

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, March 11, 2025

7:00 PM

AGENDA

- I. Pledge of Allegiance/Moment of Silence
- II. Roll Call – Borough Manager
- III. Public Comment
- IV. Presentations
 - A. Swearing in of Firefighter Ian McCormick
 - B. Swearing in of Firefighter Jack Nudy
 - C. Swearing in of Firefighter Tanner Kouba
- V. Consent Agenda
 - A. Approval of February 11, 2025, Regular Meeting Minutes.
 - B. Items from Historical and Architectural Review Board:
 - 1. Motion to approve the Certificate of Appropriateness for signage for 243 Bridge Street as recommended by the HARB in their Action Memo of March 3, 2025.
 - 2. Motion to approve the Certificate of Appropriateness for renovations for 368 Bridge Street as recommended by the HARB in their Action Memo of March 3, 2025.
 - 3. Motion to approve the Certificate of Appropriateness for signage for 380 Church Street as recommended by the HARB in their Action Memo of March 3, 2025.
 - C. Items from Personnel and Public Safety Committee:
 - 1. Motion to reappoint Cat Bianco to the Planning Commission for a new term expiring March 31, 2029.
 - D. Items from Parks and Recreation Committee:
 - 1. Motion to approve a Temporary Community Event Application for the Healthcare Access 25th Anniversary in Reeves Park on Sunday, May 4, 2025, from 12:00 noon to 5:00 pm. Third Avenue between Starr Street and Main Street to be closed from 1:00 pm to 4:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

2. Motion to approve a Temporary Community Event Application for the Open Hearth Fundraiser at 701 S. Main Street on Wednesday, May 21, 2025, from 5:00 pm to 9:00 pm. Park Alley between Fifth Avenue and Sixth Avenue to be closed from 3:00 pm to 11:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.
3. Motion to approve a Temporary Community Event Application for the Chester County Pride Fest in the 100 and 200 Blocks of Bridge Street on Saturday, June 7, 2025, from 12:00 noon to 5:00 pm. 100 and 200 Blocks of Bridge Street between Gay Street and Starr Street, Main Street between Bridge Street and Church Street, and the Bridge and Main Street Parking Lot to be closed from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.
4. Motion to approve a Temporary Community Event Application for the 26th Annual Blobfest on Friday, July 11, 2025, from 6:00 pm to 10:00 pm and Saturday, July 12, 2025, from 8:00 am to 10:00 pm. 200 Block of Bridge Street to be closed on Friday, July 11, 2025, from 5:00 pm to 10:00 pm between Gay Street and Main Street. 100 Block of Bridge Street between Main Street and Starr Street to be closed Saturday, July 12 from 8:00 am to 6:00 pm. 200 Block of Bridge Street between Gay Street and Main Street to be closed Saturday, July 12 from 8:00 am to 10:00 pm. Bridge and Main Street Parking Lot to be closed on Saturday July 12, 2025, from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.
5. Motion to approve a Temporary Community Event Application for Phoenixville First Responders Appreciation Night on Thursday, August 7, 2025, from 6:00 pm to 9:00 pm at the Recreation Center Parking Lot at 501 Franklin Avenue.
6. Motion to approve a Temporary Community Event Application for WuFF Jam 2025 on Saturday, September 13, 2025, from 11:00 am to 5:00 pm in Reeves Park. Third Avenue between Main Street and B Street to be closed from 8:00 am to 5:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

E. Items from Finance Committee:

1. Motion to approve the 2024 pre-paid dated 1/1/2025 - 1/31/2025 in the amount of \$773,974.52.
2. Motion to approve the 2025 pre-paid dated 1/1/2025 - 1/31/2025 in the amount of \$1,605,216.20.

3. Motion to approve the 2024 pre-paid Credit Card Statement dated 1/1/2025 - 1/31/2025 in the amount of \$46,320.25.
4. Motion to approve the 2025 pre-paid Credit Card Statement dated 1/1/2025 - 1/31/2025 in the amount of \$23,893.21.
5. Motion to approve the 2025 pre-paid ACH dated 1/31/2025 in the amount of \$44,208.03.
6. Motion to approve Budget Increase 2025-01 from Sanitation Restricted Fund Balance in the amount of \$9,129.00 to Sanitation Fund Recycling (Recycle Toters) for purchase of recycling toters.

VI. Communications/Council Participation

VII. Mayor's Report

VIII. Appointments

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

IX. New Business

- A. Motion to reschedule the Finance and Policy Committee Meetings on the third Tuesday of each month with Finance starting at 6:00pm followed immediately by the Policy Committee, and further authorizing the advertisement of the foregoing.
- B. Motion approving and ratifying the issuance of a Request for Involvement letter and any follow up by the Borough in response to the Act 2 Environmental Clean-Up of 100 School Lane and 41 Second Avenue, and any further action by the Borough President, Borough Manager, and Borough Solicitor deemed advisable thereby to protect the interests of the Borough.
- C. Motion to authorize a conditional offer of employment for two (2) Patrol Officers.
- D. Motion to accept Staff's recommendation to award the 2025 Tree and Stump Removal Contract to Yellowstone Landscape of Philadelphia PA as the lowest responsible bidder.

X. Public Hearings

- A. Ordinance amendment to Chapter 22 "Subdivision and Land Development", Part 6 "Impact Statements".

XI. Resolutions/Ordinances

- A. Motion to adopt an Ordinance providing for the Vacation and Abandonment to the Abutting Property Owners, the entirety of the unopened portions of Emmett Street and Wilson Street.

- B. Motion to adopt an Ordinance amendment to Chapter 2 “Animals”.
- C. Motion to adopt an Ordinance amendment to Chapter 15 “Motor Vehicles and Traffic”.
- D. Motion to adopt an Ordinance amendment to Chapter 16 “Parks and Recreation”.
- E. Motion to adopt a Resolution authorizing the extinguishment of a trail easement on property located at 512 South Street, Phoenixville, PA and more particularly identified as Chester County UPI No. 15-2-1.1A.
- F. Motion to adopt a Resolution authorizing the submission of a Flood Mitigation Program (FMP) Grant to the Commonwealth Financing Authority.
- G. Motion to adopt a Resolution authorizing the submission of a Chester County Department of Community Development 2025-2026 Community Revitalization Program Grant Application for the installation of a solar array on the Fire Station and Recreation Center.
- H. Motion to adopt a Resolution authorizing the submission of a Chester County Department of Community Development 2025-2026 Community Revitalization Program Grant Application for the Fillmore Street Alignment Project.
- I. Motion to adopt a Resolution authorizing the submission of State or Federal No-Match Requirement Grants for the Police Department.

XII. Reports of Committees, Boards, and Commissions

- A. Historical and Architectural Review Board – Ms. Dugan
- B. Planning Commission - Mr. Moore
 - 1. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as Spotless Car Wash Phoenixville located at 200 Kimberton Road.
- C. Phoenixville Regional Planning Committee – Mr Kirkner
- D. Recreation Board – Ms. Dugan
- E. Tree Advisory Commission – Mr. Carminito
- F. Human Relations Commission – Ms. Burckley

XIII. Council Action referred from:

- A. Personnel and Public Safety Committee- Ms. Burckley
 - 1. No action to report.
- B. Parks and Recreation Committee - Mr. Moore

1. Motion to approve a Temporary Community Event Application for the Annual Dogwood Festival from May 14 through May 17, 2025, (6:00 pm to 10:00 pm Wed - Fri) and (11:00 am to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade, Bridge Street between Church Street and Main Street (rolling closure), and Main Street from Bridge Street to 5th Avenue from 10:00 pm to 2:00 pm on Saturday, May 17, 2025, for the parade. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

C. Policy Committee - Carminito

1. Motion to schedule and advertise an ordinance amendment to Chapter 11 "Housing".
2. Motion to schedule and advertise an ordinance amendment to Chapter 13 "Licenses, Permits and General Business Regulations, Part 5.
3. Motion to schedule and advertise an ordinance amendment to Chapter 15 "Motor Vehicles".

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

XV. Communication/Council Participation

XVI. Staff Reports are in the packets.

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

XVII. Adjournment

Upcoming Meetings:

Planning Commission	March 13 – 6:00 pm
Parks and Recreation Committee	March 18 – 6:00 pm
Infrastructure Committee	March 18 – 7:00 pm
Finance Committee	March 25 – 6:00 pm
Policy Committee	March 25 – 7:00 pm
Personnel/Public Safety Committee	April 1 – 6:00 pm
Civil Service Commission	April 1 – 7:00 pm
HARB	April 7 – 5:00 pm
Tree Advisory Commission	April 7 – 6:00 pm
Borough Council	April 8 – 7:00 pm
Recreation Board	April 21 – 6:30 pm

Employee Service Anniversaries – March

Peggy Niemczuk, Finance Supervisor – 45 years
Chief Brian Marshall, Police Department – 37 years
Monica Lubinsky, Finance Director – 9 years
Officer Paul Ansaldo, Police Department – 8 years
Officer Peter Karpovich, Police Department – 8 years
Christopher Salamone, Sanitation Driver – 4 years
Richard Martin, Water Distribution Laborer – 3 years
Meghan Straut, Community Engagement Coordinator – 3 years
Nicholas Shore, Streets Utility – 2 years
Justin Dami, Wastewater Treatment Mechanic Relief Operator – 2 years
Korey Waller, Sanitation Laborer – 1 year







BODY BY E & WELLNESS CENTER
484-645-1060



Select your view mode

2D

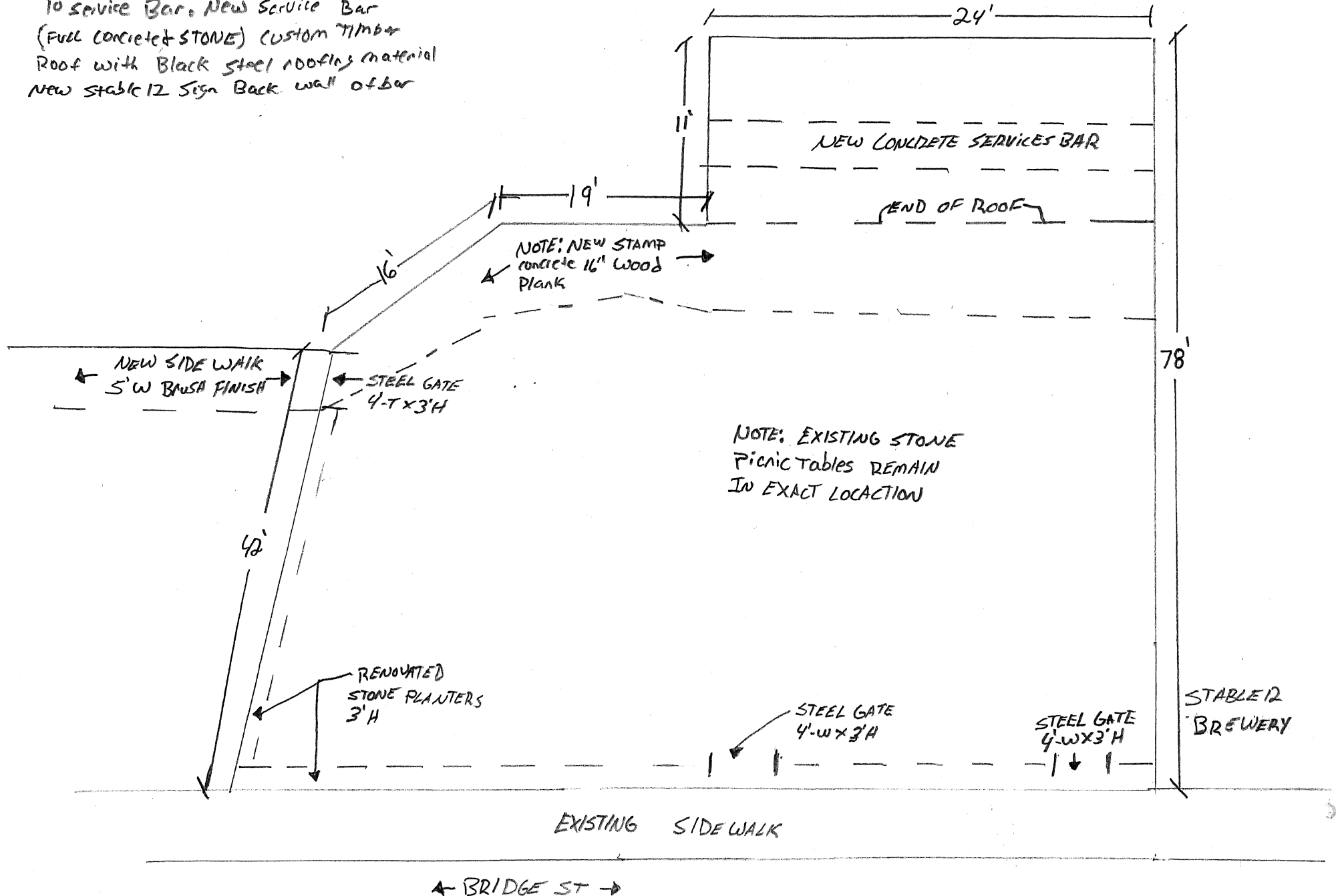
3D

99

JOB DESCRIPTION:

