entertainment are not being changed to Special Exceptions, will the definition of Institutional Use be changed in this amendment, why are the Conditional Uses being changed to Special Exceptions and lastly, he asked if he missed a Public Hearing on this amendment.

Mr. Denlinger explained a Conditional Use and a Special Exception are basically the same. The only thing that changes is the body that holds the hearing. A Conditional Use and a Special Exception, or both uses that are permitted uses just have to meet certain elements. The Council has determined and the Borough finds them to be of a particular interest, that they want to review them with a bit more of a finer tooth comb. The difference, really the sole difference between a Conditional Use and a special exception is which body reviews these uses. Conditional Use Borough Council reviews and they typically only hold on to the uses that

they deem to be the most important that they need to have the most scrutiny over, and they allow the Zoning Hearing Board and in reality, the Zoning experts to review the remainder of the uses that are permitted in this type of manner. As far as the adult uses, adult uses are of such a particular nature and can be so inflammatory that Council wanted to retain its control to review those items. He stated the kind of Conditional Use reviewed earlier tonight with the drive through, those are the types of things the Zoning Hearing Board should review. There are more of a development and pure zoning type issue that the Zoning Hearing Board can review and The Council doesn't need to have a direct opinion on. He stated no changes have been made to the definitions of anything. He stated no uses have been added or removed from the Ordinance and the only modification is the body holding the hearings for the uses that were previously permitted by Conditional Use.

Mr. Denlinger stated he would entertain a Motion to close the Public Hearing.

Ms. Burckley made a Motion to close the Public Hearing. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Denlinger closed the Public Hearing at 7:43pm.

Ms. Burckley made a Motion adopt an Ordinance amending Chapter 27, "Zoning," "Part 3 "Zoning Districts." Seconded by Mr. Strenfel.

Motion Approved 8-0.

XI. Resolutions/Ordinances

- A. Motion to adopt a Resolution acknowledging Robert House for his two years of service on the Phoenixville Recreation Board.

Ms. Burckley made a Motion to adopt a Resolution acknowledging Robert House for his two years of service on the Phoenixville Recreation Board. Seconded by Mr. Weiss.

On the Question:

Mr. Ewald read the Resolution aloud for the record.

Motion Approved 8-0.

- B. Motion to adopt a Resolution acknowledging Christopher Book for his year of service on the Phoenixville Human Relations Commission.

Ms. Burckley made a Motion to adopt a Resolution acknowledging Christopher Book for his year of service on the Phoenixville Human Relations Commission. Seconded by Mr. Weiss.

On the Question:

Mr. Ewald read the Resolution aloud for the record.

Motion Approved 8-0.

- C. Motion to adopt a Resolution acknowledging the Day of Community Service from the Students of Valley Forge University.

Ms. Burckley made a Motion to adopt a Resolution acknowledging the Day of Community Service from the Students of Valley Forge University. Seconded by Mr. Strenfel.

On the Question:

Mr. Ewald read the Resolution aloud for the record.

Motion Approved 8-0.

- D. Motion to adopt a Resolution regarding submission of a Chester County Community Development Block Grant (CDBG) for the Paradise Street Phase 2 Project.

Ms. Burckley made a Motion to adopt a Resolution regarding submission of a Chester County Community Development Block Grant (CDBG) for the Paradise Street Phase 2 Project. Seconded by Mr. Carminito.

Motion Approved 8-0.

- E. Motion to adopt an Ordinance amending Chapter 4, “Buildings,” “Part 4 “Abatable Structures.”

Mr. Kirkner made a Motion to adopt an Ordinance amending Chapter 4, “Buildings,” “Part 4 “Abatable Structures.” Seconded by Mr. Strenfel.

On the Question:

Mr. Denlinger explained the Ordinance Amendment does two things. The first clarifies that demolition is required if the land owner fails to remediate available issues and clean up the old Borough Contact information. He stated the Ordinance was advertised in the Pottstown Mercury on May 6, 2024 and copies were provided to Chester County Law library and the Mercury on April 11, 2024 for

public access.

Mr. Kirkner stated this Ordinance has been on the books for twenty-six years, and he thanked Staff and the Solicitor for updating the ordinance. He stated he noticed there were a few things in there like the address of Borough Hall, that was updated from Church Street to the current location on Bridge Street. He stated he appreciates the work that Staff and the Solicitor did to bring this ordinance into the 21st Century.

