

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, December 10, 2024

7:00 PM

AGENDA

- I. Pledge of Allegiance/Moment of Silence
- II. Roll Call – Borough Manager
- III. Public Comment
- IV. Presentations
 - A. Proclamation for Captain Charles Snook 31 years of Fire Police service – Mayor Urscheler.
- V. Consent Agenda
 - A. Approval of the November 12, 2024 Regular Meeting Minutes.
 - B. Items from Historical and Architectural Review Board:
 - 1. Motion to approve the Certificate of Appropriateness for signage at 164 Bridge Street as recommended by the HARB in their Action Memo of December 2, 2024.
 - 2. Motion to approve the Certificate of Appropriateness for signage at 313 Bridge Street as recommended by the HARB in their Action Memo of December 2, 2024.
 - C. Items from Parks and Recreation Committee:
 - 1. Motion to approve a Temporary Community Event Application for the Borough of Phoenixville 2025 Fireworks display at Dayton Street Field on Saturday, July 5, 2025 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 2024 Pre-Paid dated 10/1/2024 - 10/31/2024 in the amount of \$2,786,055.67.
 - 2. Motion to approve the 2024 Pre-Paid Credit Card Statement dated 10/1/2024 - 10/31/2024 in the amount of \$55,334.77.
 - 3. Motion to approve the 2024 Pre-Paid ACH dated 10/31/2024 in the amount of \$52,681.45.
 - 4. Motion to approve Budget Increase 2024-15 from Sanitation Restricted Fund Balance in the amount of \$17,378.35 to General Capital Project Fund

for Downtown Decorative Trash/Recycle cans.

5. Motion to adopt a Resolution eliminating member payments to the Police Pension Plan Fund for the Calendar Year 2025.
6. Motion to approve Staff recommendation to open an investment account with Univest.
7. Motion to approve Scantek agreement to digitize Borough ordinances and minutes.

VI. Communications/Council Participation

VII. Mayor's Report

VIII. Appointments

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

IX. New Business

- A. Motion to schedule and advertise the 2025 meetings of Borough Council and various Boards, Commissions, and Committees.
- B. Motion to accept the updated Downtown Phoenixville Parking Study as prepared by the Borough's Traffic Engineer.
- C. Motion to approve the 2025 General Fund and Enterprise Fund Budgets.

X. Public Hearings

XI. Resolutions/Ordinances

- A. Motion to adopt an Ordinance for the 2025 Tax Levy.
- B. Motion to adopt an Ordinance amendment to Chapter 20 "Solid Waste".
- C. Motion to adopt a Resolution affirming the Borough's commitment to participate in the Sustainable Pennsylvania Municipal Certification Program.
- D. Motion to adopt a Resolution authorizing the acceptance of the dedication of the portion of the parcel of land identified as 99 bridge street (UPI no. 15-9-157.1).
- E. Motion to adopt a Resolution authorizing the allocation of the Borough SLFRF to the KME TDA purchase as the standard allowance for lost revenue under ARPA.
- F. Motion to adopt a Resolution authorizing the acceptance of the dedication of the portion of the parcels of land having frontage on Paradise Street (UPI nos. 15-8-22 & 15-4-24).

XII. Reports of Committees, Boards, and Commissions

- A. Historical and Architectural Review Board – Ms. Dugan
- B. Planning Commission - Mr. Moore
- 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. No action to report.
- C. Policy Committee - Carminito
 - 1. Motion to recommend Borough Council schedule and advertise an ordinance amendment to Chapter 16 “Parks and Recreation”, Part 1 “Regulations for Parks and Recreation Areas”.
 - 2. Motion to recommend Borough Council schedule and advertise an ordinance amendment to Chapter 22 “Subdivision and Land Development”, Part 6 “Impact Statements”.
- D. Infrastructure, Technology Transportation & Sustainability Committee - Mr. Weiss
 - 1. Motion to approve the Retrievr, Inc. Profit Sharing Agreement.
- E. Finance Committee - Ms. Dugan
 - 1. No action to report.

XIV. Public Comment

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	December 12 – No Meeting
Recreation Board	December 16 – No Meeting
Parks and Recreation Committee	December 17 – No Meeting
Infrastructure Committee	December 17 – No Meeting
Finance Committee	December 24 – No Meeting
Policy Committee	December 24 – No Meeting
HARB	January 6 – 5:00 pm
Tree Advisory Commission	January 6 – 6:00 pm
Personnel/Public Safety Committee	January 7 – 6:00 pm
Civil Service Commission	January 7 – 7:00 pm
Planning Commission	January 9 – 6:00 pm
Borough Council	January 14 – 7:00 pm

Employee Service Anniversaries – December

Peter Dellaquila, Sanitation Laborer – 20 years
 Craig Green, Streets Utility – 20 years
 M Douglas Long, Streets Utility – 20 years
 Michael Baurley, Code Enforcement Officer – 13 years
 Darren Heck, Water Distribution Laborer – 13 years
 Det. Jason Komorowski, Police Department – 12 years
 Ofc. Chase Rondeau, Police Department – 1 year
 John Olson, Streets Laborer II – 1 year

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, November 12, 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. Public Comment

Zachary Ziobro, resident. He stated he is here this evening along with his neighbors to oppose the Reservoir Park Trail connection. He provided a signed copy of his statement that included the signatures of the neighbors opposing the trail connection. He cited the proximity of the trail to the houses in his neighborhood, the lack of concerns of the park users about access to the northern area of Reservoir Park, the reduction of vegetation in the park and their privacy and safety with a trail so close to the houses adjacent to the park trail. He stated the trail is not in the Parks Comprehensive Plan which to him and his neighbors it doesn't make sense.

IV. Presentations

Mr. Ewald announced immediately before this evening's Council Meeting, Council met in an Executive Session to discuss the appointment of Manko, Gold, Katcher, Fox, LLP as Environmental Law Council and to discuss privileged and confidential information related to the negotiation of the water shut off agreement with Aqua Water Company

V. Consent Agenda:

A. Approval of the October 8, 2024 Regular Meeting Minutes.

B. Historical and Architectural Review Board

1. Motion to approve the Certificate of Appropriateness for renovation and signage for 166 Bridge Street as recommended by the HARB in their Action Memo of November 4, 2024.

C. Items from Personnel and Public Safety Committee.

1. Motion to accept the resignation of Kevin Dwyer from the Planning Commission.
2. Motion to appoint Jahan Tavangar to the Planning Commission for the unexpired term of March 31, 2027.
3. Motion to authorize the Civil Service Commission to begin the process of developing an Eligibility List for Patrol Officer for the Phoenixville Police Department.

D. Items from Parks and Recreation Committee.

1. Motion to approve a Temporary Community Event Application for Alianzas 15th Annual Cultural Diversity Festival in Reeves Park on Saturday, September 14, 2025 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.

E. Items from Finance Committee.

1. Motion to approve the 2024 Pre-Paid dated 9/1/2024 - 9/30/2024 in the amount of \$1,045,862.42.
2. Motion to approve the 2024 Pre-Paid Credit Card Statement dated 9/1/2024 - 9/30/2024 in the amount of \$25,572.78.
3. Motion to approve the 2024 Pre-Paid ACH dated 9/30/2024 in the amount of \$31,441.12.
4. Motion to approve Budget Transfer 2024-09 from Solid Waste (Employer Paid Insurance) in the amount of \$35,000.00 to Solid Waste (Vehicle Maintenance) for additional vehicle repairs.
5. Motion to approve Budget Transfer 2024-10 from Water Treatment (SCADA & Instrumentation) in the amount of \$15,000.00 and (Electrical & Motor Testing) in the amount of \$3,000 to Water Treatment (Equipment Maintenance & Repair) to replace ammonia pump and rebuild high service

pump #1.

6. Motion to adopt a Resolution Appointing an Independent Auditor for Fiscal Year 2024.

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

Motion Approved 8-0.

VI. Communications/Council Participation

Mr. Kirkner expressed his thanks to the residents of the Ledges who came out tonight to express their concerns about this proposed trail in Reservoir Park. He stated if any of the residents have any further questions he encouraged them to reach out to him via email or by phone. He also shared that election signs can be recycled. He shared the signs can be dropped off at the East Whiteland Township Building and at Recycling Service Incorporated in Pottstown. He reminded everyone that the Communities That Care Organization will hold their 25th Anniversary Luncheon on Friday, November 15, 2024 at the Spring Hollow Golf Course.

