

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, April 10, 2018

7:00 PM

MINUTES

(Minutes approved by Borough Council on May 8, 2018)

I. Moment of Silence/Pledge of Allegiance

II. Roll Call

Mr. Kovaleski, President	Present
Mr. Burckley	Present
Mr. Dalton	Arrived 7:03 pm
Ms. Doherty	Arrived 7:34 pm
Ms. Dugan	Present
Mr. Ewald, Vice President	Present
Mr. Kirkner	Present
Mr. Soto	Arrived 7:03 pm
Mr. Krack, Borough Manager	Present
Lieutenant Marshall	Present
Solicitor Garner	Present

III. Consider Approval of the March 13, 2018 Regular Meeting Minutes.

Mr. Ewald made a Motion to approve the March 13, 2018 Regular Meeting Minutes.
Seconded by Mr. Kirkner

Motion Approved 5-0.

IV. Presentations

None

V. Public Participation

Michael Kajak, resident, stated he is rescinding his offer to the Borough for the relocation and removal of the Belgian Block on Church Avenue.

Carol Sklaroff, resident, she stated she is having issues with standing water at her property on Dayton Street. She is seeking Borough Council's assistance to address the storm water basin located at the Founder's Hill Development.

Dr. Alicia Borowski, resident, she stated she also has an issue with water in her basement at the Founder's Hill Development. She hopes Council can assist with the remediation of the storm water issue they are experiencing.

Barbara Cohen, Schuylkill River Heritage Center. She asked Council to approve the sale of the Doty Road Bridge to the heritage center for one dollar. She explained the plan to repurpose the bridge at Renaissance Park.

Cathy Ingham, East Pikeland Resident. She provided an update on her efforts to see that the Belgian Blocks on Church Avenue to remain on the roadway. She stated she has a third proposal she received for reinstallation of the blocks.

Dr. David Saneck, resident. He read aloud the letter he sent to Council regarding the item on the agenda "Proposal for Fillmore Street realignment."

Avinash Sangolli, student at Renaissance Academy. He stated his support of the sale of the Doty Road Bridge to the heritage center for one dollar.

VI. Appointments/Public Resolutions

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

Mr. Kovaleski reminded the public there are openings for residents interested in applying for our various boards and commissions. Interested applicants should contact the Borough for more information.

- B. Consider request of Janet Hunter for reappointment to the Recreation Board.

Mr. Soto made a Motion to reappoint Janet Hunter to the Recreation Board with a term expiring on April 30, 2022. Seconded by Ms. Dugan.

Motion Approved 7-0.

- C. Consider application for the Human Relations Commission from Laura Abarca.

Mr. Ewald made a Motion to appoint Laura Abarca to the Human Relations Commission with a term expiring on March 30, 2021. Seconded by Mr. Dalton.

On the Question:

Mr. Kovaleski invited Ms. Abarca to address Council.

Ms. Abarca provided her background and reasons for seeking appointment to the Human Relations Commission.

Mr. Soto asked Ms. Abarca about her understanding of the Commission.

Ms. Abarca stated she had little knowledge about the Commission and would like more information.

Mr. Soto made a motion to Table while Ms. Abarca gained more information about the Commission from Staff and Council. Seconded By Ms. Dugan

Motion to Table Approved 7-0.

D. Consider application for the Tree Advisory Commission from Susan Di Cerchio.

Ms. Burckley made a Motion to appoint Susan Di Cerchio to the Tree Advisory Commission with a term expiring on June 30, 2022. Seconded by Mr. Kirkner.

On the Question:

Ms. Burckley stated that Ms. Di Cerchio is out of town on business. She stated that Ms. Di Cerchio did reach out to her to express her desire to be appointed to the Commission. She has been involved previously in the community and is looking for a way to contribute to the Borough.

Mr. Kirkner stated that he is familiar with Ms. Di Cerchio's efforts in the community and worked with her previously at the former Phoenix Evening Newspaper.

Motion Approved 7-0.

E. Consider approval of a Resolution appointing Bryan Emmanuel to fill the Zoning Hearing Board vacancy which term expires January 31, 2021.