Mr. Ewald stated he looks forward to the Borough Staff enforcing this to help remediate the properties that are not being well cared for by their owners.

Motion Approved 8-0.

- F. Motion to adopt an Ordinance amending Chapter 15, “Motor Vehicles and Traffic.”

Mr. Kirkner made a Motion to adopt an Ordinance amending Chapter 15, “Motor Vehicles and Traffic.” Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger stated the Ordinance was advertised in the Pottstown Mercury on May 6, 2024 and copies were provided to Chester County Law library and the Mercury on April 11, 2024 for public access.

Motion Approved 8-0.

XII. 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 Development Plan for St. Mary of the Assumption.

Mr. Denlinger invited the applicant up to the podium to address the Council.

Mr., Denlinger explained This application concerns a parcel of land in the vicinity of 212 Dayton Street, which is the part of the St. Mary's of Assumption Church, and more particularly identified as Chester County, UPI, Number 15-6-10. The applicant proposes to subdivide a single parcel of land into two resulting lots, the current parcel consists of 2.043 acres.

Lot A will be 0.7668 acres, and Lot B will be 1.2778 acres. The parcels are currently improved with a part of the parking lot for St. Mary's and the remainder of the surface areas are unimproved. However, there are some sanitary and storm sewer facilities running underground on the parcel for which easements are being provided. After reviewing the project, at several meetings, the Planning Commission at its March 14, 2024, meeting voted unanimously to recommend approval of the application.

Mr. George J. Ozorowski, attorney for the applicant. He stated the application before you this evening is to move the property line that currently bisects the parking lot and moving it over to create a separate parcel for Father Hutter to sell as he has been directed to do by the Archdiocese.

Mr. Moore asked for clarification that once the subdivision happens and the property lines are shifted, the remainder property which you say the Archdiocese has instructed the pastor to sell. He asked if this parcel accessible from a street.

Mr. Ozorowski stated the property is accessible from Penn Street. He clarified this is the means by which the Borough Staff accesses the site for their sewer line. He stated the process of subdivision has provided for the discovery of numerous easements that weren't necessarily on the records for the property. The property line will be moved to keep the paved parking area on the Church's property leaving the green planted area for sale. He stated a representative for their engineering firm is present if the Council has any questions for him.

Mr. Moore asked how the property is zoned in terms of what can be done with the property after it is sold.

Mr. Krack explained the property is zoned as Residential Infill and the application tonight does not involve any development. The development of the property would have to come back before the Planning Commission and Borough Council.

Mr. Weiss asked if the approval of the subdivision will change the ability of what can be done with this property from its current state to a different state. He asked if the same level of residential infill no matter what it's acreage.

Mr. Denlinger explained an applicant could present a plan to develop the entire parcel. He stated it sounds like they would prefer to do, and what he believes was discussed at the Planning Commission is the church wants to maintain the parking lot and divest themselves of the remain portion. If St. Mary's wanted to try to develop the entire parcel. What is permitted under

the zoning ordinance doesn't change, but they would have more land area to do.

Ms. Dugan asked if the subdivision is completed would there be a potential for another 300-unit apartment building on the site.

Mr. Denlinger stated he can't comment on any specifics because it will depend on the size of a development and the what the building size limitations would be on the property. Factors like matching the nearest block and what is big enough that a developer wouldn't have to match the nearest block.

Mr. Ozorowski stated there are some significant restrictions on development because of the steep slopes and easements on the property. He stated if you actually look at the property, and this is one of the things we did in front of planning, it's kind of a small building envelope that you could actually build on, at least preliminarily looking at it. He stated we didn't really study that because we're not proposing land development however, when we looked at it there is a lot going on there that's going limit whatever's going to be put there.

Ms. Burckley asked what is the square footage of the lot.

Mr. Ozorowski stated it is approximately 1.27 acres if you look at the plan for the subdivision you will see the easements on the property will decrease the buildable area.

Public Participation

None

Mr. Denlinger stated seeing no public comment he would entertain a Motion on this application.

Mr. Moore made a Motion to approve Resolution officially approving the Preliminary/Final Subdivision Development Plan for St. Mary of the Assumption. Seconded by Mr. Kirkner.

Motion Approved 8-0.

