PHOENIXVILLE BOROUGH COUNCIL
Tuesday, April 8, 2025
7:00 PM

AGENDA

I. Pledge of Allegiance/Moment of Silence

II. Roll Call – Borough Manager

III. Public Comment

IV. Presentations

V. Consent Agenda

A. Approval of March 11, 2025, Regular Meeting Minutes.

B. Items from Personnel and Public Safety Committee:

1. Motion to reappoint Rafaello DiNapoli to the Planning Commission for a new term expiring March 31, 2029.

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

3. Motion to reappoint Ed Lantzy to the Recreation Board for a new term expiring April 30, 2029.

4. Motion to reappoint Frank Markey to the Recreation Board for a new term expiring April 30, 2029.

C. Items from Parks and Recreation Committee:

1. Motion to approve a Temporary Community Event Application for the Phoenixville Vintage Fest in the Bridge and Main Street Parking Lot on Saturday, May 31, 2025, from 9:00 am to 4:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

2. Motion to recommend Borough Council approve the closing of North Main Street between Bridge Street and Church Street as part of the previously approved 2025 First Fridays from 3:00 pm to 10:00 pm.

3. Motion to approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Saturday, August 2, 2025, from 11:00 am to 5:00 pm. Third Avenue between Main Street and B Street to be closed from 7:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance, naming Borough as Additional Insured.

4. Motion to approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Sunday, August 3, 2025, from 11:00 am to 5:00 pm. Third Avenue between Main Street and B Street to be closed from 7:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance, naming Borough as Additional Insured.

D. Items from Finance Committee:

1. Motion to approve the 2025 pre-paid dated 2/1/2025 - 2/28/2025 in the amount of $725,538.63.

2. Motion to approve the 2025 pre-paid Credit Card Statement dated 2/1/2025 - 2/28/2025 in the amount of $25,946.82.

3. Motion to approve the 2025 pre-paid ACH dated 2/28/2025 in the amount of $50,985.10.

4. Motion to approve Budget Increase 2025-04 from General Fund Balance in the amount of $24,100.00 to Streets Department (Contracted Services) for repair to brick sidewalks on Bridge Street.

5. Motion to approve Budget Increase 2025-05 from General Fund Balance in the amount of $18,000.00 to Streets Department (Contracted Services) for installation of bump out on Main Street.

6. Motion to approve the Staff recommendation for suggested Accounts Receivable write-offs for 2024.

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 authorize a conditional offer of employment for a Patrol Officer.

B. Motion to adopt the Civil Service Commission recommended revisions to their Rules and Regulations.

C. 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 472-478 Nutt Road, and any further action by the Borough President, Borough Manager, and Borough Solicitor deemed advisable thereby to protect the interests of the Borough.

X. Public Hearings

XI. Resolution/Ordinances

A. 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.

B. Motion to adopt a Resolution authorizing the acceptance of the Permanent Sidewalk Easement Agreement of the portion of the parcel of land identified as 85 Starr Street (UPI No. 15-10-98).

C. Motion to adopt a Resolution authorizing the approval of a Driveway Relocation Agreement and the acceptance of the Permanent Sidewalk Easement Agreement of the portion of the parcels of land identified as 55 Starr Street and 70 Holy Ghost Way, and more particularly identified as Chester County UPI Nos. 15-10-97 and 15-10-104 respectively.

D. Motion to adopt a Resolution authorizing the transfer of a portion of certain Borough Owned Real Estate identified as Chester County UPI No. 15-10-103.

E. Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way Starr Street, previously offered from 101 Bridge Street, more particularly identified as Chester County UPI No. 15-9-157.

F. Motion to adopt an ordinance amendment to Chapter 11 “Housing”.

G. Motion to adopt an ordinance amendment to Chapter 15 “Motor Vehicles”.

XII. Reports of Committees, Boards, and Commissions

A. Historical and Architectural Review Board – Ms. Dugan

1. Motion to approve/deny the Certificate of Appropriateness for signage for 10 South Main Street.

2. Motion to approve/deny the Certificate of Appropriateness for signage for 323 Bridge Street.

3. Motion to approve/deny the Certificate of Appropriateness for renovations and signage for 368 Bridge Street.

4. Motion to approve/deny the Certificate of Appropriateness for signage for 37 Bridge Street.

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 133-137 High Street.

C. Phoenixville Regional Planning Committee – Mr Kirkner

D. Recreation Board – Ms. Dugan

E. Tree Advisory Commission – Mr. Carminito

F. Human Relations Commission – Ms. Burckley

XIII. Council Action referred from:

A. Personnel and Public Safety Committee- Ms. Burckley

1. 1. No action to report.

B. Parks and Recreation Committee - Mr. Moore

1. 1. No action to report.

C. Policy Committee - Carminito

1. 1. No action to report.

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

1. 1. No action to report.

E. Finance Committee - Ms. Dugan

1. 1. No action to report.

XIV. Public Comment

XV. Communication/Council Participation

XVI. Staff Reports

A. Manager

B. Police

C. Fire

D. Planning and Codes

E. Public Works

F. Finance

G. Human Resources

H. Recreation

XVII. Adjournment

Upcoming Meetings:

Planning Commission	April 10 – 6:00 pm
Parks and Recreation Committee	April 15 – 6:00 pm
Infrastructure Committee	April 15 – 7:00 pm
Recreation Board	April 21 – 6:30 pm
Finance Committee	April 22 – 6:00 pm
Policy Committee	April 22 – Immediately following Finance
HARB	May 5 – 5:00 pm
Tree Advisory Commission	May 5 – 6:00 pm
Personnel/Public Safety Committee	May 6 – 6:00 pm
Civil Service Commission	May 6 – 7:00 pm
Human Relations Commission	May 7 – 5:00 pm
Planning Commission	May 8 – 6:00 pm
Borough Council	May 13 – 7:00 pm

Employee Service Anniversaries – April

Ed Bearden, Sanitation Driver – 17 years
Donna Yashura, Customer Service Representative – 9 years
Assistant Chief Keith Bliss, Fire Department – 8 years
Tyler Howson, Streets Utility – 6 years
Christine Gontkof, Accounts Receivable Clerk – 4 years
Ronnie Jennings, Streets Laborer – 3 years
Alexus Strunk, Project Coordinator – 3 years

PHOENIXVILLE BOROUGH COUNCIL
Tuesday, March 11, 2025
7:00 PM

MINUTES

I. Pledge of Allegiance/Moment of Silence

II. Roll Call – Borough Manager

Mr. Ewald, President	Present
Ms. Burckley, Vice President	Present
Mr. Carminito	Present
Ms. Dugan	Excused
Mr. Kirkner	Present
Mr. Moore	Present
Mr. Strenfel	Excused
Mr. Weiss	Present
Mayor Urscheler	Present
Mr. Krack, Borough Manager	Present
Ms. Getzfread, Asst. Borough Manager	Present
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

III. Public Comment

Nicholas Tortorello, resident of Hankin Manor. He expressed his concerns related to the parking at 115 Buchanan Street. He stated the complex has thirty-two (32) parking spaces and fifty (50) units in the building. He stated many of the resident are disabled and when the lot at the complex is full residents end up parking in the lot across from Nudy's on Rt. 113. They then have to cross the state route to get to the building. It's a dangerous situation in his opinion and he wanted to make sure the Council was aware that the complex does not have enough parking spaces for the residents.

David Saneck, resident. He expressed his concerns with the plan for the Fillmore Street widening and realignment. He stated he had an opportunity to review the plans, and he cited he thinks the Right of Way information on the plan as it relates to Fillmore and Cromby by his properties is incorrect and also noted Cromby is spelled wrong on the plan. He asked the Council to reconsider approving the Resolution later tonight for the Fillmore Street grant application until the issue with the plan have been addressed.

Michal Kajak, owner of 425 Bridge Street. He stated his ongoing concerns with the condemnation of a portion of his property. He provided background on the original condemnation and on-going Board of View proceedings.

IV. Presentations

Swearing in of Firefighter Ian McCormick

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

Mr. Ewald swore in Ian McCormick as Firefighter of the Phoenixville Fire Department.