Remove and replace existing
planter wall with New stone
planters. (Location not moving) stamped
concrete sidewalk through Beer garden
to service Bar. New Service Bar
(Full concrete + stone) custom timber
roof with Black steel roofing material
New stable 12 Sign Back wall of bar

JOB: STABLE 12 BEER GARDEN	
DESTRA BUILDERS & CONTRACTORS	
PLAN: LAYOUT	DATE: 1-20-25













FAST SIGNS.
Make Your Statement™

Certified Sales Executive
Judy Wilcheck
149@fastsigns.com
o: 610-296-0400



Account: Rinnovare Autoworks
Job # 80097

Material:
144" w x 40" h, Qty. 1 Single sided .063
aluminum sign with printed vinyl overlaid
and gloss laminate, .3" holes placed 1" in
from edge to center of hole 5 top and
5 bottom.

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



Example on building.

AUTOWORKS

RINNOVARE

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

LANDLORD
OR AGENT
SIGNATURE

X

3/5/2025

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 - Vice Chairperson	March 12, 2024		March 31, 2028
Catherine Bianco - Chairperson	March 9, 2021		March 31, 2025
Joseph Sikora	March 8, 2022		March 31, 2026
Thomas Carnevale	April 12, 2011	March 8, 2022	March 31, 2026
Jahan Tavangar	November 12, 2024		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 - Vice Chairperson	February 11, 2020	January 14, 2025	January 31, 2030
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 - Vice-Chairperson	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 - Chairperson	January 1, 2008	April 12, 2022	April 30, 2026
Allison Peffle	May 11, 2021	April 12, 2022	April 30, 2026
Dave Gill	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 - Jeffrey Jones	January 14, 2025		January 31, 2029

Tree Advisory - 5 Year Term	Appointed	Reappointed	Term Expiration
Jennifer Chandler	January 14, 2025		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 - Chairperson	September 10, 2024		March 31, 2026
Shawn Cephas	April 9, 2024		March 31, 2026
Koretta McGhee	January 14, 2025		March 31, 2028
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 14, 2025	December 31, 2025

ORDINANCE NO. 2025 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 22, "SUBDIVISION AND LAND DEVELOPMENT," PART 6 "IMPACT STATEMENTS," SECTION 22-600 "TRAFFIC IMPACT STUDY" OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE.

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

Section 1:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 22, "Subdivision and Land Development," Part 6 "Impact Statements," Section 22-600 "Traffic Impact Study" is hereby repealed by deleting it in its entirety and replacing it with the following:

§ 22-600 Traffic Impact Study.

1. Applicability. A Traffic Impact Study shall be submitted to the Borough as a part of the initial submission of all Applications for Development proposing: (a) 30,000 or more square feet of new building floor area; (b) 30 or more dwelling units; and/or (c) resulting in nine (9) or more separate lots.

A. Further Inclusions. Applications for Development that would not be required to produce a traffic impact study by reason of size, above, must produce a study if the expected number of trips generated per day exceeds 300 or 50 total external trips in a peak hour.

- (1) The anticipated number of trips per day shall be determined through the use of the most recent edition of the Institute of Transportation Engineers' (ITE) Trip Generation Report. The proposed use or development shall be identified using the appropriate ITE land use code. Where doubt exists or an alternative trip generation methodology may be acceptable upon approval by the Borough Traffic Engineer.
- (2) If a project does not satisfy the above criteria, the Borough Traffic Engineer may require a Traffic Impact Study be

conducted to evaluate site access and immediate impacts to adjacent roadways and intersections.

2. Preparation of Study. The Traffic Impact Study shall be prepared by a qualified professional traffic engineer holding a current Professional Engineer (P.E.) license issued by the Commonwealth of Pennsylvania, in accordance with accepted traffic-engineering standards, with the cost borne by the Applicant.
 - A. The scope of the Traffic Impact Study shall be mutually agreed upon by the Borough Traffic Engineer. The applicant's consultant shall be responsible for coordinating the detailed scope of study with the Borough Traffic Engineer prior to the commencement of the study.
 - B. The Traffic Impact Study shall be conducted in accordance with the standards set forth in PennDOT's current Policies and Procedures for Transportation Impact Studies and Assessments Related to Highway Occupancy Permits for projects. The following additional criteria for inclusion in the Traffic Impact Study shall also be provided to the Borough, if required by the Borough Traffic Engineer:
 - (1) An assessment of non-vehicular travel in the study area, including impacts and accommodations associated with the project. This criterion is in addition to those requirements contained in the PennDOT guidelines.
 - (2) The transportation network and facilities within the project site shall be adequately described in the report, detailing both vehicular and non-vehicular circulation, internal traffic control measures, loading areas, ADA compliance, loading areas, connections to non-vehicular facilities if any, and emergency access.
 - (3) Additional criteria will depend on the nature of the project and may include but are not limited to additional study year(s), project staging/phasing analyses, or other items for inclusion to ensure satisfactory traffic operations.
 - C. The Traffic Impact Study shall include sufficient information to assess the impact of the proposed Land Development on all roads and intersections in the vicinity of the subject tract(s) being the subject of the Application for Development. The study must demonstrate that the proposed Land Development will not materially adversely affect traffic circulation in surrounding areas, or else identify any traffic problems

that might be caused or aggravated by the use and delineate solutions to those problems. Based on the findings of the study, as reviewed and deemed appropriate by the Borough Traffic Engineer, Borough Council may require improvements designed to alleviate material adverse effects, as a condition for approval.

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

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

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

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

PASSED by Borough Council this 11th day of March, 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 11th day of March, 2025.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 11th day of March, 2025.

By: _____
E. Jean Krack
Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 11th day of March, 2025.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE NO. 2025 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE PROVIDING FOR THE VACATION AND ABANDONMENT
TO THE ABUTTING PROPERTY OWNERS, THE ENTIRETY OF THE UNOPENED
PORTIONS OF EMMETT STREET AND WILSON STREET WHICH WERE
ORIGINALLY LAID OUT AS PUBLIC STREETS
AND REMAINS UNOPENED AS PUBLIC STREETS**

WHEREAS, the Pennsylvania Borough Code (“Borough Code”), 8 Pa. C.S. § 1731, states that Borough Council has the authority to vacate or close a street or portion of a street previously opened or laid out provided that no street or portion of a street providing the sole means of access to a tract of land is vacated without the consent of those to whom access would be denied; and

WHEREAS, the Council of the Borough of Phoenixville (the “Borough Council”) has become aware of laid out but unopened portions of Emmett Street and Wilson Street (the “Streets”), located within the Borough of Phoenixville (the “Borough”) west of Taylor Street; and

WHEREAS, the abutting properties and property owners (collectively the “Abutting Owners”) to the aforementioned Streets are as follows:

- a. Garrett C. & Amanda V. Vail, 1 Taylor Street (UPI No. 15-4-14);
- b. Borough of Phoenixville, (UPI Nos. 15-4-13 & 15-4-10.99);
- c. Widecombe, LLC, 598 Taylor Street (UPI No. 15-4-24/1); and
- d. Pollock Corp., 705 Saint Mary’s Street (UPI No. 15-4-22).

WHEREAS, the Borough Council has determined that the vacation of the Streets will serve the interests of the Borough and its residents, including the Abutting Owners; and

WHEREAS, the Borough Council has determined that the Streets have remained unopened for a period of well beyond twenty-one (21) years and neither the Streets nor any portion thereof as described herein provide the sole means of access to any lot or tract of land; and

WHEREAS, it has also been determined that all properties abutting the Streets have means of access separate and apart from these Streets and do not require the Streets for access to the properties; and

WHEREAS, the Borough Council has determined to vacate the entirety of the unopened portions of the Streets by the within ordinance; and

WHEREAS, the Streets are unnecessary for the public convenience and Borough Council desires to vacate formally the unopened portions of the Streets as a public road; and

WHEREAS, all notice requirements as set forth in the Borough Code 8 Pa. C.S. § 1731 have been met and additional notices required following enactment shall be met.

NOW, THEREFORE, BE IT ENACTED by the Borough Council of the Borough of the Phoenixville and it is hereby enacted, as follows:

Section I. Vacation of Portion of Wilson Street. The Council of the Phoenixville Borough, Chester County, Pennsylvania, does hereby vacate and close as a public street of Phoenixville Borough, ALL THAT CERTAIN former unopened portions of Wilson Street situate in the Phoenixville Borough, as shown on the plan attached as Exhibit “A” and as more particularly bounded and described on the legal description attached as Exhibits “B”, “C” and “D” attached hereto and incorporated herein.

Section II. Vacation of Portion of Emmett Street. The Council of the Phoenixville Borough, Chester County, Pennsylvania, does hereby vacate and close as a public street of Phoenixville Borough, ALL THAT CERTAIN former unopened portions of Emmett Street situate in the Phoenixville Borough, as shown on the plan attached as Exhibit “A” and as more particularly bounded and described on the legal description attached as Exhibits “E”, “F” and “G” attached hereto and incorporated herein.

Section III. Removal of Vacated Streets from Borough Plan of Streets. The Council of the Phoenixville Borough, Chester County, Pennsylvania, does hereby direct that the vacated portion of the Streets, more particularly described in Sections I and II above, shall be stricken from the Borough Plan of Streets.

Section IV. Reversion to Abutting Owners. The Council of the Phoenixville Borough, Chester County, Pennsylvania, does hereby authorize and direct the Borough Council President, Borough Manager, and Borough Solicitor to take any and all actions necessary to effectuate and complete the reversion of the ownership of the portions of the vacated Streets to the appropriate Abutting Owners.

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

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

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

PASSED by Borough Council this 11th day of March, 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 11th day of March, 2025.

By: _____
Peter J. Urscheler, Mayor

ENACTED this 11th day of March, 2025.

By: _____
E. Jean Krack
Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 11th day of March, 2025.

By: _____
E. Jean Krack
Borough Manager/Secretary

EXHIBIT "A"
Unopened Streets Map

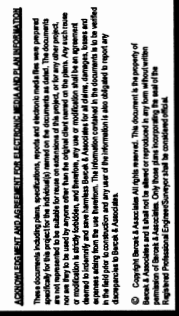
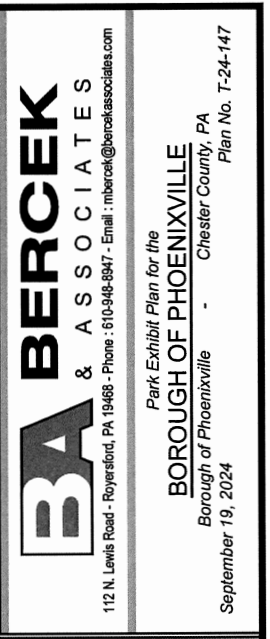


EXHIBIT "B"
Description of Parcel "A"



112 North Lewis Road
Royersford, PA 19468
Ph.: 610-948-8947
Email: mbercek@bercekassociates.com

DESCRIPTION OF PARCEL "A" BEING THE NORTHERLY HALF OF UNOPENED WILSON STREET
SITUATE IN THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY.