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner reported the committee held there first in person meeting in 4 years at the Schuylkill Township Building and now the meeting will be returning to Zoom. He stated the committee continues to discuss trails in the region and at right now Phoenixville is pretty far ahead of the other municipalities.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming programs and camps at the Recreation Center including Yoga for all ages, Tennis, Snapology, Flag Football, Science Explorers and Chess Wizards.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito stated the commission met on Monday and they worked through some resident concerns about trees, and the commission is doing their best to keep up with the pruning schedule. Additionally, discussion was had about our tree replacement plan and one challenge is that as we're taking down some of these larger trees, the stumps remain for quite a long time. He stated the commission is problem solving some ways to try to dig those stumps out and be able to replace the trees a little quicker. Lastly, he invited the public to join the Jaycees on Thursday May 16, 2024 at 6:00PM for the planting of this year's dogwood tree. Bates Landscaping is donating the tree and the planting it in Reeves Park.

F. Human Relations Commission – Ms. Burckley

Ms. Burckley reported the commission does have an opening so any individuals who are interested in getting involved in that capacity can certainly reach out to her.

XIII. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

B. Parks and Recreation Committee – Mr. Moore

1. Motion to waive all fees associated with the rental and utilization of Reeves Park for the Kiwanis Patriotic Celebration on May 24, 2024.

Mr. Moore made a Motion to waive all fees associated with the rental and utilization of Reeves Park for the Kiwanis Patriotic Celebration on May 24, 2024. Seconded by Mr. Strenfel.

On the Question:

Mr. Moore asked Ms. Getzfread to explain and stated the event just uses the stage at Reeves Park for all of the school children that attend.

Ms. Getzfread explained there's really no Borough services requested for this event. They have buses that come to drop off the students. They use public parking spaces; the rest rooms are open and they go up on the stage,

and they do a celebration. She stated there really isn't any request for services needed and if they didn't tell us about the event, the Borough might not know that it actually happened. She stated they did pay the application fee and did not ask for that to be waived.

Mr. Ewald stated the event has been held for 31 years without any issues.

Mr. Burckley stated there are really no fees associated with the event since they haven't requested Borough services.

Ms. Getzfread stated the only fee would be the park user fee and the event is usually an hour to an hour and a half.

Ms. Dugan stated the Kiwanis holds this event every year and this is not an unusual request. Just as Ms. Getzfread was just saying the Borough doesn't really provide any services and wouldn't even know they were there unless they bothered to tell us.

Mr. Weiss stated he didn't vote for this coming out of Parks and Recreation. He explained he is a big fan of the Kiwanis Club and everything they do and he thinks this is a great event that they put on it. He stated the event does have a very low impact from a Borough perspective. However, he feels the Borough has a Schedule of Fees and established rules every event must follow, particularly now, as there's been a lot of sensitivity around the increase in fees for events. He stated he doesn't feel comfortable on a principal perspective to vote in favor of waiving the fees for this. However, he thinks we should find a way to not charge these fees. For instance, building the waiver of fees into a policy or in the interactions the Council asks organizations to have with the Borough so that these fees don't need to be charged in the future.

Mr. Kirkner stated he feels there is already a way of not charging these fees, and the Council is doing it right here. He explained as much as he hates to say it, this is how the Council has always done it and it works. He agreed there is no impact or cost involved for the Borough, so why can't the Borough pass that lack of cost on to the people of the community. He explained in the past the Council has even waived fees for religious organizations and not for profit organizations that were applying for building permits. He stated this is something that is done on a case by case basis for the last 175 years and hopefully, it will continue it another 175 years without me.

Ms. Burckley stated conversation did come up in the Parks and Recreation Committee and she did advocate for the Council to make it transparent for nonprofits, because there are nonprofits that have said the fees are changing, the cost of things are arising and she understands where the

organizations are coming from. She agrees there really is no cost to the Borough for this and its very different than an event requiring police Services and all of that. She explained that the Council and committees have discussed a policy before but, it's a slippery slope, and that's why there is not currently a policy. She believes we need to continue to have open conversations about what the fees are, why the fees are there, when the Council does choose to waive these fees, why the fees are being waived, and what fees are being waved. The Council is not waving 6 hours of overtime for 4 different police officers, it's an hour at Reeves Park and the band shell. She feels that is the nonprofits are aware they could potentially request the waiver of some of the fees and that the Borough makes sure its equitable, fair, and the public is made aware.