Swearing in of Firefighter Jack Nudy

Chief Brazunas provided a background on Mr. Nudy and his experience as a Firefighter for Goodwill Fire Company No 2 and Berwyn Fire Company as a volunteer.

Mr. Ewald swore in Jack Nudy as Firefighter of the Phoenixville Fire Department.

Swearing in of Firefighter Tanner Kouba

Chief Brazunas provided a background on Mr. Kouba and his experience working full time with Mainline Health, Riddle EMS and as a volunteer for Brandywine Fire Company and Goshen Fire Company.

Mr. Ewald swore in Tanner Kouba as Firefighter of the Phoenixville Fire Department.

Mr. Ewald stated that the Council did hold an executive session to discuss the following three items. The first item was a matter of real estate relating to Chester County UPI numbers 15-7-17-1B as well as parcel number 15-8-16.5. The second item was a matter of real estate and litigation related to 425 Bridge Street. The third item discussed in executive session was a matter of personnel related to the hiring of two new patrol officers.

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.

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

Motion Approved 6-0.

VI. Communications/Council Participation

None.

VII. Mayor's Report

Mayor Urscheler congratulated the Phoenixville Community Education Foundation on their successful fundraiser which helps to raise money to offset some of the costs associated with our school districts, special programs that don't then necessarily cost our tax base. He reported on upcoming events including the Irish Wake at the Senior Center, the Phoenixville, the Chamber of Commerce's Annual Gala, and 100 Men of Phoenixville. This innovative program actually copies the 100 Women of Phoenixville and essentially what it is, is each gentleman who attends will donate $100 and their goal is to give away $10,000 at that meeting to one of three charities. He wished Molly Maguires and all the restaurants downtown a Happy St. Patrick's Day.

VIII. Appointments

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

Mr. Ewald encouraged residents to continue to apply for openings on the various

Boards and Commissions and stated openings can be found on the Borough's Website.

IX. New Business

A. Motion to reschedule the Finance and Policy Committee Meetings on the fourth Tuesday of each month with Finance starting at 6:00pm followed immediately by the Policy Committee, and further authorizing the advertisement of the foregoing.

Mr. Kirkner made a Motion to reschedule the Finance and Policy Committee Meetings on the fourth Tuesday of each month with Finance starting at 6:00pm followed immediately by the Policy Committee, and further authorizing the advertisement of the foregoing. Seconded by Ms. Burckley.

Motion Approved 6-0.

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.

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

On the Question:

Mr. Moore asked how the cleanup will be supervised, and can the Council ask questions of the builder for the citizens.

Mr. Denlinger explained the PA Department of Environmental Protection will oversee the cleanup which includes the approval of the cleanup plans and does the inspection to ensure the cleanup was done properly.

Mr. Moore asked if there will be records on how the project is proceeding and is that something made available to the public.

Mr. Denlinger explained this is a notice of intent to remediate and it is just a notice, it doesn’t include a whole lot of information. There will be a cleanup plan that is issued by Toll, but it hasn’t been issued yet.

Mr. Moore asked if the Planning Commission included in information on the

cleanup.

Mr. Denlinger stated they would not be included as the project is not in front of the Planning Commission at this point. The only thing under the regulations for the Planning Commission is the SALDO and the environmental aspect doesn't fall under the Municipal Planning Code.

Motion Approved 6-0.

C. Motion to authorize a conditional offer of employment for two (2) Patrol Officers.

Ms. Burckley made a Motion to authorize a conditional offer of employment for patrol officer to Michael Joseph Repasky and Johangelie Thomas- Estrada, based on our standard conditions. Seconded by Mr. Weiss.

Motion Approved 6-0.

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.

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

Motion Approved 6-0.

X. Public Hearings

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

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

Motion Approved 6-0.

Hearing opened 7:35pm.

Mr. Denlinger explained this hearing is on an Ordinance to amend to Section 22 Part 6 traffic impact statements of the Borough Subdivision and Land Development Ordinance. This Ordinance amendment was made in part in response to comments from our recent amendment to the impact statements in the Subdivision and Land Development Ordinance made by the Council at the time of that adoption. This amendment is to clarify certain things and in particular making sure that we're clearly identifying that multimodal transportation, non-vehicular

transportation is a part of the analysis of traffic impact studies when they're required to be submitted. As a part of the land development process. This Ordinance was advertised in the Pottstown Mercury on February 24th, 2025, and March 3rd, 2025. Copies of the proposed Ordinance amendment were sent to the Chester County Law Library and the Pottstown Mercury on February 19th, 2025, for public inspection. He introduced the following exhibits into the record of the hearing. B1 is a copy of the ordinance. B2 is a review letter from the Phoenixville Regional Planning Committee dated January 29th, 2025. Finding the proposed Ordinance to be consistent with the Phoenixville Regional Comprehensive Plan. Exhibit B3 a review letter from the Chester County Planning Commission, dated February 5th, 2025. Supporting the adoption of the Ordinance. Exhibit B4 an Action Memo from the Phoenixville Borough Planning Commission dated February 20th, 2025, unanimously recommending adoption of the Ordinance. Exhibit B5, a copy of the public notice for the consideration of the Ordinance. Exhibit B6, proof of publication from the Pottstown Mercury for the two advertised dates. Which is not yet in hand but will be an exhibit upon receipt. Exhibit B7, letters sent from the Borough to the Pottstown Mercury and the Chester County Law Library dated February 19th, 2025, providing copies of the Ordinance for public inspection.

He stated to give a bit more background on what this Ordinance amendment does to the traffic impact study section of the Subdivision Land Development Ordinance is an addition making sure that multimodal transportation was clearly a part of any transportation impact study. Additional clarification language to ensure that there was not any ambiguity in the language of the Ordinance. Thus, ensuring it is clear what is expected from developers when they're required to submit a traffic impact study. Subsection B provides the Borough Traffic Engineer more power to request additional information and analysis based on site-specific conditions including further evaluation of non-vehicular travel.

Council Participation
None

Public Participation
None

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

Motion Approved 6-0.

Hearing closed at 7:40 pm.

Ms. Burckley made a Motion to approve the Ordinance amendment to Chapter 22 “Subdivision and Land Development”, Part 6 “Impact Statements”. Seconded by Mr. Weiss.

Motion Approved 6-0.

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.

Ms. Burckley made 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. Seconded by Mr. Weiss.

One the Question:

Mr. Denlinger explained there are unopened portions of Wilson Street at Emmett Street west of Taylor Street, which have remained unopened. As the Council is aware approval was authorized to advertise the Ordinance proposing to vacate these portions of Emmett and Wilson at your November 2024 regular meeting. On January 16th, 2025, direct mailing notice of the proposed Ordinance was mailed to the abutting property owners. The proposed ordinance was also advertised in the Pottstown mercury twice in successive weeks. On January 27, 2025, and February 7th, 2025. Each of these notices identify that interested parties could request a hearing by petition submitted to the borough within 10 days after the second advertisement. No timely petitions were received for a hearing and therefore the Council is able to move forward with consideration of this Ordinance in typical manner. This ordinance was also shared with the Pottstown Mercury and Chester County Law Library for public inspection on January 16, 2025. By vacating these paper streets, the half widths will revert to the abutting property owners, but it is up to the abutting property owners to establish their property boundaries and file the necessary documents to incorporate the applicable portions of the abandoned streets to their properties.

Motion Approved 6-0.

B. Motion to adopt an Ordinance amendment to Chapter 2 “Animals”.

Ms. Burckley made a motion to adopt an Ordinance amendment to Chapter 2 “Animals”. Seconded by Mr. Carminito.

On the Question:

Mr. Denlinger stated that this Ordinance and the next two Ordinances were advertised in the Pottstown Mercury on March 3rd, 2025, and were provided to the Chester County Law Library and Pottstown Mercury for public inspection on February 19th, 2025.