ALL THAT CERTAIN tract of land located approximately 130 feet west of the intersection of Wilson Street and Taylor Street being shown as parcel "A" on a plan titled "Park Exhibit Plan for the Borough of Phoenixville" prepared by Bercek and Associates, Inc., dated September 24, 2024, Plan No. C-24-147 situate in the Borough of Phoenixville, County of Chester, Commonwealth of Pennsylvania, described as follows, to wit:

COMMENCING at a point of intersection formed by the northerly right of way line of unopened Wilson Street (50 feet wide unopened) and the westerly right of way line of Taylor Street being a corner in common with of lands of Garrett C. and Amanda V. Vail as shown on the previously described plan by Bercek and Associates, Inc;

Thence, along said northerly right of way of unopened Wilson Street, through said lands of Garrett C. and Amanda V. Vail, South 84 degrees 06 minutes 22 seconds West for a distance of 129.28 feet to the point of BEGINNING of the herein described parcel "A";

Thence, from said point of BEGINNING, over and through unopened Wilson Street the three following courses and distances:

1. South 02 degrees 26 minutes 35 seconds East for a distance of 25.05 feet to a point, said point being on the centerline of the unopened Wilson Street;
2. Along said centerline, South 84 degrees 06 minutes 22 seconds West for a distance of 215.14 feet to a point in line of the lands of the Borough of Phoenixville;
3. Along said lands of Phoenixville Borough, North 01 degrees 35 minutes 37 seconds West for a distance of 25.07 feet to a corner in common with lands of Coventry Ridge Limited Partnership;

Thence, along said lands of Coventry Ridge Limited Partnership, North 84 degrees 06 minutes 22 seconds East for a distance of 214.76 feet to the place of BEGINNING.

CONTAINING 5,374 square feet of land being the same more or less.

Dated: September 24, 2024

EXHIBIT "C"
Description of Parcel "B"



112 North Lewis Road
Royersford, PA 19468
Ph.: 610-948-8947
Email: mbercek@bercekassociates.com

**DESCRIPTION OF PARCEL "B" BEING THE NORTHERLY HALF OF UNOPENED WILSON STREET
SITUATE IN THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY.**

ALL THAT CERTAIN tract of land located on the westerly side of the intersection of Wilson Street and Taylor Street being shown as parcel "B" on a plan titled "Park Exhibit Plan for the Borough of Phoenixville" prepared by Bercek and Associates, Inc., dated September 24, 2024, Plan No. C-24-147 situate in the Borough of Phoenixville, County of Chester, Commonwealth of Pennsylvania, described as follows, to wit:

BEGINNING at a point of intersection formed by the northerly right of way line of unopened Wilson Street (50 feet wide unopened) and the westerly right of way line of Taylor Street being a corner in common with of lands of Garrett C. and Amanda V. Vail as shown on the previously described plan by Bercek and Associates, Inc;

Thence over and through unopened Wilson Street the three following courses and distances:

1. South 10 degrees 55 minutes 11 seconds East for a distance of 25.10 feet to a point, said point being on the centerline of the said unopened Wilson Street;
2. Along said centerline, South 84 degrees 06 minutes 22 seconds West for a distance of 132.99 feet to a point;
3. North 02 degrees 26 minutes 35 seconds West for a distance of 25.05 feet to a corner in common with lands of Coventry Ridge Limited Partnership and lands of Garrett C. and Amanda V. Vail;

Thence, along said lands of Garrett C. and Amanda V. Vail, North 84 degrees 06 minutes 22 seconds East for a distance of 129.28 feet to the place of BEGINNING.

CONTAINING 3,278 square feet of land being the same more or less.

Dated: September 24, 2024

EXHIBIT "D"
Description of Parcel "C"



112 North Lewis Road
Royersford, PA 19468
Ph.: 610-948-8947
Email: mbercek@bercekassociates.com

DESCRIPTION OF PARCEL "C" BEING THE SOUTHERLY HALF OF UNOPENED WILSON STREET
SITUATE IN THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY.

ALL THAT CERTAIN tract of land located on the westerly side of the intersection of Wilson Street and Taylor Street being shown as parcel "C" on a plan titled "Park Exhibit Plan for the Borough of Phoenixville" prepared by Bercek and Associates, Inc., dated September 24, 2024, Plan No. C-24-147 situate in the Borough of Phoenixville, County of Chester, Commonwealth of Pennsylvania, described as follows, to wit:

BEGINNING at a point of intersection formed by the southerly right of way line of unopened Wilson Street (50 feet wide unopened) and the westerly right of way line of Taylor Street said point being in line with lands of the Borough of Phoenixville (Taylor Park) as shown on the previously described plan by Bercek and Associates, Inc;

Thence, over and through said lands of Phoenixville Borough (Taylor Park), South 84 degrees 06 minutes 22 seconds West for a distance of 352.20 feet to a point in line of other lands of Phoenixville Borough;

Thence, along said other lands of Phoenixville Borough, North 01 degrees 35 minutes 37 seconds West for a distance of 25.07 feet to a point, said point being on the centerline of the unopened Wilson Street;

Thence, along said centerline of Wilson Street, North 84 degrees 06 minutes 22 seconds East a distance of 348.13 feet to a point on the westerly right of way line of the aforementioned Taylor Street;

Thence, along said westerly right of way line of Taylor Street, South 10 degrees 55 minutes 11 seconds East for a distance of 25.10 feet to the place of BEGINNING.

CONTAINING 8,754 square feet of land being the same more or less.

Dated: September 24, 2024

EXHIBIT "E"
Description of Parcel "D"



112 North Lewis Road
Royersford, PA 19468
Ph.: 610-948-8947
Email: mbercek@bercekassociates.com

**DESCRIPTION OF PARCEL "D" BEING THE NORTHERLY HALF OF UNOPENED EMMETT STREET
SITUATE IN THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY.**

ALL THAT CERTAIN tract of land located on the westerly side of the intersection of Emmett Street and Taylor Street being shown as parcel "D" on a plan titled "Park Exhibit Plan for the Borough of Phoenixville" prepared by Bercek and Associates, Inc., dated September 24, 2024, Plan No. C-24-147 situate in the Borough of Phoenixville, County of Chester, Commonwealth of Pennsylvania, described as follows, to wit:

BEGINNING at a point of intersection formed by the northerly right of way line of unopened Emmett Street (50 feet wide unopened) and the westerly right of way line of Taylor Street, said point being in line of lands of the Borough of Phoenixville (Taylor Park) as shown on the previously described plan by Bercek and Associates, Inc;

Thence, along said westerly right of way line of Taylor Street, South 10 degrees 55 minutes 11 seconds East a distance of 25.41 feet to a point, said point being the centerline of the unopened Emmett Street;

Thence, over and through said unopened Emmett Street, along said centerline thereof, South 89 degrees 21 minutes 24 seconds West for a distance of 378.56 feet to a point in line of other lands of the Borough of Phoenixville;

Thence, along the same, North 01 degrees 35 minutes 36 seconds West for a distance of 24.89 feet to a point;

Thence, along the northerly right of way line of the unopened Emmett Street, North 89 degrees 20 minutes 19 seconds East for a distance of 374.44 feet to the place of BEGINNING.

CONTAINING 9,391 square feet of land being the same more or less.

Dated: September 24, 2024

EXHIBIT "F"
Description of Parcel "E"



112 North Lewis Road
Royersford, PA 19468
Ph.: 610-948-8947
Email: mbercek@bercekassociates.com

DESCRIPTION OF PARCEL "E" BEING THE SOUTHERLY HALF OF UNOPENED EMMETT STREET
SITUATE IN THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY.

ALL THAT CERTAIN tract of land located on the westerly side of the intersection of Emmett Street and Taylor Street being shown as parcel "E" on a plan titled "Park Exhibit Plan for the Borough of Phoenixville" prepared by Bercek and Associates, Inc., dated September 24, 2024, Plan No. C-24-147 situate in the Borough of Phoenixville, County of Chester, Commonwealth of Pennsylvania, described as follows, to wit:

COMMENCING at a point of intersection formed by the southerly right of way line of unopened Emmett Street (50 feet wide unopened) and the westerly right of way line of Taylor Street, said point being in line of lands of Widecomb, LLC as shown on the previously described plan by Bercek and Associates, Inc;

Thence, along the southerly right of way line of unopened Emmett Street, South 89 degrees 22 minutes 27 seconds West for a distance of 82.70 feet to a corner in common with lands of Pollock Corporation, said point being the place of BEGINNING of the herein described parcel "E";

Thence, from said place of BEGINNING, over and through said lands of Pollock Corporation the two (2) following courses and distances:

1. South 89 degrees 22 minutes 27 seconds West for a distance of 299.97 feet to a point;
2. North 01 degrees 35 minutes 37 seconds West a distance of 24.89 feet to a point, said point being the center line of unopened Emmett Street;

Thence, along said centerline of unopened Emmett Street, North 89 degrees 21 minutes 24 seconds East for a distance of 300.38 feet to a point;

Thence, leaving said centerline, South 00 degrees 38 minutes 36 seconds East for a distance of 24.98 feet to the place of BEGINNING.

CONTAINING 7,483 square feet of land being the same more or less.

Dated: September 24, 2024

EXHIBIT "G"
Description of Parcel "F"



112 North Lewis Road
Royersford, PA 19468
Ph.: 610-948-8947
Email: mbercek@bercekassociates.com

DESCRIPTION OF PARCEL "F" BEING THE SOUTHERLY HALF OF UNOPENED EMMETT STREET
SITUATE IN THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY.

ALL THAT CERTAIN tract of land located on the westerly side of the intersection of Emmett Street and Taylor Street being shown as parcel "F" on a plan titled "Park Exhibit Plan for the Borough of Phoenixville" prepared by Bercek and Associates, Inc., dated September 24, 2024, Plan No. C-24-147 situate in the Borough of Phoenixville, County of Chester, Commonwealth of Pennsylvania, described as follows, to wit:

BEGINNING at a point of intersection formed by the southerly right of way line of unopened Emmett Street (50 feet wide unopened) and the westerly right of way line of Taylor Street, said point being in line of lands of Widecomb, LLC as shown on the previously described plan by Bercek and Associates, Inc;

Thence, along the southerly right of way line of unopened Emmett Street, South 89 degrees 22 minutes 27 seconds West for a distance of 82.70 feet to a corner in common with lands of Pollock Corporation;

Thence over and through said unopened Emmett Street the two (2) following courses and distances:

1. North 00 degrees 38 minutes 36 seconds West for a distance of 24.98 feet to a point on the centerline of unopened Emmett Street;
2. Along said centerline of unopened Emmett Street, North 89 degrees 21 minutes 24 seconds East for a distance of 78.17 feet to a point the westerly right of way line of the aforementioned Taylor Street;

Thence, along said westerly right of way line of Taylor Street, South 10 degrees 55 minutes 11 seconds East a distance of 25.41 feet to the place of BEGINNING.

CONTAINING 2,010 square feet of land being the same more or less.

Dated: September 24, 2024

ORDINANCE NO. 2025 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 2, "ANIMALS" OF THE CODE OF
ORDINANCES OF THE BOROUGH OF PHOENIXVILLE.**

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

Section 1:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 2, "Animals," Part 1 "Dogs Running At Large" is hereby repealed by deleting it in its entirety and replacing it with the following:

§ 2-101. Definitions.

As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

OWNER

Any person, firm or company, who or which owns, possesses, maintains, houses, keeps or has custody of any dog, permanently or temporarily, whether for compensation or otherwise.

