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

MINUTES
(Minutes approved by Borough Council on March 11, 2025)

I. Pledge of Allegiance/Moment of Silence

II. Roll Call – Borough Manager

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

III. Public Comment

Zachary Ziobro, resident. He expressed his concerns with the proposed trails in Reservoir Park. He stated that it started as a gravel path that would be constructed from Dayton Street to South Street and then on from South Street to Res Park. At the latest Parks and Rec meeting it was explained the Borough cannot dutifully construct a path in the segment from Dayton Street to South Street. This leaves the remaining segment from South Street to Res Park in question. Tonight, there's a motion to not pursue this project and discharge the easement back to my family. He urged the Council to take this action. This trail was petitioned against 20 years ago and was petitioned against this past November and the fundamental problems with its placement are not something that will change over time.

IV. Presentations

Mr. Ewald stated that the Council did hold an executive session to discuss the following five items. A matter of real estate related to 21 Emmett Street and a property without an address without an address being UPI Number 15-5-195, attorney-client privilege communications regarding contract negotiations with PA American Water Company, matters of personnel related to Civil Service Commission's preparation of eligibility lists, a matter of real estate and litigation related to 395 Bridge Street, and quasi-judicial deliberation and attorney-client privilege communication related to the 224-226 Nutt Road's land development application.

V. Consent Agenda:

A. Approval of January 14, 2025, Regular Meeting Minutes.

B. Items from Historical and Architectural Review Board.

1. Motion to approve the Certificate of Appropriateness for renovations for 23 S. Main Street as recommended by the HARB in their Action Memo of February 3, 2025.
2. Motion to approve the Certificate of Appropriateness for renovations and awning for 101 Buchanan Street as recommended by the HARB in their Action Memo of February 3, 2025.
3. Motion to approve the Certificate of Appropriateness for renovations for 131 Bridge Street as recommended by the HARB in their Action Memo of February 3, 2025.
4. Motion to approve the Certificate of Appropriateness for signage for 223 Prospect Street as recommended by the HARB in their Action Memo of February 3, 2025.

B. Items from Personnel and Public Safety Committee.

1. Motion to adopt a Resolution appointing or reappointing Emergency Management and Fire Marshal duties for the Borough of Phoenixville.

C. Items from Parks and Recreation Committee.

1. Motion to approve a Temporary Community Event Application for Earth Day Phoenixville 2025 at Reservoir Park on Saturday, April 26, 2025, from 12:00 noon to 4:00 pm. Franklin Street above Fillmore and the Reservoir Parking Lot to be closed from 10:00 am to 6:00 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 First Fridays on Friday, May 2, November 7, and December 5, 2025, from 5:30 pm to 8:30 pm on the 100 and 200 Block of Bridge Street and the Bridge and Main Street Parking Lot. Bridge Street to be closed between Gay Street to Main Street and Main Street to Starr Street from 3:00 to 10:00 pm. The Bridge and Main Street Parking Lot to be closed from 8:00 am to 10:00 pm each Friday.
3. Motion to approve a Temporary Community Event Application for Walk a Mile in Her Shoes on Saturday, May 3, 2025, in Reeves Park from 9:30 am to 11:00 am. No Street Closures. 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 Juneteenth Celebration in the 200 Block of Bridge Street and the Bridge and Main Street Parking Lot on Sunday, June 22, 2025, from 2:00 pm to 6:00 pm. The 200 Block of Bridge Street between Gay Street and Main Street and Bridge and Main Street Parking Lot to be closed from 10:00 am to 7:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

C. Items from Finance Committee.

1. Motion to approve the 2024 pre-paid dated 11/1/2024 - 11/30/2024 in the amount of $1,809,549.68.
2. Motion to approve the 2024 pre-paid dated 12/1/2024 - 12/31/2024 in the amount of $1,126,689.68.
3. Motion to approve the 2024 pre-paid Credit Card Statement dated 11/1/2024 - 11/30/2024 in the amount of $61,636.06.
4. Motion to approve the 2024 pre-paid Credit Card Statement dated 12/1/2024 - 12/31/2024 in the amount of $64,922.83.
5. Motion to approve the 2024 pre-paid ACH dated 11/30/2024 in the amount of $1,666,408.99.
6. Motion to approve the 2024 pre-paid ACH dated 12/31/2024 in the amount of $45,126.43.
7. Motion to approve the Staff recommendation authorizing the Finance Director to make the necessary end-of-year adjustments and to provide a listing of those adjustments to the Finance Committee and the Borough's Auditor.

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

Motion Approved 8-0.