Mr. Strenfel echoed Mr. Kirkner's gratitude to the residents of the Ledges for coming out tonight to share their concerns and for the same reasons, they should feel free to reach out to him as well.

Mr. Ewald welcomed Jahan Tavangar to the Planning Commission and thanked him for stepping up to join the commission. He reminded the public there is a burn ban issued by Chester County and that the area has been in a drought for seven or eight weeks now with no sizable rain fall in the forecast. He is encouraging all residents to heed the restrictions the county has in place for the use of firepits, barbeques and outdoor fire elements. The risks are real and there are fires every day throughout Chester County. Since the area hasn't had rain it goes hand in hand they need to reduce water consumption on any level, it is appreciated. There are not any formal restrictions on water consumption that he is aware of yet, but it always helps if water can be conserved for emergency situations.

Mr. Ewald indicated the burn ban may in fact be in effect until the end of the year and he wants to begin communications regarding the Firebird Festival and the impact the burn ban may have on the event.

VII. Mayor's Report

Mayor Urscheler thanked the City of Reading who hosted our last Schuylkill River Passenger Rail Authority meeting and the efforts to restore rail service to Philadelphia. He reported on many of the fun and exciting events including Phoenixville Bed Races which benefits Good Samaritan Services and Ann's Heart, the Phoenixville Free Clinic, held its art auction last week, Saint Mary's Franciscan shelter had their Barbecue and

Brews event, and on Monday Barkley Elementary School did a really beautiful job and had an incredible presentation for Veterans Day. He thanked all of our veterans here in our community and the veterans who are members of the Borough Staff for their service, certainly to not only our country, but also to the Phoenixville community. He highlighted upcoming events including the Chamber Gala and the Annual Phoenixville Burn off the Bird.

He read a statement aloud for the record. "It is with a heavy heart that we share the tragic passing of our officer, Arthur Scena IV. Who passed away off duty on October 27, 2024, at the age of 39. Art, as he was fondly known, was a devoted husband to his wife Amanda, and a loving father to his daughters Riley and Reese. He served the Phoenixville Police Department with honor and distinction since 2019, earning the respect and admiration of his colleagues and our community. Officer Scena was not only a dedicated police officer, but he was also a vital member of our community. His infectious smile and unwavering commitment to public service made him a beloved figure both in and out of his uniform. As we mourn his loss, we are reminded of the tremendous impact he had on our community, and we stand in solidarity with his family, ensuring they know they are never alone during this difficult time. So, we would ask, please, if you would take a moment, certainly, and just lift up Officer Scena's family in your thoughts and in your prayers, we would appreciate it also."

He thanked our entire Phoenixville Police Department, the Borough of Phoenixville, Schuylkill Township and East Pikeland Township Police Departments, as well as the Pennsylvania State Police Troopers. They have all come forward tremendously during this very challenging time for our Department to support us, and so thank you also to the Borough Council members for your support of our department during this time, and also to the number of departments that assisted us in Officer Scena's funeral. He thanked the entire law enforcement community and First Responders who came out to support the Police Department during a very challenging time. He stated that Art was one of the first officers that he swore in when he became Mayor. Officer Scena definitely lived his life to his fullest, and he is a reminder every day of how precious that gift is.

VIII. Appointments

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

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

IX. New Business

- A. Motion to authorize the engagement of Manko Gold as legal counsel for environmental matters in the Borough, as needed in the discretion of the Borough

Manager, upon the terms and conditions outlined in the 2020 engagement letter.

Ms. Burckley made a Motion to authorize the engagement of Manko Gold as legal counsel for environmental matters in the Borough, as needed in the discretion of the Borough Manager, upon the terms and conditions outlined in the 2020 engagement letter. Seconded by Mr. Weiss.

Motion Approved 8-0.

B. Presentation of the 2025 Enterprise Funds and General Fund Draft Budgets

Mr. Krack presented the 2024 Draft Budget for both the Enterprise and General Funds Draft Budget.

Mr. Moore asked for clarification on the Public Works Assistant Director and the Water Distribution Superintendent. Is it one person per job or one person for both responsibilities?

Mr. Krack clarified the job was previously a combination of both positions. The request for 2025 is a single employee for each job.

Mr. Ewald thanked Staff for the tremendous presentation. A \$34 million-dollar budget is not a small thing to manage or forecast.

Ms. Burckley stated for the public edification this is not the first time the Council is seeing the budget. Many of these items have been discussed through the various committees and it is not taken lightly when we go through all of these considerations and she echoed Mr. Ewald's appreciation of the Staff's hard work.

Ms. Dugan stated the numbers presented tonight are the highest amounts and Staff hasn't finished determining what may or may not be necessary and numbers for insurances, so it is not completely finalized.

Mr. Krack explained under the Borough code Staff has to present a draft budget, and unfortunately, it has to be done in a specific time frame which puts us at a disadvantage because, we don't have all of the empirical data that we need to do that. Staff's only role then, is to estimate, and Staff has to estimate high because we don't want to come back to the Council on the wrong side of that estimate.

C. Motion to authorize the advertisement of the 2025 Draft Budget.

Ms. Burckley made a Motion to authorize the advertisement of the 2025 Draft Budget. Seconded by Mr. Weiss.

On the Question:

Mr. Ewald explained Borough Code calls for a 20-day period of review for the public and the Draft Budget will be available. He stated the Council will be able to vote on the adoption of the 2025 Budget at their December meeting.

Mr. Kirkner asked where the Budget be available for review.

Mr. Ewald confirmed the Draft Budget will be on the Borough website and a paper copy will be available in the lobby of Borough Hall.

Mr. Moore asked if the Budget presentation will be available as well.

Mr. Krack stated the budget presentation is not typically made available on the website.

Mr. Ewald stated the presentation can be viewed, with Mr. Krack's explanation on the Borough's YouTube channel by selected tonight's Council Meeting.

Motion Approved 8-0.

- D. Motion to schedule and advertise an Ordinance for the adoption of the 2025 Tax Levy.

Ms. Burckley made a Motion to schedule and advertise an Ordinance for the adoption of the 2025 Tax Levy. Seconded by Mr. Weiss.

Motion Approved 8-0.

- E. Motion to: (i) approve and enter into the Water Service Termination Agreement with Aqua Pennsylvania, Inc., (ii) authorize Borough Council President and Borough Manager to execute such agreement; and (iii) further authorizing Borough staff and the Borough Solicitor to apply the Water Service Termination Agreement to delinquent accounts as they reasonably determine appropriate.

Mr. Denlinger explained the borough provides sewer services to certain properties that are located outside of the borough, and the borough does not provide water service to those same properties. Generally, when sewer bills go unpaid. In addition to fines and interest, the borough has the authority to terminate water service. The borough does not ever pursue this remedy lightly, and only pursues it in extreme cases. But, it is a useful tool for the borough to have in the areas where they do not provide the water service. The borough needs to have agreements in place under the PUC with the water providers for those properties. As a result, the agreement being considered this evening is an agreement where the borough can request that Aqua Water Company shut off the water service to a property upon the borough's request, as a result of delinquent sewer bills.

Ms. Burckley made a Motion to Motion to: (i) approve and enter into the Water Service Termination Agreement with Aqua Pennsylvania, Inc., (ii) authorize Borough Council President and Borough Manager to execute such agreement; and (iii) further authorizing Borough staff and the Borough Solicitor to apply the Water Service Termination Agreement to delinquent accounts as they reasonably determine appropriate. Seconded by Mr. Weiss.

Motion Approve 8-0.

X. Public Hearings

XI. Resolutions/Ordinances

- A. Motion to adopt a Resolution acknowledging Jane Dugdale for her service on the Tree Advisory Commission. Seconded by Ms. Burckley.

Mr. Carminito made a Motion to adopt a Resolution acknowledging Jane Dugdale for her service on the Tree Advisory Commission.

Motion Approved 8-0.

Mr. Ewald read aloud the Resolution for the record and thanked Jane Dugdale for her service to the Borough.

- B. Motion to adopt a Resolution acknowledging Kevin Dwyer for his service on the Planning Commission.

Ms. Burckley made a Motion to adopt a Resolution acknowledging Kevin Dwyer for his service on the Planning Commission. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Ewald read aloud the Resolution for the record and thanked Kevin Dwyer for his service to the Borough.

- C. Motion to adopt a Resolution authorizing the submission of a Municipal Opportunities for Retrofits and Energy Efficiency (MORE) Program Grant.

