PHOENIXVILLE BOROUGH COUNCIL
Tuesday, December 10, 2024
7:00 PM

MINUTES
(Minutes approved by Borough Council on January 14, 2025)

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

David Lutzker, resident and President of the Green Team. He stated he has contacted Borough Council members to have the Brough send out a reminder of the Plastic Bag Ban beginning in January of 2025. He always expressed his and the Green Teams support of the Solid Waste Ordinance update and asked that if any assistance is needed the Green Team is willing to assist in educating the public about recycling.

IV. Presentations

A. Certificate of Recognition for Captain Charles Snook 31 years of Fire Police service – Mayor Urscheler.

Mayor Urscheler read the Certificate of Recognition aloud for the record and thanked Captain Snook for him 31 years of dedicated service to the Borough.

Mr. Ewald congratulated Captain Snook on his 31 years of service with the Fire Police. He stated the Fire Police are an important asset to the Borough and our Emergency Management Services.

V. Consent Agenda:

A. Approval of the November 12, 2024 Regular Meeting Minutes.

B. 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 Scantek agreement to digitize Borough ordinances and minutes.

Mr. Kirkner asked to move the Staff recommendation to open an investment account with Univest from the Consent Agenda and move it to section XIII. Council Action referred from Committee under item E.

Finance Committee.

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

Motion Approved 8-0.

VI. Communications/Council Participation

Ms. Burckley reported on the successful Holly Jolly weekend and tree lighting in the Main and Bridge Street Parking Lot and in the downtown. Mrs. Claus was out and about all weekend and she and Santa joined the Phoenixville Police Department for their 29th Annual Shop with a Cop event.

Mr. Weiss thanked Staff and the Mayor for their hard work on the visit from Governor Shapiro to share information on the Main Street Matters Program and the funding available.

Mr. Moore updated the Council on the progress of the Mowere Road project and stated the paving has been delayed by the recent weather conditions but he hopes it will be done in the next week or so. He asked Mr. Krack and Staff to put out a reminder to the residents and businesses that the Plastic Bag Ban goes into effect on January 1, 2025.

Mr. Ewald echoed the sentiments and stated it was great to have the Governor and Secretary here to tour the town and meet with Staff and the downtown business owners.

VII. Mayor's Report

Mayor Urscheler echoed the sentiment of Mr. Weiss that it was a please to welcome Governor Shapiro and Secretary Siger of the Department of Community and Economic Development to the Borough to meet with the downtown businesses to learn more about the Main Street Matter Program I and funding. He stated a lot of great conversations were had and the tour of the downtown was informative. He thanked them for joining us here and making time for the Borough amidst their busy schedules. He thanked the Borough Staff and our residents who participated in the Holly Jolly Weekend and encouraged anyone interested in the goings on in town to visit the Tis the Season website for more information. He wished everyone Happy Holidays and a Happy New Year.

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 schedule and advertise the 2025 meetings of Borough Council and various Boards, Commissions, and Committees.

Ms. Burckley made a Motion to schedule and advertise the 2025 meetings of Borough Council and various Boards, Commissions, and Committees. Seconded by Mr. Weiss.

Motion Approved 8-0.

B. Motion to accept the updated Downtown Phoenixville Parking Study as prepared by the Borough's Traffic Engineer.

Ms. Burckley made a Motion to accept the updated Downtown Phoenixville Parking Study as prepared by the Borough's Traffic Engineer. Seconded by Mr. Weiss.

On the Question:

Mr. Moore asked if the study will be published to the Borough's Website?

Mr. Ewald confirmed it would be on the website for the public.

Ms. Burckley encouraged the public to review the study. She stated it shows the Borough is progressing in the right direction.

Mr. Ewald stated he was skeptical but after speaking with Staff and seeing the product Bowman put together and the analysis they provided on several key weekends in the Borough. He expressed his happiness with the study and he thinks it's important to look at all the improvements that have been made for the parking downtown.

Motion Approved 8-0.

C. Motion to approve the 2025 General Fund and Enterprise Fund Budgets.

Ms. Dugan made a Motion to approve the 2025 General Fund and Enterprise Fund Budgets. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger stated the budgets were advertised with the Pottstown Mercury on November 18, 2024, and available for inspection at the Borough since that time.