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

2. Motion to approve a Temporary Community Event Application for the Burn off the Bird 5K starting and ending at the Recreation Center on Saturday, November 30, 2024 from 8:30 am to 11:00 am. Franklin Avenue between Grant Street and Fillmore Street and Fillmore Street between Franklin Avenue and Cromby Road to be closed for approximately five minutes each. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Moore made a Motion to approve a Temporary Community Event Application for the Burn off the Bird 5K starting and ending at the Recreation Center on Saturday, November 30, 2024 from 8:30 am to 11:00 am. Franklin Avenue between Grant Street and Fillmore Street and Fillmore Street between Franklin Avenue and Cromby Road to be closed for approximately five minutes each. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured. Seconded by Ms. Dugan.

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 13, "Licenses," "Part 7 "Peddlers, Transient Retailers, Handbills, Advertising, and Banners."

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 13, "Licenses," "Part 7 "Peddlers, Transient Retailers, Handbills, Advertising, and Banners." Seconded by Mr. Strenfel.

Motion Approved 8-0.

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

1. Motion to approve Staff's recommendation to retain Bowman as the Borough Traffic Engineer.

Mr. Weiss made a Motion to approve Staff's recommendation to retain Bowman as the Borough Traffic Engineer. Seconded by Mr. Strenfel.

Motion Approved 8-0.

2. Motion to authorize Staff to apply to PennDOT for removal of the existing traffic signals at Washington Avenue and Gay Street and replace with all-way stop signs.

Mr. Weiss made a Motion to authorize Staff to apply to PennDOT for removal of the existing traffic signals at Washington Avenue and Gay Street and replace with all-way stop signs. Seconded by Mr. Strenfel.

Motion Approved 8-0.

E. Finance Committee – Ms. Dugan

1. No action to Report.

XIV. Public Participation

Will Davis, resident. He stated he agrees there should be stricter guidelines around, what exceptions would look like, for which organizations do and do not pay the rental fee for the park.

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

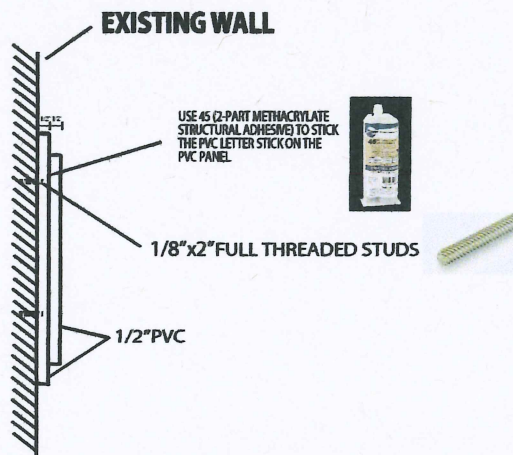
8:19 pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
May 2024

WALL INSTALLATION ELEVATION: PVC LETTER

(SIGN: 30.66 SqFt)



SIGNAGE DETAILS

- 17 1/2" & 20" INDIVIDUAL PVC LETTER
- USE 45 (2-PART METHACRYLATE STRUCTURAL ADHESIVE)
- RED & WHITE PVC LETTERS 1/2" THICKNESS
- BLACK PVC PANEL 1/2" THICKNESS
- MOUNTED ON EXISTING WALL

FRONT VIEW



NEW YORK SIGN CO. INC.
4001 PAUL ST, PHILA PA 19124
TEL: 215-627-8872

FILE:
kung fu tea

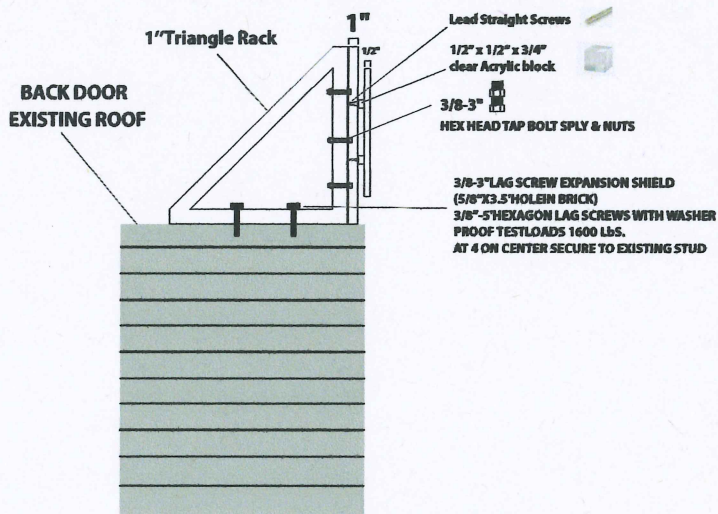
DATE: 04/10/2024
ORIG.
REV.