Ms. Burckley made a Motion to adopt a Resolution authorizing the submission of a Municipal Opportunities for Retrofits and Energy Efficiency (MORE) Program Grant.

Motion Approved 8-0.

- D. Motion to adopt a Resolution authorizing the submission of a Pennsylvania Mixed-Use Housing Development (PA-MHD) Pilot Program Grant.

Ms. Burckley made a Motion to adopt a Resolution authorizing the submission of a Pennsylvania Mixed-Use Housing Development (PA-MHD) Pilot Program Grant. Seconded by Mr. Weiss.

On the Question:

Mr. Kirkner asked for an explanation of this grant submission.

Mr. Krack explained it's a program that the Governor announced on the 24th of October and is due on the 6th of December. It's a small window of opportunity and is funding \$10 million dollars across the entire Commonwealth. The reason for such a short window is usually indicative that there's some larger cities like Pittsburgh and Philadelphia which are always prepared to do these things, but, as it happens, there is a pretty good awareness countywide. He stated at the State level there is knowledge that Phoenixville is invested in affordable housing and there's no commitment at this point in time other than submitting the application. He stated there is a project that you may recall on Church Street that was approved for storage facilities near Bridge street. While this is not necessarily something that would normally be wanted in that location, it was approved as a by right use. He explained it has sat dormant for several years and the owners of that project are looking to potentially sell the project. The owners reached out to Habitat for Humanity which in turn reached out to Staff about the possibility of submitting a grant application as the borough has to be the applicant. He stated they have identified the Hankin Group as the development partner. The Hankin Group as you know were the developer for the senior housing just around the corner from this location. He explained this project would have a first floor commercial use with housing units above.

Mr. Moore stated unfortunately he was unable to participate in the last Affordable Housing meeting due to work conflict. He stated he was able to read the materials on the potential project and this is project that would move affordable housing forward. He explained developers have been contributing to the affordable housing and this is an opportunity to begin utilizing those funds as well.

Ms. Dugan stated she doesn't see a downside to applying for the grant.

Ms. Burckley stated there have been some really nice conversation in committee with Habitat for Humanity and its very exciting to see here in Chester County. She is in full support of the project and if she recalls correctly, the first project for Habitat was here in Phoenixville on Railroad Street. She asked Mr. Kirkner if that is correct.

Mr. Kirkner confirmed the Railroad Street project was the first one.

Motion Approved 8-0.

- E. Motion to adopt a Resolution authorizing the submission of a Local Share Account (LSA) – Statewide Grant.

Ms. Burckley made a Motion to adopt a Resolution authorizing the submission of a Local Share Account (LSA) – Statewide Grant. Seconded by Mr. Weiss.

On the Question:

Mr. Kirkner asked what project is the grant for and what is the amount of request.

Mr. Krack explained the LSA held its very first round a couple of years ago and the Borough received funding for the Phoenix Wheel project. Then it was offered again a little over a year ago. An application was submitted for potential funding for the Bridge and Main Street project. Staff was not looking to make an application this round except about a week ago the results of that application were released. The Borough did not receive funding in that round Staff's thoughts are to apply for \$900,000 for the Fillmore Street widening and realigning project from South Street to Cromby Road.

Mr. Kirkner expressed his support of this application for Fillmore Street.

Motion Approved 8-0.

- F. Motion to adopt a Resolution to obligate the State and Local Fiscal Recovery Funds (SLFRF) received through the American Rescue Plan Act (ARPA) as public sector lost revenue towards government services as permitted by the US Department of Treasury.

Mr. Denlinger explained the American Rescue Plan Act, which is referred to as (ARPA), provided monies to local municipalities which passed through the State and the State referred to these monies as Funds State and Local Fiscal Recovery Funds (SLFRF). Based on the ARPA laws and the FAQs issued by the US Department of Treasury the Borough's ARPA funds have to be obligated by the end of this year 2024, and must be spent by the end of 2026 on obligated projects. The Borough has specific projects identified for the ARPA funding and the municipalities are able to accept the ARPA money as replacement for lost revenues experienced during the 2020 COVID-19 Pandemic. This approach provides a greater flexibility in case a project comes in under budget, or something happens with a project and the decision is made not to pursue it, and this Resolution will meet the required obligation by the end of the year.

Mr. Strenfel made a Motion to adopt a Resolution to obligate the State and Local Fiscal Recovery Funds (SLFRF) received through the American Rescue Plan Act (ARPA) as public sector lost revenue towards government services as permitted by the US Department of Treasury. Seconded by Mr. Carminito.

Motion Approved 8-0.

- G. Motion to adopt a Resolution approving the 2025 Master Schedule of Fees.

Mr. Moore made a Motion to adopt a Resolution approving the 2025 Master Schedule of Fees. Seconded by Ms. Dugan.

On the Question:

Mr. Weiss asked for an explanation of the increases to fees associated with Land Development Plan Reviews.

Mr. Krack stated as he explained at the Finance Committee, the Borough has been carrying the costs of the consultant for the development community. The escrow accounts are being expended pretty quickly and Staff finds themselves chasing down the developer to repay the Borough for monies paid to consultants, planners, the borough engineer and attorneys on behalf of the developer for review of their projects. The new fee structure will eliminate the need for the Borough to carry the costs of development and placing back into the hands of the applicants.

Mr. Weiss thanked Mr. Krack for his explanation.

Mr. Moore stated that he has seen in his capacity as Council Liaison to Planning Commission there is quite a bit of technical and engineering work that has to be completed on the project and many of them go through multiple cycles of review to have their plans meet the requirements for a recommendation to Borough Council.

Mr. Denlinger explained any money left in the escrow accounts will be refunded to the developer.

Motion Approved 8-0.

- H. Motion to Adopt an Ordinance accepting dedication of Right-of-Way along the existing 153 Morgan Street.

Mr. Denlinger stated the Ordinances before the Council tonight were advertised in the Pottstown Mercury on October 28, 2024 and copies of all the Ordinances were sent to the Chester County Law Library and Pottstown Mercury for Public Inspection on October 23, 2024 as required by Borough Code.

Ms. Burckley made a Motion to Adopt an Ordinance accepting dedication of Right-of-Way along the existing 153 Morgan Street. Seconded by Mr. Weiss.

Motion Approved 8-0.

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

Mr. Moore made a Motion to adopt an Ordinance changing the name of a Borough Street. Seconded by Mr. Kirkner.

On the Question:

Mr. Kirkner explained the location of the street to renamed in the North Ward, it is east of Dayton and Freemont Streets and bring the map in agreement with what the neighborhood and signage has been calling the street.

Motion Approved 8-0.

- J. Motion to adopt an Ordinance amendment to Chapter 15 “Motor Vehicles”.

Mr. Weiss made a Motion to adopt an Ordinance amendment to Chapter 15 “Motor Vehicles”. Seconded by Ms. Burckley.

Motion Approved 8-0.

- K. Motion to adopt an Ordinance amendment to Chapter 10, “Health and Safety” by adding a new Part 6 “Bamboo”.

Mr. Kirkner made a Motion to adopt an Ordinance amendment to Chapter 10, “Health and Safety” by adding a new Part 6 “Bamboo”. Seconded by Mr. Strenfel.

Motion Approved 8-0.

XII. Reports of Committees, Boards, and Commissions

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

Mr. Kirkner reported that West Vincent is in the process of adopting a Plastic Bag Ban as well as a Bamboo Ordinance and that the proposed Sheetz location on Whitehorse Road is not moving forward.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming programs and camps at the Recreation Center including Youth and Adult Yoga, Blood Pressure Screening, Healthy Seniors, Pickleball Soccer Shots and Parents Night Out on December 13, 2024.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito thanked Jane Dugdale for her time on the Tree Advisory Commission and reported on the upcoming volunteer planting in Reeves and Reservoir Parks and on the 100-tree order being place by the Borough for planting that will prioritize the Anderson Avenue and Melvin Street neighborhoods.

F. Human Relations Commission – Ms. Burckley

Ms. Burckley reported the commission continues to work on the Municipality Equity Indexes first section of the self-score card and that the meetings are held at the Recreation Center on the First Wednesday of the month at 6 pm. She encouraged the public to attend.

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. No action to report.

C. Policy Committee – Mr. Carminito

1. Motion to schedule and advertise an Ordinance - Vacating Unopened Portions of Emmett and Wilson Streets.

Mr. Carminito made a Motion to schedule and advertise an Ordinance - Vacating Unopened Portions of Emmett and Wilson Streets. Seconded by Ms. Burckley.