Mr. Emmanuel provided his background and reasons for seeking appointment to the Zoning Hearing Board.

Ms. Dugan made a Motion to approve a Resolution appointing Bryan Emmanuel to the Zoning Hearing Board with a term expiring on January 31, 2021. Seconded by Mr. Dalton

Motion Approved 8-0.

VII. Communications/Council Participation

Mr. Kovalski stated he has been contacted by residents with concerns related to postings they received about the planting of Borough Shade Trees.

VIII. Mayor's Report

Mayor Urscheler reported on the many activities of the Police Department including the PLCB Hearing on April 4th, Pizza with the Police, the Easter Egg Hunt, and the Community Prayer Breakfast. He reminded residents about upcoming events including the Drug Take Back and the next Stop the Bleed training on May 24th.

IX. New Business

- A. Consider request from East Pikeland Township for a Letter of Support for a DVRPC-TCDI Grant to study intersection of SR 23 and Township Line Road.

Mr. Ewald made a Motion to approve a Letter of Support to for a DVRPC-TCDI Grant to study intersection of SR 23 and Township Line Road. Seconded by Mr. Dalton.

Motion Approved 8-0.

- B. Review ZHB Application from 23 Nutt Road regarding a variance request to the Borough's Zoning Ordinance to allow a double-faced site monument sign internally illuminated to determine whether to send Borough representation to the April 18, 2018 Zoning Hearing Board Meeting.

Mr. Krack explained the background and reason for the ZHB application for 23 Nutt Road.

No Action taken.

X. Resolutions

- A. Consider a Resolution acknowledging Eileen Kollmer's service on the Tree Advisory Commission.

Mr. Kirkner made a Motion to approve a Resolution acknowledging Eileen Kollmer's service on the Tree Advisory Commission. Seconded Ms. Dugan.

Motion Approved 8-0.

- B. Consider a Resolution for the submission of a Traffic Signal Approval request to PennDOT for Starr Street and Nutt Road as part of the TruMark Project.

Mr. Krack explained the need for the Resolution to PennDOT.

On the Question:

Mr. Kirkner asked if there were plans to make changes to the light at Nutt Road/RT23 and Starr Street.

Mr. Krack explained that the Borough's Engineers are preparing a report that will start with an audit of the lights from light at 724/23 to the light at White Horse Road.

Mr. Ewald made a Motion to approve a Resolution for the submission of a Traffic Signal Approval to PennDOT for Starr Street and Nutt Road as part of the TruMark Project. Seconded by Mr. Soto.

Motion Approved 8-0.

XI. Public Hearings

A. Consider an Ordinance amendment to Chapter 15 "Motor Vehicles."

Mr. Soto made a Motion to open the Public Hearing. Seconded by Ms. Dugan.

Motion Approved 8-0.

Hearing opened 7:39 pm.

Mr. Garner explained the amendment changes to Chapter 15 "Motor Vehicles."

Public Participation

None

Council Participation

None

Mr. Ewald made a Motion to close the Public Hearing. Seconded by Mr. Kirkner.

Motion Approved 8-0.

Hearing closed at 7:43 pm.

Mr. Soto made a Motion to approve the Ordinance amendment to Chapter 15 "Motor Vehicles." Seconded by Mr. Kirkner.

Motion Approved 8-0.

B. Consider an Ordinance Amendment to Chapter 6 "Conduct", PART 11 "Antidiscrimination."

Mr. Soto made a Motion to open the Public Hearing. Seconded by Ms. Doherty.

Motion Approved 8-0.

Hearing opened 7:44 pm.

Mr. Garner explained the amendment changes to Chapter 6 “Conduct”, PART 11 “Antidiscrimination.”

Public Participation

None

Council Participation

None

Mr. Ewald made a Motion to close the Public Hearing. Seconded by Mr. Soto.

Motion Approved 8-0.

Hearing closed at 7:47 pm.

Mr. Soto made a Motion to approve the Ordinance Amendment to Chapter 6 “Conduct”, PART 11 “Antidiscrimination.” Seconded by Mr. Ewald.

Motion Approved 8-0.