ADDRESS:
238 Bridge St, Phoenixville, PA 19460

PAGE:
2 OF 2

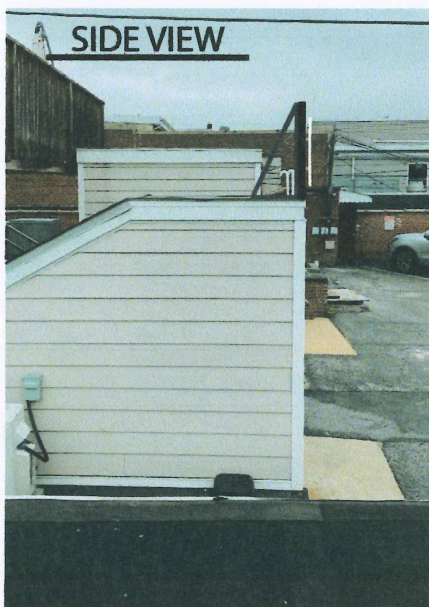
WALL INSTALLATION ELEVATION: PVC LETTER

(SIGN: 12 SqFt)



SIGNAGE DETAILS

- 1/4-3" HEXAGON LAG SCREWS WITH WASHER
- 2" L-SHAPE ALLUMINIUM RACK
- 1/4-1" HEX HEAD TAP BOLT SPLY & NUTS
- PANEL WITH PVC LETTERING MOUNTED ON TRIANGLE Rack TOP ONE THE EXISTING ROOF







6/5/2024

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

Planning Commission - 4 Year Term	Appointed	Reappointed	Term Expiration
Josh Gould	March 12, 2024		March 31, 2028
Raffaello DiNapoli	February 14, 2017	April 13, 2021	March 31, 2025
Amanda Irwin	March 12, 2024		March 31, 2028
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
Carolyn Treglia	April 9, 2024		January 31, 2027

Recreation Board - 4 YR Term	Appointed	Reappointed	Term Expiration
Kathy Gill	May 10, 2016	April 9, 2024	April 30, 2028
Andrew Hungerbuhler	April 9, 2024		April 30, 2028
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 9, 2024	January 31, 2030
Beth Burckley	December 12, 2023		January 5, 2026
Alternate - J. D. Maloney	March 12, 2024		January 31, 2027
Alternate - Vacant			January 31, 2029

Tree Advisory - 5 Year Term	Appointed	Reappointed	Term Expiration
Jane Dugdale	March 14, 2023		June 30, 2025
Susan Di Cerchio - Chairperson	July 12, 2022		June 30, 2027
Randall Morin	April 27, 2010	May 14, 2024	June 30, 2029
Vacant			June 30, 2028
Mary Foote	July 9, 2019		June 30, 2026
James Carminito - Council Liaison			N/A

Human Relations - 3 Year Term	Appointed	Reappointed	Term Expiration
			March 31, 2026
Shawn Cephas	April 9, 2024		March 31, 2026
Heather Bird - Chairperson	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**

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 13 “LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS,” PART 7 “PEDDLERS, TRANSIENT RETAILERS, HANDBILLS, ADVERTISING, AND BANNERS” 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 13, “Licenses, Permits and General Business Regulations,” Part 7 “Peddlers, Transient Retailers, Handbills, Advertising, and Banners,” Article A “Peddling and Soliciting,” Section 13-707 “Hours” is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

§13-707. Hours

No Person licensed under this Part shall engage in any activities herein described at any time except between the hours of 9:00 a.m. to 9 ~~6~~:00 p.m., Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturdays, except legal Holidays, unless otherwise authorized by the Borough Manager or his designee.

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 11th day of June, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 11th day of June, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 11th day of June, 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 11th day of June, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

Personnel and Public Safety Committee Meeting

Monday, June 3, 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. Deputy Chief Dixon
– TowerDIRECT

I. Call to Order at 6:00 pm. Mr. Strenfel excused.

II. Public Participation on Non-Agenda Items.

Virginia Murphy expressed concerns regarding the amount of noise at around 1:30 am on Sunday morning on Church Street.