VI. Communications/Council Participation

Ms. Burckley stated that she wanted to thank Borough Staff and the First Responders for a very successful and very big party at Veterans Field on Saturday February 1, 2025. She stated it was probably one of the best Firebird celebrations. She reported a lot of mud was dealt with and she appreciates everyone coming together for a well-organized and thought-out event despite this size and the dangers involved. She appreciates staff for giving their all on a very cold night.

Mr. Moore asked Mr. Krack if he could provide background information on the upcoming Zoning Task Force Public Workshop.

Mr. Krack explained On Wednesday, February 26th beginning at six o'clock p.m. at the Recreation Center at 501 Franklin the task force will hold a public workshop where all of the information gathered that has looked at the various parts of Ordinance Chapter 27 Zoning. Poster boards of various sector sections of the written components and then some mapping showing some recommended changes to the Zoning Map. The first hour will allow the public to walk around, view the information and ask questions of the task force members. At 7 o'clock, the workshop will move to more of a dialogue with our consultants to respond to any questions from the floor. A final meeting of the task force will take place to compile all the changes and put it in the format that will then be presented to the various planning commissions for comment. Once the final recommendations are reviewed the Council will be presented with an ordinance for scheduling and advertising.

Mr. Denlinger clarified that once a final ordinance for consideration is drafted and presented to the Council a Public Hearing will be held to consider adoption of the updated Zoning Ordinance.

VII. Mayor's Report

Mayor Urscheler reported on some upcoming events. On the 18th of February, Citizens Advocacy is having their play with a purpose at the People's Light Theater, Orion Communities Casino Night on February 28th at Rivercrest, the Phoenixville Community Health Education Foundation fundraiser has sold out, Grimes AME will host their annual Black History Month Celebration on February 15th and Congresswoman Chrissy Houlahan will hold her State of the 6th on February 24th at the Colonial Theatre.

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

None

X. Public Hearings

None

XI. Resolutions/Ordinances

A. Motion to adopt a Resolution officially granting an extension of time for the completion of the development known as "Phoenixville Plaza –Pad Sites", previously approved by Resolution 2023-18.

Mr. Denlinger explained the Council at its May 2023 Council Meeting approved the land development for Phoenixville Plaza, known as the Pad Sites, which was the Starbucks and Tommy's Car Wash. This project had a land development and financial security agreement that was entered into on December 14, 2023. The project approval is protected for five years under the Pennsylvania Municipalities Planning Code. However, the Borough's development agreements provide a shorter time period in order to for the completion of the development in order to keep tabs on the financial security that's associated with the projects. As a result, the developer is asking for a one-year extension to build the development. As the developer is still well within his five-year MPC provided window, the Resolution proposed before the Council today is to grant such an extension. Provided that the Financial Security associated with the project is also extended for an additional year and the developers enter into an amendment substantially similar to what's attached to your resolution in order to memorialize that the extension. All other terms and conditions of the land development and financial security agreement will remain the same.

Ms. Burckley made a Motion to adopt a Resolution officially granting an extension of time for the completion of the development known as "Phoenixville Plaza –Pad Sites", previously approved by Resolution 2023-18. Seconded by Mr. Weiss.

Motion Approved 7-0. Mr. Kirkner was Out of the Room.

B. Motion to adopt a Resolution pursuant to 8 PA.C.S.A. §§ 1402(d)(1.1)-(1.2) affirming the nature of the emergency procurement of ammonium sulfate for the Borough's water plant.

Mr. Denlinger explained every year the Borough bids out the chemicals that we need in order to run our water treatment and sanitary sewer treatment plants. Brenntag Northeast was a successful bidder for ammonium sulfate, which is one of those chemicals. Brenntag was unable to provide the Borough with the ammonium sulfate, a chemical critical to our water treatment. The availability of clean drinking water is paramount to the health, safety, and public welfare and since the plant is down to a 10-to-14-day supply of ammonium sulfate, the Borough purchased the ammonium sulfate from Univar, who was the second highest bidder when we originally bid this. He stated he believes the emergency provisions of the Borough Code allow Borough Staff to do this without approval from the Council. He stated he thinks it's prudent for the Council to approve these exercises of emergency powers to ensure the emergency procurement is fully transparent to the public.

Mr. Moore made a Motion to adopt a Resolution pursuant to 8 PA.C.S.A. §§ 1402(d)(1.1)-(1.2) affirming the nature of the emergency procurement of ammonium sulfate for the Borough's water plant. Seconded by Ms. Burckley.

Motion Approved 8-0.

C. Motion to adopt a Resolution terminating the agreement with the 2025 supplier of ammonium sulfate and authorizing the next highest bidder as the replacement supplier.