On the Question:

Motion Approved 8-0.

2. Motion to schedule and advertise an ordinance amendment to Chapter 20 “Solid Waste”.

Mr. Carminito made a Motion to schedule and advertise an ordinance amendment to Chapter 20 “Solid Waste”. 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. No action to report.

XIV. Public Comment

Dr. Saneck, resident. He asked for clarification on the SLFRF Resolution and on the review of the Upper Providence Comprehensive Plan, what is the purpose of the review.

XV. Communications/Council Participation

Mr. Kirkner reported the Council of Government meeting will be held on November 21, 2024 and asked if the Borough was sending anyone.

Mr. Ewald stated the borough management and he or the Mayor will attend.

Mr. Moore asked if a response had been received regarding our letter to the County Commissioners and the redistricting of the Borough Wards.

Mr. Denlinger stated a letter was received from the County Solicitor indicating that once the election of last week was completed, that they would process our reapportionment.

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 stated the Council will need to adjourn into Executive Session for the purpose of discussing privileged and confidential information regarding the testing at the Waste Water Treatment plant property, and to discuss matters related to labor relations, personnel, and salaries.

8:38pm. Ms. Burckley made a Motion to Adjourn to Executive Session. Seconded by Mr. Weiss.

Motion Approved 8-0.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
November 2024



JACARANDA

FASHION · GIFTS · DECOR

FASHION · GIFTS · DECOR

ALL SHOES
30% OFF

Watch
your
step





FASTSIGNS®

Make Your Statement™

Certified Sales Executive

Judy Vilcheck
149@fastsigns.com
o: 610-296-0400



Account: Madi's on a Roll

Job # 79424

Material:

Qty. 1 of each vinyl with gloss laminate and adhesive on back. Placed on outside of customers glass, first surface application.

Store Contact Information

149@fastsigns.com
Tarrytown Plaza
257 Schuylkill Rd.
Phoenixville, PA 19460
o: 610-296-0400
www.fastsigns.com/149

DRAWING IS NOT TO SCALE BUT IS PROPORTIONATE

FIELD VERIFY ALL MEASUREMENTS BEFORE BEGINNING ANY WORK. INSTALLER TO VERIFY MOUNTING SURFACE PRIOR TO INSTALLATION.

THIS DRAWING IS THE PROPERTY OF FASTSIGNS INTERNATIONAL, INC. THE BORROWER AGREES, IT SHALL NOT BE REPRODUCED, COPIED OR DISPOSED OF, DIRECTLY OR INDIRECTLY, NOR USED FOR ANY PURPOSE WITHOUT PERMISSION.

Qty. 1 of each vinyl with gloss laminate and adhesive on back.
Placed on outside of customers glass, first surface application.

81.5" w x 69" h



Glass

80.5" w x 67" h



Example on glass.



LANDLORD
OR AGENT
SIGNATURE
HERE

Please sign & Return drawing/s to FASTSIGNS
Signature below indicates approval of BOTH design & placement of sign/s

X

DATE _____

12/6/2024

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
Vacant			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 13, 2024	August 31, 2028
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
Vacant			June 30, 2025
Susan Di Cerchio - Chairperson	July 12, 2022		June 30, 2027
Randall Morin	April 27, 2010	May 14, 2024	June 30, 2029
Justin Gordon	August 13, 2024		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
Kevin Zwick	September 10, 2024		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

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2024 –

“MUNICIPAL WASTE COLLECTION AND RECYCLING ORDINANCE”

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 20 “SOLID WASTE,” OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE IN ORDER TO AMEND DEFINITIONS, AMEND SOLID WASTE COLLECTION REGULATIONS, ADD PRIVATE TRASH COLLECTOR REGISTRATION AND COLLECTION REGULATIONS, AMEND THE ENFORCEMENT, VIOLATION, AND PENALTY REGULATIONS, ADD COMMUNITY ACTIVITIES AS PART OF THE MANDATORY RECYCLING PROGRAM, ADD A REGULATION ON THE OWNERSHIP OF RECYCLABLE MATERIALS, AND AMEND THE ENTIRETY OF CHAPTER 20 FOR CONSISTENT REFERENCES THROUGHOUT.

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

Section 1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, “Solid Waste,” Part 1 “Collection and Disposal,” Section 20-102 “Definitions and Interpretation” is hereby amended as indicated by the black line interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

BOROUGH TRASH COLLECTOR

A ~~private~~ person or entity with whom or with which the Borough has employed or contracted or does employ or contract with to provide Municipal Solid Waste ~~trash~~ collection services.

MUNICIPAL SOLID WASTE

Solid waste resulting from or incidental to residential, municipal, community, commercial, institutional and recreational activities, and includes garbage, refuse, rubbish, ashes, street cleanings, and other solid waste other than Industrial Solid Waste and Special Waste.

PRIVATE TRASH COLLECTION CONTRACT

A contract between a person (other than the Borough) and a Borough ~~licensed~~ registered trash collector, under which contract trash collection services complying with all Borough regulations and requirements are provided to a T.C.U.

PRIVATE TRASH COLLECTOR

A Municipal Solid Waste ~~trash~~ collector and/or hauler (other than the Borough Trash Collector when operating pursuant to its contract with the Borough) which is ~~licensed~~ registered to provide Municipal Solid Waste ~~trash~~ collection and hauling services in the Borough, but hired by private persons or entities.

Section 2. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 1 "Collection and Disposal," Section 20-103 "Pre-collection Practices" is hereby amended renumber each subsection consistent with this Part.

Section 3. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 1 "Collection and Disposal," Section 20-104 "Collection Practices" 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:

The following collection practices shall be followed:

1. No Borough Trash Collector or Private Trash Collector shall make any collections at any time on any Sunday except under extraordinary conditions with the express prior written approval of the Borough Manager. No Borough Trash Collector or Private Trash Collector shall make any collections between the hours of 10:00 p.m. and 6:30 a.m. (prevailing time), except under extraordinary conditions with the express prior written approval of the Borough Manager. No Refuse collection from dumpsters shall take place at any time during the day of Sunday.

2. Municipal Solid Waste ~~Refuse~~ shall be collected from all non-T.C.U.'s and nonparticipating T.C.U.'s by a ~~Borough licensed~~ private trash collector pursuant to a private trash collection contract, no less than one time in each calendar week, during all the months of the calendar year unless more frequent collection is required by the Borough Manager's written permission ~~order~~ or by this Part. No such refuse to be privately collected shall be stored in the open or presented for collection for more than 14 hours.

Section 4. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 1 "Collection and Disposal," Section 20-106 "Collection of Refuse" 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. All Municipal Solid Waste ~~refuse~~ accumulated in the Borough shall be collected, conveyed and disposed of by the Borough, the Borough trash collector or private trash collectors ~~licensed~~ registered under the provisions of this Part. This Part shall not prohibit the actual producers of Municipal Solid Waste ~~refuse~~ or the owners of premises upon which Municipal Solid Waste ~~refuse~~ has accumulated from collecting,

conveying and disposing of such refuse, if such producers or owners comply with all of the provisions of this Part and such written rules, regulations and orders made by the Council, or the Borough Manager and all other applicable regulations.

2. All Municipal Solid Waste which the Borough or the Borough trash collector does not collect pursuant to this Part shall be collected by a private trash collector, pursuant to a private trash collection contract. The property owner and the occupant of the premises are responsible, jointly and severally, for providing such private trash collection and for the removal of all such refuse.

Section 5. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 1 "Collection and Disposal," Section 20-112 "Licensing of Collectors" is hereby deleted in its entirety and replaced with the following new Section 20-112:

§ 20-112 ~~Licensing of Collectors~~ Private Trash Collector Registration and Approval Requirements.

All persons wishing to collect, remove, and/or transport municipal solid waste, recyclable materials, and/or yard waste within the Borough must annually register with the Borough Council to provide collection, removal, and transportation services to residential, commercial, institutional, and municipal establishments. Private trash collectors may collect, remove or transport municipal solid waste, recyclable materials, and/or leaf waste within the Borough from the date of authorization until January 31 of the next calendar year, only so long as the private trash collector is in full compliance with the requirements of this Article, and any regulations enacted pursuant thereto. Private trash collectors must renew their registration with the Borough no later than January 31 of each year in order to continue collecting, removing, and/or transporting municipal solid waste, recyclable materials, and/or yard waste in the Borough for the subsequent year. Any person whose registration is received and approved by the Borough Council shall have the privilege of collecting, removing, and/or transporting municipal solid waste, recyclable materials, and/or yard waste within the boundaries of the Borough of Phoenixville. Private trash collector registrations are not transferable.

