

**PHOENIXVILLE BOROUGH COUNCIL**  
**Tuesday, September 22, 2009**  
**7:00 PM**

- I. Invocation/Pledge of Allegiance – Chair – Mr. Wagner called the meeting to order at 7:05 p.m.
- II. Roll Call – Borough Secretary – Those present on roll call were as follows: Buckwalter, Ciruelos, Handwerk, Kirkner, Speck, and Wagner. Also present were: Borough Manager Krack, Lt. Sjostrom, Solicitor Rau, and Mayor Scoda. (Mr. Gill was absent due to vacation and Mr. Senley was unable to attend due to business obligations).
- III. Minutes of Previous Meetings: September 8, 2009 – Mr. Kirkner made a motion to approve the minutes, seconded by Mr. Speck, and approved by a vote of 6 to 0.
- IV. Public Participation – 30 minutes – There were no members of the public wishing to speak.
- V. Appointments/Public Resolutions – There were no appointments/public resolutions this evening. Mayor Scoda said at the end of May the Kiwanis Club holds its annual patriotic day and this year we had two representatives there from the State Legislature - Paul Drucker and Rep. Milne. He said Representative Milne gave a flag to the Kiwanis and they have donated the flag to the Borough.
- VI. Presentations – There were no presentations to come before Council this evening.
- VII. Communications: Consider Request of the Phoenixville Kiwanis Club to Waive Any and All Fees Associated with the 18<sup>th</sup> Annual Community Day to be held in Reeves Park on October 3, 2009

Mr. Buckwalter made a motion to waive the fees for the Phoenixville Kiwanis Club, seconded by Mr. Ciruelos, and approved by a vote of 6 to 0. (Mr. Speck noted that he is a member of Kiwanis).

ON THE QUESTION: Mr. Buckwalter said for the record, what is the amount we are waiving? (Mr. Krack responded \$125).

VIII. Council Participation

- a. Mr. Speck said he had an e-mail from Michael O'Brien congratulating Corporal Lance Frost for being the first police officer in Chester County to receive the IAI crime scene investigator certification.
  - b. Mr. Kirkner said he received a letter from a resident on Township Line Road who does not have water or waste water service from the Borough.
  - c. Mr. Handwerk said Franklin Commons is one of the finalists for the best mixed use award.
- IX. New Business – Mr. Wagner said handed to him earlier this evening was a request from West End Fire Company requesting a waiver of permit fees.

Mr. Ciruelos asked how much the fees total. (Mr. Wagner said \$925).

Mr. Buckwalter made a motion to waive fees in the amount of \$925 for West End Fire Company, seconded by Mr. Ciruelos, and approved by a vote of 6 to 0.

ON THE QUESTION: Mr. Kirkner said the ambulances at West End are regionally serviced so we need differentiation here as to whether this is for the ambulances or fire equipment. (There was some discussion).

Mr. Kirkner offered a friendly amendment to waive half the fee. Mr. Buckwalter accepted the amendment but Mr. Ciruelos did not so the amendment died.

X. Resolutions – There were no resolutions to come before Council this evening.

XI. Public Hearings – There were no public hearings to be held this evening.

XII. Reports of Committees, Boards, Commissions and Authorities

A. Planning Commission

1. Consider Whether or Not to Oppose the Application Requesting a Special Exception from the Zoning Ordinance at 400 Franklin Avenue (Planning Commission Recommended Not Opposing) – No action was taken.

2. Consider Whether or Not to Oppose the Application Requesting a Special Exception from the Zoning Ordinance at 140 Nutt Road (Planning Commission Recommended Not Opposing) No action was taken.

3. Review Action Memo from the Planning Commission Regarding the Regional Comprehensive Plan Consistency Review Report Which the Planning Commission Agreed to by a Vote of 5 to 1 with Reference to the Portions of the Borough – Mr. Kirkner said he believes the next step for the Borough is to advertise a hearing.

B. Regional Planning Commission

1. Consider Appointment of Regional Planning Delegates – No action was taken on this item.

C. Parking Authority – There was no report from the Parking Authority.

D. Historical Architectural Review Board (No Action Memos for this Meeting)

E. Council Action referred from Council Committees

**FINANCE COMMITTEE**

1. Consider Approval of the Prepays in the Amount of \$631,051.27 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the prepays, seconded by Mr. Kirkner, and approved by a vote of 6 to 0.

2. Consider Approval of the Budget Increase in the Amount of \$5,905.21 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the budget increase in the amount of \$5,905.21, seconded by Mr. Kirkner, and approved by a vote of 6 to 0.

3. Consider Approval of the Budget Increase in the Amount of \$11,132 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the budget increase in the amount of \$11,132, seconded by Mr. Kirkner, and approved by a vote of 6 to 0.

4. Consider Approval for the Borough Auditor to do a Preliminary Findings Study on the Three Fire Companies Finances and Report back to the Finance Committee (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion for the Borough Auditor to do a preliminary findings study on the three fire companies, seconded by Mr. Ciruelos, and approved by a vote of 6 to 0. (There was a question regarding the time frame and the cost was addressed).

5. Consider Approval to Reduce the Number of Water Replacements from 600 to 300 (Approved in Committee by a Vote of 2 to 0) – Mr. Kirkner made a motion to reduce the number of water meter replacements from 600 to 300, seconded by Mr. Wagner, and approved by a vote of 5 to 1. (Mr. Buckwalter brought up that this would keep us from getting this completed and would keep the Borough from getting the benefit of the replacement. Discussion ensued.)

XIII. Public Participation (con't)

a. Mr. Jonathan Iannacone of 347 Washington Avenue said he would like to address the issue of youth violence in the middle ward. He said a lot of incidents are happening on Lincoln Avenue. He said we love Phoenixville but we are concerned about youth violence. He said we had to call the police three times within the last year and is asking for Council to act on this issue because this is not representative of the town. (Mr. Wagner asked that he consider being part of the town watch). (Mayor Scoda asked the age and if there is a pattern to the time of incidents). Discussion continued.

b. Mr. Bill Martin of 132 Buchanan Street said the Byrne Building project started several years ago and is a very nice project. He said the gentleman doing the project wanted to buy the old armory and we made a choice to bring in the trash operations. He said we would request that we do an RFP for trash operations and move operations from that location.

XIV. Executive Session – Council entered into executive session at 7:42 p.m. and returned at 8:20 p.m. Mr. Wagner said we discussed real estate, personnel, and contractual issues.

XV. Staff Reports

1. Manager's Report – Mr. Krack said he sent everyone the invite for the classic towns reception. He said we need to get working on the ceremony for the bridge opening. He said PAEDCO is progressing on a project to alter the mural.

2. Code Enforcement Report

3. Public Works Director's Report

4. Fire Chief's Report

5. Finance Director's Report

6. Mayor's Report – Mayor Scoda said on Wednesday, September 30, 2009 he will issue a proclamation declaring that Emma Valenteen day. He said there will be a dinner at Columbia Station.

XVI. Old Business

- a. Mr. Kirkner said he would like to revisit the item for the regional plan consistency review. He said there were two bullet points regarding the zoning ordinance. He said we need to protect the Borough's historical resources by including the entire downtown commercial district, French Creek East, and French Creek West district. He said we need to hold a public hearing.

Mr. Kirkner made a motion to advertise for a public hearing on October 13<sup>th</sup> regarding the review of the consistency in the regional plan, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0.

XVII. Adjournment – Mr. Speck made a motion to adjourn. Meeting adjourned at 8:29 p.m.