PHOENIXVILLE BOROUGH COUNCIL
Tuesday, May 13, 2025
7:00 PM

MINUTES
(Minutes approved by Borough Council on June 10, 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

None

IV. Presentations

None

Mr. Ewald stated that Council held an Executive Session prior to tonight's meeting for the purpose of discussing a matter of personnel related to the promotion of a police officer to lieutenant, a matter of attorney-client privilege communication related to 500 Bridge Street, a matter of real estate related to the property identified as UPI number 15-11-79, and a matter of attorney-client privilege communication related to a street tree removal.

V. Consent Agenda:

A. Approval of April 8, 2025, Regular Meeting Minutes.

B. Items from Historical and Architectural Review Board.

1. Motion to approve the Certificate of Appropriateness for signage for 101 Bridge Street.

C. Items from Personnel and Public Safety Committee.

1. Motion to appoint Joellen Nicholson to the Recreation Board for the unexpired term ending April 30, 2029.
2. Motion to appoint Jasmine Joyner to the Human Relations Commission for the unexpired term ending March 31, 2026.

D. Items from Parks and Recreation Committee.

1. Motion to approve a Temporary Community Event Application for the 3rd Annual Mrs. Roper Romp in the 100 and 200 Block of Bridge Street and Bridge and Main Street Parking Lot on Saturday, September 20, 2025, from 12:00 noon to 10:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
2. Motion to approve a Temporary Community Event Application for the Phoenixville Car Show on Sunday, July 27, 2025, from 11:00 am to 3:00 pm at Reeves Park. Second Avenue and Third Avenue to be closed between Starr Street and Main Street from 9:00 am to 4:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance, naming Borough as Additional Insured.
3. Motion to approve a Temporary Community Event Application for the 33rd Kiwanis Patriotic Celebration at Reeves Park on Thursday, May 22, 2025, from 8:00 am to 12:00 noon. No parking on the north side of Second Avenue and the south side of Third Avenue between B Street and Main Street from 8:30 am to 12:00 noon to allow school buses to park. Conditioned upon receipt of all fees and valid Certificate of Insurance, naming Borough as Additional Insured.
4. Motion to waive all fees associated with the rental and utilization of Reeves Park for the Kiwanis Patriotic Celebration on May 22, 2025.

E. Items from Finance Committee.

1. Motion to approve the 2025 pre-paid dated 3/1/2025 - 3/31/2025 in the amount of $2,652,770.05.
2. Motion to approve the 2025 pre-paid Credit Card Statement dated 3/1/2025 - 3/31/2025 in the amount of $55,349.53.
3. Motion to approve the 2025 pre-paid ACH dated 3/31/2025 in the amount of $41,887.46.
4. Motion to approve Budget Increase 2025-06 from Water Fund Balance in the amount of $134,300.00 to Water Pumping (Richards Lane Pump Station Electrical Repairs) for replacement of power distribution breakers to mitigate potential fire hazard.
5. Motion to approve Budget Increase 2025-07 from General Fund Balance in the amount of $80,000.00 to General Capital Project Fund (Streets Department) to construct the Paradise Street Emergency Access.

6. Motion to approve Budget Increase 2025-08 from General Fund Balance in the amount of $265,000.00 to General Capital Project Fund (Parks) for stream bank and trail improvements to the French Creek Trail.
7. Motion to authorize acquisition of 2026 for Police, Public Works and Sanitation Department vehicles to secure 2025 pricing.

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 she wished to thank the group of high schoolers that organized Walk a Mile in Her Shoes and our wonderful staff that hosted the self-care wellness day at the Rec Center. It was good use of the facility. The event hosted a lot of great vendors and programming there that day. She stated that it came up quickly, but tomorrow our 82nd Annual Dogwood Festival starts. The forecast should tell you that it's Dogwood because we are looking at some rain, but rain or shine, they will be there as long as it's safe to run the rides.

VII. Mayor’s Report

Mayor Urscheler stated that there are a number of exciting things that happened last month. He thanked our State Representative, Paul Friel, who hosted his town hall meeting here last month. Also, a big congratulations to our extraordinary staff and team here at the borough for a very successful First Friday in May. It was great to see everybody out and he thinks people were excited to finally have some nice weather. Thank you to our Phoenixville Police Department, who put on the Phoenixville Bike Rodeo, which helps to train young people in our community on how to properly and safely ride their bikes. He offered congratulations to Stable 12 Brewery on their 10-year Anniversary and to Healthcare Access on their 25th Anniversary. Finally, he reported on the opening of Columbia Grand at the Columbia Station, the law Enforcement Roundtable with Congresswoman, Chrissy Houlihan last week, along with our state senator, Katie Muth, and he congratulated the rising 8th graders and graduating seniors.

