

PHOENIXVILLE BOROUGH COUNCIL
Tuesday, February 23, 2010
7:00 PM

MEETING MINUTES (Approved by Borough Council March 9, 2010)

- I. Invocation/Pledge of Allegiance – Chair – Mr. Handwerk called the meeting to order at 7:00 p.m. and asked for a Moment of Silence for the passing of former Fire Chief William O’Neill.
- II. **Swearing in of Officer Sidiras** – Mayor Scoda had not yet arrived.
- III. Roll Call – Borough Secretary – Those present on roll call were as follows: Buckwalter, Dugan, Gautreau, Handwerk, Kirkner, and Speck. Also present were: Borough Manager Krack, Solicitor Rau, Chief Mossman, and Mayor Scoda. (Mr. Senley and Mr. Wagner were not present this evening and Mayor Scoda arrived at 7:05 p.m.).
- IV. Minutes of Previous Meetings: February 9, 2010 – Mr. Speck made a motion to approve the meeting minutes, seconded by Mr. Kirkner, and approved by a vote of 6 to 0.

ON THE QUESTION: Mr. Gautreau said under number seven it should be Mr. Senley’s request and not Mr. Speck’s request.

- V. **Swearing in of Officer Sidiras** – Mayor Scoda swore in Officer Sidiras.
- VI. Public Participation – 30 minutes – There were no members of the public wishing to speak.
- VII. Appointments/Public Resolutions – There were no appointments/public resolutions to come before Council this evening.
- VIII. Presentations – There were no presentations to come before Council this evening.
- IX. Communications
 - a. Mr. Speck reported that PA House Bill 692 has been signed by the Governor for the naming of Veterans Memorial Bridge.
 - b. Mr. Gautreau read a letter from Anne Rabenold of 755 Starr Street regarding the speeding problem in the 700 block of Starr Street. He also read a letter from Mr. George Michael Rodza and Father Newn of St. Ann’s Church who would like to request a four way stop sign at Main Street and Fourth Avenue because it is hazardous there. They also included a petition. (Mr. Speck requested that this issue be sent to the Policy Committee).
- X. Council Participation
 - a. Mr. Kirkner said that PA received \$359.7 million in stimulus money and only a fraction of that has been used at this point. He said he would like to see if through the Community Development Committee or Recreation Committee we can capture some of this stimulus money for our trails. He said we have all gotten e-mails regarding the pour tax which is a 5% tax on drinks served at bars and restaurants which local municipalities could receive. He said West Chester Council has asked the general assembly to take this up. He said he would like to refer this to the Finance Committee.
 - b. Mr. Buckwalter brought up having the public weigh in on motions at the time the issue is discussed so that more people might come to the meeting. He would like to have this on the agenda at the next meeting. He also spoke in support of the pour taxes.
 - c. Mr. Gautreau brought up having junior council members. Mr. Handwerk said we approached the school district and nothing ever came about.
 - d. Mr. Buckwalter spoke again regarding public participation. He suggested that public hearings be put at the end of the Council agenda and not be held during the regular meeting.
 - e. Mayor Scoda spoke with concern about having the public speak after a motion is made because he doesn’t see it as productive. He also brought up the issue of a BID for downtown.

- XI. New Business
- XII. Resolutions: Consider Approval of a Resolution to Adopt the Chester County Municipal Waste Management Plan Revision – Mr. Kirkner made a motion to adopt the resolution for the waste plan, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0. (Mr. Krack spoke to the issue and said this is part of updating the plan which is done every 10 years. He said if we do not adopt this then we have to give a reason why we wouldn't adopt it).
- XIII. Public Hearings – There were no public hearings to be held this evening.
- XIV. Reports of Committees, Boards, Commissions and Authorities
 - A. Planning Commission
 - 1. Consider Whether or Not to Approve the Electronic Message Display Sign Ordinance (Planning Commission Recommended by a Vote of 5 to 0 that Council not Adopt the Ordinance) - Mr. Krack said this is for informational purposes and will be on the agenda for March 9th and is not for action this evening.
 - 2. Consider Whether or Not to Oppose the Application for 254-256 Washington Avenue to Subdivide the Property (Planning Commission Recommended by a Vote of 5 to 0 Not to Oppose the Application) – No action was taken on this item.
 - B. Regional Planning Commission – Mr. Kirkner said the Regional Planning Commission has requested the governing body notify the commission of the members, alternates, and first alternate. He said Deb Johnston had been the alternate and Jim Evans was the first alternate.

Mr. Kirkner made a motion that we reappoint Deb Johnston as the alternate and Jim Evans as first alternate and notify the Regional Planning Commission, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0.

ON THE QUESTION: Mr. Kirkner said notification would involve an e-mail.

Mr. Kirkner said East Vincent Township is wanting a revision to accommodate an area that the supervisors want included in the growth area. He said this will come before Council to act on a revision to the plan. He said on April 28th there will be a meeting to review a manual for governing bodies in the regional plan at Owen J. Roberts.