Mr. Denlinger explained Brenntag Northeast was a successful bidder for ammonium sulfate and were unable to provide the chemical therefore Brenntag has requested to be released from its contract to provide the ammonium sulfate. Univar, the second highest bidder, where the Borough procured the emergency supply from has agreed to supply it at the price originally bid for the rest of 2025. As a result, this motion seeks approval to terminate the Northeast Brenntag contract as it relates to ammonium sulfate and enter into an agreement with Univar to supply the same.

Mr. Weiss made a Motion to adopt a Resolution terminating the agreement with the 2025 supplier of ammonium sulfate and authorizing the next highest bidder as the replacement supplier. Seconded by Ms. Burckley.

Motion Approved 8-0.

XII. Reports of Committees, Boards, and Commissions

A. Historical and Architectural Review Board – Ms. Dugan

1. Motion to approve the Certificate of Appropriateness for signage for 35 Bridge Street as recommended by the HARB by vote of 5-1 in their Action Memo of February 3, 2025.

Ms. Burckley made a Motion to approve the Certificate of Appropriateness for signage for 35 Bridge Street. Seconded by Mr. Weiss.

On the Question:

Ms. Dugan expressed her concerns with applicants submitting their signage approvals after the signage is already installed. The process is to receive approval and then install the signage. She stated she has issues with the signage and whether it meets the guidelines for signage in the HARB District. Furthermore, the applicants don't appear at the HARB meeting so discussion about the signage can be had. She stated she understands that HARB has no control over the color of the signage, but she would like to have a dialogue as some of the colors are jarring and really don't fit with the adjacent signage in the downtown.

Mr. Moore asked for clarification on the Council's ability to deny the application even though HARB did recommend approval.

Mr. Denlinger explained the HARB is an advisory body to the Council. It is not a decision-making body, and the ultimate decision is up the Council. He stated in order to deny the application. You have to deny it on the basis that it does not meet the standards of the HARB district. As for the provisions and enforcement penalties that can and should be pursued against applicants that install their signage ahead of the HARB process, he believes it is something he and the Borough Manager will have to review.

Ms. Burckley stated she has certainly noticed signs around town that she knows have not gone before HARB. She agrees a discussion should be had, perhaps, outside of this meeting that she imagines would include Mr. Denlinger, the Borough Manager, and the Borough's Codes Department.

Ms. Dugan stated she feels it would be best for someone to show up and discuss with us what would be an appropriate way to fix it. She was really hoping this would be sent back to HARB and that the applicant would come to the HARB meeting to discuss the signage for both 35 and 37 Bridge Street with the board. She asked if that was something that could be done.

Mr. Denlinger stated unfortunately, not pursuant to the ordinances, the Council has to make a decision within 45 days, which means the Council could not send the application back to HARB, nor would the Council be able to table this until their next meeting.

Ms. Burckley asked if the application is denied this evening would the applicant be able to resubmit to the HARB or appeal the Council's denial.

Mr. Denlinger explained the applicant could appeal the decision or they could come back with a different application, or they could do both. Certainly, if the Council denies the application, they should do so in a legally justified way in order to survive an appeal.

Mr. Moore asked if the fact that the HARB voted to recommend approval as an advisory board hinders the Council being able to deny the application.

Ms. Dugan stated that the board did not like it either but felt they didn't have the right to deny it.

Mr. Kirkner stated there are standards for the signage and if you look at this sign it's a very plain sign of gold letters on a brown background. In any event this sign doesn't look much different from other signs that have been approved. There is nothing historically significant or representative about the sign and the Council has approved equally bland signs in the past.

Ms. Dugan stated this is exactly her point. If the Council continues to approve of these things we're setting standards that are awfully low. Applicants will continue to lower the bar if the Council continues to not push back and challenge those who don't follow the process correctly.

Mr. Denlinger stated to be clear the Council can't deny this application because you are unhappy with the how the process went. He clarified if the Council is inclined to deny this application, it has to be based on the fact that you think this sign does not meet the standards and requirements of the HARB District.

Mr. Moore stated he is convinced by his colleague Ms. Dugan that it doesn't meet the requirements of the HARB District.

Mr. Kirkner stated upon reviewing the application the material used for the sign are not listed and he believes this is a valid basis on which the application can be denied as the ordinance does indicate the types of materials that can be used.

Mr. Krack stated he would say the application could be denied as the application fails to retain and preserve the overall form materials and details that are important in defining the architectural and historical character of the building site and overall downtown historic district.

Mr. Ewald stated there is a Motion on the floor for approval.

Mr. Krack stated a vote of Zero for approval would be a denial.