At the time of registration, the person shall provide the following information on a form prepared by the Borough.

1. The business name, name of a contact person, business address, telephone number, email address, and a twenty-four hour emergency telephone number to receive calls from persons being serviced.
2. A certificate of the person's workmen's compensation insurance, as required by law.
3. A certificate of insurance coverage providing complete third-party public liability for both bodily injury and property damage, owner's and person's

protective insurance and automobile insurance with respect to personal injuries and property damage. Such insurance shall be in amounts that shall be from time to time set forth by the Borough by regulations adopted hereunder. Each and every policy of insurance herein mentioned which is required pursuant to the terms of this Article shall carry with it an endorsement to the effect that the insurance carrier will convey to the Borough, by certified mail, written notice of any modifications, alterations or cancellation of any such policy or policies or the terms thereof. The above-mentioned written notice shall be mailed to the Borough at least 10 days prior to the effective date of any such modification, alteration or cancellation.

4. Current rate schedule, intended areas of operation in the Borough, by street, the terms of service, and the scheduled days of collection.
5. Confirmation the private trash collector provides separate municipal solid waste, recyclable materials, and yard waste collection services to customers.
6. The name of the disposal facility where municipal solid waste will be taken for disposal.
7. The name of the recycling facility where the recyclable materials will be taken for recycling.
8. The name of the state-approved composting facility where yard waste will be taken for composting.
9. Quarterly reports containing the quantities of municipal solid waste, recyclable materials, and yard waste collected from residential units and non-residential establishments in the Borough if the person collected municipal solid waste, recyclable materials, and yard waste in the Borough at any point in the preceding year. Recyclable material quantities must be reported by material type.
10. Such other information as the Borough, in furtherance of this Part, shall deem appropriate and necessary.

Upon receipt and review of this information, the Borough will issue a letter to persons who have satisfied all of the requirements of the Borough's registration program. This letter will establish the person as a private trash collector.

Section 6. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 1 "Collection and Disposal," Section 20-113 "Private Collection Required" is hereby moved in its entirety to Section 20-106 and Section 20-113 is replaced with the following regulation:

§ 20-113 ~~Private Collection Required~~ Private Trash Collector Requirements.

1. Frequency of Collection for Non-T.C.U.'s and Nonparticipating T.C.U.'s
 - A. Residential Units. Refuse and recyclable materials shall be collected no less than once a week.
 - B. Commercial, Industrial, and Institutional Units. Municipal solid waste and recyclable material collection frequency shall be set by the

owner, landlord, or agent of an owner or landlord of a commercial, industrial, or institutional establishment and the private trash collector, but shall occur no less than once a week.

- C. Yard Waste. All private trash collectors shall arrange with their customers to have yard waste collected curbside or in another location as designated by a private trash collector for collection separate from municipal solid waste, refuse, and recyclable materials at a frequency of no less than once per month.

2. Recordkeeping Requirements

- A. Private trash collectors shall be responsible for obtaining weight and volume data on all refuse, recyclable materials, and yard waste, collected from all non-T.C.U.'s and nonparticipating T.C.U.'s.
- B. The records shall include the weight of the total quantities of recyclable materials and total quantities of refuse and an estimate of the corresponding volume of material for both recyclable materials and refuse. Estimates of the individual components comprising the commingled recyclable materials shall also be provided.
- C. Reporting of yard waste may be in the form of estimates on either a cubic yard or tonnage basis collected.
- D. Written reports shall be provided to the Borough and shall include the name and location of the processing center and/or recyclable materials dealer. Such reports shall include the name of the market or processor where recyclable materials are delivered and shall be signed by an officer of the private trash collector. Said data shall be supplied to the Borough on an annual basis by January 30th of each calendar year.
- E. Private trash collectors shall maintain records of their collection, removal, transportation and hauling activities and make them true and correct copies thereof available for delivery to, inspection by, the Borough, in accordance with the rules and regulations of the Borough.
- F. Private Trash Collectors shall provide the Borough with a summary of its proposed recycling efforts, including the location of the facility(ies) to which the recyclable materials will be delivered. Updates shall be provided to the Borough within 30 days of when changes are made to initiating recycling processing and marketing activities.

Section 7. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 1 "Collection and Disposal," Section 20-114 "Violations and Penalties" is

hereby renamed and deleted and replaced in its entirety and replaced with the following new Section 20-114:

§ 20-114. Enforcement; Violations and Penalties.

1. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 and costs of prosecution or, in default of payment of such fine and cost, to undergo imprisonment for not more than 30 days. Each day that a violation continues shall constitute a separate offense. The fine for the first conviction hereunder shall not be less than \$100, the fine for the second conviction hereunder shall not be less than \$200 and the fine for the third conviction shall not be less than \$300. The fine for any conviction hereunder after the third shall not be less than \$400. Enforcement of this Part is vested in the Borough Manager, the Borough Code Enforcement Official and the members of the Phoenixville Police Department.
2. Injunction. In addition to any other remedy provided in this Part, the Borough may institute a suit in equity where unlawful conduct or a public nuisance exists as defined in this Part for an injunction to restrain a violation of this Part or any rules, regulations or resolution promulgated or issued by the Borough Council pursuant to this Part.
3. Concurrent remedies. The penalties and remedies prescribed by this Part shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the Borough from exercising any other remedy provided by this Part or otherwise provided at law or equity.

Section 8. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 2 "Recycling," Section 20-202 "Definitions" 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:

COMMERCIAL ESTABLISHMENT

~~Those properties used primarily for commercial or industrial purposes and those multiple dwelling residential buildings containing more than four dwelling units.~~

COMMUNITY ACTIVITIES

Events sponsored in whole or in part by a municipality, or conducted within a municipality and sponsored privately, which include, but are not limited to, fairs, bazaars, socials, picnics and organized sporting events that will be attended by 200 or more individuals per day.

NON-RESIDENTIAL ESTABLISHMENTS

Those properties used for non-residential purposes, including commercial, municipal, or institutional, and those multiple dwelling residential buildings with four (4) or more units.

RECYCLABLE MATERIALS.

~~Those~~ The following materials which may be processed or refabricated for reuse and which the Borough requires to be separated from other solid waste for separated collection and recycling: glass containers, paper, aluminum cans and all clear and colored plastic containers that are marked with recycling labels of 1 through 7.

Section 9. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 2 "Recycling," Section 20-203 "Establishment of Program", Subsection B 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:

This section hereby establishes ~~established~~ a program for the mandatory separation of recyclable materials from municipal solid waste ~~by persons living in residences in the Borough as well as by commercial and institutional.~~

- 1.** Residences. All Borough residences as defined above shall recycle all glass containers as defined above, paper, aluminum cans and all clear and colored plastic containers that are marked with recycling labels of 1 through 7 using the municipal recycling toter.
- 2.** ~~Commercial Establishments and Institutional Establishments~~ Non-Residential Establishments. All ~~commercial establishments and institutional establishments~~ non-residential establishments shall provide for the source separation of high-grade office papers, aluminum cans, and corrugated paper products that the establishment may generate. In addition, if such an establishment, as a by-product of its service or business, generates glass, newspaper or plastic containers marked "1" through "7," then such establishment shall also provide for the source separation of such material. The recycling of all such items shall be accomplished through private contractors if and to the extent such establishment is not permitted to use Borough trash collection services. Such establishments shall provide to the Borough Manager, on or before January 1 of each year, evidence of its compliance with this Part, including the name of the private contractor and the volume and classification of the items recycled during the year. ~~No such contractor shall be considered an unauthorized person pursuant to the following Section.~~
- 3.** Community Activities.
 - A.** The organizers or sponsors of a community activity must establish a system for source separation, collection, transportation, and recycling of recyclable materials and yard waste. Arrangements for the source-

separation and collection of these materials shall be the responsibility of the organizers or sponsors.

B.The organizers or sponsors of a community activity must establish a collection system that includes an appropriate number of recycling containers at easily accessible locations to accommodate the amount of recyclable materials generated. Community activity organizers and sponsors must provide signage and/or labels on recycling containers to indicate what recyclable materials are to be source-separated by event participants.

C.Organizers or sponsors must arrange with the Borough or a private trash collector for the collection of recyclable materials.