- C. Parking Authority – Mr. Cassidy said we put the meters out to bid and had seven bidders who attended the pre-bid conference.
- D. Historical Architectural Review Board (There were no action memos to come before Council).
- E. Council Action referred from Council Committees

FINANCE COMMITTEE

- 1. Consider Approval of the 2010 Prepays Dated in the Amount of \$602,068.53 (Approved in Committee by a Vote of 3 to 0) – Mr. Kirkner made a motion to approve the prepays, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0.
- 2. Consider Approval of the 2009 Budget Transfer in the Amount of \$12,700 (Approved in Committee by a Vote of 3 to 0) – Mr. Kirkner made a motion to approve the budget transfer, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0.
- 3. Consider Approval of the 2010 Budget Increase in the Amount of \$625.47 (Approved in Committee by a Vote of 3 to 0) – Mr. Kirkner made a motion to approve the budget increase, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0.
- 4. Consider Approval of Waiving the Construction Permit Fee for Repairs at West End Fire Company #3 (Approved in Committee by a Vote of 3 to 0 Pending Additional Information)
Mr. Kirkner made a motion to waive 1/3 of the construction permit fee for West End, seconded by Mr. Speck, and approved by a vote of 6 to 0. (Mr. Krack said the Borough fees total \$294.00 and the generator supports the entire station and social hall).
- 5. Consider Approval of Waiving Event Fees in the Amount of \$125 for Mom's House to Hold a 5K Run on Sunday, March 21, 2010 (Approved in Committee by a Vote of 3 to 0) – Mr. Kirkner made a motion to waive the event fees for Mom's House, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0.

6. Consider Approval of the Digester 1 Repairs by Using Insurance Monies (Approved in Committee by a Vote of 3 to 0) – Mr. Kirkner made a motion to approve the digester repairs, seconded by Mr. Gautreau, and approved by a vote of 6 to 0. (Mr. Kirkner asked for some background on this and what it involves).

Mr. Krack said the total cost is \$430,000 and under normal circumstances our insurance would cover the replacement costs of the digester repair. He said \$70,000 of that cost is recommended but not necessarily a result of the damage that was done. He spoke about the Borough turning over the cost to the insurance. He said staff's recommendation is to have the insurance cover the cost and absorb the \$70,000 for the additional repairs. (Mr. Kirkner said this is at the wastewater treatment plant on South Second Avenue).

7. Consider Approval of Using Outside Resources for Snow Removal (Approved in Committee by a Vote of 3 to 0) – Mr. Kirkner made a motion to approve the use of outside resources for snow removal not to exceed \$7,500, seconded by Ms. Dugan, and approved by a vote of 6 to 0.
8. Consider Approval of the Lease for Recycling/Trash Containers (Approved in Committee by a Vote of 3 to 0) – Mr. Kirkner made a motion to move forward with the lease for recycling/trash containers, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0.

ON THE QUESTION: Mr. Kirkner asked for more information.

Mr. Krack spoke about the background of the containers and said the cost is \$600,000. He said we also received a recycling grant for \$474K for the new truck.

9. Consider Approval of Transferring Signatures with Regard to Check Signing (Approved in Committee by a Vote of 3 to 0) – Mr. Kirkner made a motion to approve the transfer of signatures for check signing, seconded by Mr. Buckwalter, and approved by a vote of 6 to 0.

XV. Public Participation (con't)

- a. David Saneck of 299 Fillmore Street read a letter that he wrote to the Phoenixville Planning Commission regarding the Fillmore Village plan and water drainage directed to his property. He said the right of way is 33 feet, not 50 feet.

XVI. Executive Session

XVII. Staff Reports

1. Manager's Report – Mr. Krack discussed the historic snow storm and the snow removal process. (Mayor Scoda requested that we take a look at what we do during a snow emergency and spoke about the parking issue).
2. Code Enforcement Report - NONE
3. Public Works Director's Report
 - a. Consider Award of the SCADA Project – Mr. Watson said SCADA stands for Supervisory Control Data Acquisition System. He said we received three bids on February 5, 2010 which are broken down into three parts. He said he is asking that you award the low bidder for each part. He said there will be three different contractors for the project. He said Part A is \$6,600, Part B is \$44,154, and Part C is \$9,660 which totals about \$60,000.

Mr. Buckwalter made a motion to award the SCADA project, seconded by Ms. Dugan, and approved by a vote of 6 to 0.

4. Fire Chief's Report – Mr. Gautreau said he attended the fire department officers meeting where they discussed several issues.

5. Finance Director's Report - NONE

6. Mayor's Report – Mayor Scoda said he held the annual mayor's awards. He requested a breakdown of snow removal costs. He also brought up the Recreation Board and asked that the ordinance be reinstated.

7. CDC report – Mr. Cassidy said we have received \$550,000 in stimulus money which replaced the sewer interceptor money. He spoke about the steel site, streetscape project, the Friday night events, Andre Thornton, north side streetscape, north side rehabilitation, and landlord/tenant conversion meeting.

Mr. Buckwalter asked about the BID downtown and what the ratables would be if we had a BID?

Mr. Cassidy said if you are putting three mills to get \$45,000 you are doubling the taxes in the downtown. He said we need a reassessment because we have the assessed value but it's not valued correctly. He said you would have enough to do snow removal and possibly plant some flowers.

XVIII. Old Business – There was no old business to come before Council. Mr. Handwerk announced we are now going into an executive session where we will talk about personnel, real estate, and litigation.

XIX. Adjournment – Mr. Kirkner made a motion to adjourn. Meeting adjourned at 8:30 p.m.