Mr. Kirkner stated he believes the previous language stated said that dogs must be under control. Whereas this ordinance says that if a dog is off the premises of its owner that a leash, tether, chain, rope, or similar device that can't exceed six feet in length is required. He stated this strengthens the language and removes ambiguity.

Motion Approved 6-0.

C. Motion to adopt an Ordinance amendment to Chapter 15 “Motor Vehicles and Traffic”.

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

Motion Approved 6-0.

D. Motion to adopt an Ordinance amendment to Chapter 16 “Parks and Recreation”.

Ms. Burckley made a Motion to adopt an Ordinance amendment to Chapter 16 “Parks and Recreation”. Seconded by Mr. Moore.

Motion Approved 6-0.

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.

Mr. Ewald stated he feels for the Council to move forward with Resolution greater attendance is needed to not inadvertently tip the scales or create a closer contest. He is requesting a Motion to Table to the April 8th Meeting.

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

Motion to Table Approved 6-0.

F. Motion to adopt a Resolution authorizing the submission of a Flood Mitigation Program (FMP) Grant to the Commonwealth Financing Authority.

Ms. Burckley made a Motion to adopt a Resolution authorizing the submission of a Flood Mitigation Program (FMP) Grant to the Commonwealth Financing Authority. Seconded by Mr. Weiss.

Motion Approved 6-0.

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.

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

On the Question:

Mr. Moore stated he feels this is a great idea and he hopes this project gets funded. He further asked if the solar array on Borough Hall has been turned on.

Mr. Krack explained they are not active yet as PECO has to replace our current electric meter with a three-phase meter and the panel for the three-phase meter is here to be installed. Once that is complete the new meter will be installed. He clarified staff just received the proposals for the solar arrays and the application will be for the Recreation Center only. The reason behind this is the transfer switches and things that are tied to the generator at the Fire Station create a different issue that has to be resolved and it's going to cost a little bit more to do that. He provided a comparison of the current arrays. The Public Works building has 49 kW DC solar array and Borough Hall has a 35 kW DC. The Recreation Center array will be 375 kW DC and may offer us the opportunity to transfer any excesses to another Borough Account. He asked the solicitor if the motion needed to be amended.

Mr. Denlinger stated he double checked the Resolution, and it authorizes the submission for both but does not require staff submit an application for both. He stated the current motion is acceptable.

Mr. Kirkner stated the grant application is for $550,000.00 and asked if there was a Borough Match required.

Mr. Krack stated the project total is $750,000.00. The match requirement is 25% and our match will come in at 26%.

Motion Approved 6-0.

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.

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

On the Question:

Mr. Krack explained this has been a project dating back to 2018. The project consists of three phases, a phase that is from Cromby Road to Franklin Avenue, a phase at the Franklin Avenue and Fillmore Street intersection and a phase from South Street to Franklin Avenue. This application covers the South Street to Franklin Avenue Phase. There are some Right of Way issues that will need to be worked through but the grant application is due next week so staff will be submitting this project's grant application. He also stated he will be working with the Borough Engineer and the resident to discuss his concerns that were brought up earlier this evening.

Mr. Kirkner asked for clarification on the project.

Mr. Krack indicated this application is for Fillmore Street between South Street and Franklin. However, the Resolution says South Street to Cromby Road.

Ms. Getzfread explained the total project is $1.6 million dollars. In November a grant application was submitted in the amount of $900,000 to the LSA and with this grant submission in the amount of $600,000 the Borough's match would be approximately $110,000. She further explained the LSA or Local Share account is state funded money, and the CRP grant is County money that would allow the staff to reduce the amount of the Borough's match. She stated the first phase of the project will begin after staff gets through all the funding cycles.

Mr. Moore asked for clarification Mr. Krack stated this would be South to Franklin but ultimately staff is looking for money to fund the entire project.

Ms. Getzfread stated staff is trying to find the funding for the entire project and explained some of the project doesn't hit the threshold for grant funding so it was decided to combine the whole project to assist in funding it.

Mr. Kirkner asked if the grant is due tomorrow.

Ms. Getzfread explained it is due on March 20, 2025.

Motion Approved 6-0.

I. Motion to adopt a Resolution authorizing the submission of State or Federal No-Match Requirement Grants for the Police Department.

Ms. Burckley made a Motion to adopt a Resolution authorizing the submission of State or Federal No-Match Requirement Grants for the Police Department. Seconded by Mr. Weiss.

On the Question:

Mr. Ewald explained this is an item that Chief Marshall had brought to staff's attention. A number of the granting agencies that are specific to police departments are on a short turnaround for whatever reason and a number of them have zero match. He stated he thought this was a sound idea to try to make sure that the Police Department doesn't miss deadlines on applications that are sound. Additionally, Chief Marshall has done a great job of always reaching out to make sure that the grant is relevant or appropriate for the needs of Council and the community. This continues through the language of the Resolution, and it seems like a good step forward to try to make it easier to apply for money.

Mr. Denlinger stated the Council is not bound to accept any awarded grant until it comes before you for approval.

Motion Approved 6-0.

XII. Reports of Committees, Boards, and Commissions

A. Historical and Architectural Review Board – Ms. Dugan

B. Planning Commission - Mr. Moore

1. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the

development known as Spotless Car Wash Phoenixville located at 200 Kimberton Road.

Mr. Denlinger explained that this project consists 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. The Property is currently improved with a one-story commercial building, the former Rite Aid, having a building footprint of approximately 11,186 square feet, paved parking area, rear drive-through, four (4) foot-wide sidewalks, and related improvements. The applicant 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. The applicant has requested two waivers, the first is to allow a driveway of 63 feet in width, which is its existing width at the street line in the sole event that PennDOT does not approve the proposed median in the right of way. The second is from section 22-419-2B and 22-419-3A, to allow for a sidewalk five feet in width along Kimberton and Nutt Roads. After reviewing the project at several meetings, the Planning Commission unanimously voted at its February 13, 2025, meeting to conditionally recommend approval of the application.

Mr. Denlinger asked Ms. Kearney if she had anything to add this evening on behalf of her client.

Bernadette Kearney of Hamburg Rubin stated she is here on behalf of the applicant and with her this evening is Kestra Kelly of BL Companies who is the engineer on the project. She stated they have gone before the Zoning Hearing Board and received special exception relief as well as contact Schuylkill Township for the portion of the site that is in that township, no development on the site is on the Schuylkill Township portion of the property. She stated the proposed Resolution was reviewed and the applicant is in agreement with the conditions outlined.

Mr. Kirkner referenced the Chester County Planning Commission made a note in their review about where the runoff water goes from the car wash.

Ms. Kelly explained the water from the runoff is contained within the car wash itself. The site has what is referred to as different tunnels, a wet tunnel and two drying tunnels. The grade of the building pitches back into

the building and is collected into an underground system. Anything within the building goes through several levels of treatment, including the reclaimed tanks, settlement tanks, and an oil water separator before it's discharged out of the sanitary sewer. On-site for just like typical runoff there are the required stormwater management BMPs.

Mr. Kirkner asked if the grading on the lot will make it, so the water flows back into the building immediately from inside and outside of the tunnel.

Ms. Kelly explained it will not be for all of the water on the site, however if the car is coming out of the wet tunnel and it's wet and it drips a little bit, that water is going to pitch back into the building, into the drains of the building.

Mr. Ewald asked if the applicant's representatives could explain the stacking and queuing of vehicles to prevent the back of traffic on the turn in from Nutt Road. He stated he understands a mast arm proposal is under consideration by PennDOT.

Ms. Kelly explained the concern of the Planning Commission was that if there was ever an issue with stacking or queuing, the cars would be backing up, so that it is not allowed to back up onto Nutt Road. She stated a study was done on several existing car washes of the same configuration with the one wet tunnel, two dry tunnels and we feel confident that there's adequate stacking on site to prevent this from happening. But kind of as a belt and suspender approach, we've also agreed, pending approval through PennDOT because Nutt Road is a PennDOT road, a gate will be installed meeting the preference of the Planning Commission and the Borough Engineer of a swing gate and that is what has been submitted to PennDOT. Providing the ability to close that entrance just the right off of Nutt Road. In the event that for some reason traffic would be caused to stop it'd be a swing gate under normal operating procedures, it would always remain open. We would just have the ability to close it if needed if something happened with the car wash, it would have some type of reflective signage that said entrance closed, please proceed. This would not be anticipated to be any kind of normal operating procedure, but just in a what-if scenario.