Jan Swarr expressed concerns regarding the amount of noise as well.

Chief Marshall stated that these types of concerns should be called into the Police Department who can then respond accordingly.

III. Committee Member Updates/Discussions.

IV. New Business

A. Review Monthly Fire and Ambulance Reports.

Ms. Burckley noted receipt of the reports and asked if there was any additional updates. There were none.

B. Consider request from Jennifer Chandler for appointment to the Tree Advisory Commission for the open vacancy with term expiring June 30, 2028.

Ms. Burckley stated that since there has been no further communication received, this will be removed from the Agenda with no further action taken.

C. Consider request from Justin Gordon for appointment to the Tree Advisory Commission for the open vacancy with term expiring June 30, 2028.

Ms. Burckley stated that since this was a new application, she will reach out to Mr. Gordon to see whether he remains interested in applying.

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

Ms. Burckley made the call for persons interested to apply for any of the open appointments.

- E. Motion to recommend Borough Council authorize the Civil Service Commission to begin the process of developing an Eligibility List for Firefighter for the Phoenixville Fire Department.

Mr. Krack provided background on the need to establish the Eligibility List.

Mr. Weiss made a Motion to recommend Borough Council authorize the Civil Service Commission to develop the list. Seconded by Ms. Burckley. Motion passed 2-0.

- F. Mr. Krack provided background on changes with the Civil Service Commission and asked whether the Committee would be willing to move their meeting day to the first Tuesday of each month at 6:00. Currently there are four meetings on the same night which is quite chaotic at times. The Committee agreed to change their meeting night to the first Tuesday of each month at 6:00 pm.

V. Old Business

- A. PXV Inside Out.

Ms. Getzfread provided an update on the various programs available during the weekend.

- B. Emergency Management.

Mr. Krack reported that he and the Fire Chief were meeting with the Upper Providence Township Manager and Fire Chief on Tuesday to discuss how the municipalities can work together in emergency management. He also reported that the Council of Governments group will meet again on June 27.

- C. Community Policing.

Nothing new to report.

- D. Retention/Recruitment Update

Mr. Krack reported that the Police Union approved the recommendations. However, the AFSCME Union did not.

VI. Public Participation

Chuck Bartholomew stated that he has concerns about the noise and traffic during the street closure.

VII. Adjournment

Next Meeting Date: Tuesday, July 2, 2024 at 6:00 pm

Parks and Recreation Committee Meeting
Tuesday, May 21, 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 6:08 pm

II. Public Participation on Non-Agenda Items

There was no public participation.

III. Presentations

A. Civil War Centennial Memorial Proposal

Tim Dougherty, Diversity In Action, presented updated information regarding the Civil War Centennial Memorial and was seeking an endorsement from Borough Council so they could start fund raising.

Dave Meadows, incoming president of the Phoenixville Historical Society provided additional information regarding the Griffen Gun Memorial.

The Committee felt additional information should be provided and encouraged Mr. Dougherty to attend the next meeting in June.

IV. Committee Member Updates/Discussions

Ms. Burckley spoke to the success of the Dogwood Festival and Parade and thanked Staff for all of their assistance.

V. New Business

A. Motion to recommend Borough Council approve a Temporary Community Event Application for the Firebird Festival at Veterans Park on Saturday, December 14, 2024 from 5:00 pm to 10:30 pm. Street closure – Mowere Road between St. Mary's and Northridge Drive from 4:00 pm to 11:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a Motion to recommend Borough Council approve the TCE as presented. Seconded by Mr Weiss. Motion passed 3-01 with Ms. Burckley abstaining due to Conflict.

- B. Discussion on establishing an Annual Community Day Event in lieu of fireworks beginning in 2025.

Due to time limitations, Mr. Krack suggested this item be deferred to the June meeting. Committee agreed.

VI. Public Participation.

There was no public participation.

VII. Adjournment at 7:00 b y Mr. Weiss.

Next Meeting Date: Tuesday, June 18, 2024 at 6:00 pm.

**Policy Committee Meeting
Tuesday, May 28, 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

David Lutzker, from the Green Team raised concerns that large residential facilities were not complying with the Borough's Ordinance for recycling and why they were not reporting or being fined. He also stated that as a very small non-profit, they believe fees for Temporary Community Events should be waived.