C. Consider an Ordinance Amendment to Chapter 21 “Streets and Sidewalks.”

Mr. Soto made a Motion to open the Public Hearing. Seconded by Mr. Kirkner.

Motion Approved 8-0.

Hearing opened 7:49 pm.

Mr. Garner explained the amendment changes to Chapter 21 “Streets and Sidewalks.”

Public Participation

Cathy Ingham asked if the changes to the ordinance would affect the Belgian Block on Church Alley/Avenue.

Mr. Garner stated this ordinance will have no effect.

Carol Sklaroff asked about paving of the road behind the house at Founder’s Hill.

Mr. Krack explained this ordinance has no impact on the paving of North Street.

Council Participation

None

Mr. Ewald made a Motion to close the Public Hearing. Seconded by Ms. Doherty.

Motion Approved 8-0.

Hearing closed at 7:52 pm.

Mr. Soto made a Motion to approve the Ordinance Amendment to Chapter 21 “Streets and Sidewalks.” Seconded by Mr. Dalton.

Motion Approved 8-0.

XII. Reports of Committees, Boards, and Commissions

A. Planning Commission – (**Ewald**)

1. Consider a Resolution approving the Tammaro Subdivision and Land Development Plan as recommended 7-0 by the Planning Commission in their Action Memo of April 3, 2018.

Mr. Ewald made a Motion to approve the Tammaro Subdivision and Land Development Plan. Seconded by Mr. Soto.

On the Question:

Mr. Kovaleski asked if we are on a timeline for approval on this plan.

Mr. Krack explained that Council has to act tonight or the plan would be deemed approved.

Mr. Kirkner shared his concerns with the Storm Water Plan on the project. He stated that he has a hard time feeling comfortable approving a plan that is using a similar drainage plan as the development experiencing water issues right up the road.

Motion Fails 0-8.

Ms. Dugan made a Motion to deny the Resolution. Seconded by Mr. Kirkner.

Motion Approved 8-0.

2. Consider a Resolution approving the 43 Spring Lane Subdivision Plan as recommended 7-0 by the Planning Commission in their Action Memo of April 3, 2018.

Mr. Ewald made a Motion to approve a Resolution approving the 43 Spring Lane Subdivision Plan. Seconded by Mr. Soto.

On the Question:

Mr. Ewald explained that this is a subdivision of land to divide property not to build.

Motion Approved 8-0.

B. Historical Architectural Review Board – **(Dugan)**

1. Consider approval of the Sign Request for 10 South Main Street.
2. Consider approval of the Sign Request for 26 Gay Street.
3. Consider approval of the Sign Request for 207 Bridge Street.

Ms. Dugan made a Motion to approve items 1-3. Seconded by Mr. Kirkner.

Motion Approved 8-0.

C. Regional Planning Committee – **(Ewald)**

Mr. Ewald reported on the continued rewrite of the Regional Comprehensive Plan. The next meeting will be held at the Schuylkill Township Building on April 25th.

D. Recreation Board – **(Dugan)**

Ms. Dugan reported that Recreation sign-ups for Summer Camp are continuing along with the Adult Leagues for Softball and Volley Ball.

E. Beautification Advisory Commission – **(Soto)**

Mr. Soto reported the Utility Box murals and other programs of the Commission continue to move forward. Anyone wishing to volunteer is encouraged to attend the Beautification meetings on the second Monday of each month.

XIII. Council Action referred from Council Committees

A. Parks and Recreation Committee – **(Soto, Dugan, and Kovaleski)**

1. Consider Temporary Community Event Application for Phoenixville Art Street Festival on Sunday, June 3, 2018 from 10:00 am to 5:00 pm. 200 Block of Bridge Street to be closed from 8:00 am to 7:00 pm.

Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Phoenixville Art Street Festival on Sunday, June 3, 2018 from 10:00 am to 5:00 pm. Seconded by Ms. Dugan.

Motion Approved 8-0.

2. Consider a Temporary Community Event Application for Green Earth Festival on Saturday, September 29, 2018 along the trail adjacent to the Farmer's Market from 9:00 am to 1:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Green Earth Festival on Saturday, September 29, 2018 along the trail adjacent to the Farmer's Market from 9:00 am to 1:00 pm. Seconded by Mr. Kirkner.