Mr. Denlinger stated a vote would need to be taken on the approval Motion and then a second Motion would be needed to deny the application, or the motion makers can withdraw their motion, whichever you prefer.

Ms. Burckley asked if the solicitor has any recommendation as far as how we should move forward with the Motion on the floor.

Mr. Denlinger indicated there are two options are to vote on the motion to approve the application or to withdraw the motion. He stated both options are just as sound and suggested the choice is based more on if the vote seems to be more split than he would advise voting on the motion on the floor if the consensus seems more in opposition to the motion sometimes withdrawing it is slightly easier.

Ms. Burckley stated she would withdraw the motion to approve. Mr. Weiss agreed to withdraw the motion.

Ms. Dugan made a Motion to deny the Certificate of Appropriateness for signage for 35 Bridge Street as it fails to retain and preserve the overall form, materials, and details that are important in defining the architectural and historic character of the building site and overall downtown historic district. Seconded by Mr. Kirkner.

Motion to deny Approved 8-0.

2. Motion to approve the Certificate of Appropriateness for signage for 37 Bridge Street as recommended by the HARB by vote of 4-2 in their Action Memo of February 3, 2025.

Ms. Dugan made a Motion to deny the Certificate of Appropriateness for signage for 37 Bridge Street as it fails to retain and preserve the overall form, materials, and details that are important in defining the architectural and historic character of the building site and overall downtown historic district. Seconded by Mr. Kirkner.

On the Question:

Mr. Kirkner stated the same issue exists with this application as the materials of the sign are not included for the sign at 37 Bridge Street.

Motion to deny Approved 8-0.

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 Oakwood Apartments Expansion.

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

Mr. Denlinger explained this project concerns the parcels of land located at 1042, 1044, 1050 W. Bridge Street, and 623 Deger Avenue, collectively consisting of approximately 3.91 acres. With parcels more particularly identified as Chester County, UPI numbers 15-12-196, 15-12-197, 15-12-197.2, 15-12-197.4. They currently are improved with four existing three-story apartment buildings housing 96 units and three detached single-family dwellings. As well as one single story masonry structure along with two paved parking lots and other improvements. The applicant proposes the consolidation of the four parcels. Demolition of the three single family homes and the development of the site with two new multifamily residential buildings containing 32 new apartment dwellings. Along with restriping and improvements to the parking lot resulting in 149 parking spaces. A sanitary sewer main extension, sidewalk, and crosswalk improvements, landscaping, lighting, stormwater management and related improvements. The applicant has requested one waiver to pay funds to support the affordable housing and downtown economic revitalization program instead of a fee in lieu of for recreation space. After reviewing the project at several meetings, the Planning Commission voted unanimously at its October 10th, 2024, meeting to conditionally recommend approval of the application. This motion was slightly unique in that it required the applicant to meet certain conditions prior to council consideration. All of those conditions the borough consultants have deemed fulfilled. So, with that, he believes the applicants engineer with us this evening.

Glen Kelczewski with Bercek & Associates stated he is here representing the property owner SYT Oakwood Apartments LLC, and he would answer any questions the Council may have for him.

Mr. Denlinger asked Mr. Kelczewski if he had anything he wanted to add to his summary of the project.

Mr. Kelczewski stated that was very good and added there will be some road way improvements along W. Bridge Street as well as installing new curbing along W. Bridge. A new streetlight will be installed at the intersection of W. Bridge Street and Deger Avenue.

Mr. Ewald asked Mr. Denlinger to reiterate what the one variance or waiver that was requested.

Mr. Denlinger explained the request is a fee in lieu of recreation space and the applicant has asked to pay a sum towards the affordable housing fund rather than pay the recreation fee.

Mr. Ewald stated that after viewing the images it looks like it's going to be a similar, pretty much a matched set to what's existing with the other apartments that are on site.

Mr. Kelczewski stated the proposed buildings will match the brick exterior of the current buildings on site.

Mr. Carminito asked if more detail on the improvements that are happening on the site, like taking down some buildings and in terms of what improvements are being made for improvements are being made for open space and landscaping could be provided.

Mr. Kelczewski explained the improvements to the stormwater management as well as upgrading the existing patio areas and internal sidewalks.

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 Oakwood Apartments Expansion. Seconded by Mr. Weiss.

Motion Approved 7-1. Ms. Dugan voting No.

2. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as Christman Street Subdivision.