D.Organizers or sponsors of a community activity must provide a written report to the Borough that lists the name of the community activity, the private trash collector collecting recyclable materials, the total quantity of each recyclable material collected, and the name and affiliation of the person submitting the report. Reports are to be submitted to the Borough Manager no later than thirty (30) days upon the conclusion of the event.

Section 10. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 2 "Recycling," Section 20-204 "Collection by Unauthorized Person(s)" 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:

§ 20-204. Collection by ~~Unauthorized~~ Other Person(s).

It shall be a violation of this Part for any person(s), ~~unauthorized by the Borough~~ other than Borough trash collector or registered private trash collector, to collect or pick up or cause to be collected or picked up any such recyclable material. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

Section 11. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, "Solid Waste," Part 2 "Recycling," Section 20-205 "Enforcement and Administration" is hereby renamed and deleted and replaced in its entirety and replaced with the following new Section 20-205:

§ 20-205. Enforcement; Violations and Penalties.

1. Penalties. Any action by any person, firm, corporation or other entity which violates or does not comply with any provision of this Part or any regulations thereof, shall be punishable by a fine not to exceed \$25 upon a first of conviction; \$50 upon a second conviction; and \$100 upon a third or subsequent conviction. The above fines shall not be applicable to a

- conviction for § 20-203(A) hereof which shall be punishable by a fine not to exceed \$300 per property.
2. Injunction. In addition to any other remedy provided in this Part, the Borough may institute a suit in equity where unlawful conduct or a public nuisance exists as defined in this Part for an injunction to restrain a violation of this Part or any rules, regulations or resolution promulgated or issued by the Borough Council pursuant to this Part.
 3. Concurrent remedies. The penalties and remedies prescribed by this Part shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the Borough from exercising any other remedy provided by this Part or otherwise provided at law or equity.

Section 12. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, “Solid Waste,” Part 2 “Recycling,” Section 20-206 “Violations and Penalties” is hereby renamed and deleted and replaced in its entirety and replaced with the following new Section 20-206:

§ 20-206. Ownership of Recyclable Materials.

Nothing in this Part shall be deemed to impair the ownership of recyclable materials by the persons who generated them unless and until separated materials are placed at curbside or similar location and collected by the Borough or a private trash collector.

Section 13. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 20, “Solid Waste,” Part 2 “Recycling,” Section 20-207 “Franchise or License” 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:

§ 20-207. ~~Franchise or License~~ Collector Contracts.

The Borough may enter into an agreement(s) with public or private agencies or firms ~~to authorize them to collect~~ for collection of all or part of the recyclable materials from curbside.

Section 14. 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 15. 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 16. Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 17. Effective Date. This Ordinance shall become effective upon enactment as provided by law.

PASSED by Borough Council this 10th day of December, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 10th day of December, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 10th day of December, 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 10th day of December, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

RESOLUTION NO. 2024 –

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF
PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AFFIRMING
ITS COMMITMENT TO PARTICIPATE IN THE SUSTAINABLE
PENNSYLVANIA MUNICIPAL CERTIFICATION PROGRAM**

WHEREAS, The Borough of Phoenixville strives to be a recognized leader for sustainable municipal operations, and;

WHEREAS, Certification through the Sustainable Pennsylvania program, recognizes communities that exhibit excellence in sustainable operations; which includes striving for economic prosperity, social equity, and environmental conservation.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Phoenixville will continue to promote sustainability through its municipal policies and practices and affirms its participation in the Sustainable Pennsylvania Community Certification program.

PASSED by Borough Council this 10th day of December, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 10th day of December, 2024.

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

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Resolution duly adopted at a regular meeting of Borough Council held on the 10th day of December, 2024

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

RESOLUTION NO. 2024 –

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AUTHORIZING THE ACCEPTANCE OF THE DEDICATION OF THE PORTION OF THE PARCEL OF LAND IDENTIFIED AS 99 BRIDGE STREET (UPI NO. 15-9-157.1).

WHEREAS, pursuant to Sections 1201.1 and 3301.01(d) of the Pennsylvania Borough Code (8 Pa.C.S.A. §§1201.1 & 3301.1), the Borough of Phoenixville is authorized to sell and acquire real property; and

WHEREAS, the Borough has received an offer of dedication for a portion of a certain parcel of land located at 99 Bridge Street in the Borough of Phoenixville, which is more particularly identified as a portion of Chester County UPI No. 15-9-157.1 consisting of approximately 10,791.55 square feet, and more particularly described in the legal description included with the Deed of Dedication for “99 Bridge Street – Starr Street Right-of-Way” attached hereto and incorporated herein as Exhibit “A” (the “Property”).

WHEREAS, Borough Council desires to authorize the acceptance of the of the Property.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Phoenixville Borough Council hereby authorizes the acceptance of the dedication of the Property, as more particularly identified in legal description attached hereto as Exhibit A, and further authorizes the Borough Council President, Borough Manager and Borough Solicitor to prepare, execute and record all necessary and appropriate documents in order to complete the acquisition of the Property.

[Signature page follows]

APPROVED and RESOLVED, at a public meeting of the Phoenixville Borough Council,
Chester County, Pennsylvania, in lawful session duly assembled this 10th day of December, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED, this 10th day of December, 2024.

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

I HEREBY CERTIFY, that the foregoing is a true and correct copy of the said Resolution
duly adopted at a regular meeting of Borough Council held on the 10th day of December, 2024.

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

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

UPI Nos.: 15-9-157.1

DEED OF DEDICATION

99 Bridge Street – Starr Street Right-of-Way

THIS INDENTURE is made this _____ day of _____, 2024,

FROM

ROCKWELL PHOENIXVILLE LLC, a Pennsylvania limited liability company, with a mailing address of 1075 Eagle Road, Wayne, Pennsylvania 19087 (hereinafter collectively referred to as “Grantor”), of the one part,

TO

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

W I T N E S S E T H:

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

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

CONSISTING OF portions of land depicted as "68' R/W" on certain plans prepared by Ludgate Engineering Corporation, dated October 2, 2002, last revised December 19, 2003, consisting of sixteen (16) sheets, and recorded in the Office for the Recorder of Deeds of Chester County on November 23, 2004 at Plan Book 17258, Page 1, and identified as Document No. 10481633 (the "Plans"), and further offered for dedication to Grantee by Grantor, its successors and assigns, pursuant to Plan Note 9 on Sheet No. 2 of said Plans.

BEING A PORTION OF THE SAME PROPERTY which Design Facilities Associates, a Pennsylvania general partnership, by deed dated June 12, 2023, and recorded June 16, 2023, in the Office for the Recorder of Deeds of Chester County at Deed Book 11066, Page 2173, and identified as Document No. 11981045, granted and conveyed unto Grantor.

TO have and to hold the tracts or parcels 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.

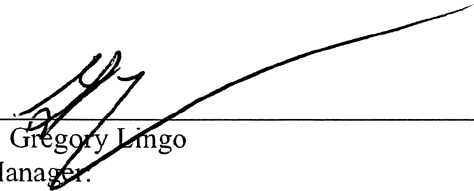
SPECIFICALLY SUBJECT, HOWEVER, to the rights, obligations, and conditions of a certain Easement Agreement between the Borough of Phoenixville, a Pennsylvania borough, and Phoenix Property Partners, LP, a Pennsylvania limited partnership, deed dated March 19, 2019, and recorded April 22, 2019, in the Office for the Recorder of Deeds of Chester County at Deed Book 9911, Page 1920, and identified as Document No. 11661557.

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

GRANTOR:

ROCKWELL PHOENIXVILLE LLC

By: _____

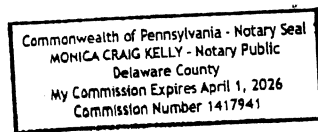

Name: Gregory Lingo
Title Manager.

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF ~~CHESTER~~ Delaware :
 :

On this, the 2nd day of December, 2024, before the undersigned officer, personally appeared **Gregory Lingo** known to me or satisfactorily proven to be the Manager of Rockwell Phoenixville LLC, who acknowledged that he, being duly authorized to do so as such officer, executed the within instrument on behalf of the company for the purposes therein contained.