Mr. Moore asked for clarification if the entrance is only off of Nutt Road.

Ms. Kelly explained there's two entrances.

Mr. Ewald stated there is entrance and exit on both Nutt and Kimberton Roads.

Ms. Kelly stated the Kimberton Road entrance is full access. Nutt Road is right in, right out only. We are proposing to maintain the same entrance

locations, the same circulation and proposing to install a pork chop or like a little concrete median within the Kimberton Road entrance Which would be, again, subject to PennDOT, but that would act for helping control traffic as well as like a safe haven for pedestrians because it's a long crossing. Cars do have the ability to come in. I think the concern was mainly not due to the proximity of where that entrance is into where the pay stations are, the first thing you're going to do when you come on site is you're going to pay for your car wash. The Kimberton entrance has a much longer on-site queue, so that wasn't as big of a concern.

Mr. Carminito asked if you could just walk through the landscape screening along Kimberton and Nutt Road.

Ms. Kelly explained as a condition of the special exception screening of the all of the equipment is needed. We've worked closely with the planner to go through this, and we have different screenings on both Nutt and Kimberton Roads, at various heights at the location of where the vacuum booms, which is the post that holds the vacuums are located. Additionally, we are utilizing some of the red awnings as additional screening. We've gone through several iterations, and she thinks it's a very robust landscape plan and it will ultimately look very nice at this intersection.

Mr. Ewald stated he is aware of different levels of certification on sustainability or reclaiming or recycling of the car wash by products. He asked if there any standards that are being met on this system and if Ms. Kelly could explain the system a little bit beyond the recapture.

Ms. Kelly stated in terms of like water usage, there is recycled, reclaimed water on site and the technology is improving, but on average it's 60% recycled. She further stated in actuality; it's probably a little bit better than 60%. The site does recycle the water, and she knows there had been some concerns about what is leaving the site. She stated there's a lot of levels in place of what this water goes through before it leaves the site, before it enters into the wastewater treatment plant. None of the onsite operations within the car wash is discharged to any of the storm sewer system. It's all going to the wastewater treatment plant after the various levels of treatments for settlement and oil water separator. In general, the detergents that are used in the operation really break down into simpler typical chemical compounds. If the car wash uses a gallon of detergent is not a gallon of detergent that leaves the site. It is broken down after use and that's a condition in the Resolution that the car wash establish those rates. She stated she has been speaking with the different members of Borough staff and with Brian Watson regarding the concerns on what happens if there's a spill with these chemicals. There is a spill prevention plan, and all of the employees will be trained on it. It's important to note that there's not large amount of these detergents on site. They're stored in five-gallon

buckets, they're not these big drums people may be envisioning in your head, and we'll provide that plan in writing for Borough staff's review.

Mr. Kirkner stated he has learned a lot about commercial car washes this evening. He asked when do you think this will be up and running.

Ms. Kelly stated if it was up to Flagship, they would say tomorrow. She explained they have been pretty aggressively in permitting this project and that they would like it to be under construction this year.

Mr. Ewald asked how many employees you will have and what are the proposed hours of operation.

Ms. Kelly stated the hours of operation were limited during special exception and believes they are set at eight to eight and for a number of employees, it's roughly 14 employees.

Mr. Denlinger stated he did speak about some of the issues Ms. Kelly has been talking about with Brian Watson and put together the conditions in our Resolution based on his conversation with Mr. Watson.

Mr. Moore stated he would also note they are reusing the Rite Aid building so it's not knocking the building down and putting up a new building but taking the shell of that building and putting the car wash equipment into it.

Public Participation

None.

Mr. Moore made a Motion to adopt a Resolution officially approving the Preliminary/ Final Subdivision and Land Development Plan for the development known as Spotless Car Wash Phoenixville located at 200 Kimberton Road subject to the terms and conditions in the Resolution. Seconded by Ms. Burckley.

Motion Approved 6-0.

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner reported that meetings continue of the trails subcommittee and the next one will be held on Tuesday, March 18, 2025. He stated that Planning Commission Liaison, Amanda Irwin has also stepped forward to sit on the trail subcommittee.

D. Recreation Board – Ms. Dugan

Mr. Ewald stated upcoming programs and camps are available on the Borough's Website.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito reported the Commission members continue to prune the newly planted trees and plan for the 2025 Spring planting. Residents should expect to see the 2025 Tree Removal List on the Borough Website soon since the contract was awarded earlier this evening.

F. Human Relations Commission – Ms. Burckley

Ms. Burckley reported the Commission is still continuing to work through the scorecard and communicate with the state as they go through changes. She recognized the Commission for their assistance to West Vincent Township. She stated that they were actually looking to repeal potentially their anti-discrimination ordinance and looking at dissolving their Commission. The Borough's Commission went and spoke to the importance of it and the things that have been done for our community.

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.

   Mr. Moore made a 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. Seconded by Mr. Weiss.

Motion Approved 5-0-1. Ms. Burckley abstained due to conflict of interest.

C. Policy Committee – Mr. Carminito

1. Motion to schedule and advertise an ordinance amendment to Chapter 11 "Housing".

   Mr. Carminito made a Motion to schedule and advertise an ordinance amendment to Chapter 11 "Housing". Seconded by Mr. Weiss.

   Motion Approved 6-0.

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

   Mr. Carminito made a Motion to schedule and advertise an ordinance amendment to Chapter 13 "Licenses, Permits and General Business Regulations, Part 5. Seconded by Mr. Weiss.

   On the Question:

   Mr. Moore asked for an explanation of where this amendment is coming from and why it's being offered tonight.

   Mr. Krack explained the first section is to update the language as it relates to pool halls and billiard halls and the additions to the Ordinance are related to the issue of people who are performing in a public area and the ability to regulate it for noise and performing without a permit. The reason it says public is because it's not just limiting this to Bridge Street or Main Street. It could be in any of the parks or in any other location. It's a broad brush to try to manage things that sometimes occur.

   Mr. Moore asked if the Borough would incur legal liability if it doesn't move forward with this ordinance.

   Mr. Denlinger stated there's issues if there's noise complaints or things that are happening that are dangerous and there are no mechanisms to shut it down and/or regulations that can be relied upon.

   Mr. Moore stated he is urging the Council to not even move this to

schedule and advertise as he thinks this is quite unnecessary. He is strongly opposed to the Ordinance, and he sees it as an unnecessary interference to personal expression. He stated if people want to pull out some bongos or a guitar on Bridge Street or at one of the gazebos in Reeves Park or on the stage of Reeves Park and nobody's using it, we are saying, you've got to get a license, pay a fee, and have insurance. He stated he disagrees with that and explained look at all that has been done with Main Street and Bridge Street particularly with the closures. There was a band that's just showing up, a bunch of guys with horns and drums and a tuba and people love it. An Ordinance like this place would have someone coming over to tell them to knock it off. That's contrary to the spirit we've been trying to encourage down there.

Mr. Ewald stated after spending the last several months with the Policy Committee discussing this matter and there are specific instances that having an Ordinance like this to utilize it would have been nice. He further stated that tubas at 8 pm are great but later than that not so much.

Ms. Burckley stated she understands where Mr. Moore is coming from because every piece of her wants to fall right in line with that. But she also knows from being the representative of the downtown and knowing the challenges and just the blatant disrespect that our officers get when they would just simply ask a performer to move along or trying to explain they've had a few complaints or, it's past 10 o'clock or whatever it was and there was just blatant disrespect and disorder. Unfortunately, our Policy Committee did get to the point of having to look at this after speaking with the officers about what goes on downtown and during the closures. They're not really looking to bust anybody's chops about and they want people to be able to do these things. But when it comes down to it if they need you to move along and people are blatantly disrespectful, it will have some teeth to be able to say, well, no, actually, you need to move on. Phoenixville first invests in music downtown. To have somebody come and just, you know, mitigate that investment is tough. She gets what you're saying, but she also understand the need for enforcement.