Mr. Denlinger explained that this project concerns the parcels of land located at 17 Christman Street, more particularly identified as Chester County, UPI numbers 15-5-336, 15-5-338. They are currently improved with one single family detached dwelling. And a budding paved driveway with an entrance off Christmas Street, as well as a second paved driveway leading to a detached garage as well as a shed brick patio and several stone walls. The applicant proposes to subdivide two (2) existing lots into five (5) lots. Lot 1 will retain the existing 2-unit dwelling and lots 2-4 will each be improved with a 2-unit duplex, parking, site improvements and stormwater management facilities. The applicant has requested three waivers. The first is to allow a driveway to be 43.2 feet from an intersection. The second is to not install a curb along the shared driveways. The third is related to the preservation of trees. Which approval would be conditioned on the preservation of an existing 14-inch diameter tree at the rear of Lot 2 and providing at least nine street trees and additional landscaping. After reviewing the project at several meetings, the Planning Commission unanimously voted at its January 9, 2025, meeting to conditionally recommend approval of the application.

Mr. Denlinger asked Mr. Comanda if he had anything to add this evening on behalf of his client.

Joel Comanda of Inland Design stated he is here on behalf of his client and had nothing additional to add to the excellent summary. He stated if the Council has any questions, he'd be happy to answer them.

Mr. Kirkner asked for what intersection the driveway waiver is being requested.

Mr. Comanda stated it is the intersection of Heckle and Christman Streets and the request is based on the way the lot is laid out and the developer is unable to get any further away from the intersection from the driveway. He explained that the Planning Commission and the Borough's consultants asked us to have a full double-width driveway for each lot to promote access and maneuverability for the cars there.

Mr. Kirkner stated that the intersection of Heckle and Christman is a low impact intersection it won't see as much traffic as the other end of the development where it meets Route 113.

Mr. Comanda confirmed that this is not a high traffic area as Christman Street is one way and the development is at the end of the neighborhood.

Mr. Kirkner asked if the units are duplexes with four off-street parking spaces for each building and two for each unit.

Mr. Comanda confirmed that is correct.

Mr. Ewald asked if the duplexes are side by side or upstairs downstairs configurations.

Mr. Comanda stated they are upstairs downstairs units similar to the ones built in the developers' Evergreen Project if you're familiar with that project. He also stated that the older house at the property is being preserved with this project.

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 Christman Street Subdivision. Seconded by Mr. Weiss.

Motion Approved 8-0.

3. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as 224-226 Nutt Road SDLD.

Mr. Denlinger explained this project concerns two parcels of land located at 224-226 Nutt Road, consisting approximately of 15,000 square feet of land more particularly identified as Chester County, UPI numbers 15-13-665, 15-13-666. Which are each currently improved with two-story single family semi-detached dwellings and related garages and parking areas. The applicant proposes to consolidate two parcels, demolish the existing dwellings, accessory structures, impervious surfaces and utilities and construct a 4-story multifamily building with sixteen (16) dwelling units, improved walkways, utilities, parking comprised of twenty (20) parking space including two (2) EV parking spots and stormwater management facilities. After reviewing the project at numerous meetings, the Planning Commission recommended approval of this application at its January 9th, 2025, meeting by a vote of 5-0-1, meaning there was one abstention. There are no waivers requested for this application.

Mr. Kirkner indicated he has a family member who has retained a colleague of Mr. Murray's firm for a legal matter and asked if he should recuse himself from this matter.

Mr. Denlinger explained he would be within his right to recuse himself.

Mr. Kirkner stated he will be recusing himself from this matter.

Michael Murray, with the law firm of O'Donnell Weiss & Mattei stated he is here on behalf of the applicant. He stated joining him tonight is Zach Hoffman, representative of the applicant, and Tom Carnevale is present as the architect on the project. He stated Mr. Denlinger gave a good overview of the project and confirmed that the project would demolish the existing structures, constructing a 4-story building with 16 apartment units. Sidewalks, parking, and stormwater management will be improved on the site as well.

Mr. Carminito asked how much taller the structure is than the buildings next to it.

Mr. Murray stated it is approximately 10 feet taller.

Mr. Ewald asked to have the stacked parking explained as that has not been seen in a project before here in the Borough.

Mr. Murray explained the stacked parking is specific to the two-bedroom units in the building. He stated it would be for a particular unit it wouldn't have one unit blocking in another unit's car. It would be similar to a single lane driveway at a single residential dwelling.

Mr. Ewald stated parking is assigned then.

Mr. Murray confirmed it is and, on the plan, it shows the units numbers on the parking spaces for the stacked parking.

Mr. Moore stated that he specifically asked at the beginning of the review at the Planning Commission meeting if the height of the building exceeded the regulations for that particular area. He confirmed that it does not exceed the regulations. As it is rendered it complies within inches of the regulations. He further stated that the properties on Nutt Road in the surrounding area are three story buildings and this is four stories, but it does comply.