Motion Approved 8-0.

X. Public Hearings

XI. Resolutions/Ordinances

1. Motion to adopt an Ordinance for the 2025 Tax Levy.

Ms. Dugan made a Motion to adopt an Ordinance for the 2025 Tax Levy. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger stated that both this Ordinance and the following Ordinance, that will be considered tonight were advertised on November 25th in the Pottstown Mercury, and were sent to the Chester County Law Library and Pottstown Mercury for public inspection on December 2, 2024.

Mr. Ewald stated for the sake of the conversation the Tax Levy increase was advertised at 15% and it has come down to 1.78% and he feels that is some pretty good work by Staff and he appreciates everything that went into preparing the 2025 Budget.

Ms. Dugan stated the budget process was hard this year and she wanted to express her gratitude to Monica Koza-Lubinsky, Peggy Niemczuk and the entire Staff for all the hard work and outstanding performance in everything they do.

Motion Approved 8-0.

2. Motion to adopt an Ordinance amendment to Chapter 20 “Solid Waste”.

Mr. Burckley made a Motion to adopt an Ordinance amendment to Chapter 20 “Solid Waste”. Seconded by Mr. Weiss.

Motion Approved 8-0.

3. Motion to adopt a Resolution affirming the Borough’s commitment to participate in the Sustainable Pennsylvania Municipal Certification Program.

Mr. Weiss made a Motion to adopt a Resolution affirming the Borough's commitment to participate in the Sustainable Pennsylvania Municipal Certification Program. Seconded by Ms. Burckley.

On the Question:

Mr. Ewald stated the Staff informed him the Borough is eligible for the Bronze Level and he imagines in a year or two the Borough will move up.

Motion Approved 8-0.

4. 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).

Ms. Burckley made a 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). Seconded by Mr. Strenfel.

Mr. Denlinger explained its expected that this portion of property will be used as a part of the Star Street extension. However, it will have to be laid out and accept roadways by ordinance. With this resolution the Borough is simply accepting the piece of property, and not actually opening the road. That ordinance will be you run through committees, or come through to the Council in January.

Motion Approved 8-0.

5. 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.

Mr. Strenfel made a 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. Seconded by Ms. Burckley.

On the Question:

Mr. Kirkner explained for the edification of the public the acronyms in this resolution are SLFRF is State and Local Fiscal Recovery Funds, ARPA is American Rescue Plan Act and KME TDA is Kovatch Mobile Equipment Tractor Drawn Aerial. The Fire apparatus is priced at 1.9 Million Dollars.

Mr. Denlinger stated as council may recall last month a Resolution was adopted to allocate ARPA funds that the Borough received as lost revenue. When Staff went to input the information on lost revenue staff realized to satisfy the requirements of the ARPA program the KME TDA which had already been contracted was able to satisfy the US Department of Treasury requirements.

Mr. Moore asked about the financing of the KME, he recalls it was being financed over ten years and is there an explanation on how this allocation will modify the repayment of these funds.
Mr. Krack explained the money was actually borrowed from the Water Fund and the money will be used to pay back the lost revenue of the borrowed funds.

Mr. Moore asked for clarification that this will pay off the note and it won't really change and of the budgeting the Council has done previously.

Mr. Krack confirmed this will satisfy the debt the borough has to the water department.

Motion Approved 8-0.

6. 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).

Ms. Burckley made a 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). Seconded by Mr. Strenfel.

On the Question:

Mr. Denlinger stated this Resolution is similar to his previous explanation for Starr Street. He explained this is related to the Paradise Village development, as the Council knows, and part of that development. Expectations are that the developer will build a street and that street would eventually be dedicated to the borough. There was a requirement in their approval resolution that they provide an easement to us within a certain amount of time, and the owner decided they'd rather provide us with the fee ownership rather than an easement which is legally acceptable. So similar to the Hall Street extension, you'll be accepting the property and there has not been a street opened yet, and Council will have to process an ordinance to open a street, this particular Ordinance may need to take into consideration the appropriate timing of its adoption.