Mr. Weiss stated he believes the intention of this is to stop things at the extremes and not necessarily what most of us would consider reasonable. Is there additional language that you think could be added to this that would allow it to extend to extreme situations but not stymie spontaneous, creative, and what generally would be considered appropriate behavior.

Mr. Moore stated he has not given any thought to that question, but he has a philosophical opposition to this Ordinance.

Mr. Carminito stated he wants to amend his Motion to send this back to

the Policy Committee further discuss and revise the language. Mr. Weiss agreed to the amendment.

On the Question:

Mr. Kirkner asked if Mr. Moore will attend the Policy Committee meeting to state your case.

Mr. Moore indicated he will attend.

Motion to send back to the Policy Committee Approved 5-1. Mr. Kirkner voting No.

3. Motion to schedule and advertise an ordinance amendment to Chapter 15 "Motor Vehicles".

Mr. Carminito made a Motion to schedule and advertise an ordinance amendment to Chapter 15 "Motor Vehicles". Seconded by Mr. Weiss.

Motion Approved 6-0.

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

1. No action to report.

E. Finance Committee – Ms. Dugan

1. No action to report.

XIV. Public Comment

Paul Celentano, resident. He asked for clarification on the Solar Array if it is 375 KV, KVA or just K.

Mr. Ewald explained this is public comment but that he would be happy to get him the information at the end of the meeting.

XV. Communications/Council Participation

XVI. Staff Reports are in the packets.

A. Manager
B. Police
C. Fire
D. Planning and Codes
E. Public Works

F. Finance
G. Human Resources
H. Recreation

XVII. Adjournment

8:35 pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
March 2025

3/24/2025

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 11, 2025	March 31, 2029
Joseph Sikora	March 8, 2022		March 31, 2026
Thomas Carnevale	April 12, 2011	March 8, 2022	March 31, 2026
Jahan Tavangar	Nevember 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 - Co-Chairperson	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

"Rental License Waiver Procedures"

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF PHOENIXVILLE, CHAPTER 11 (HOUSING), PART 2 (DEFINITIONS) TO AMEND SECTION 11-201 (DEFINITIONS) TO ADD A NEW DEFINITION FOR "BENEFICIAL TRUST", AND FURTHER AMENDING CHAPTER 11 (HOUSING), PART 3 (REGISTRATION, LICENSING AND INSPECTION OF RESIDENTIAL RENTAL UNITS) TO CREATE A NEW SECTION 11-306 ENTITLED "WAIVER OF LICENSING REQUIREMENT".

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

SECTION 1. Amendment to Code

The codified Ordinances of the Borough of Phoenixville, Chapter 11 (Housing), Part 2 (Definitions), Section 11-201 (Definitions) is hereby amended to add the following new term:

BENEFICIAL TRUST

A legally established trust created and continually operated for the benefit of a particular living person.

SECTION 2. Amendment to Code

The codified Ordinances of the Borough of Phoenixville, Chapter 11 (Housing), Part 3 (Registration, Licensing and Inspection of Residential Rental Units) is hereby amended to add the following new Section 11-306 entitled "Waiver from Licensing Requirements":

§ 11-306 Waiver from Licensing Requirements.

1. Waiver. The requirement that the Owner of a Premises apply for a Residential Rental License for a Residential Rental Unit in accordance with this Chapter shall be waived where:

   A. The Owner submits a waiver request application satisfying this Section, along with the pertinent application fee reflected in the Borough's Master Schedule of Fees.

   B. An approval of a waiver request shall be valid for a period of not more than two (2) years. An extension of a waiver request may be granted for additional two (2) year periods provided that the Owner reaffirms, biennially from the issuance date of the initial waiver, that all necessary terms and conditions of such waiver

approval remain in compliance with this Chapter and the conditions of the waiver approval.

2. Qualifying Owners/Premises. The requirement to apply for a Residential Rental License for a Residential Rental Unit in accordance with this Chapter shall be waived in the following circumstances:

   A. Beneficial Trust. An Owner of a Premises determined to be a Residential Rental Unit may be exempt from the need for a Residential Rental License, and submission of an application therefore, where:

      (1) The Owner is a duly created and operated Beneficial Trust, evidenced by a Certification of Trust as provided for in 20 Pa.C.S.A. §7790.3, which shall be submitted along with the waiver request application.

      (2) The Beneficial Trust is established and maintained for the benefit of the Occupant of the Premises.

      (3) The Occupant does not provide compensation to reside in the Premises.

      (4) The Premises is not rented out to any other Occupants for any period of time, including but not limited to a short-term rental basis.

3. Conditions of Waiver. In the event that a waiver request is approved, such approval may contain terms and conditions deemed appropriate by the Borough Codes Department, including without limitation that such waiver shall automatically expire in the event that the Premises is no longer occupied by the beneficiary of the Beneficial Trust and/or that any rental of said Premises shall be a violation resulting in automatic termination of said waiver approval.

4. Inspection. The Borough Department of Codes, or its assigns (As the case may be), may, but is not required to, inspect the Premises as a part of the waiver request application review process. Said inspections, where elected by the Borough Codes Department, shall follow the procedure set forth in Section 11-303, above.

SECTION 3. Severability

The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of Borough Council that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 4. Failure to Enforce not a Waiver

The failure of the Borough to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

SECTION 5. Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION 6. Repealer

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED by Borough Council, this 8th day of April 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 8th day of April 2025.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 8th day of April 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 8th day of April 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 15-402, "PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS" 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**
Lincoln Avenue	West	~~Between Nutt Road and Milligan Street.~~ Between Nutt Road to a point 60 feet south. "No Parking Between Signs". The signs should face north and shall be placed as erected

SECTION 2.

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 3.

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

SECTION 4.

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

PASSED by Borough Council this 8th day of April 2025.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 8th day of April 2025.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 8th day of April 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 8th day of April 2025.

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

Forever Changes
UTIQUE & GIFTERIE
RACE
TATTOO

Forever Changes
BOUTIQUE & GIFTERIE
GRACE

Forever Changes
LULU
BOUTIQUE & GIFTERIE
GRACE
TATTOO

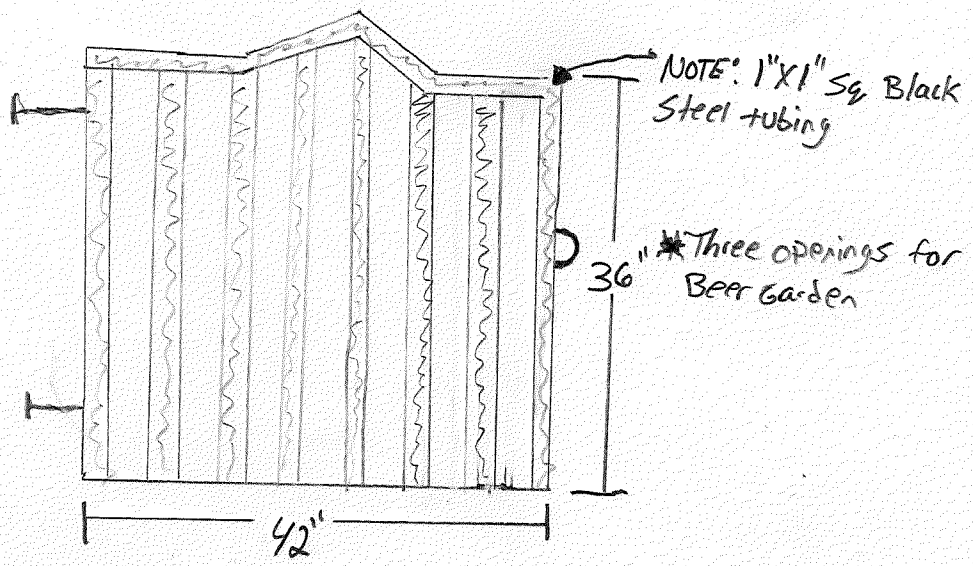
Existing Building as is.