SPCA

The Brandywine Valley Society for the Prevention of Cruelty to Animals.

§ 2-102. Unlawful to Allow Dogs to Run at Large.

1. The owner(s) or keeper(s) of every dog shall keep such dog at all times confined or secured so such dog cannot run at large.
2. It shall be unlawful for the owner of any dog, or for any other person permanently or temporarily having the possession or custody of any dog, to permit such dog to run at large within the Borough. A dog shall be deemed to be running at large when:
 - A. It is off the premises of its owner or keeper and is not on a leash, tether, chain, rope or similar device, the overall length of which (including the hand grip) does not exceed six feet in length and which is held by a person able to control such dog. This provision shall not apply to a dog while participating in an arranged dog training class, trial or exhibition.

- B. If such dog shall be left unattended on a leash, tether, chain, rope or similar device, which is tied or otherwise fastened to any tree, parking meter, sign post or other item within the public limits of any street, alley or other public property and the person having custody of such dog is not immediately adjacent to it and in a position to control the actions and conduct of such dog.

§ 2-103. Seizing of Dogs.

The SPCA or any police officer may seize any dog found at large in Borough. Such dogs are to be impounded in a licensed kennel.

§ 2-104. Licensed Dogs.

- 1. All dogs three months of age and older living in Pennsylvania must be licensed by January 1 of each year. There are two types of licenses: an annual license and a lifetime license.

- A. Purchase an annual dog license online with a credit/debit card or echeck. After completion of payment, a proof of license can be printed and the license and tag will be mailed to you the following business day.

- B. Print the annual dog license application and mail in along with payment. Mail payment to:

Chester County Treasurer's Office
Attn: Dog License
313 West Market St. Suite 3202
West Chester, PA 19380

- 2. To register your dog online go to the Chester County website.

§ 2-104. Unlicensed Dogs.

Unlicensed dogs that are seized shall be held in such kennel for 48 hours and if not claimed may be destroyed in accordance with § 303 of the Dog Law, 3 P.S. § 459-303.

§ 2-106. Dangerous Dogs.

- 1. A dog determined to be dangerous under § 502-A of the Dog Law, 3 P.S. § 459-502A, shall be restrained or otherwise kept in accordance with Article VI-A of the Dog Law, 3 P.S. § 459-501A et seq.
- 2. Dogs may be killed only in accordance with the requirements of § 501 of the Dog Law, 3 P.S. § 459-501, and otherwise, said dogs must be detained and delivered to the police or a State dog warden. While detained, said dog must be treated in a humane manner.

§ 2-107. Penalties.

1. The first two times a dog is seized, the owner shall pay a fine of \$15 to the Borough as well as invoiced fees for keeping the animal at the SPCA or other facility designated by Borough Council.
2. Any person allowing a dog to run at large a third time in violation of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fines and cost, to a term of imprisonment not to exceed 30 days.
3. Any person owning a dog without a license shall be cited up to \$500 per violation, plus court costs.

Section 2:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 2, “Animals,” Part 5 “Regulating the Keeping of Pigeons” is hereby repealed by deleting it in its entirety and replacing it with the following:

**Part 5
BOROUGH OWNED DOG PARKS**

§ 2 -501. Designated Dog Park Off-Leash Areas.

1. Dogs must be under the immediate control of their handler at all times while in the off-leash area and when entering and exiting the Dog Park.
2. No person shall:
 - A. Bring an unlicensed dog into the area.
 - B. Bring an unhealthy dog or a dog without current vaccinations into the area.
 - C. Bring a dog without identification tags into the area.
 - D. Bring a dog under the age of four months into the area.
 - E. Allow their dog to be unleashed when entering and exiting the area.
 - F. Allow their dog to enter into an inappropriate area as posted and designated by the weight of the dog.
 - G. Allow a dog showing aggressive behavior in the unleashed dog area.

- H. Allow their dog to relieve themselves without immediately cleaning up afterwards and properly disposing in the waste station.
- I. Allow their dog to be unattended at any time while in the area.
- J. Allow a child under 49 inches in height to enter into area.
- K. Allow anyone under the age of 15 years to enter the area without a responsible adult.
- L. Bring more than three dogs per adult handler into the area.
- M. Bring food or treats, both dog and human, into the area.

§ 2 -502 Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days.

Section 3: 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 4. 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 5. Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 6 Effective Date. This Ordinance shall become effective upon enactment as provided by law.

PASSED by Borough Council this 11th day of March, 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 11th day of March, 2025.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 11th day of March, 2025.

By: _____
E. Jean Krack
Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 11th day of March, 2025.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE NO 2025 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE PHOENIXVILLE BOROUGH COUNCIL, CHESTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 15, "MOTOR VEHICLES AND TRAFFIC," PART 4, "GENERAL PARKING REGULATIONS," SECTION 402, "PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS," AND PART 8, "OFF-STREET UNMETERED PARKING," SECTION 15-801, "MUNICIPAL LOTS" OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE

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

SECTION 1.

Chapter 15, "Motor Vehicles and Traffic," Part 4, "General Parking Regulations," Section 15-402 "Parking Prohibited at All Times in Certain Locations," is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

Street	Side	Between
<u>Maple Ave</u>	<u>Both</u>	<u>"No Parking, Standing or Stopping from this Point Forward" signs shall be placed as erected.</u>
<u>Ridge Ave</u>	<u>Both</u>	<u>"No Parking, Standing or Stopping from this Point Forward" signs shall be placed as erected.</u>
<u>York Street</u>	<u>Both</u>	<u>"No Parking, Standing or Stopping from this Point Forward" signs shall be placed as erected.</u>

SECTION 2.

Chapter 15, "Motor Vehicles and Traffic," Part 8, "Off-Street Unmetered Parking," Section 15-801 "Municipal Lots," 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. Located at 347-351 Bridge Street. The municipally owned parking lot is hereby declared to be for the use of employees and persons conducting business at 347 Bridge Street and for municipal officers and employees and persons on municipal business at 351 Bridge Street only, during the hours of 7:00 a.m. through 5:00 p.m. on Monday through Friday. It shall be unlawful for any other person to park in this lot between 7:00 a.m. and 5:00 p.m. on Monday through Friday. The lot is open to the general public from 5:00 p.m. to 10:00 p.m. Monday through

Friday and from 7:00 a.m. to 10:00 p.m. on Saturday, Sunday and holidays. In no case shall there be overnight parking. This Section shall not apply to emergency vehicles and apparatus, municipal vehicles, or utility services.

~~2. Located at Civic Center on Hall Street between Main Street and Jackson Street. The municipally owned parking lot with entrance off of Hall Street is hereby declared to be for the use of municipal employees and patrons of the Civic Center only, during the hours of 7:00 a.m. through 11:00 p.m. on Monday through Sunday. It shall be unlawful for any other person to park in this lot between 7:00 a.m. and 11:00 p.m. on Monday through Sunday.~~

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

PASSED by Borough Council this 11th day of March, 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 11th day of March, 2025.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 11th day of March, 2025.

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

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 11th day of March, 2025.

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

ORDINANCE NO. 2025 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, REPEALING AND REPLACING CHAPTER 16, “PARKS AND RECREATION” OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE.

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

Section 1:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 16, “Parks and Recreation” is hereby repealed by deleting it in its entirety and replacing it with the following:

**Part 1
PARKS AND RECREATION**

§ 16-101. Definitions.

Except where the context clearly indicates otherwise, the following terms as used in this article shall have the following meanings:

BOROUGH

The Borough of Phoenixville, Chester County, Pennsylvania.

BOROUGH COUNCIL

The duly elected governing body of the Borough.

BOROUGH MANAGER

The Borough of Phoenixville Borough Manager or their designee.

DEPARTMENT

The Borough of Phoenixville Department of Parks and Recreation.

DIRECTOR

The Director for the Borough of Phoenixville Department of Parks and Recreation, as designated by the Borough Manager.

FIREARM

Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive, the frame, receiver, air, or any other force, or any such weapon, which includes, but is not limited to, revolvers, pistols, shotguns, rifles, air rifles, air guns, water guns, bows (re-curve, compound, cross and straight) or other weapons (i.e., sling- shot) that discharges projectiles (missiles/rockets - air, water, fuel-powered).

PARK SYSTEM

Unless specifically limited, shall be deemed to include any trails, lands, structures, amenities, appurtenances, or facilities owned or leased by the Borough of Phoenixville and designated or used by the Borough for trail, park or recreational purposes.

PERMIT

Any written authorization issued by or under the authority of the Borough Manager.

PERSON

Any natural person, corporation, organization, company, association, partnership, government, governmental subdivision, agency, or any other legal or commercial entity.

RULES AND REGULATIONS

Any rules and regulations hereby or hereafter established by ordinance of the Borough, as promulgated by the Director of Parks and Recreation, under authority conferred by the Borough Council.

SIGN

Any permanent and/or temporarily posted or displayed flyer, placard, poster, advertisement, etc., on the exterior of enclosed buildings or open spaces and the interior and exterior of open buildings, such as pavilions and gazebos. Signs shall also include, but are not limited to, postings on bulletin boards, directional signs, roadway signs and points of interest.

§ 16-102. Park and Trail Hours.

1. Parks are dawn to dusk unless otherwise authorized by Borough Council.
2. Lighted parks are dawn to 10:00 pm unless otherwise authorized by Borough Council.
3. Trails are 6:00 a.m. to 10:00 p.m.

§ 16-103. Treatment of Property in the Park System.

1. No Person shall:
 - A. Cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property, or pluck, pull up, out, take or remove any shrub, bush, plant or flower; or mark or write upon any building, monument, fence, bench or other structure; or injure, deface or remove any property, real or personal, or any natural growth, structure, equipment, animals, Signs or other property in the Park System.
 - B. Willfully set, or cause to be set, a fire in any building, equipment, vehicle, structure, tree, woodland, brushland, grassland or meadow within or upon the property of the Park System.
 - (1) Any Temporary Community Event Application which includes the setting of a fire within the Park System, must be approved by Borough Council, issued a Permit by the Borough Manager and attended to and properly extinguished by

the Phoenixville Fire Department.

- C. Deposit, drop or leave any papers, bottles, debris or other waste matter or refuse of any kind in the Park System or part thereof, except in such receptacles as may be provided for the purpose.

§ 16-104. Property Destruction.

- 1. No Person shall:
 - A. Cut, break, mark upon or otherwise damage any building, equipment, vehicle, trailer, boat, materials, bridge, drain, wall, fountain, lamppost, fence, railing, gate, hedge, roadway or highway or other structure or installation within the Park System.
 - B. Willfully destroy, deface, alter, change, or remove any monument, stone marker, Signs, whether permanent or temporary, benchmark, stake, post or blazed trail, marking or designation of any boundary line or survey line within the Park System.
 - C. Remove any bench, seat, table or other appliance or any item of property within the Park System.
 - D. Deface, destroy or remove any placard, notice or Sign, whether permanent or temporary, posted or exhibited within or upon the Park System.

§ 16-105. Alcoholic Beverages and Drugs.

- 1. No person shall:
 - A. Transport, sell, consume or have in their possession any intoxicating beverages or substances while within the Park System.
 - B. Sell, use, transport or have in their possession any drug or narcotic of which is prohibited by state or federal law while within the Park System.
 - C. Be under the influence of any narcotics or intoxicants or intoxicating beverages while within the Park System.
 - D. Grow illegal or controlled plants or otherwise, as defined by state and federal law, such as marijuana, within the Park System.
- 2. Any alcoholic beverage, its container, and/or dispensing system in any person's possession shall be confiscated by the Police Officers and disposed of according to Department policies and procedures.
- 3. Notwithstanding Subsections 1 and 2, alcoholic beverages may be permitted within the Park System with prior expressed written approval of Borough Council as part of a Temporary

Community Event Permit.

§ 16-106. Park System to be Tobacco Free.