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 authorize promotion to Lieutenant.

Ms. Burckley made a Motion to authorize the promotion of Sergeant Patrick Mark to Lieutenant. Seconded by Mr. Weiss.

On the Question:

Mr. Ewald congratulated Lt. Mark on his promotion. He stated he is a great candidate and is looking forward to having him join the administration.

Motion Approved 8-0.

B. Review ZHB Application from 801 Montgomery Avenue requesting a zoning variance to enclose part of the deck for use as a sunroom to be heard at the May 21, 2025, Zoning Hearing Board Meeting.

Mr. Denlinger explained that you'll notice that this doesn't necessarily have a motion on this agenda item because Council is not required to take action. This is to just review and inform Council that the borough received a Zoning Hearing Board application for 801 Montgomery Avenue. He stated he believes in 2016 or 2017 this property was granted zoning relief in order to build a deck. The intention is to enclose the deck and create a sunroom and he believes that is reasoning for the zoning relief request. He stated the project would still go through the normal building permit process and he doesn't see anything that would require greater attention to this from council than a typical zoning hearing board application.

Mr. Kirkner asked what relief is being sought. He stated that he couldn't glean that from the application. He believes it is the side yard setback as the property is in the RI district.

Mr. Denlinger stated that based on the advertisement for the hearing the zoning relief is reliant on the prior granted variance which was for a deck and that the zoning request is to modify the prior zoning relief in order to enclose the deck to create a sunroom. He stated his interpretation of the advertisement would be a modification of the variance of our definition of deck, which does not allow it to be enclosed or covered.

C. Motion to authorize Staff to renew electrical generation service with Constellation through December 30, 2030, at a rate at or near $.07695 per kWh,, pursuant to an amendment agreement substantially similar to that provided by Constellation, and further authorizing Council President, Manager, and Solicitor to execute such amendment and take any other action necessary to enter into this renewal.

Mr. Krack explained the Borough received notification that the FERC, which is

Federal Energy Regulatory Commission, had been engaged in a process with some of the larger entities that control energy throughout the United State over a rate increase and that rate increase was finally given just a couple of weeks ago. It overrides any contracts that we have as far as the borough is concerned and could potentially add about $18,000 to the rest of the 2025 for our electricity. He stated our contract ends at the end of this year. In June, Staff was going to begin negotiating new pricing and what we're presenting to you tonight is that Staff has engaged Constellation, who we've used over the last 12 years or so, to provide us a new contact and pricing for anywhere from three to five years. The number here that you see in your motion 0.07695, which is the energy side of electric. Electric is three pieces. There's transmission, there's distribution and then there's energy. This number represents the energy costs. We think this is a good number. This request is to allow the solicitor, the finance director and him to obtain a new contract and whether it's three, four, or five years. He further explained the intention is to lock into the best rates.

Mr. Weiss made a Motion to authorize Staff to renew electrical generation service with Constellation through December 30, 2030, at a rate at or near $.07695 per kWh, pursuant to an amendment agreement substantially similar to that provided by Constellation, and further authorizing Council President, Manager, and Solicitor to execute such amendment and take any other action necessary to enter into this renewal. Seconded by Ms. Burckley.

On the Question:

Mr. Moore asked about the effect of the solar panels on the consumption of energy and how the rate is calculated with the solar panels installed.

Mr. Krack explained the numbers are not specific and the discussion will include our current buildings with Solar installed as well as the expected Recreation Center installation and potential Fire Station install between now and 2030. He stated that currently the solar panels don’t provide 100% of our electricity, the panels provide about 20 to 30 percent. When the Rec Center comes online, staff believes the panels are expected to actually exceed 100%. Per the PUC, the Borough would be able to take that excess and apply it to another non-solar account within two miles of the solar location.

Motion Approved 8-0.

X. Public Hearings

XI. Resolutions/Ordinances

A. Motion to adopt a Resolution acknowledging Shawn Cephas for his service on the Human Relations Commission.

Ms. Burckley made a Motion to adopt a Resolution acknowledging Shawn Cephas for his service on the Human Relations Commission. Seconded by Mr. Weiss.

On the Question:

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

Motion Approved 8-0.

B. Motion to adopt a Resolution acknowledging Frank Markey for his service on the Recreation Board.

Ms. Dugan made a Motion to adopt a Resolution acknowledging Frank Markey for his service on the Recreation Board. Seconded by Mr. Kirkner.

On the Question:

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

Motion Approved 8-0.