STUDIO 323

Location of bracket
STUDIO 323
CREATE • CONNECT • GROW
EXIT
323
STUDIO 323

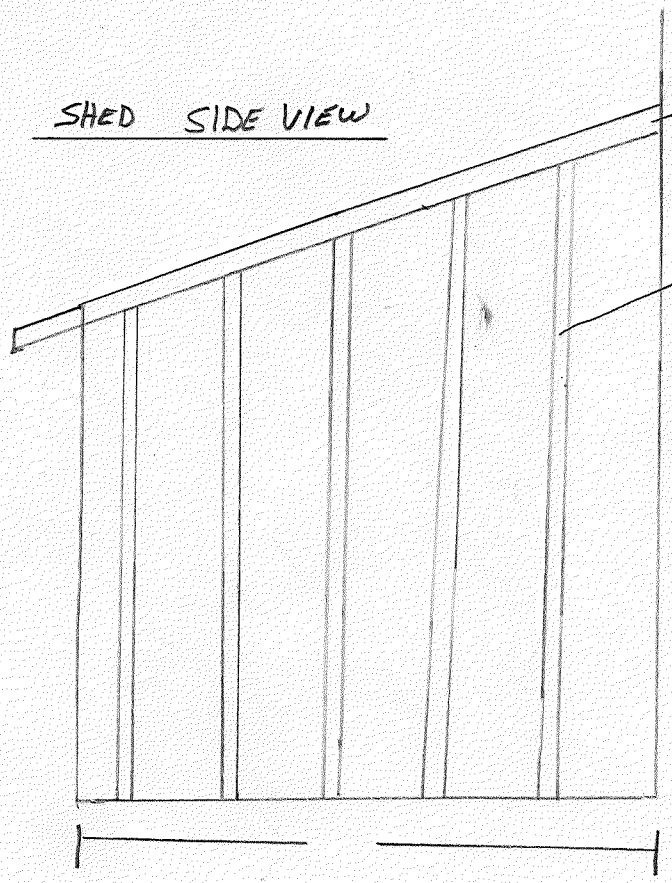
Metal
Painted Wood
STUDIO 323
24"
24"
8'6"
FACE PAIN
WORKSHOPS • PARTIES • ART CAMPS
STUDIO323

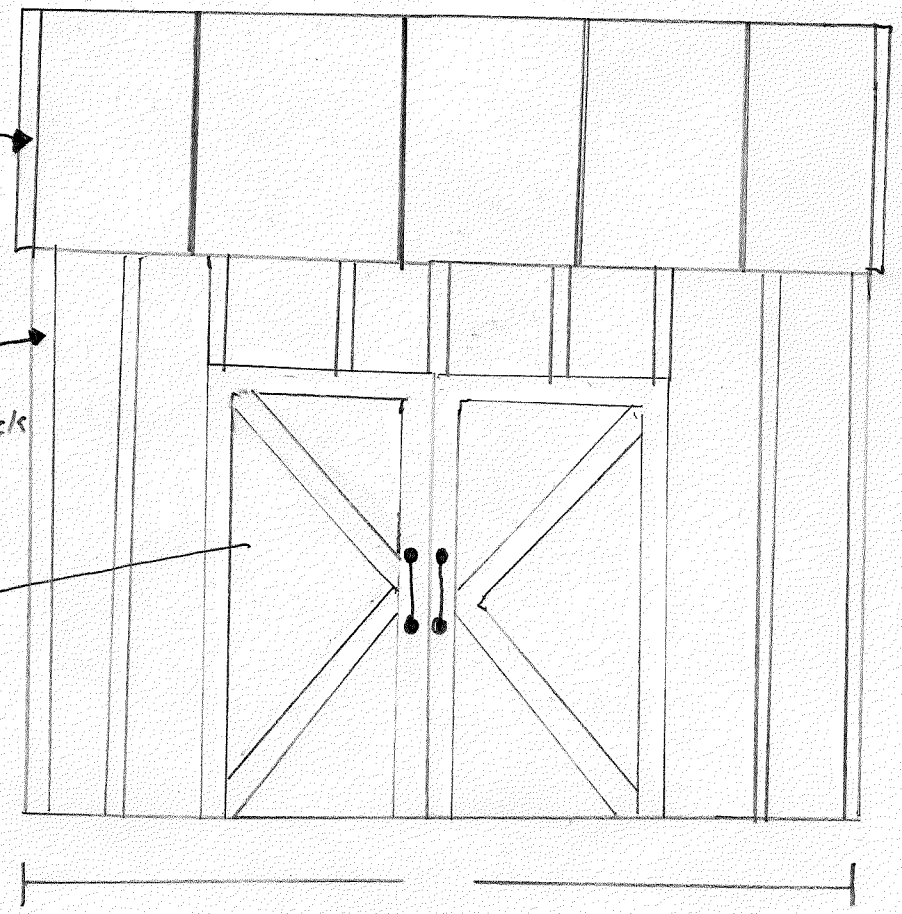
STABLE 12 Brewery
DestraBuilders + Contractors
email: destrabuilders@gmail.com
- metal Gate
- Grease tub Shed