Mr. Moore stated that he has a question related to a letter submitted by Florence Mano. She has expressed her concerns that the sewer infrastructure in the area of 224 -226 Nutt Road could not support a twenty (20) unit apartment building and he was hoping the Borough Manager could speak on this issue.

Mr. Krack explained that the project has to go through the process with DEP, but they also have to get a will serve letter and our observation of the lines that are there is we have plenty of capacity to take on projects in the borough. Those lines are at a size that the flow rate would not be impacted by this particular development.

Public Participation

Greg Schreiner resident of 329 Morris Street. He stated that his back gate to his property is directly across from the development site and he recalls discussion has been held stating that this project is an improvement for the current residents of Phoenixville. He doesn't agree that this is an improvement for the residents, it's in his opinion an improvement for the builders and he acknowledges there are within in their rights to construct this project. He expressed that he has concerns about the current sewer lines supporting this project, one of his neighbors has had sewer line issues at their property and that the fact that this project will tie into those same lines could be a problem. He stated he has concerns about emergency service access to the property and the negative impact that could have on his property. He hopes that all the concerns addressed by the neighbors have been researched and that there are no concerns for the current residents surrounding this project.

Florence Mano resident of 320 Milligan Street. She expressed her concerns on the height of the building not reflecting the surrounding neighborhood and how the project more reflects the height and architecture of Bridge Street. She does understand the property in question lies within the Corridor Development Zoning District, however, the project is surrounded by residential streets. She expressed her concerns over the parking not only on the site but also on the surrounding streets. Currently the residents on Milligan Street need to find other parking spaces on Lincoln Avenue or Morris Street. She has concerns about the stacked parking, units having more than two cars, the overall height of the building, water runoff and the widening of Milligan Street at the entrance and how that is going to work. She has concerns about Milligan Street with a width of 17 feet being able to accommodate the construction vehicles as well as sanitation trucks and the potential increase in noise and disruption from the construction.

Christian Martin resident of 323 Morris Street. She stated she agrees with her neighbors and their concerns relating to the project at 224-226 Nutt Road. She expressed her dislike for the project and how the structure will invade her privacy as the units will have a full view of her entire backyard. She would rather have a Starbucks, a dental office or a doctors office built there than have this project disrupt her quiet residential neighborhood.

James Yonkers resident of 300 Nutt Road. He expressed his concerns with the size of the project and its impact on the neighborhood. There is already an issue with parking on Lincoln Avenue and available parking for the residents of Milligan Street. He doesn’t understand why the building has to be 4 stories and can’t be sized to match the surrounding residential area.

Mr. Denlinger reiterated to the public the statements he made at the Planning Commission. He stated Planning Commission's role and the Council's role this evening is not whether you like this project or not. It is whether this project complied with the Subdivision and Land Development Ordinance and the Zoning Ordinance. If you have more esoteric reasons why you dislike this development, the way to go through that is to change the Subdivision and Land Development Ordinance, however, the current Subdivision and Land Development Ordinance applies to this development.

Mr. Moore made a Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as 224-226 Nutt Road SDLD. Seconded by Mr. Strenfel.

On the Question:

Ms. Dugan stated she agrees that the project is a disaster, but the problem is we can't change these ordinances or anything like that. There are rules beyond us. The Borough is not the biggest, we're kind of at the bottom of the totem pole when it comes to this. When the County says this is what we have to do here, and we agree to Regional Planning and everything anybody can put up these huge monstrosities. The Borough has very little control over what we can do with them and it's frustrating. She stated she has been voting no on all of these things for 10 years.

Mr. Ewald asked Mr. Murray if he could speak on any of the logistics that have gone into things like package delivery? He stated this is one of my concerns with no access to the building or parking from Nutt Road. Just curious if there's any thoughts on the actual package delivery.

Mr. Murray asked Mr. Carnevale to explain the package delivery.

Mr. Carnevale explained there will be a common mail room that is accessible from Nutt Road as well as the parking lot.

Mr. Carminito asked Mr. Carnevale how common stacked parking.
Mr. Carnevale explained it's not common, but it is doable. Especially with a project like this that has a combination of one- and two-bedroom units and the beauty of stacked parking is it minimizes the impervious coverage.

Ms. Burckley stated she has heard a lot of concern from the public about the sewer connection and capacity of the systems and she was hoping Mr. Murray could speak to that.