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



My Commission Expires: 04/01/2026

Legal Description

EXHIBIT "A"

Please See Attached

EXHIBIT "B"
Chester County
Phoenixville Borough

Required Right-of-Way
LANDS OF Rockwell Phoenixville LLC

BEGINNING AT A POINT along Bridge Street (SR 0029) as shown on the plan prepared by TPD, Inc., dated November 15, 2024, entitled "Required Right-of-Way– Rockwell Phoenixville LLC", said point being 30.00 feet left of station 303+65.06

THENCE extending N 10°29'36" W a distance of 37.15 feet to a point 67.15 feet left of Bridge Street at Station 303+64.59

THENCE extending N 24°11'14" W a distance of 132.00 feet to a point 194.99 feet left of Bridge Street at Station 303+31.71

THENCE extending N 53°17'11" W a distance of 101.02 feet to a point 268.24 feet left of Bridge Street at Station 302+62.15

THENCE extending N 48°56'56" E a distance of 1.26 feet to a point 268.89 feet left of Bridge Street at Station 302+63.22

THENCE extending N 48°58'51" E a distance of 28.86 feet to a point 283.87 feet left of Bridge Street at Station 302+87.90

THENCE extending N 48°59'06" E a distance of 8.40 feet to a point 288.22 feet left of Bridge Street at Station 302+95.08

THENCE extending N 48°42'07" E a distance of 1.96 feet to a point 289.25 feet left of Bridge Street at Station 302+96.75

THENCE extending along an arc 256.93 feet to the right, having a radius of 304.00 feet, the chord of which is S 34°04'54" E for a distance of 249.35 feet, to a point 62.02 feet left of Bridge Street at Station 303+99.43

THENCE extending S 9°52'10" E a distance of 7.95 feet to a point 54.07 feet left of Bridge Street at Station 303+99.44

THENCE extending along an arc 29.77 feet to the left, having a radius of 27.00 feet, the chord of which is S 41°27'33" E for a distance of 28.29 feet, to a point 30.00 feet left of Bridge Street at Station 304+14.30

THENCE extending S 80°14'07" W a distance of 49.24 feet to a point 30.00 feet left of Bridge Street at Station 303+65.06 and the POINT OF BEGINNING.

The above described parcel contains 10791.55 sq. ft. (0.2477 acres)

RESOLUTION NO. 2024 –

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF
PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, OFFICIALLY
AUTHORIZING THE ALLOCATION OF THE BOROUGH SLFRF TO
THE KME TDA PURCHASE AS THE STANDARD ALLOWANCE FOR
LOST REVENUE UNDER ARPA**

WHEREAS, on March 11, 2021, the American Rescue Plan Act (“ARPA”) was signed into law by the President of the United States of America. Section 9901 of ARPA amended Title VI of the Social Security Act to add Section 602, which established the Coronavirus State Fiscal Recovery Fund, and Section 603, which established the Coronavirus State and Local Fiscal Recovery Funds (together, the “SLFRF”), and the Borough of Phoenixville (“Borough”) was the recipient of \$1,781,642.54 of such SLFRF funding (the “Borough SLFRF”); and

WHEREAS, pursuant to Resolution No. 2023-23, passed by Borough Council on June 13, 2023, the Borough SLFRF were approved for particular categories of uses by the Borough; and

WHEREAS, it has come to the attention of the Borough that the use of the Borough SLFRF may be more beneficially used to replace revenues lost by the Borough due to the COVID-19 public health emergency and impacts thereof; and

WHEREAS, pursuant to ARPA and the “Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions” guidance document issued by the United States Department of Treasury, last updated March 29, 2024, the Borough is authorized to allocate the Borough SLFRF in order to replace the reduction in revenue received by the Borough as a result of the COVID-19 public health emergency (the “Lost Revenue”) in order to fund government services; and

WHEREAS, pursuant to Resolution No. 2024-42, passed by Borough Council on November 12, 2023, the Borough SLFRF was allocated to replace the Borough's Lost Revenue; and

WHEREAS, upon review, the Borough SLFRF is needed to fund the purchase of the KME Custom Tractor Drawn Aerial (TDA) in the amount of \$1,937,057, which purchase was approved by motion of Borough Council at its public meeting on December 13, 2022, and contracted for by Agreement of Sale for Fire Apparatus dated December 27, 2022 (the "KME TDA Purchase"), as a result of the Lost Revenue; and

WHEREAS, Borough Council desires to allocate the entirety of the Borough SLFRF to the KME TDA Purchase to replace, in part or whole, the Lost Revenue.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Phoenixville Borough Council hereby authorizes the allocation of the entire \$1,781,642.54 Borough SLFRF to the KME TDA Purchase as a "standard allowance" for Lost Revenue to be used for government services through the period of performance required by ARPA. The term "government services" shall have the meaning applied by ARPA and the "Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions" guidance document issued by the United States Department of Treasury, last updated March 29, 2024.

2. Phoenixville Borough Council hereby authorizes the Borough Council President, Borough Manager, and Borough Solicitor to prepare and execute any necessary documentation to effect such allocation and evidence the same, as well as to take any action necessary to carry out the intent and purpose of this Resolution.

[Signature page to follow]

Passed by Borough Council this 10th day of December, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

Enacted this 10th day of December, 2024.

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

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Resolution duly adopted at a regular meeting of Borough Council held on the 10th day of December, 2024.

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

Parks and Recreation Committee Meeting
Tuesday, November 19, 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, Ms. Strunk, and Mr. Watson

I. Call to Order at 6:00 pm. Mr. Carminito assigned by Council President in place of Ms. Burckley who was excused.

II. Public Comment on Non-Agenda Items

No public comment.

III. Presentations

A. The Square at Bridge and Main. Moved to 6:45 pm.

IV. Committee Member Updates/Discussions

Ms. Dugan asked why the Borough no longer had parades as they used to? She also asked if there was any update on the Firebird Festival? Mr. Krack stated the issue regarding parades is that it had become difficult to secure participants. He reported that the County Commissioners were scheduled to make an announcement potentially extending the countywide burn ban. Once any information is known, Staff will distribute that decision as well as the new date for the festival.

Ms. Hunter announced the Borough received a \$1,000 grant for a bee pollinator and that Colonial Gardens would be assisting with the installation. She announced that the MTB bicycle track would be closing at the end of November for the season.

V. New Business

A. Review Recreation Board reports.

Ms. Hunter stated the Fall Festival had less attendees than in previous years. She stated that Theresa Thornton had approached the Board with the potential to add a mural in Andre Thornton Park but that nothing firm had been established. There was also discussion about an Ursinus student wanting to install a free library stand in the Borough and the Board's recommendation was to locate one at the Recreation Center.

- B. Motion to recommend Borough Council approve a Temporary Community Event Application for the Borough of Phoenixville 2025 Fireworks display at Dayton Street Field on Saturday, July 5, 2025 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.

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

- C. Update on MDM Preserve/Taylor Street Park.

Mr. Krack provided an update on the ordinance process for vacating the two unopened streets and the process for combining the parcels into either Taylor Street Park or the MDM Preserve.

Mr. Moore asked what the difference was with regard to the Preserve and what it is being called. Mr. Krack explained that the Preserve would be more passive and less development than a regular park. He also noted that it has been called the MDM Preserve referring to Marian and David Moskowitz as they donated the land to the Borough. Although there were no restrictions on the donation, Borough Council may want to formally name the Preserve once the division of the land has been finalized.

- D. Update on Fisher Park parking lot concept.

Mr. Krack provided a concept plan to install split rail fence around the park to reduce the amount of parking that is occurring on the grass areas. He noted the Borough's ordinance prohibits parking on the grass. After further discussion, Mr. Krack stated Staff will look at another option of adding parking along the portion of Fisher Avenue.

- E. Motion to cancel the December 17, 2024 committee meeting.

Mr. Weiss made a motion to cancel the December meeting. Seconded by Ms. Dugan. Motion passed 4-0.

- F. The Square at Bridge and Main.

Kristen Loughry, Karen Skafte and Sana Mirza presented the Square at Bridge and Main concept plan for converting the existing parking lot into a downtown gathering place and plaza.

Mr. Moore asked what the next steps were and whether the plan could be placed on the Borough's website?

Mr. Krack stated that he would send a copy of the plan to all of Borough Council in the next couple of days and will then publish the plan on the website. He stated the next step is to have a formal presentation to Borough Council at the January

14, 2025 meeting. This would give Council the opportunity to accept the plan and then potentially determine what, if any, next steps they want to take.

VI. Public Comment

Mr. Lutzker noted that Fisher Park should be open to as many persons that can utilize the park and that efforts should be made to increase the needed parking.

VII. Adjournment at 7:15pm by Mr. Weiss

Next Meeting Date: Tuesday, December 17, 2024 at 6:00 pm.

**Policy Committee Meeting
Tuesday, November 26, 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 with Mr. Carminito being excused.