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 on the trail subcommittee meeting held a couple of weeks ago with Regional Planning. Discussed at the meeting were the Freedom Trail and the willingness of the Freedom Foundation to have the trail through their property. The French and Pickering Creek Trust is working to preserve the open space at the Nature Center as well as other projects in Downingtown, Coatesville and the Chester Valley Trail extension. The biggest story from the meeting is the announcement from East Pikeland Township that their supervisors have a approved an ALDI on Route 23 right across from the entrance to O'Grady's.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming programs at the Recreation Center including Yoga for all ages, Parents Night Out on December 13, 2024, Safe Sitter programs, Gift wrapping on December 21, 2024, winter programs for Beginners Golf, Young Rembrandts, and the Positive Coaching Alliance's workshop on Coaching with Empathy. She encouraged the public to check out all the mazing programs offered on the Borough Website.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito reported there is no meeting this month and he is looking forward to the planting of 100 trees ordered by the Borough. Staff should begin planting them over the next couple of weeks.

F. Human Relations Commission – Ms. Burckley

Ms. Burckley reported the commission continues to work on the MEI Scorecard and have started trainings with the Pennsylvania Human Relations Commission. The first training was and overview of HRC's in general and what the state can provide to the Borough's Human Relations Commission.

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

Mr. Carminito made a Motion to Table. Seconded by Mr. Kirkner.

Motion Approved 8-0.

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

Mr. Carminito made a Motion to recommend Borough Council schedule and advertise an ordinance amendment to Chapter 22 “Subdivision and Land Development”, Part 6 “Impact Statements”. Seconded by Ms. Burckley.

On the Question:

Mr. Moore asked for an explanation of what is being modified and what the impetus for this change.

Mr. Denlinger explained the Impact Study provision of the Subdivision and Land Development Ordinance were updated roughly four to five months ago. At that time, Mr. Kirkner expressed his concerns that some of the of the multimodal provisions were no longer clearly reflected. And while modern Traffic Impact Studies should address Multimodal Transportation as Staff and committee looked into it more, it was agreed why leave a gray area. Let's keep it crystal clear. The opportunity was taken to get a little additional feedback from our Traffic Engineer who suggested some updates as well. The update is to make sure the SALDO Ordinance did not have gray areas with multimodal transportation and that it is a required part of any Traffic Study for our land development, as well as some more technical provisions that the Traffic Engineer wanted to see regarding the distance surrounding Traffic Study and what type of intersection should be included.

Mr. Moore asked if this update would have any effect on the scope of the requirement for Traffic Impact Studies.

Mr. Denlinger stated this update will not affect the scope that was adopted four to five months ago requiring the study for project with thirty ot more units.

Motion Approved 8-0.

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

1. Motion to approve the Retrievr, Inc. Profit Sharing Agreement.

   Mr. Weiss made a Motion to approve the Retrievr, Inc. Profit Sharing Agreement. Seconded by Ms. Burckley.

   On the Question:

   Mr. Kirkner stated he thinks this is a great solution for disposing of Tv's, CRT's, and microwaves that they don't end up dumped out on Route 113 and he asked about air conditioner collect and if the freon must be removed.

   Mr. Krack clarified air conditioners must have the freon removed to be collected.

   Motion Approved 8-0.

E. Finance Committee – Ms. Dugan

1. Motion to approve Staff recommendation to open an investment account with Univest.

   Ms. Dugan made a Motion to approve Staff recommendation to open an investment account with Univest. Seconded by Ms. Burckley.

   On the Question:

   Mr. Krack explained in November at the Finance Committee this was presented and at that time Mr. Kirkner had questioned the interest rates and whether it would be a locked in rate. Since meeting with committee, staff has learned the rate is not locked in and for the amount of the investment, the work to make it happen would not be worth the dividends. After discussions with staff we see no reason to further recommend approving this item.

   Mr. Ewald clarified a vote of Nay is to not approve the Staff recommendation.

   Motion Fails 0-8.

XIV. Public Comment

None

XV. Communications/Council Participation

Mr. Ewald reminded the public that meetings of Committees and Commissions will resume in 2025 and the remaining meeting for 2024 have ben cancelled.

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 potential purchase of real estate property located along Mowere Road.

7:45 pm. 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
December 2024