Mr. Murray stated it's our understanding there's sufficient sewer capacity both in conveyance and treatment capacity. If people are having their basements pumped, I have no idea why that's occurring. It could be because they've installed bathrooms in their basement and what's causing the back up at their location. This is being designed in full compliance with the Subdivision and Land Development Ordinances regarding sewer planning and design. He stated he heard the concerns regarding Milligan Street as well. There is significant improvements going on with this development, some off-site related to Milligan Street and Lincoln Avenue are being redone to improve the turning radiuses at the intersection along with ADA Curb Ramps. Milligan Street along the rear of the property will have a full milling and overlay.

Motion Approved 6-1-1. Ms. Dugan voting No and Mr. Kirkner abstains.

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner reported the Regional Planning Committee has adopted a 2025 working plan and discussion on affordable housing next month.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming programs at the Recreation Center including Parent's Night Out, Positive Coaching Alliance and the Phoenix Animal Rescue donation collection. The rescue needs many items including towels, paper towels, bleach and Purina One dog and puppy food. Spring Break camp signups are open for camps including basketball, flag football, soccer shots and pickleball. She encouraged residents interested in the programs to visit the Borough's website for a full list of programs.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito reported the arborist reviewed the plans for 100 School Lane, work continues on the 2025 removal list and the upcoming spring planting.

F. Human Relations Commission – Ms. Burckley

Ms. Burckley reported they commission continues to meet on the first Monday of the month at the Recreation Center and next meeting will be a working session for the scorecard.

XIII. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

1. Motion to notify the Civil Service Commission to commence the testing process and submission of an updated Eligibility List for Sergeant and Corporal.

Ms. Burckley made a Motion to notify the Civil Service Commission to commence the testing process and submission of an updated Eligibility List for Sergeant and Corporal. Seconded by Mr. Weiss

Motion Approved 8-0.

B. Parks and Recreation Committee – Mr. Moore

1. Motion to not make a trail connection from South Street to Reservoir Park through an existing Public Trail, Landscaping and Open Space Easement and Right-of-Way and direct the Borough Solicitor to draft the necessary documents to discharge the easement.

Mr. Moore made a Motion to not make a trail connection from South Street to Reservoir Park through an existing Public Trail, Landscaping and Open Space Easement and Right-of-Way and direct the Borough Solicitor to draft the necessary documents to discharge the easement. Seconded by

Mr. Weiss.

On the Question:

Mr. Ewald stated he wasn't part of the meeting for the Parks and Rec committee, but he understands there's quite a history on this. This is one of those examples that he feels that having an easement connecting to Reservoir Park for an entire development was a strong starting point by our predecessors that has actually led to us forcing all future developments to make connections to parks and trails. So he feels like this was sort of a starting point for some of the some of the things that were being celebrated about now in terms of making connections to various points, making sure there's safe connections for children and adults alike to make access to the playgrounds and parks that we have and knowing that there's not any safe sidewalk when walking south from this location it seems like that this provides a safe ingress and egress.

Mr. Moore stated that he feels there is sufficient sidewalk and trail access in the surrounding neighborhood to Reservoir Park. He explained we have a great trail now up from Fillmore across the street from the Recreation Center. He further stated if a resident really wants to walk into the park from Dayton Street they can walk in the grass.

Mr. Ewald stated there is no ADA accessibility if the only access is through the grass.

Ms. Burckley stated there was discussion about installing landscaping to add privacy for the adjacent residents.

Mr. Krack explained depending on what the Council decides, if the Council agrees with this motion, Staff wouldn't do anything. If the Council decides they want to continue to try to put in a trail he would suggest putting in landscaping and separate the trail from the neighbors because that would be the right thing to do.

Mr. Weiss stated he was the lone no vote on the committee and he sees both sides of this. He thinks there is some opportunity to do something good here and to continue some of the work that we've done in terms of intermodal connectivity and connecting trails. However, he also understands if the Council is not going to do this there is a desire to just put it to bed once and for all so that everybody can move on, both the Council and local residents. He still has faith that there might be a creative solution out there, which is why he voted against it.

Mr. Kirkner stated Mr. Ewald made several valid points, as representative of the North Side, and he thinks he said this before about the previous trail plan. There has not really been a huge cry from residents of the Ledges to have some kind of connection like this and he is concerned this is putting a solution out there that's kind of in search of a problem.

Mr. Carminito asked for clarification on voting to not build this trail that doesn't mean there's no possibility of a trail in the future up there, it would just not be on this property any longer.