III. Committee Member Updates/Discussions

Mr. Krack reported that there were flaws in the Borough's Solid Waste Ordinance and that the state legislature recently passed new law relating to Solid Waste in the Borough Code which went into effect this date. Staff is aware and has been working with its Solicitor on revising the Ordinance which should come to this Committee in the next month or two.

IV. New Business

A. Discussion regarding waiving of Temporary Community Event Fees.

Mr. Krack provided background on the various changes Staff has made to facilitate appropriate costs relating to Temporary Community Events. He stated that based on these changes, Staff recommends that there be no changes to the way Temporary Community Event Applications are being process or changes to existing fees in the fee schedule.

The Committee was satisfied that Temporary Community Event Applications are being properly processed and Borough Councils actions to approve or deny the applications or any request for waivers. No further changes are being recommended by the Committee.

B. Motion to recommend Borough Council adopt a Resolution Supporting the Pennsylvania Commission for the United States Semiquincentennial (America250pa).

Mr. Ewald made a Motion to recommend Borough Council adopt the Resolution as presented. Seconded by Mr. Kirkner. Motion passed 4-0.

- C. Motion to recommend Borough Council schedule and advertise an Ordinance amending Chapter 27, “Zoning,” “Part 6 “Supplemental Regulations.”

Mr. Ewald made a Motion to recommend Borough Council schedule and advertise the ordinance amendment as presented. Seconded by Mr. Strenfel. Motion passed 4-0.

- D. Motion to recommend Borough Council schedule and advertise an Ordinance amending Chapter 27, “Zoning,” to Amend the Official Zoning Map of the Borough of Phoenixville to rezone fifteen (15) properties in the vicinity of and including the existing train line along the Schuylkill River to “MI” Mixed-Use Infill District.

Mr. Krack provided the background on the Zoning Task Force recommendations relating to zoning map changes being recommended. He stated the Borough received a request from PASD to advance the recommended changes through an ordinance amendment now rather than having to wait until next spring when the final version of the zoning ordinance update is expected.

Mr. Strenfel made a Motion to recommend sending the ordinance amendment to the Planning Commission, Chester County Planning Commission and Phoenixville Regional Planning Committee as presented and for Borough Council to schedule and advertise the ordinance amendment. Seconded by Mr. Ewald. Motion passed 3-1 with Mr. Kirkner voting No.

V. Old Business

- A. Enforcement of bans on reproductive health services.
Nothing to Report.
- B. Parking
Nothing to Report.

VI. Public Participation.

Mr. David Lutzker stated that the Green Team was aware of the negotiations with the PASD and that the Borough should do everything it could to get the best it can in the negotiations.

VII Adjournment at 8:00 pm by Mr. Carminito.

Next Meeting Date: Tuesday, June 25, 2024 at 7:00 pm.

**INFRASTRUCTURE, TECHNOLOGY, TRANSPORTATION,
AND SUSTAINABILITY (ITTS)
COMMITTEE MEETING
Tuesday, May 21, 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 7:09 pm

II. Public Participation on Non-Agenda Items

No public participation.

III. Committee Member Updates/Discussions

A. Bird Town Designation

Mr. Weiss asked for this item to be placed on the Agenda for discussion.

Mr. Krack stated that Staff would look into the application process and take steps to pursue the designation.

B. Water Management, Aesthetics, Speed

Mr. Weiss asked for this item to be placed on the Agenda for discussion.

Mr. Krack reported that information on this topic was part of the Stormwater Report recently conducted by the Borough Engineer. Staff will look into areas where it may be plausible to include as a capital project for the 2025 budget process.

C. WWTP-WTP Recirculation

Mr. Weiss asked for this item to be placed on the Agenda for discussion.

Mr. Krack stated that Staff would look into federal funding programs as this concept will likely exceed County and State funding programs.

IV. New Business

A. MS4 Presentation – Eric Eason, RVE

The report had not been received prior to the meeting. Accordingly, this will be on the June Agenda.

B. Motion to recommend Borough Council authorize the Proposal for Engineering Services for the survey of the Sanitary Sewer within the Norfolk Southern ROW in the amount of \$29,695.

Mr. Moore made a Motion to recommend the Finance Committee authorized the funding and forward to Borough Council recommending approval. Seconded by Ms. Burckley. Motion passed 3-0.

V. Infrastructure

A. Engineering Reports (Jan, Apr, Jul, Oct)

Next report will be at the July meeting.