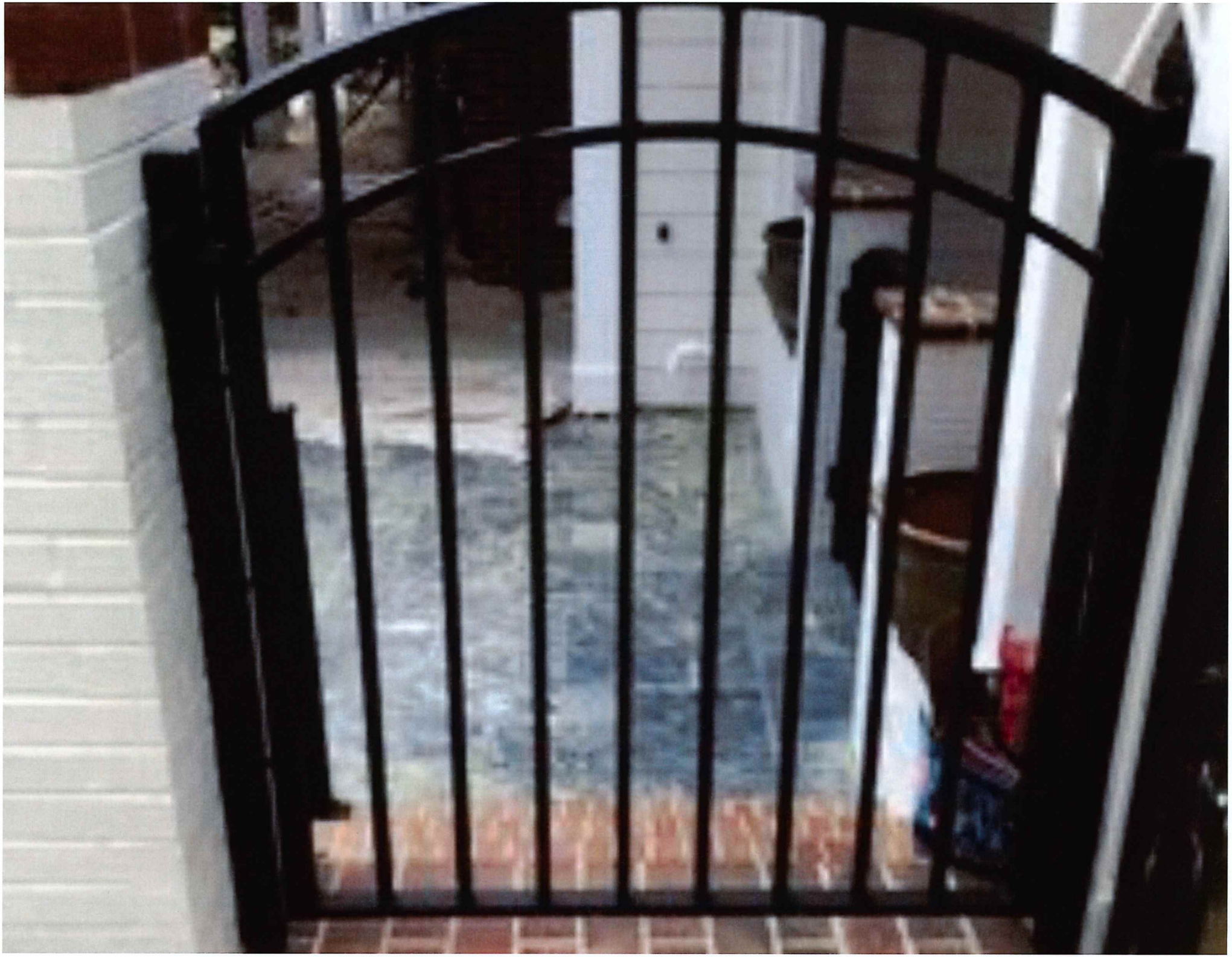


SHED FRONT VIEW

SHED SIDE VIEW





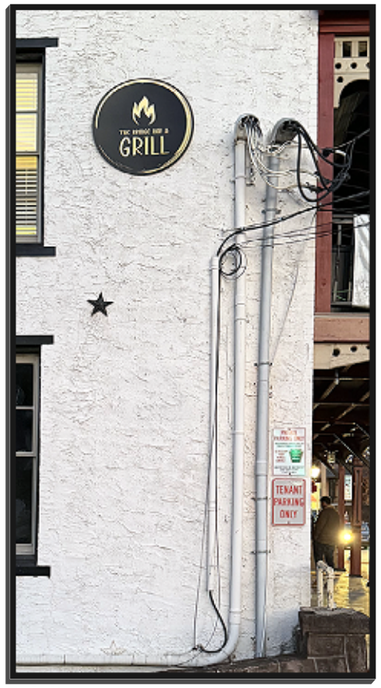


STABLE 12
BREWING CO.

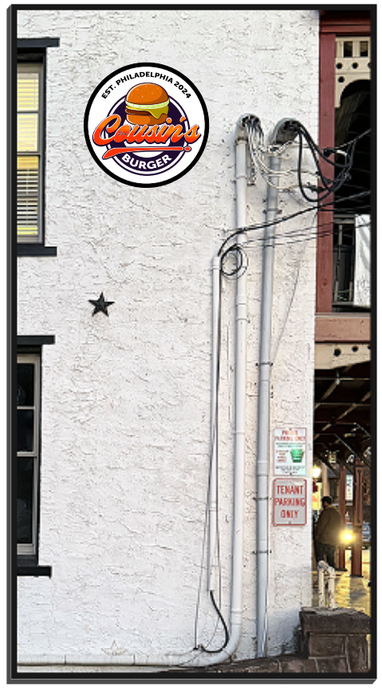
Signage (37 Bridge St, Phoenixville, PA 19460)

SIDE ELEVATION (Facing Parking)

Cousin Flat Orange Alum Letters (Burger to be white)



Exisitng



Proposed

STREET ELEVATION

Dibond Panel with PVC Cut Letters

Exisitng

INDOOR PANEL

Dibond Panel with Digital Print

OPT 1

OPT 2

PROPOSED PROJECT:

Cousin's

LOCATION ADDRESS:

37 Bridge Street
Phoenixville, PA 19460

OWNER / GC CONTACT INFO:

DATE / REVISIONS:

03-19-2025

SHEET:

1 of 1

LAYOUT DRAWING

DESIGN CRITERIA	PA
CODE: IBC 2021 I ASCE 7-16	
Snow Load: Ground Snow Load - Pg = 25 lb/ft²	
Snow Exposure Factor Ce = 0.9 for fully exposed	
Snow Load Importance factor I = 1.0	
Thermal factor Ct = 1.2 (for Unheated structure)	
Wind Loads:	
Basic Wind Speed V = 125 mph	
Risk Category III	
Topographic Factor Kzt = 1.0	
Wind Exposure Category = C (Assumed open terrain),	
Force Goel Cf=	
0.5 to 2.0 depends on the shape and dimension of the sign.	
Wind Directionality Factor Kd = 0.85 I Gust Factor G = 0.85	

COLORS SPEC:

AS NOTED

NOTE: Owner is responsible to provide access hole or entryway leading to sign, inside/behind wall sign area, and large enough for technician to enter and complete all wiring work necessary. technicians are NOT authorized for this construction work. Additional fees WILL be billed when provides.

THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED. IT MAY NOT BE REPRODUCED, COPIED, EXHIBITED OR UTILIZED FOR ANY PURPOSE, IN PART OR IN WHOLE BY ANY INDIVIDUAL INSIDE OR OUTSIDE WITHOUT WRITTEN CONSENT.

FILE LOCATION:

DESIGNER:

<u>Personnel and Public Safety Committee Meeting</u>
Tuesday, April 1, 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 6:00 pm.

II. Public Comment on Non-Agenda Items.

No public comment.

III. Committee Member Updates/Discussions.

No Committee Discussion.

IV. New Business

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

Ms. Buckley acknowledged receipt of the various reports and asked if there was any additional input or updates. There were none.

B. Interview candidates for appointment or reappointment to Commissions.

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

Mr. DiNapoli provided background on why he would like to continue on the Commission.

Mr. Weiss made a Motion to recommend Borough Council reappoint Mr. DiNapoli for a new term expiring March 31, 2029. Second by Mr. Strenfel. Motion passed 3-0.

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

Rev Paczulla provided background on why she would like to continue on the Commission.

Mr. Weiss made a Motion to recommend Borough Council reappoint Rev. Paczulla for a new term expiring March 31, 2028. Second by Mr. Strenfel. Motion passed 3-0.

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

Ms. Nicholson was not in attendance.

F. Motion to recommend Borough Council reappoint Ed Lantzy to the Recreation Board for a new term expiring April 30, 2029.

Mr. Lantzy provided background on why he would like to continue on the Board.

Mr. Weiss made a Motion to recommend Borough Council reappoint Mr. DiNapoli for a new term expiring April 30, 2029. Second by Mr. Strenfel. Motion passed 3-0.

G. Motion to recommend Borough Council reappoint Frank Markey to the Recreation Board for a new term expiring April 30, 2029.

Mr. Markey could not make the meeting.

Mr. Strenfel made a Motion to recommend Borough Council reappoint Mr. Markey for a new term expiring April 30, 2029. Second by Mr. Weiss. Motion passed 3-0.

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

V. Old Business

A. PXV Inside Out.

Mr. Krack reported on Staff looking into additional decorative lighting in the downtown.

B. Emergency Management.

Nothing new to report.

C. Community Policing.

Nothing new to report.

D. Retention/Recruitment Update

Mr. Krack reported on the various Staff changes within various departments and noted that personnel are being retained rather than looking for work outside of the Borough.

VI. Public Comment

There was no public comment.

VII. Adjournment at 6:25 by Mr. Weiss.

Next Meeting Date: Tuesday, May 6, 2025, at 6:00 pm

Parks and Recreation Committee Meeting
Tuesday, March 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 6:10 pm.

II. Public Comment on Non-Agenda Items

There was no public comment.

III. Presentations

There were no presentations.

IV. Committee Member Updates/Discussions

Ms. Gibbons reported that Valley Forge University would be providing their annual student clean-up in the Borough on Wednesday, April 23.

V. New Business

A. Review of Recreation Board reports.

There were no reports for this month.

B. Motion to recommend Borough Council approve a Temporary Community Event Application for the Phoenixville Vintage Fest in the Bridge and Main Street Parking Lot on Saturday, June 7, 2025, from 9:00 am to 4:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

Mr. Weiss made a Motion to recommend Borough Council approve the event as presented. Second by Ms. Dugan.

On the question. Organizer Madelyn Zink noted that the event was moved to Saturday, May 31 so as not to conflict with another event on June 7. Mr. Weiss amended his Motion to reflect the May 31 date. Ms. Dugan accepted the amendment. Motion passed 3-0. Ms. Burckley had just arrived.