1. No Person shall possess or use any tobacco product in any Park System in the Borough.
2. "Tobacco product" shall mean:
 - A. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff; and
 - B. Any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to, electronic cigarette, cigar, pipe, or hookah.
 - C. Notwithstanding any provision of Subsection 2A and B to the contrary, "tobacco product" includes any component, part, or accessory of a tobacco product, whether or not sold separately. "Tobacco product" does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold for such an approved purpose.

§ 16-107. Peddling and Soliciting.

1. No person shall:
 - A. Within the Park System, peddle or solicit business of any nature whatsoever, collect any fund for any service or charity, distribute/post/display handbills or other advertising matter, post unauthorized signs on any lands, waters, structures, or property; or to use such lands, waters, structures, or property for such purposes.
 - B. No person shall set up any booth or table, or stand or dispense from a vehicle the sale of any article or service whatsoever within the Park System, or to distribute, sell, service or rent any services or commodity or solicit for any purpose within the Park System.
2. This section shall not apply when the activity is associated with a Borough Council approved Temporary Community Event.

§ 16-108. Vehicles.

1. Motorized vehicles are prohibited. Operation of mini-bikes, go-carts, motorcycles, snowmobiles, ATVs (all-terrain vehicles) and other similar types of vehicles and motorized vehicles are prohibited on any trail or on the grass area, sidewalks, or upon the concrete aprons within the Park System.

2. A parking lot within the Park System is hereby declared to be for the sole use of persons using the trail or park amenities only during Park or Trail Hours. In no case shall there be overnight parking.
3. No person shall, in any Park System parking lot, make repairs to any vehicles, except those of a minor nature and then only in cases of emergency.
4. This Section shall not apply to emergency vehicles and apparatus, municipal vehicles, or utility services.

§ 16-109. Bicycles/pedalcycles/electric bikes (e-bikes).

1. Pedal-assist e-bikes and motorized mobility scooters are allowed on trails, subject to a speed limit of 15 miles per hour, and pursuant to any additional Pennsylvania Department of Conservation and Natural Resources guidelines.
2. At the very basic level, Pennsylvania defines an e-bike as a two-wheeled bicycle with operational pedals plus electric assist (an e-bike motor). The motor source can power a pedal assist system (PAS) or throttle assist. In addition, to qualify as an e-bike, the vehicle must meet these criteria:
 - A. The bike can't weigh more than 100 pounds.
 - B. The e-bike can't have a motor power of more than 750W.
 - C. When using the motor, the bike can't exceed a speed of 20 miles per hour (mph).
3. Individuals must be at least 16 years old to ride an e-bike in Pennsylvania.
4. Helmets are required by law for persons under the age of 12 and are recommended for bicyclists of all ages.
5. This Section shall not apply to municipal bicycles/pedalcycles/electric bikes (e-bikes) .

§ 16-110. Rules and Regulations Applicable in the Park System.

1. In addition to the above Sections, the following additional rules and regulations shall be in effect in the Park System areas maintained by the Borough of Phoenixville, and it shall be unlawful for any person or persons to violate or fail to comply with any such rule or regulation:
 - A. Dogs and other pets must be on a leash and under the control of the owner. No pets are allowed on playgrounds or courts at any time. Owners are responsible for removing pet waste.
 - B. Littering is not permitted. All refuse, trash and rubbish shall be removed from the

park or placed in park receptacles provided for that purpose.

- C. No glass is allowed in the parks.
- D. Disorderly conduct, threatening, abusive, insulting or the use of profane language or the consumption or possession of alcoholic beverages or drugs is prohibited.
- E. No grilling or open fires.
- F. Do not hunt, molest, frighten or tease any animals, reptiles or birds in the park.
- G. Camping, hunting, golfing (striking or hitting of golf balls), shooting (except at authorized ceremonies), trapping, and the use of Firearms are prohibited.
- H. Activities, sports, or games shall take place only in areas designated by the Borough for such.
- I. No livestock, horses, or horseback riding.
- J. The washing, maintenance, or repair of any vehicle is prohibited within the parklands.
- K. No unreasonable noise. Use of sound-amplification equipment must be approved in writing in advance by the Borough.
- L. No gambling or any obscene or indecent act shall be allowed in a park or playground.

§ 16-111. Temporary Community Events.

Any person, firm, or corporation wishing to use the trail, park or recreation area in the Park System for a specific purpose, parade, procession, or event shall submit to Borough Council a completed application for a Temporary Community Event Permit at least 90 days in advance of the event.

§ 16-112. Manager's Authority to Issue Regulations.

The Borough Manager, at the direction of Borough Council, shall issue further regulations as necessary to preserve order and protect property.

§ 16-113. Penalty for Violation.

Any person, organization, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate violation.

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

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

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

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

PASSED by Borough Council this ____th day of _____, 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this ____th day of _____, 2025.

By: _____
Peter J. Urscheler
Mayor

ENACTED this ____th day of _____, 2025.

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 ____th day of _____, 2025.

By: _____
E. Jean Krack
Borough Manager/Secretary

RESOLUTION NO. 2025 –

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF
PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA,
AUTHORIZING THE EXTINGUISHMENT OF THE TRAIL
EASEMENT BURDENING 512 SOUTH STREET (UPI NO. 15-2-
1.1.A).**

WHEREAS, as a part of the land development and subdivision approval of the plan recorded with the Chester County Office of Recorder of Deeds in 2005 at Plan Book 17317, Page 1, and more particularly identified as Document No. 10499047, the Borough acquired a trail easement (“Trail Easement”) over a portion of the property located at 512 South Street, more particularly identified as Chester County UPI No. 15-2-1.1.A (the “Property”); and

WHEREAS, the Trail Easement is reflected in a Deed of Dedication of Public Trail, Landscaping and Open Space Easement and Right-of-Way dated January 20, 2005, and recorded with the Chester County Office of the Recorder of Deeds at Deed Book 6391, Page 1338, and more particularly identified as Document No. 10499048 (the “Easement Agreement”); and

WHEREAS, Borough Council has determined that it is unlikely that the Borough will utilize the Trail Easement provided in the Easement Agreement, and therefore desires to extinguish, abandon, and terminate the Easement and Easement Agreement, and fully release the Property therefrom.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the foregoing, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Borough Council hereto declares as follows:

1. Phoenixville Borough Council hereby authorizes the approval of the Extinguishment of Trail Easement, attached hereto and incorporated herein as Exhibit “A”, and

further authorizes the Borough Council President, Borough Manager and Borough Solicitor to prepare, execute and record the Extinguishment of Trail Easement and all other necessary and appropriate documents in order to complete the Extinguishment of the Trail Easement and the release of the underlying Property therefrom.

APPROVED and RESOLVED, at a public meeting of the Phoenixville Borough Council, Chester County, Pennsylvania, in lawful session duly assembled this 11th day of March 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED, this 11th day of March 2025.

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 11th day of March 2025.

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

EXHIBIT A
Extinguishment of Trail Easement

Prepared By: Scott C. Denlinger, Esquire
Wisler Pearlstine, LLP
460 Norristown Road, Suite 110
Blue Bell, PA 19422
Phone: (610) 825-8400

Return To: Same as above

UPI No(s): 15-2-1.1.A.

EXTINGUISHMENT OF TRAIL EASEMENT

THIS EXTINGUISHMENT OF TRAIL EASEMENT (“Extinguishment”) is made this _____ day of _____, 2025, by the **BOROUGH OF PHOENIXVILLE**, a Pennsylvania Borough with an address of 351 Bridge Street, Floor 2, Phoenixville, Chester County, Pennsylvania (hereinafter referred to as “Borough”).

BACKGROUND

A. The Borough is the beneficiary of a certain parcel easement located on the parcel of land located at 512 South Street in the Borough of Phoenixville, more particularly identified as Chester County UPI No. 15-2-1.1A (the “Servient Property”), pursuant to a Deed of Dedication of Public Trail, Landscaping and Open Space Easement and Right-of-Way dated January 20, 2005, and recorded with the Chester County Office of the Recorder of Deeds at Deed Book 6391, Page 1338, and more particularly identified as Document No. 10499048 (the “Easement Agreement”), which Easement Agreement was recorded against Chester County UPI No. 15-2-1.1 as a part of its subdivision reflected in the plan recorded at Plan Book 17317, Page 1, and more particularly identified as Document No. 10499047 (the “Subdivision Plan”).

B. Borough Council has determined that it is unlikely that the Borough will utilize the public trail, landscaping and open space easement and right-of-way (the “Easement”) provided in the Easement Agreement.

C. As a result, the Borough desires to extinguish, abandon, and terminate the Easement and Easement Agreement, and fully release the Servient Property therefrom.

NOW THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Borough hereto declares as follows:

1. **EXTINGUISHMENT OF EASEMENT**. The Borough, on behalf of itself and its personal representatives, successors and assigns, as the beneficiary of the Easement and Easement Agreement, does hereby remise, release, extinguish, abandon, terminate, and quit-claim all of its right, title and interest in and to the Easement and Easement Agreement located on the Servient Property.

2. **GENERAL PROVISIONS**.

a. **Controlling Law**. This Extinguishment shall be interpreted and enforced in accordance with the laws of the Commonwealth of Pennsylvania.

b. **Recording**. This Extinguishment is intended to be, and shall be, recorded in the Office of the Recorder of Deeds of Chester County, Pennsylvania.

c. **Obligations to Run With the Land**. This Extinguishment shall be deemed a covenant running with the Servient Property, and shall be binding upon the Borough, its grantees, successors and assigns.

[Signature page to follow]

IN WITNESS WHEREOF, intending to be legally bound hereby, the Borough has
executed this Extinguishment as of the day and year first written above.

THE BOROUGH OF PHOENIXVILLE

By: _____

Jonathan M. Ewald, President
Borough Council

Attest: _____

E. Jean Krack, Secretary

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF CHESTER :

On this, the _____ day of _____, 2025, before me, the undersigned officer, personally appeared **Jonathan M. Ewald**, who acknowledged himself to be the President of the Borough Council of the Borough of Phoenixville, and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Borough by himself as such officer.

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

Notary Public

My Commission Expires:

RESOLUTION NO 2025 -

**A RESOLUTION BY THE COUNCIL OF THE BOROUGH OF PHOENIXVILLE,
CHESTER COUNTY, PENNSYLVANIA, AUTHORIZING THE SUBMISSION OF A
FLOOD MITIGATION PROGRAM (FMP) GRANT TO THE COMMONWEALTH
FINANCING AUTHORITY**

WHEREAS, The Borough Code provides that Borough Council may make and adopt all ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth as may be expedient or necessary for the proper management, care and control of the borough and its finances, and the maintenance of peace, good government, safety and welfare of the Borough and its trade, commerce and manufactures; and

WHEREAS, The Borough of Phoenixville is desirous of obtaining a Flood Mitigation Program (FMP) grant from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania for the Borough of Phoenixville's 3rd Avenue & Gay Street stormwater flood mitigation project; and

WHEREAS, the Borough recognizes there is local match requirement of fifteen percent (15%) and that the Borough already has or will have available its match.

NOW THEREFORE, BE IT RESOLVED THIS, 11th day of March, 2025, by the Phoenixville Borough Council that:

1. The Borough of Phoenixville, Chester County, PA hereby requests a Flood Mitigation Program (FMP) grant of \$400,000.00 from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania for the Borough of Phoenixville's 3rd Avenue & Gay Street stormwater flood mitigation project.
2. Council President Jonathan M. Ewald or Borough Manager, E. Jean Krack are authorized to execute all documents and agreements between the Borough of Phoenixville and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

PASSED by Borough Council this 11th day of March, 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 11th day of March, 2025.

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 by a majority vote of the Borough Council at a regular meeting held on the 11th day of March, 2025 and said Resolution has been recorded in the Minutes of the Borough and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Borough of Phoenixville this 11th day of March, 2025.

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

RESOLUTION NO 2025

A RESOLUTION BY THE COUNCIL OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AUTHORIZING THE SUBMISSION OF A CHESTER COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT 2025-2026 COMMUNITY REVITALIZATION PROGRAM GRANT APPLICATION TO THE CHESTER COUNTY COMMISSIONERS.