Motion Approved 8-0.

3. Consider a Temporary Community Event Application for Carnival for the Cure on Thursday, September 20, 2018 through Sunday, September 23, 2018 in Reeves Park from 5:00 pm to 9:00 pm. No street closures requested. No parking signs requested on the north side of 3rd Avenue. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Carnival for the Cure on Thursday, September 20, 2018 through Sunday, September 23, 2018 in Reeves Park from 5:00 pm to 9:00 pm. Seconded by Ms. Dugan.

Motion Approved 7-0-1. Ms. Burckley abstained. Due to conflict.

4. Consider a Temporary Community Event Application for Best Psychic Fair on Saturday, September 8, 2018 from 10:00 am to 6:00 pm. Bridge and Main Street Parking Lot and Main Street between Bridge Street and Church Street to be closed from 7:00 am to 6:00 pm. Rain date is Sunday, September 9, 2018.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Best Psychic Fair on Saturday, September 8, 2018 from 10:00 am to 6:00 pm. Seconded by Ms. Doherty.

On the questions:

Mr. Kirkner raised his concerns with and asked how many times we close the Main and Bridge Street lot for events.

Mr. Krack stated it's about fifteen times a year including First Friday.

Mr. Soto stated that the event report shows which events close the lot and when.

Motion Approved 7-1. Mr. Kirkner voting No.

5. Consider a Temporary Community Event Application for Phoenixville Blues Festival on Saturday, September 8, 2018 in Reeves Park from 12:00 noon to 10:00 pm. Third Avenue between B Street and Main Street to be closed. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Phoenixville Blues Festival on Saturday, September 8, 2018 in Reeves Park from 12:00 noon to 10:00 pm. Seconded by Ms. Dugan.

Motion Approved 7-0-1. Ms. Burckley abstained. Due to conflict.

6. Consider a Temporary Community Event Application for Allanzas Annual Latino Fair on Saturday, July 21, 2018 in Reeves Park from 1:00 pm to 5:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Allanzas Annual Latino Fair on Saturday, July 21, 2018 in Reeves Park from 1:00 pm to 5:00 pm. Seconded by Mr. Kirkner.

Motion Approved 6-0-2. Ms. Burckley and Mr. Soto abstained. Due to conflict.

B. Policy Committee – (**Dalton**, Doherty, Kirkner, and Soto)

1. Consider recommending Scheduling and Advertising an Ordinance amendment to Chapter 15 “Motor Vehicles.” Recommended in Committee 4-0.

Mr. Dalton made a Motion to schedule and advertise a Public Hearing to consider an Ordinance amendment to Chapter 15 “Motor Vehicles.” Seconded by Mr. Kirkner.

Motion Approved 8-0.

C. Police and Personnel Committee – (**Burckley**, Doherty, and Ewald)

1. No Action to Report.

D. Infrastructure, Technology and Transportation Committee – (**Ewald**, Burckley, Dalton, and Kovaleski)

1. Consider SRHC request to purchase the components from the former Doty Road Bridge from the Borough for the fee of One Dollar.

Mr. Ewald made a Motion authorize the sale of the components of the former Doty Road Bridge to the SRHC for one dollar. Seconded by Mr. Dalton.

On the Question:

Mr. Krack explained the history on the bridge and the previous sale to the Borough.

Motion Approved 8-0.

2. Consider authorizing Staff to obtain an appraisal for Borough owned property at 115 Buchanan Street.

Mr. Ewald made a Motion to authorize staff to obtain an appraisal for 115 Buchanan Street. Seconded by Mr. Dalton

Motion Approved 8-0.

3. Consider authorizing Staff to advertise a Request for Proposal for Land Planning Services.

Mr. Ewald made a Motion to authorize staff to advertise for a Request for Proposal for Land Planning Services. Seconded by Mr. Dalton.

Motion Approved 8-0.