II. Public Comment on Non-Agenda Items

There was no public comment.

III. Committee Member Updates/Discussions

Mr. Kirkner asked whether a “No Right Turn on Red” sign could be placed at the intersection of High Street and Franklin Avenue for east bound High Street traffic.

Mr. Krack stated he would look into what PennDOT may require as that is a permitted intersection on a State Road.

IV. New Business

A. Motion to recommend Borough Council schedule and advertise an ordinance amendment to Chapter 16 “Parks and Recreation”, Part 1 “Regulations for Parks and Recreation Areas”.

Mr. Ewald made a Motion to recommend Borough Council schedule and advertise the ordinance amendment as presented. Seconded by Mr. Strenfel. Motion passed 3-0.

B. Motion to recommend Borough Council schedule and advertise an ordinance amendment to Chapter 22 “Subdivision and Land Development”, Part 6 “Impact Statements”.

Mr. Ewald made a Motion to recommend Borough Council schedule and advertise the ordinance amendment as presented. Seconded by Mr. Strenfel. Motion passed 3-0.

C. Motion to cancel the December 24, 2024 Policy Committee Meeting.

Mr. Strenfel made a Motion to cancel the December 24 meeting. Seconded by Mr. Ewald. Motion passed 3-0.

V. Old Business

A. Enforcement of bans on reproductive health services.

VI. Public Comment

There was no public comment.

VII Adjournment at 7:09 pm by Mr. Strenfel.

Next Meeting Date: Tuesday, January 28, 2025 at 7:00 pm.

**INFRASTRUCTURE, TECHNOLOGY, TRANSPORTATION,
AND SUSTAINABILITY (ITTS)
COMMITTEE MEETING
Tuesday, November 19, 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 7:20 pm. Mr. Carminito assigned by Council President in place of Ms. Burckley
- II. Public Comment on Non-Agenda Items

There were no public comments.
- III. Committee Member Updates/Discussions

Mr. Moore asked if the Parking Study would be in Council's packet for the December meeting. Mr. Krack stated that it would be.
- IV. New Business
 - A. Motion to cancel the December 17, 2024 committee meeting.

Mr. Strenfel made a Motion to cancel the December meeting. Seconded by Mr. Moore. Motion passed 4-0.
- V. Infrastructure
 - A. Engineering Reports (Jan, Apr, Jul, Oct)

Nothing to report this month.
 - B. Stormwater Management

Mr. Krack noted there has been no response regarding the grant application for the Third Avenue Project. He stated the Cedar Avenue Project is in the 2025 Budget as a capital project for the Spring.
 - C. The Phoenix Wheel

Mr. Krack reported the project team met since the last committee meeting and he expects to have reasonably close final costs by the end of the year. He anticipates construction could start by Spring.

D. WWTP-WTP Recirculation

Mr. Krack stated there was nothing new to report. Mr. Weiss asked if there was anything that could be done in the interim. Mr. Krack stated he would look into getting a Feasibility Study proposal as a possible first step.

E. Borough Properties and Workforce Housing

Mr. Krack reported this project was not ready to move forward as Staff is currently working with Habitat for Humanity and Hankin Development on a potential PILOT Program grant application which is due December 6th.

F. RRFB at Starr Street and Second Avenue.

Mr. Krack reported that he and Mr. Watson are looking at adding additional street lighting as a possible way to increase the visibility of the intersection and crosswalk during evening hours.

VI. Transportation

A. Bridge and Starr Street

Mr. Krack reported that ROW Deed of Dedication information and secondary ingress/egress location information is being finalized which will then allow for final design submission to PennDOT.

B. Paradise Street – Phase 2

Ms. Getzfread reported that nothing has been received regarding the CDBG Grant application the Borough submitted for this project. Historically, they usually notify in January.

C. Bridge and Nutt – 23 Corridor Improvements

Mr. Watson reported that PennDOT held a virtual meeting earlier today to provide an update on the project which goes from Crossover Boulevard in East Pikeland Township to White Horse Road in Schuylkill Township. It also includes the reconstruction of the Bridge Street and Nutt Road intersection.

D. Mowere Road

Mr. Watson reported the contractor is in the final stages which is laying the rock base and fabric down followed by the blacktop base and final wearing course. He estimates the project concluding by end of first week in December.

E. French Creek Trail

Mr. Watson reported he is working with Tague Lumber to install the new fence on the south side of the trail. In the Spring, his crews will stone and blacktop the trail from Borough Hall to the Fire Station site.

F. Walkability

Nothing new to report.

G. Gay and Washington Traffic Signal

Mr. Watson reported the application for removal has been submitted to PennDOT for their approval.

VII. Sustainability

A. PXVNEO

Mr. Krack reported the next step is to get a proposal for a Basis of Design by Keystone. Mr. Watson expects to meet with them next week. We anticipate the proposal going before Borough Council at their December 10th meeting.

B. Municipal Building Solar Installation

Mr. Watson reported the work has been completed. PECO has to sign off on the project before the system can be turned on which should be within the next week or so.

VIII. Technology Updates

A. Monthly Reports

Nothing new to report.

IX. Public Comment

There was no public comment.

X. Adjournment at 7:55 pm by Mr. Strenfel.

Next Meeting Date: Tuesday, January 21, 2025 at 7:00 pm.

FINANCE COMMITTEE MEETING
Tuesday, November 26, 2024
5:30 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 5:30 pm with Mr. Carminito being excused. Ms. Burckley and Mr. Weiss also in attendance.

II. Public Comment on Non-Agenda Items

There was no public comment.

III. Committee Member Updates/Discussions

There were no member updates.

IV. New Business

A. Motion to recommend Borough Council approve the 2024 Pre-Paid dated 10/1/2024 - 10/31/2024 in the amount of \$2,786,055.67.

Mr. Kirkner made a Motion to recommend Borough Council approve as presented. Seconded by Mr. Ewald. Motion passed 3-0.

B. Motion to recommend Borough Council approve the 2024 Pre-Paid Credit Card Statement dated 10/1/2024 - 10/31/2024 in the amount of \$55,334.77.

Mr. Kirkner made a Motion to recommend Borough Council approve as presented. Seconded by Mr. Ewald. Motion passed 3-0.

C. Motion to recommend Borough Council approve the 2024 Pre-Paid ACH dated 10/31/2024 in the amount of \$52,681.45.

Mr. Kirkner made a Motion to recommend Borough Council approve as presented. Seconded by Mr. Ewald. Motion passed 3-0.

D. Motion to recommend Borough Council approve Budget Increase 2024-15 from Sanitation Restricted Fund Balance in the amount of \$17,378.35 to General Capital Project Fund for Downtown Decorative Trash/Recycle cans.

Mr. Kirkner made a Motion to recommend Borough Council approve the budget increase as presented. Seconded by Mr. Ewald. Motion passed 3-0.

- E. Review and discussion regarding 2025 General Fund Budget and Enterprise Fund Budgets.

Ms. Dugan moved this to after Item H.

- F. Motion to recommend Borough Council adopt a Resolution eliminating member payments to the Police Pension Plan Fund for the Calendar Year 2025.

Mr. Kirkner made a Motion to recommend Borough Council approve as presented. Seconded by Mr. Ewald. Motion passed 3-0.

- G. Review and discussion regarding Univest Memo.

Mr. Kirkner made a Motion to recommend Borough Council approve as presented. Seconded by Mr. Ewald. Motion passed 3-0.

- H. Review and discussion regarding Scantek quote.

Mr. Ewald made a Motion to recommend Borough Council approve as presented. Seconded by Mr. Kirkner. Motion passed 3-0.

- E. Review and discussion regarding 2025 General Fund Budget and Enterprise Fund Budgets.

Ms. Koza-Lubinsky provided updated budget information on the 2025 Enterprise Funds and the General Fund. She noted the information received since the draft budget was presented and the changes that would affect the proposed final budget.

Mr. Kirkner made a Motion to recommend Borough Council adopt the 2025 General Fund and Enterprise Fund Budgets as presented and agreed to by the Committee. Seconded by Mr. Ewald. Motion passed 3-0.

- I. Motion to cancel the December 24, 2024 Finance Committee Meeting.

Mr. Kirkner made a Motion to cancel the December 24 Finance Committee Meeting. Seconded by Mr. Ewald. Motion passed 3-0.

- V. Public Comment

There was no public comment.

- VI. Adjournment at 6:15 pm by Mr. Ewald.

Next Meeting Date: Tuesday, January 28, 2025 at 6:00 pm.