C. Motion to recommend Borough Council approve the closing of North Main Street between Bridge Street and Church Street as part of the previously approved First Fridays from May through December from 3:00 pm to 10:00 pm.

Mr. Weiss made a Motion to recommend Borough Council approve the additional street closure. Second by Ms. Burckley. Motion passed 4-0.

D. Motion to recommend Borough Council approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Saturday, August 2, 2025, from 11:00 am to 5:00 pm. Third Avenue between Main Street and B Street to be closed from 7:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance, naming Borough as Additional Insured.

Mr. Weiss made a Motion to recommend Borough Council approve the additional street closure. Second by Ms. Burckley. Motion passed 4-0.

E. Motion to recommend Borough Council approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Sunday, August 3, 2025, from 11:00 am to 5:00 pm. Third Avenue between Main Street and B Street to be closed from 7:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance, naming Borough as Additional Insured.

Mr. Weiss made a Motion to recommend Borough Council approve the additional street closure. Second by Ms. Burckley. Motion passed 4-0.

F. Update on MDM Preserve/Taylor Street Park.

Mr. Krack provided background on next steps for the consolidation of the Borough portions of the vacated portions of the unopened Wilson and Emmett Streets.

Amanda Vail asked the Borough to not move forward with its plan until they got a new survey given there is a disparity between the Borough survey and her survey. Mr. Krack explained that the vacation of the streets provides for the distribution of property from the center line of the vacated street, which has no effect on her existing property line. He advised that each property owner affected by the vacating of the street should get a new survey to incorporate additional property and file the necessary deed consolidation paperwork with the County.

VI. Public Comment

There was no public comment.

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

Next Meeting Date: Tuesday, April 15, 2025, at 6:00 pm.

Policy Committee Meeting
Tuesday, March 25, 2025
Immediately following Finance Committee
Meeting which starts at 6:00 pm

MINUTES

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

I. Call to Order at 6:13 pm

II. Public Comment on Non-Agenda Items

David Lutzker asked why draft ordinances are not attached to the Agenda for the Committee Meeting.

III. Committee Member Updates/Discussions. None.

IV. New Business

V. Old Business

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

Mr. Moore provided written details as to why he is opposed to this ordinance amendment.

Mr. Krack stated he and staff would look into the details provided by Mr. Moore and bring back the draft ordinance next month.

B. Enforcement of bans on reproductive health services.

Nothing new to report.

VI. Public Comment

No public comment.

VII Adjournment at 6:55 pm by Mr. Carminito.

Next Meeting Date: Tuesday, April 22, 2025, immediately following the Finance Committee which starts at 6:00 pm.

INFRASTRUCTURE, TECHNOLOGY, TRANSPORTATION, AND SUSTAINABILITY (ITTS) COMMITTEE MEETING
Tuesday, March 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 6:10 pm

II. Public Comment on Non-Agenda Items

Paige Mulvaney asked about action(s) the Borough can take to improve the crossing of Starr Steet at Second Avenue.

David Saneck asked questions about Fillmore Street and the Borough's plan for realignment.

III. Committee Member Updates/Discussions

Mr. Krack provided information regarding efforts to improve the crosswalk at Starr Street and Second Avenue.

Mr. Krack provided information on the width of the ROW for Fillmore Street.

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 that a new grant application will be submitted for the Third Avenue stormwater line replacement. He also provided a sketch of the rain garden concept proposed for the Church and Main Street intersection, which will also include the new bus stop.

C. Phoenix Wheel

Mr. Krack reported the original cost estimate was way out of line with available funding resources. He expects to have revised cost estimates later this week.

D. Potable Reuse Feasibility Study RFP

Mr. Krack reported that he inadvertently put out the wrong advertisement which resulted in no RFP submissions. This has been fixed, and the new advertisement will start on March 24 with RFP's due by May 8, 2025.

E. Borough Properties and Habitat for Humanity

Mr. Krack reported staff, and the solicitor are working through the necessary documents to affect the transfer of the properties Council is offering.

F. Borough Parking Lots

Mr. Krack reported he is working with the Parking Department to identify what actions need to be taken to bring the parking lots up to standard and the ordinance needed to identify the lots for metering purposes.

VI. Transportation

A. Bridge and Starr Street

Mr. Krack reported on the steps needed to complete the ROW agreements with several of the abutting property owners. He expects that it should be completed in early April.

B. Paradise Street – Phase 2

Mr. Krack reported the final plans are nearly complete and will be submitted to PennDOT for approval. Once approved the Borough can move forward by bidding on the project once final grant agreements are in place which should be in the early Fall.

C. Bridge and Nutt – 23 Corridor Improvements

Mr. Watson provided an update on the improvements PennDOT has approved which included adding battery backup to several of the existing control boxes.

D. Trails

Mr. Watson reported the fence is nearly complete along the Tague Lumber property and that he expects to grade and stone the portion of the trail from the Borough Hall parking lot to the Fire Station parking lot in early Spring.

E. Walkability

Ms. Getzfread provided an update on the work staff is doing to incorporate the efforts the Borough is making towards walkability, and that the website update will include mapping.

F. Gay and Washington Traffic Signal

Mr. Krack reported that PennDOT approved the removal and provided a process for signage notification over a period of 90 days after which, the lights can be taken down.

G. Bus Shelter

This was addressed in item V.B above.

VII. Sustainability

A. PXVNEO

Mr. Watson reported the Borough's consultant should be finished in the next couple of weeks with their recommendation on what construction elements are needed and what size equipment will need to be ordered. The current estimate is that the project could be completed before the end of this year.

B. Energy Audit for Solar Installation - Fire Station and Rec Center

Ms. Getzfread reported the audit is nearly complete and will be used as supporting documentation for the grant application being submitted for grant funding to install the solar panels.

VIII. Technology Updates

A. Monthly Reports

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

IX. Public Comment

There was no public comment.

X. Adjournment at 7:58 pm by Ms. Burckley

Next Meeting Date: Tuesday, April 15, 2025, at 7:00 pm.

FINANCE COMMITTEE MEETING
Tuesday, March 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

No public comment.

III. Committee Member Updates/Discussions

No updates or discussions.

IV. New Business

A. Motion to recommend Borough Council approve the 2025 pre-paid dated 2/1/2025 - 2/28/2025 in the amount of $725,538.63.

Mr. Kirkner Made a Motion to recommend Borough Council approve as presented. Second by Mr. Carminito. Motion passed 4-0.

B. Motion to recommend Borough Council approve the 2025 pre-paid Credit Card Statement dated 2/1/2025 - 2/28/2025 in the amount of $25,946.82.

Mr. Kirkner Made a Motion to recommend Borough Council approve as presented. Second by Mr. Carminito. Motion passed 4-0.

C. Motion to recommend Borough Council approve the 2025 pre-paid ACH dated 2/28/2025 in the amount of $50,985.10.

Mr. Kirkner Made a Motion to recommend Borough Council approve as presented. Second by Mr. Carminito. Motion passed 4-0.

D. Motion to recommend Borough Council approve Budget Increase 2025-04 from General Fund Balance in the amount of $24,100.00 to Streets Department (Contracted Services) for repair to brick sidewalks on Bridge Street.

Mr. Kirkner Made a Motion to recommend Borough Council approve as presented. Second by Mr. Carminito. Motion passed 4-0.

E. Motion to recommend Borough Council approve Budget Increase 2025-05 from General Fund Balance in the amount of $18,000.00 to Streets Department (Contracted Services) for installation of bump out on Main Street.

Mr. Kirkner Made a Motion to recommend Borough Council approve as presented. Second by Mr. Ewald. Motion passed 4-0.

F. Motion to recommend Borough Council approve the Staff recommendation for suggested Accounts Receivable write-offs for 2024.

Mr. Carminito Made a Motion to recommend Borough Council approve as presented. Second by Mr. Kirkner. Motion passed 4-0.

V. Public Comment

No public comment.

VI. Adjournment at 6:11 pm by Mr. Kirkner

Next Meeting Date: Tuesday, April 22, 2025, at 6:00 pm