E. Finance Committee – (**Dugan**, Doherty, Kirkner, and Kovaleski)

1. Consider approval of the 2018 Pre-Paid dated 2/13/2018 - 3/10/2018 in the amount of \$472,595.38.
2. Consider approval of the 2018 Pre-Paid ACH dated 2/28/2018 in the amount of \$5,403.73.

Ms. Dugan made a Motion to approve items 1 & 2. Seconded by Mr. Kirkner.

Motion Approved 8-0.

3. Consider RVE Proposal for Fillmore Street Realignment in the amount not to exceed \$121,555.00.

Ms. Dugan made a Motion to approve the RVE Proposal for Fillmore Street Realignment in amount not to exceed \$121,555.00. Seconded by Mr. Dalton.

On the Question:

Mr. Kirkner stated that he spoke with residents near the intersection of Fillmore and South Street and they are in support of the widening and realignment of Fillmore Street. He addressed Dr. Saneck's questions regarding the data the project is based on and the notification of the residents wants the project begins.

Motion Approved 8-0.

4. Consider accepting the Financial Solutions Engagement Agreement to act as Borough Financial Advisor for Bond funding in the amount of \$25,750.

Ms. Dugan made a Motion to accept the engagement agreement from Financial Solutions to act as the Borough's Financial Advisor for Bond Funding in an amount not to exceed \$25,750. Seconded by Mr. Kirkner.

Motion Approved 8-0.

5. Consider authorizing Staff to advertise a Request for Proposal for Bond Counsel.

Ms. Dugan made a Motion to authorize Staff to advertise for a Request for Proposal for Bond Counsel. Seconded by Mr. Kirkner.

Motion Approved 8-0.

6. Consider adding Starr Street engineering and water line improvements to the current water line improvements project.

Ms. Dugan made a Motion to add Starr Street engineering and water line improvements to the current water line improvements projects. Seconded by Mr. Dalton.

On the Question:

Mr. Krack explained the grant process for this project. Staff then received notice that PennDOT intends to pave SR 29 from Pothouse to the Mont Clare Bridge. He stated we do not want to be digging up a road that PennDOT just paved. Last week we were notified that the County may have additional funds available for water line replacement. Since we have a time constraint for the funding it's before you today to authorize the engineering of all four roads for waterline replacement.

Mr. Kovaleski asked what staff recommendation is for the motion.

Mr. Krack stated that staff is looking for you to approve the engineering from RVE in the amount of \$111,011.50.

Mr. Kirkner amended the current motion to authorize the 2018 Water Line Replacement engineering in the amount not to exceed \$111,011.50.
Seconded by Ms. Doherty.

Motion to Amend 8-0.

Motion Approved 8-0.

XIV. Public Participation

Mr. Soto announced the meeting changes for the Parks and Recreation and Finance starting effect in April.

Dr. Alicia Borowski asked that Council consider paving the access road behind the homes at Founders Hill.

XV. Staff Reports

- A. Manager
 - University of Valley Forge Clean-Up Day – April 11
 - Public Works Building Ribbon Cutting – April 12
- B. Police
- C. Fire
- D. Planning and Codes
- E. Public Works
- F. Finance
- G. Human Resources

XVI. Old Business

None

XVII. Executive Session – Real Estate, Personnel and Legal Matters

Mr. Soto made a Motion to Recess at 8:36 pm to discuss Real Estate, Personnel and Legal Matters. Seconded by Mr. Ewald.

Motion Approved 8-0.

Mr. Kovaleski reconvened at 9:20 pm.

Ms. Dugan made a Motion to withdraw the denial of the Tammaro Subdivision. Seconded by Mr. Kirkner.

On the Question:

Mr. Kirkner explained that he spoke with the applicant and they are willing to grant an extension until May 8, 2018 so discussion can be held to address the issues and allow Council to vote on the Subdivision at their next meeting.

Motion Approved 8-0.

Ms. Burckley made a motion to promote Officer Mc Donald and Officer Gray to the rank of Corporal pending completion of a Psychiatric Evaluation and Physical Exam. Seconded by Mr. Dalton.

Public Participation

None

Motion Approved 8-0.

XIII. Adjournment 9:23 pm. Mr. Soto made a Motion to adjourn. Seconded by Ms. Doherty.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
April 2018