B. Stormwater Management

Ms. Getzfread reported that the grant application for the Third Avenue project was submitted.

C. The Phoenix Wheel

Mr. Krack reported the project has moved to the next step of categorizing the parts to determine next steps for reconstructing the wheel. He expects that site improvements will likely commence in the August/September timeframe.

VI. Transportation

A. Bridge and Starr Street

Mr. Krack reported that Staff met with the engineer and the Pastor and members of Holy Ghost Church to assess location of the improvements as they relate to the Church property.

B. Paradise Street – Phase 2

Ms. Getzfread reported that Staff is submitting a grant application to the County for funding of the project in 2025.

C. Hall Street

- D. Mr. Krack reported the litigation component is moving forward.
Mowere Road

Mr. Krack reported the project is out to bid and the bids are due June 5. He expects to have a recommend to award to Borough Council at their meeting in June 11.

- E. French Creek Trail

Mr. Watson reported that he is working on meeting with Tague Lumber to set dates where the Borough can install the new fence which will then allow the trail to be built. Work should be completed by the Fall.

- F. Pedestrian Bridge

Ms. Getzfread reported the Borough Engineer has established a new location closer to The Wheel project as it provides a better location for the north side pier.

- G. Train Station

Nothing new to report.

- H. Walkability

Ms. Burckley asked if Staff could provide an update on any work that has been completed to date?

- I. Parking Study Update

Mr. Krack reported the engineer took traffic counts in early May and would come back in June during the street closure.

VII. Sustainability

- A. PXVNEO

Mr. Watson reported the Borough consultant is analyzing data and is expected to provide recommendations in the July timeframe.

- B. Municipal Building Solar Installation

Mr. Krack reported the vendor submitted needed information for review by the Borough Engineer and expects the installation to start in June.

VIII. Technology Updates

Nothing new to report.

IX. Public Participation

David Lutzker asked that information be provided as to the success of the Plastic Bag Ordinance.

X. Adjournment at 8:11 pm.

Next Meeting Date: Tuesday, June 18, 2024 at 7:00 pm.

FINANCE COMMITTEE MEETING

Tuesday, May 28, 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 6:00 pm.

II. Public Participation on Non-Agenda Items

No public participation.

III. Committee Member Updates/Discussions

No updates of discussions.

IV. New Business

A. Motion to recommend Borough Council approve the 2024 Pre-Paid dated 4/1/2024 - 4/30/2024 in the amount of \$1,146,643.33.

Mr. Kirkner made a Motion to recommend Borough Council approved the pre-paid as presented. Seconded by Mr. Ewald. Motion passed 4-0.

B. Motion to recommend Borough Council approve the 2024 Pre-Paid Credit Card Statement dated 4/1/2024 - 4/30/2024 in the amount of \$46,957.82.

Mr. Kirkner made a Motion to recommend Borough Council approved the pre-paid as presented. Seconded by Mr. Ewald. Motion passed 4-0.

C. Motion to recommend Borough Council approve the 2024 Pre-Paid ACH dated 4/30/2024 in the amount of \$39,506.57.

Mr. Carminito made a Motion to recommend Borough Council approved the pre-paid as presented. Seconded by Mr. Kirkner. Motion passed 4-0.

D. Motion to adopt a Resolution authorizing the filing of an application for funding under the Flood Mitigation Program for the Borough of Phoenixville's Third Avenue & Gay Street stormwater flood mitigation project.

This item was removed from the Agenda as it was previously approved at the meeting last month.

- E. Motion to recommend Borough Council approve Staff's recommendation to write-off four accounts in the total amount of \$809.44.

Mr. Kirkner made a Motion to recommend Borough Council approved the pre-paid as presented. Seconded by Mr. Carminito. Motion passed 4-0.

- F. Motion to recommend Borough Council authorize the Proposal for Engineering Services for the survey of the Sanitary Sewer within the Norfolk Southern ROW in the amount of \$29,695.00. Recommended in ITTS Committee 3-0.

Mr. Ewald made a Motion to recommend Borough Council approved the pre-paid as presented. Seconded by Mr. Kirkner. Motion passed 4-0.

V. Public Participation

No public participation.

VI. Adjournment at 6:10 pm by Mr. Kirkner.

Next Meeting Date: Tuesday, June 25, 2024 at 6:00 pm