WHEREAS, The Borough Code provides that the council may make and adopt all ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth as may be expedient or necessary for the proper management, care and control of the borough and its finances, and the maintenance of peace, good government, safety and welfare of the borough and its trade, commerce and manufactures; and

WHEREAS, The Commissioners of Chester County have established a 2025-2026 Community Revitalization Program to be utilized by the 15 Boroughs and the City of Coatesville in Chester county; and

WHEREAS, the grants support development and redevelopment through revitalization efforts in Chester County's urban center; and

WHEREAS, the Borough of Phoenixville, Chester County Pennsylvania desires to participate in the Chester County Department of Community Development 2025-2026 Community Revitalization Program and is seeking \$550,000.00 for the installation of a solar array for the Borough of Phoenixville Recreation Center; and

WHEREAS, the Borough recognizes there is local match requirement of twenty-five percent (25%) of the CRP award and that the Borough will have available which may come from any source other than County funds.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council hereby approves the filing of the application and that Council President, Jonathan M. Ewald or Borough Manager, E. Jean Krack is hereby authorized and directed to execute and file the appropriate forms with the Chester County Department of Community Development.

PASSED by Borough Council this 11th day of March, 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 11th day of March, 2025.

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 11th day of March, 2025

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

RESOLUTION NO 2025

A RESOLUTION BY THE COUNCIL OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AUTHORIZING THE SUBMISSION OF A CHESTER COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT 2025-2026 COMMUNITY REVITALIZATION PROGRAM GRANT APPLICATION TO THE CHESTER COUNTY COMMISSIONERS.

WHEREAS, The Borough Code provides that the council may make and adopt all ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth as may be expedient or necessary for the proper management, care and control of the borough and its finances, and the maintenance of peace, good government, safety and welfare of the borough and its trade, commerce and manufactures; and

WHEREAS, The Commissioners of Chester County have established a 2025-2026 Community Revitalization Program to be utilized by the 15 Boroughs and the City of Coatesville in Chester county; and

WHEREAS, the grants support development and redevelopment through revitalization efforts in Chester County's urban center; and

WHEREAS, the Borough of Phoenixville, Chester County Pennsylvania desires to participate in the Chester County Department of Community Development 2025-2026 Community Revitalization Program and is seeking \$600,000.00 for the realignment and widening of Fillmore Street from South Street to Cromby Road; and

WHEREAS, the Borough recognizes there is local match requirement of twenty-five percent (25%) of the CRP award and that the Borough will have available which may come from any source other than County funds.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council hereby approves the filing of the application and that Council President, Jonathan M. Ewald or Borough Manager, E. Jean Krack is hereby authorized and directed to execute and file the appropriate forms with the Chester County Department of Community Development.

PASSED by Borough Council this 11th day of March, 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 11th day of March, 2025.

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 11th day of March, 2025

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

RESOLUTION NO 2025 -

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AUTHORIZING THE SUBMISSION OF STATE OR FEDERAL NO-MATCH REQUIREMENT GRANTS

WHEREAS, pursuant to the Pennsylvania Borough Code, 8 Pa.C.S.A. §§101, *et seq.* (the “Borough Code”), Borough Council may make and adopt ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth, as may be expedient or necessary for the proper management, care and control of the Borough and its finances, and the maintenance of peace, good government, safety and welfare of the borough and its trade, commerce and manufactures; and

WHEREAS, the Phoenixville Borough Police Department (the “Police Department”) is sometime eligible for certain Federal, State, local and other grant opportunities which have short submission windows; and

WHEREAS, for and during the 2025 calendar year, Borough Council desires to allow the Police Department to prepare and submit applications for those grant opportunities for police and emergency services equipment and/or training that require no match obligation by the Borough without further approval from Borough Council to make such submissions within these short submission windows.

NOW THEREFORE, BE IT RESOLVED, by the Phoenixville Borough Council that:

1. For and during the 2025 calendar year, the Phoenixville Borough Police Department shall be hereby authorized to prepare and submit applications for grant opportunities for police and emergency services equipment and/or training without further approval from Borough Council, subject to the following requirements:
 - a. The grant opportunity to be applied for has no match obligation by the Borough; and
 - b. The grant opportunity and grant application shall be reviewed and approved by the Borough Manager prior to submission; and
 - c. The materials necessary for the preparation of the grant application shall not exceed a total amount, in the aggregate, of Five Hundred Dollars (\$500.00); and
 - d. No grant shall be accepted nor shall any contract for any awarded grant be entered into unless and until approved by Borough Council at a public meeting.
2. A detailed summary of all submitted grant applications by the Police Department shall be provided to the Borough Personnel & Public Safety Committee at its regularly scheduled monthly meeting; provided, however, that, in the event that one of the Personnel & Public Safety Committee monthly meetings is cancelled, said summary may be delayed to the next such meeting.

3. Borough Council authorizes the Borough Council President, Borough Manager, and Borough Chief of Police to execute all documents necessary to facilitate the submission of the grant opportunities described in Section 1, above.

PASSED by Borough Council on this 11th day of March 2025.

By: _____
Jonathan M. Ewald, President, Borough Council

ENACTED this 11th day of March 2025.

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 by a majority vote of the Borough Council at a regular meeting held on the 11th day of March 2025 and said Resolution has been recorded in the Minutes of the Borough of Phoenixville and remains in effect as of this date.

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

RESOLUTION NO. 2025 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF
PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, OFFICIALLY
APPROVING THE PRELIMINARY/FINAL LAND DEVELOPMENT
PLAN FOR THE DEVELOPMENT KNOWN AS “SPOTLESS CAR WASH
PHOENIXVILLE”**

WHEREAS, Flagship Pennsylvania Propco, LLC (hereinafter referred to as “Developer”) is the developer of one (1) existing parcel located at 200 Kimberton Road in the Borough of Phoenixville, Chester County, Pennsylvania, consisting of a net land area of approximately 76,072 square feet, being zoned Corridor Development (CD) District, which parcel is more particularly identified as Chester County UPI No. 15-7-2 (hereinafter referred to as “Property”); and

WHEREAS, Guiseppe Ventimiglia (“Owner”) is the record owner of the Property, and has consented to Developer’s Subdivision and Land Development Application therefor. Owner and Developer shall sometimes hereinafter be collectively referred to as “Owner/Developer”; and

WHEREAS, the Property is currently improved with a one-story commercial building (former Rite Aid) having a building footprint of approximately 11,186 square feet (“Existing Building”), paved parking area, rear drive-through, four (4) foot-wide sidewalks, and related improvements (collectively, the “Existing Improvements”); and

WHEREAS, Owner/Developer proposes to develop the Property by renovating the Existing Building to convert it into a full-service drive-through car wash consisting of one (1) wet-wash tunnel and two (2) dry-wash tunnels, as well as the construction of an entry kiosk and driveway with stacking for not less than seventeen (17) vehicles, fourteen (14) parking spaces (with two (2) EV charging stations), thirteen (13) exterior vacuum stalls, trash enclosure, a widened five (5) foot sidewalk, stormwater management facilities and associated site improvements (collectively the “Development”). The Development shall be known as the “Spotless Car Wash - Phoenixville;” and

WHEREAS, Owner/Developer intends to complete the Development as more particularly shown on plans prepared by BL Companies, Inc. consisting of twenty-three (23) sheets, dated October 10, 2024, last revised January 10, 2025 (the “Plans”); and

WHEREAS, Owner/Developer received Special Exception approval to operate a car wash use on the Property by written decision and order of the Phoenixville Zoning Hearing Board dated October 2, 2024 (the “Car Wash Special Exception Decision”), which approval was conditioned on, among other things, that the hours of operation of the car wash use (inclusive of the use of the exterior vacuums), shall be restricted to 8:00 am to 8:00 pm, seven (7) days per week, inclusive of holidays; and

WHEREAS, a small portion of the Property (along its northwest boundary) is located in Schuylkill Township and, by letter dated February 12, 2025, Schuylkill Township deferred review of the Development to the Borough; and

WHEREAS, Owner/Developer has previously obtained and supplied or will obtain and supply to the Borough all applicable permits from all Authorities, Agencies and Municipalities having jurisdiction in any way over the Development, and any necessary offsite easements to legally provide access, allow for construction, discharge stormwater or connect to utilities; and

WHEREAS, at this time, the Owner/Developer desires to obtain preliminary/final land development approval of the Plans from the Borough of Phoenixville in accordance with Section 508 of the Pennsylvania Municipalities Planning Code; and

WHEREAS, the Phoenixville Borough Planning Commission has reviewed the Plans and has conditionally recommended the approval of the Plans by a vote of 7-0 at its meeting of February 13, 2025, subject to the terms of its action memorandum dated February 24, 2025 (“PC Action Memo”).

NOW, THEREFORE, BE IT RESOLVED, the Borough Council of the Borough of Phoenixville hereby grants preliminary/final approval of the subdivision and land development shown on the Plans described herein, subject, however, to the following conditions:

1. At this time, the Phoenixville Borough Council waives strict compliance with the following provisions of the Borough’s Subdivision and Land Development Ordinance (“SALDO”):
 - A. Section 22-414.10.D. - Driveway Construction - Driveway entrances into all nonresidential, single use properties shall be no less than 22’ in width, shall not exceed 36’ in width at the street line unless provided with a median divider, and shall be clearly defined by the use of curbing. A waiver is granted to allow for a 63’ driveway entrance at the street line along Kimberton Road, and exceed the required 36’ width, in the sole event that the Pennsylvania Department of Transportation (“PennDOT”) does not approve the proposed median divider depicted therein on the Plans, provided that: (i) Owner/Developer pursues the approval of such median divider by PennDOT in good faith; and (ii) Owner/Developer complies with Paragraph 10, below.
 - B. Sections 22-419.2.B & 22-419.3.A - Sidewalks and Planting Strips Design and Layout – The minimum width of sidewalks along commercial streets shall be not less than ten (10) feet. A waiver is granted to allow the existing four (4) foot sidewalks along Kimberton Road and Nutt Road to be replaced with sidewalks not less than five (5) feet in width, as a part of the Development.
2. Prior to the recording of the Plans, the Owner/Developer shall revise the Plans to resolve to the satisfaction of the Borough, all issues set forth in the Borough

Engineer's review letter dated February 7, 2025, the entire contents of which are incorporated herein by reference and a true and correct copy of which is attached hereto as Exhibit "A".

3. Prior to the recording of the Plans, the Owner/Developer shall revise the Plans to resolve to the satisfaction of the Borough, all issues set forth in the Borough Planner's review letter dated February 3, 2025, the entire contents of which are incorporated herein by reference and a true and correct copy of which is attached hereto as Exhibit "B".
4. Prior to the recording of the Plans, the Owner/Developer shall revise the Plans to resolve to the satisfaction of the Borough, all issues set forth in the Borough Traffic Engineer's review letter dated February 12, 2025, the entire contents of which are incorporated herein by reference and a true and correct copy of which is attached hereto as Exhibit "C".
5. Prior to the recording of the Plans, the Owner/Developer shall revise the Plans to resolve to the satisfaction of the Borough, all issues set forth in the Borough Chief of Police's letter dated January 24, 2025, the entire contents of which are incorporated herein by reference and a true and correct copy of which is attached hereto as Exhibit "D".
6. Prior to the recording of the Plans, the Owner/Developer shall revise the Plans to resolve to the satisfaction of the Borough, all issues set forth in the Borough Chief of Fire & Emergency Services' letter dated January 30, 2025, the entire contents of which are incorporated herein by reference and a true and correct copy of which is attached hereto as Exhibit "E".
7. Prior to the recording of the Plans, the Owner/Developer shall revise the Plans to resolve to the satisfaction of the Borough, all issues set forth in the PC Action Memo, the entire contents of which are incorporated herein by reference and a true and correct copy of which is attached hereto as Exhibit "F".
8. The Development shall be consistent with Phoenixville Zoning Hearing Board's Car Wash Special Exception Decision, to the satisfaction of the Borough, which is attached hereto as Exhibit "G".
9. To the extent that any conditions or comments of this Resolution, the Borough Engineer Review Letter or the Borough Planner Review Letter conflict with the contents of the PC Action Memo, Chief of Police letter and/or Chief of Fire & Emergency Services' letter, then such contents of the PC Action Memo, Chief of Police letter and/or Chief of Fire & Emergency Services' letter shall be superseded thereby. To the extent of any inconsistencies with the terms of the above-mentioned letters and the terms of this Resolution, the terms of this Resolution shall prevail.