Mr. Krack explained the opportunities still exist as the Borough has property north of the trail that was being considered, a triangular shape of property and then there's PennDOT's right away. If and when PennDOT ever releases that right of way, it would go to the underlying property owners of which the Borough is a part of that certainly and it's a much larger location. He stated it would actually provide the opportunity to go from Dayton Street back into the park but, until PennDOT does that, and we don't know when that opportunity will present itself. PennDOT has indicated they want to release all of those types of right of way properties.

Ms. Dugan stated she doesn't understand why this project has to be done at all. She's never heard anybody complain about this particular park and the Borough has so many projects, so many other good ideas and so many better ways to spend money. She feels like this trail will be an inconvenience and it is making the residents and neighbors of the park upset and there's just no reason to continue offering a solution in search of a problem.

Motion Approved 5-3. Ms. Burckley, Mr. Weiss and Mr. Ewald voting No.

C. Policy Committee – Mr. Carminito

1. Motion to schedule and advertise an ordinance amendment to Chapter 2 "Animals".

   Mr. Carminito made a Motion to schedule and advertise an ordinance amendment to Chapter 2 "Animals". Seconded by Mr. Strenfel.

   Motion Approved 8-0.

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

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

Motion Approved 8-0.

3. Motion to schedule and advertise an ordinance amendment to Chapter 16 “Parks and Recreation”.

   Mr. Carminito made a Motion to schedule and advertise an ordinance amendment to Chapter 16 “Parks and Recreation”. Seconded by Mr. Weiss.

   Motion Approved 8-0.

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

1. Motion to authorize Staff to issue a Request for Proposals (RFP) for a Feasibility Study for a Potable Reuse Project.

   Mr. Weiss made a Motion to authorize Staff to issue a Request for Proposals (RFP) for a Feasibility Study for a Potable Reuse Project. Seconded by Mr. Strenfel.

   Motion Approved 8-0.

E. Finance Committee – Ms. Dugan

1. Motion to accept the engagement of Keystone Engineering Group pursuant to the Engineering Design Services proposal dated January 8, 2025 related to preventative odor mitigation for the wastewater treatment plant in an amount not to exceed $58,930.00, presented pursuant to Keystone’s participation in the COSTARS bidding program, provided and subject to the Engineering Design Services Agreement prepared by the Borough Solicitor; and further authorizing SoMax Environmental, Inc. and SoMax Bioenergy, LLC to continue to operate as the general contractor for the PXV NEO project through completion, pursuant to the July 25, 2019 SoMax Proposal, including, without limitation, overseeing and coordinating with Keystone Environmental; and, in furtherance of the foregoing, further authorizing SoMax, Keystone, and Borough staff to identify the necessary equipment and qualified manufacturers and installers thereof, required to bring the PXV NEO system online.

   Ms. Dugan made a Motion to accept the engagement of Keystone Engineering Group pursuant to the Engineering Design Services proposal dated January 8, 2025 related to preventative odor mitigation for the wastewater treatment plant in an amount not to exceed $58,930.00, presented pursuant to Keystone’s participation in the COSTARS bidding program, provided and subject to the Engineering Design Services

Agreement prepared by the Borough Solicitor; and further authorizing SoMax Environmental, Inc. and SoMax Bioenergy, LLC to continue to operate as the general contractor for the PXV NEO project through completion, pursuant to the July 25, 2019 SoMax Proposal, including, without limitation, overseeing and coordinating with Keystone Environmental; and, in furtherance of the foregoing, further authorizing SoMax, Keystone, and Borough staff to identify the necessary equipment and qualified manufacturers and installers thereof, required to bring the PXV NEO system online. Seconded by Mr. Weiss.

Motion Approved 8-0.

XIV. Public Comment

David Saneck, resident. He asked for clarification on the Potable Reuse RFP and on the PennDOT right of ways.

David Meadows, resident. He encouraged everyone to participate in the Zoning rewrite that is taking place. He stated if you really don't want developments with narrow streets that now you have to buy a tractor drawn aerial which is a $2 million fire truck that requires two drivers to operate in the future, if you want to have ample parking with new developments, now is the time to get involved and change the Zoning while the process is in place.

XV. Communications/Council Participation

Mr. Moore thanked the Police Department for their handling of the spontaneous celebration downtown after the Eagles Superbowl win.

Mr. Ewald explained to the public that Phoenixville Borough Council does follow the Robert's Rules of Orders and that's why public comment is public comment and not public back and forth. It is a Robert's Rules foundational tenant to maintain orderly meetings. All of our Committees, Boards and Commissions have much more interactive dialogues and are more open on that front.

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

8:59 pm. Mr. Weiss made a Motion to Adjourn. Seconded by Ms. Burckley.

E. Jean Krack Borough Manager	Transcribed by: Jennifer Logan Administrative Assistant February 2025