C. Motion to adopt a Resolution authorizing the approval of an Intersection Installation Agreement and the acceptance of the Permanent Traffic Signal Easement Agreement, Deed of Dedication of Starr Street, and Deed of Dedication for Ashland Street over portions of the parcel of land identified as 101 Bridge Street, and more particularly identified as Chester County UPI No. 15-9-157.

Mr. Strenfel made a Motion to adopt a Resolution authorizing the approval of an Intersection Installation Agreement and the acceptance of the Permanent Traffic Signal Easement Agreement, Deed of Dedication of Starr Street, and Deed of Dedication for Ashland Street over portions of the parcel of land identified as 101 Bridge Street, and more particularly identified as Chester County UPI No. 15-9-157. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger explained as the Council knows, the process is to move forward with the improvements to the intersection of Bridge and Starr Street. During last month’s Council meeting easements and agreements similar to this were accepted. The property owner has agreed to the easements and deeds of dedication in exchange for our reimbursement of their attorney's fees and the potential future consideration of management of their parking lot.

Motion Approved 8-0.

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 renovations for 100 Bridge Street.

Ms. Dugan made a Motion to approve the Certificate of Appropriateness for renovations for 100 Bridge Street with option two as recommended in the HARB action memo and per the application numbered 25-00635. Seconded by Ms. Burckley.

On the Question:

Ms. Dugan explained HARB worked with the applicant to select an option for the screening of the roof top equipment that is not very visible as it is something that is not recommended by the board.

Mr. Kirkner asked if the motion is implying the approval is for Option two as recommended in the Action Memo.

Ms. Dugan indicated option two is the condition HARB placed on the action memo and she'd be happy to add that condition to the motion.

Mr. Kirkner made a Motion to amend the motion to specify option two as recommended in the action memo and per the application numbered 25-00635. Seconded by Ms. Burckley.

Motion to Amend approved 8-0.

Motion Approved 8-0.

B. Planning Commission - Mr. Moore

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner reported that Schuylkill Township is going to begin work on building sidewalks on Route 23, both sides from the borough line to White Horse Road or to the new Wawa on the north side of Whitehorse Road. They have the grant money secured and the engineering work is nearly done. They expect the work to be done this year.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming programs at the Recreation Center including yoga, pickleball, safe sitter with Phoenixville Hospital, co-ed flag football and the summer tennis camp.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito thanked Mayor Urscheler for declaring Arbor Day this year on April 12th and reported on the volunteer, spring and fall plantings.

F. Human Relations Commission – Ms. Burckley

Ms. Burckley reported the HRC continues to meet and work with Pennsylvania HRC.

XIII. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

1. No action to report.

B. Parks and Recreation Committee – Mr. Moore

1. No action to report.

C. Policy Committee – Mr. Carminito

1. Motion to schedule and advertise an ordinance 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. Strenfel.

Motion Approved 8-0.

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

1. No action to report.

E. Finance Committee – Ms. Dugan

1. Motion to approve Budget Increase 2025-09 from Wastewater Fund Restricted Balance in the amount of $1,400,000.00 plus/minus ten (10) percent to Sewer Treatment (Odor Optimization) and to accept the engagement of Keystone Engineering Group pursuant to an Engineering

Design, Equipment, Acquisition, and Installation Services Agreement through the COSTARS bidding program related to preventative odor mitigation for the wastewater treatment plant pursuant to review by the Borough Solicitor and Borough Manager and approval of Council president required to bring the PXV NEO system online.

Ms. Dugan made a Motion to approve Budget Increase 2025-09 from Wastewater Fund Restricted Balance in the amount of $1,400,000.00 plus/minus ten (10) percent to Sewer Treatment (Odor Optimization) and to accept the engagement of Keystone Engineering Group pursuant to an Engineering Design, Equipment, Acquisition, and Installation Services Agreement through the COSTARS bidding program related to preventative odor mitigation for the wastewater treatment plant pursuant to review by the Borough Solicitor and Borough Manager and approval of Council president required to bring the PXV NEO system online. Seconded by Mr. Weiss.

On the Question:

Mr. Kirkner asked about the difference between the agenda request and the actual Budget increase request.

Mr. Krack explained, as presented at the Finance Committee meeting the equipment needed has been affected by potential tariffs. This has increased the cost of this product by $120,000 to the estimated cost. The design, equipment, and engineering is about $100,000 bringing the number to $1,400.000.00 and with a 10% variable the worst case scenario for the cost is $1,540,000.00

Motion Approved 8-0.

XIV. Public Comment

None

XV. Communications/Council Participation

None

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

8:00 pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
May 2025