10. The Development shall, at all times during the hours of operation, provide unobstructed, on-site stacking for not less than seventeen (17) vehicles, and during periods for which the provided stacking is determined by the Borough Chief of Police, in their sole reasonable discretion, to be insufficient to prevent stacking and/or obstructions into the public rights of way of Nutt Road (S.R. 23) and/or Kimberton Road (S.R. 113) due to the operation of the Development's car wash, the following shall apply:
 - A. The Development's access driveway on Nutt Road shall be equipped with a permanent, manual mast arm barrier/swing gate that shall be closed to prevent entry of vehicles from entering the Property at such access, which shall not be re-opened until approved by the Borough Police Department; and/or
 - B. In the event determined necessary and appropriate by the Borough Chief of Police or their designee, the Borough Police Department shall direct traffic in and around the Property until the vehicular congestion has, in the Chief of Police's, or his designee's, sole discretion subsided to an acceptable level.

The owner of the Property, and any tenant thereof, jointly and severally, shall pay to the Borough General Fund an amount reflected in the Borough's Master Schedule of Fees for each police officer utilized to resolve any such impacts to the traffic on the abutting roads, with all time rounded up to the nearest hour.

11. Prior to recording the Plans, Owner/Developer shall submit to the Borough Waste Water Treatment Department a list of chemicals to be used, as well as expected materials and substances cleaned from vehicles (such as oil, grease and salt), the expected amount and concentration of the same anticipated to be disposed of into the Borough's sanitary sewer system, and a procedure acceptable to the Borough for the separation of substances that should not be released in to the sanitary sewer system, for review and approval by the Borough. Owner/Developer, on behalf of themselves and their successors and assigns, including without limitation any future tenants, further agrees to inspect and monitor such substances and procedures to ensure that actual values do not exceed the approved, anticipated values, and shall further inform the Borough not less than quarterly of the results thereof. Further, Owner/Developer, on behalf of themselves and their successors and assigns, including without limitation any future tenants, agrees to allow the Borough to do its own inspection and testing, and if the measured substances do not meet the approved values, or substances not anticipated are found, the Borough may require the owner to install pre-treatment equipment satisfactory to the Borough and, in the event that owner fails to do so, the Certificate of Occupancy and/or Zoning Permit for the Development may be revoked.
12. The Development shall require an additional twenty-four (24) Equivalent Dwelling Units (EDUs). As a result, Owner/Developer shall pay to the Borough the sanitary

sewer connection fees (§18-302) and water connection fees (§26-401) based on the twenty-four (24) additionally required Equivalent Dwelling Units (EDUs) for the Development, all of which shall be paid in full, at the then-current rates therefor, prior to the recording of the Plans.

13. Prior to recording the Plans, Owner/Developer shall enter into a Land Development and Financial Security Agreement (Agreement”) with the Borough of Phoenixville. The Agreement shall be prepared by and satisfactory to the Borough Solicitor and Owner/Developer shall obligate itself to complete all of the required improvements shown on the Plans in accordance with Borough criteria and specifications as well as to secure the completion of the said required improvements by posting financial security as required by the Pennsylvania Municipalities Planning Code satisfactory to the Borough. In order to complete the Agreement, Owner/Developer shall provide to the Borough an estimation of costs for the completion of the public improvements, which shall be satisfactory to the Borough Engineer.
14. Although the maintenance of all stormwater collection, detention and conveyance facilities shall be the responsibility of Owner/Developer, its successors and assigns, the underlying landowner shall, prior to the recording of the Plans, execute a Stormwater Management BMP Operation and Maintenance Agreement (“O&M Agreement”) with the Borough to reserve easements in favor of the Borough so that the stormwater facilities may be maintained by the Borough (with all expenses charged to Owner/Developer, its successors and assigns) in the event that the maintenance responsibilities of the stormwater facilities are not fulfilled after reasonable notice to do so. The terms and conditions of the O&M Agreement shall be prepared by and satisfactory to the Borough Solicitor, and the O&M Agreement shall be recorded simultaneously with the Plans.
15. Prior to the issuance of any approvals and/or permits for construction or earth disturbance for the Development, Owner/Developer shall provide the Borough with all required approvals and permits from the Chester County Conservation District, the Pennsylvania Department of Environmental Protection, the Pennsylvania Department of Transportation, and any other agency having jurisdiction over the Development, as may be required.
16. The Development shall be constructed in strict accordance with the content of the Plans, the notes on the Plans, and the terms and conditions of this Preliminary/Final Approval Resolution.
17. Upon certification of completion by the Borough Engineer of any and all Development improvements located in the Borough’s right-of-way, Owner/Developer, or underlying landowner, as appropriate, shall offer to dedicate such improvements to the Borough, pursuant to an executed bill of sale. The terms of the bill of sale shall be subject to the approval of the Borough Engineer and Borough Solicitor. Such bill of sale and easement shall be executed and recorded

prior to the release by the Borough of the financial security held for the Development.

18. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans and Notes to the Plans and this Final Approval Resolution shall be borne entirely by Owner/Developer and shall be at no cost to the Borough, including, without limitation, reimbursement to Phoenixville Borough for any and all outstanding Planning Commission and/or Borough escrow amounts.
19. Prior to the start of construction, Owner/Developer shall contact the Borough Engineer to request the scheduling of a preconstruction meeting with the Borough, and shall provide the Director of Planning and Code Enforcement and the Borough Engineer with a digital copy of a pre-construction video showing the project site and surrounding area, and shall provide the Borough Engineer with five (5) hard copies of the Plans to be stamped "Approved for Construction."
20. Prior to the start of construction, Owner/Developer shall notify the Borough Manager and the Borough Engineer and schedule a preconstruction meeting with the Borough. Developer shall provide the Borough Manager and the Borough Engineer with at least seventy-two (72) hours' notice prior to the initiation of any grading or ground clearing (regardless of whether such grading or ground clearing is for the construction of private or public improvements) so that the Borough may certify that all appropriate erosion and sedimentation control facilities have been properly installed and also that snow fencing or other types of boundary markers (acceptable to the Borough) have been installed to protect such trees as are specifically proposed not to be eliminated during the construction of the Development.
21. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended), the payment of all applicable fees and the funding of all escrows under the Agreement must be accomplished within ninety (90) days of the date of this Resolution, unless a written extension is granted by the Borough of Phoenixville. Until the applicable fees have been paid and the escrows fully funded, the final plat or record plan shall not be signed or recorded. In the event that the fees have not been paid, and the escrow has not been funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent preliminary/final approval shall expire and be deemed to have been revoked.
22. Under the provisions of the Pennsylvania Municipalities Planning Code, the Owner/Developer has the right to accept or reject conditions imposed by Borough Council upon final approval. If, for any reason, the Owner/Developer fails to acknowledge the acceptance of the conditions contained in this Resolution within ten (10) days from the date of receipt of this Resolution, then this approval and the waivers granted in Paragraph 1 (which waivers are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically

rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with all of the sections set forth in Paragraph 1 and the conditions set forth above, including but not limited to those more specifically described in consultant review letters identified in Paragraphs 2 and 3. Further, if the Borough receives written notice of an appeal or rejection of any of the conditions set forth herein within thirty (30) days from the date of this Resolution, this approval and the waivers granted in Paragraph 1 (which waivers are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with all of the sections set forth in Paragraphs 1 and the conditions set forth above, all as authorized by Section 508 of the Pennsylvania Municipalities Planning Code.

APPROVED and **RESOLVED** at a public meeting of the Phoenixville Borough Council, Chester County, Pennsylvania, in lawful session duly assembled, this 11th day of March 2025.

PHOENIXVILLE BOROUGH COUNCIL

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 11th day of March 2025.

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 11th day of March 2025.

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

ACCEPTANCE

The undersigned states that they are authorized to execute this Acceptance, which is the subject matter of this Resolution, that they have reviewed the conditions imposed by Borough Council in the foregoing Resolution and that they accept the conditions and agree to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

FLAGSHIP PENNSYLVANIA PROPCO, LLC

By: _____

Print Name

Print Title

Date

Exhibit "A"
Engineer's Review Letter

Exhibit "B"
Planner's Review Letter

Exhibit "C"
Traffic Engineer's Review Letter

Exhibit "D"
Chief of Police Letter

Exhibit "E"
Chief of Fire & Emergency Services Letter

Exhibit “F”
Planning Commission Action Memorandum

Exhibit "G"
Car Wash Special Exception Decision

Personnel and Public Safety Committee Meeting

Tuesday, March 4, 2025

6:00 pm

MINUTES

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

Mayor Urscheler

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

I. Call to Order at 6:05 pm with Ms. Burckley excused

II. Public Comment on Non-Agenda Items.

There was no public comment.

III. Committee Member Updates/Discussions.

There were no updates or discussions.

IV. New Business

A. Review of monthly Police, Fire and Ambulance Reports.

Mr. Weiss acknowledged receipt of the various reports and asked if there were any additional comments. There were none.

B. Interview candidates for appointment or reappointment to Commissions.

The committee interviewed Ms. Bianco for reappointment to the Planning Commission.

C. Motion to recommend Borough Council reappoint Cat Bianco to the Planning Commission for a new term expiring March 31, 2029.

Mr. Strenfel made a Motion to recommend Borough Council reappoint Ms. Bianco to the Planning Commission. Second by Mr. Weiss. Motion passed 2-0.

D. Motion to recommend Borough Council reappoint Raffaello DiNapoli to the Planning Commission for a new term expiring March 31, 2029.

As Mr. DiNapoli was not in attendance for the interview, the committee deferred to the April meeting.

E. Motion to recommend Borough Council reappoint Rev. Lee Paczulla to the Human Relations Commission for a new term expiring March 31, 2028.

As Rev. Paczulla was not in attendance for the interview, the committee deferred to the April meeting.

- F. Motion to recommend Borough Council appoint Joellen Nicholson to the Human Relations Commission or the Planning Commission.

As Ms. Nicholson was not in attendance for the interview, the committee deferred to the April meeting.

- G. Call for Residents interested in being appointed to various Boards and Commissions.

Mr. Weiss made a call out to the public for persons interested in various appointments.

V. Old Business

- A. PXV Inside Out.

Mr. Krack and Ms. Getzfread provided an update on the program for 2025 and that applications were already being accepted from various businesses.

- B. Emergency Management.

Nothing new to report.

- C. Community Policing.

Nothing new to report.

- D. Retention/Recruitment Update

Nothing new to report.

VI. Public Comment

There was no public comment.

VII. Adjournment at 6:20 by Mr. Strenfel.

Next Meeting Date: Tuesday, April 1, 2025, at 6:00 pm

Parks and Recreation Committee Meeting
Tuesday, February 18, 2025
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. All in attendance except Mr. Weiss who arrived at 6:18 pm.

II. Public Comment on Non-Agenda Items

There was no public comment.

III. Presentations

There were no presentations.

IV. Committee Member Updates/Discussions

Mr. Moore asked when the mound of dirt would be moved from Veterans Park. Mr. Watson responded that it would be later in the spring.

Mr. Moore asked if the old signage would be removed. Mr. Watson responded they will be moved.

V. New Business

A. Review of Recreation Board reports.

Ms. Hunter reported the Board reorganized in January. She is the chairperson, and Mr. Lantzy is the vice chairperson. She stated the Board will now meet on a quarterly basis in January, April, July and October.

B. Motion to recommend Borough Council approve a Temporary Community Event Application for the Healthcare Access 25th Anniversary in Reeves Park on Sunday, May 4, 2025, from 12:00 noon to 5:00 pm. Third Avenue between Starr Street and Main Street to be closed from 1:00 pm to 4:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

Ms. Burckley made a motion to recommend the Borough Council approve the TCE as presented. Second by Ms. Dugan. Motion passed 3-0.

- C. Motion to recommend Borough Council approve a Temporary Community Event Application for the Annual Dogwood Festival from May 14 through May 17, 2025, (6:00 pm to 10:00 pm Wed - Fri) and (11:00 am to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade, Bridge Street between Church Street and Main Street (rolling closure), and Main Street from Bridge Street to 5th Avenue from 10:00 pm to 2:00 pm on Saturday, May 17, 2025, for the parade. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Moore made a motion to recommend the Borough Council approve the TCE as presented. Second by Ms. Dugan. Motion passed 2-0-1 with Ms. Burckley abstaining due to conflict.

- D. Motion to recommend Borough Council approve a Temporary Community Event Application for the Open Hearth Fundraiser at 701 S. Main Street on Wednesday, May 21, 2025, from 5:00 pm to 9:00 pm. Park Alley between Fifth Avenue and Sixth Avenue to be closed from 3:00 pm to 11:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

Ms. Dugan made a motion to recommend the Borough Council approve the TCE as presented. Second, by Ms. Burckley. Motion passed 3-0.

- E. Motion to recommend Borough Council approve a Temporary Community Event Application for the Chester County Pride Fest in the 100 and 200 Blocks of Bridge Street on Saturday, June 7, 2025, from 12:00 noon to 5:00 pm. 100 and 200 Blocks of Bridge Street between Gay Street and Starr Street, Main Street between Bridge Street and Church Street, and the Bridge and Main Street Parking Lot to be closed from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

Ms. Dugan made a motion to recommend the Borough Council approve the TCE as presented. Second, by Ms. Burckley. Motion passed 3-0.

- F. Motion to recommend Borough Council approve a Temporary Community Event Application for the 26th Annual Blobfest on Friday, July 11, 2025, from 6:00 pm to 10:00 pm and Saturday, July 12, 2025, from 8:00 am to 10:00 pm. 200 Block of Bridge Street to be closed on Friday, July 11, 2025, from 5:00 pm to 10:00 pm between Gay Street and Main Street. 100 Block of Bridge Street between Main Street and Starr Street to be closed Saturday, July 12 from 8:00 am to 6:00 pm. 200 Block of Bridge Street between Gay Street and Main Street to be closed Saturday, July 12 from 8:00 am to 10:00 pm. Bridge and Main Street Parking Lot to be closed on Saturday July 12, 2025, from 8:00 am to 6:00 pm. Conditioned

upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

Ms. Dugan made a motion to recommend the Borough Council approve the TCE as presented. Second, by Ms. Burckley. Motion passed 4-0.

- G. Motion to recommend Borough Council approve a Temporary Community Event Application for Phoenixville First Responders Appreciation Night on Thursday, August 7, 2025, from 6:00 pm to 9:00 pm at the Recreation Center Parking Lot at 501 Franklin Avenue.

Ms. Dugan made a motion to recommend the Borough Council approve the TCE as presented. Second by Ms. Burckley. Motion passed 4-0.

- H. Motion to recommend Borough Council approve a Temporary Community Event Application for WuFF Jam 2025 on Saturday, September 13, 2025, from 11:00 am to 5:00 pm in Reeves Park. Third Avenue between Main Street and B Street to be closed from 8:00 am to 5:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Weiss made a motion to recommend the Borough Council approve the TCE as presented. Second by Ms. Burckley. Motion passed 4-0.

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

Mr. Krack provided an update on the Ordinance to vacate the unopened portions of Wilson Street and Emmett Street and explained the steps that would follow the approval of the ordinance.

VI. Public Comment

There was no public comment.

VII. Adjournment at 6:32 pm by Mr. Weiss.

Next Meeting Date: Tuesday, March 18, 2025 at 6:00 pm.

**Policy Committee Meeting
Tuesday, February 25, 2025
7:00 pm**

MINUTES

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

I. Call to Order at 7:00 pm

II. Public Comment on Non-Agenda Items

There was no public comment.

III. Committee Member Updates/Discussions

The Committee discussed changing the meeting times of both Finance and Policy Committee so that one immediately follows the other. Finance will meet at 6:00 pm on the fourth Tuesday of each month followed immediately by the Policy Committee.

IV. New Business

A. Motion to recommend Borough Council schedule and advertise an ordinance amendment to Chapter 11 "Housing".

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

B. Motion to recommend Borough Council schedule and advertise an ordinance amendment to Chapter 13 "Licenses, Permits and General Business Regulations, Part 5.

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

C. Motion to recommend Borough Council schedule and advertise an ordinance amendment to Chapter 15 "Motor Vehicles".

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

V. Old Business

A. Enforcement of bans on reproductive health services.

Nothing new to report.

VI. Public Comment

There was no public comment.

VII Adjournment at 7:11 pm by Mr. Carminito.

Next Meeting Date: Tuesday, March 25, 2025, immediately following the Finance Committee which starts at 6:00 pm.

**INFRASTRUCTURE, TECHNOLOGY, TRANSPORTATION,
AND SUSTAINABILITY (ITTS)
COMMITTEE MEETING
Tuesday, February 18, 2025
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 7:00 with everyone present.

II. Public Comment on Non-Agenda Items

There was no public comment.

III. Committee Member Updates/Discussions

Mr. Strenfel as about a stop sign on High Street. Mr. Watson reported that several signs had been blown down due to the high winds and were being replaced.

IV. New Business

There was no new business.

V. Infrastructure

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

No reports for this month.

B. Stormwater Management

Mr. Krack reported the Borough did not get a grant for the 3rd avenue project and that Staff would reapply in the next round of funding.

C. Phoenix Wheel

Mr. Krack reported the bids came in much higher than expected and that Staff will meet with the Borough Engineer to review the bid information before making any further recommendation as to next steps.

D. Potable Reuse Feasibility Study RFP

Mr. Krack reported the RFP has been issued and responses are due back in March.

E. Reservoir to Above Ground Tanks

Mr. Krack provided information on the type of funding that is available, and Staff will set up a meeting with DEP to review the concept before making any recommendations to the Committee. As there is no crucial timing on this, this item is for information currently.

F. Borough Properties and Habitat for Humanity

Mr. Krack reported that he and the Solicitor are working on agreement documents that can be given to Habitat for Humanity before any next steps can occur. Once an agreement is in place, Habitat can move forward with design concepts and land development.

G. Rectangular Rapid Flashing Beacons (RRFB).

Mr. Krack reported that RRFB's have been installed on Mowere Road and that they will be installed on Bridge Street at Church Lane when the Bridge and Starr Street project is completed. This will provide information for Staff to take next steps when a grant becomes available to apply for other locations in the Borough.

H. Borough Parking Lots

Mr. Krack reported that Staff is working on the steps needed to formally convert several properties into Borough Parking Lots.

VI. Transportation

A. Bridge and Starr Street

Mr. Krack reported he met with the property owner and their attorney regarding their concerns about the ROW. He expects they will sign the needed document shortly. Next step is to submit the final design package to PennDOT.

B. Paradise Street – Phase 2

Mr. Krack reported the County cautioned Staff about the \$900,000 in CDBG funding that was approved for this project and that no one knows at this time whether that federal funding will still be available once the project is ready to construct.

C. Bridge and Nutt – 23 Corridor Improvements

Mr. Watson reported the project should be under construction by mid-summer and will last several months. Detours are posted on PennDOT and Borough websites.

D. French Creek Trail/Walking Bridge

Ms. Getzfread reported the design is completed and the Borough will close out that grant. Next step is to look for construction funding.

E. Walkability

Mr. Krack provided information in the packets regarding Staff developing a walkability page on the Borough's website.

F. Gay and Washington Traffic Signal

Nothing new to report.

VII. Sustainability

A. PXVNEO

Mr. Watson reported that a pre-construction meeting was being set up in the next week or so to take the next steps for installing the odor control equipment.

B. Fire Station and Rec Building Energy Audit for Solar Installation

Ms. Getzfread reported the energy audit had started and should be completed in several weeks. The next step would be to get proposals for the design and engineering of the system for each building.

VIII. Technology Updates

A. Monthly Reports

Nothing new to report.

IX. Public Comment

X. Adjournment at 7:45 by Mr. Strenfel.

Next Meeting Date: Tuesday, March 18, 2025, at 7:00 pm.

FINANCE COMMITTEE MEETING
Tuesday, February 25, 2025
6:00 pm

MINUTES

Committee: Chairperson Ms. Dugan, Mr. Carminito, Mr. Ewald, and Mr. Kirkner
Staff: Mr. Krack, Ms. Getzfread, Ms. Koza-Lubinsky, Ms. Donato, and Ms. Niemczuk

I. Call to Order at 6:00 pm

II. Public Comment on Non-Agenda Items

There was no public comment.

III. Committee Member Updates/Discussions

Ms. Dugan recognized Ms. Koza-Lubinsky and Ms. Niemczuk for the award the Borough received from DAC regarding excellence over ten consecutive years.

IV. New Business

A. Motion to recommend Borough Council approve the 2024 pre-paid dated 1/1/2025 - 1/31/2025 in the amount of \$773,974.52.

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

B. Motion to recommend Borough Council approve the 2025 pre-paid dated 1/1/2025 - 1/31/2025 in the amount of \$1,605,216.20.

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

C. Motion to recommend Borough Council approve the 2024 pre-paid Credit Card Statement dated 1/1/2025 - 1/31/2025 in the amount of \$46,320.25.

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

D. Motion to recommend Borough Council approve the 2025 pre-paid Credit Card Statement dated 1/1/2025 - 1/31/2025 in the amount of \$23,893.21.

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

- E. Motion to recommend Borough Council approve the 2025 pre-paid ACH dated 1/31/2025 in the amount of \$44,208.03.

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

- F. Motion to recommend Borough Council approve Budget Increase 2025-01 from Sanitation Restricted Fund Balance in the amount of \$9,129.00 to Sanitation Fund Recycling (Recycle Toters) for purchase of recycling toters.

Mr. Kirkner made a Motion to recommend Borough Council approve the budget increase 2025-01 as presented. Second by Mr. Ewald. Motion passed 4-0.

- G. Motion to recommend Borough Council adopt a Resolution authorizing the submission of a Flood Mitigation Program (FMP) Grant to the Commonwealth Financing Authority.

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

Mr. Krack provided background on items H, I and J and explained why Staff was seeking authorization to apply for three separate applications.

- H. Motion to recommend Borough Council adopt a Resolution authorizing the submission of a Chester County Department of Community Development 2025-2026 Community Revitalization Program Grant Application for the installation of a solar array on the Fire Station and Recreation Center.

Mr. Kirkner made a Motion to recommend Borough Council adopt the Resolution once additional cost estimates are provided. Second by Mr. Carminito. Motion passed 4-0.

- I. Motion to recommend Borough Council adopt a Resolution authorizing the submission of a Chester County Department of Community Development 2025-2026 Community Revitalization Program Grant Application for the Fillmore Street Alignment Project.

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

- J. Motion to recommend Borough Council adopt a Resolution authorizing the submission of a Chester County Department of Community Development 2025-

2026 Community Revitalization Program Grant Application for the 360-374
Church Street Development (CSD) Project.

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

- K. Motion to recommend Borough Council adopt a Resolution authorizing the
submission of State or Federal No-Match Requirement Grants.

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

- V. Public Comment

There was no public comment.

- VI. Adjournment at 6:23 by Mr. Kirkner.

Next Meeting Date: Tuesday, March 25, 2025 at 6:00 pm