

PHOENIXVILLE BOROUGH COUNCIL
Re-Organization Meeting
January 4, 2010
7:00 PM

MINUTES

- I. Swearing in of Mayor and Council – Judge Jacqueline Cody swore in the following: Mayor Leo Scoda, Councilmen Henry Wagner and Richard Kirkner, Councilwoman Dana Dugan, and Councilman David Gautreau, and Jennifer Killeen, Tax Collector.
- II. Call to Order – Mayor Leo Scoda – Mayor Scoda called the meeting to order at 7:13 p.m.
- III. Roll Call – Those present on roll call were as follows: Buckwalter, Dugan, Gautreau, Handwerk, Kirkner, Speck, and Wagner. Also present were: Borough Manager Krack, Chief Mossman, Mayor Scoda, and Solicitor Rau. (Mr. Senley was not in attendance due to illness).
- IV. Moment of Silence
Pledge of Allegiance
Patriotic Song – Tish Jones
- V. Nomination and Election of Council President – Mr. Kirkner made a motion to nominate Mr. Wagner for President. Mayor Scoda asked for a roll call vote.

ON ROLL CALL THE VOTE WAS AS FOLLOWS:

YES – Dugan, Handwerk, Kirkner, Speck, and Wagner

NO – Buckwalter and Gautreau

The motion was approved by a vote of 5 to 2 with Mr. Buckwalter and Mr. Gautreau being the dissenting votes.

- VI. Nomination and Election of Council Vice President – Mr. Speck made a motion to nominate Mr. Handwerk for Vice President. Mayor Scoda asked for a roll call vote.

ON ROLL CALL THE VOTE WAS AS FOLLOWS:

YES – Dugan, Gautreau, Handwerk, Kirkner, Speck, Wagner, and Buckwalter

NO –

The motion was approved by a vote of 7 to 0. Mayor Scoda talked about the revitalization of the downtown area and the many citizens that volunteer their services. He said we are blessed to have the clinic, Phoenixville Health Foundation, and many churches which make Phoenixville what it is.

- VII. Nomination and Election of Assistant Secretary – Mr. Speck made a motion to nominate Mr. Kirkner for Assistant Secretary. Mr. Wagner asked for a roll call vote.

ON ROLL CALL THE VOTE WAS AS FOLLOWS:

YES – Gautreau, Handwerk, Kirkner, Speck, Wagner, Buckwalter, and Dugan

NO –

The motion was approved by a vote of 7 to 0.

VIII. Appointment of Vacancy Board Chair – Mr. Wagner appointed Mr. Don Coppedge for the Vacancy Board.

IX. Other Appointments

- A. Mr. Wagner appointed Mr. Kirkner as the Finance Chairman with Mrs. Dugan and Mr. Wagner as members of the committee.
- B. Mr. Wagner appointed Mr. Handwerk as the Policy Chairman with Mr. Buckwalter and Mr. Gautreau as members of the committee.
- C. Mr. Wagner appointed Mr. Gautreau as the Community Development Chairman with Mr. Handwerk and Mr. Wagner as members of the committee.
- D. Mr. Wagner appointed Mrs. Dugan as the Parks/Recreation Chairwoman with Mr. Gautreau and Mr. Buckwalter as members of the committee.
- E. Mr. Wagner appointed Mr. Buckwalter as the Infrastructure Chairman with Mr. Handwerk and Mr. Speck as members of the committee.
- F. Mr. Wagner appointed Mr. Speck as the Personnel/Police Chairman with Mrs. Dugan and Mr. Senley as members of the committee.

Mr. Wagner asked Mr. Gautreau if he would accept the position of liaison for the Fire Department. Mr. Gautreau accepted the position of liaison.

Mr. Wagner asked Mr. Kirkner if he would continue as the representative for the Regional Planning Commission and Community Health Foundation. Mr. Kirkner accepted the position.

X. New Business

- A. Consider Approval of Resolution Honoring Carlos Ciruelos – Mr. Handwerk made a motion to approve the resolution for Carlos Ciruelos, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.
 - B. Consider Approval of Resolution Honoring Dave Gill – Mr. Speck made a motion to approve the resolution for Dave Gill, seconded by Mr. Gautreau, and approved by a vote of 7 to 0.
- ON THE QUESTION: Mr. Kirkner spoke to the service of both Mr. Ciruelos and Mr. Gill and thanked them for leaving the community in better shape than when they started. Mayor Scoda also spoke to their service and thanked them.

Mr. Wagner asked if there was anyone from the public wishing to speak at this time. There was no one from the public who wished to speak.

Mr. Kirkner nominated Mr. Andrew Rau and Unruh Turner Burke and Frees as the Borough Solicitor, seconded by Mr. Buckwalter, and approved by a vote of 7 to 0.

Mr. Handwerk nominated Ryan Costello from O'Donnell, Weiss, and Mattei as the conflict solicitor, seconded by Mr. Buckwalter, and approved by a vote of 7 to 0.

- C. Consideration of early retirement in the case of Harry R. (Spike) Cowan in accordance with Phoenixville Borough Code Section 1-709. – Mr. Kirkner requested an executive session for background information.
- D. Consider authorizing the advertising of and schedule a Public Hearing for the purpose of adopting a Zoning Ordinance amendment to provide for a Townhouse Development Use in the Multi-Residential (MR) District. – Mr. Speck made a motion to authorize the advertising and scheduling a public hearing for the MR District with a date certain of February 9th for the hearing, seconded by Mr. Gautreau, and approved by a vote of 6 to 1 with Mr. Handwerk being the dissenting vote.

Mr. Kirkner said point of order, this item has been tabled and has not yet been removed from the table.

Mayor Scoda asked to be excused at this time (7:35 p.m.).

ON THE QUESTION: Mr. Kirkner said there was a motion made to advertise a public hearing for the purpose of adopting the zoning ordinance and there is no indication of when that public hearing would occur.

Mr. Kirkner said to take this approach of increasing the density by 50% is not in the best interest of the Borough. He said a better way to go about this would be a conditional use hearing. He said the definition is a townhouse development, which is very poorly worded. He said this is structured as spot zoning. He said this increases our costs such as police, etc. He said a conditional use gives us more control. He said we have to get the best deal possible for the Borough and we are giving away something that is worth more.

Mr. Kirkner made a motion for an amendment to the project that the applicant assume the cost of the regional review and other related costs for this ordinance and that those funds be escrowed prior to advertising the hearing or confirming the review with the regional planning representatives which was accepted by both the motion maker and the second.

The applicant asked if this is a typical cost that the applicant pays in all other situations. Mr. Rau responded yes. (Mr. Krack said we escrowed about \$2,500 for the last two that have gone through). There was much discussion.

Council entered into an executive session to discuss personnel issues.

Mr. Speck made a motion to approve the early retirement of Harry Cowan, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.

Mr. Handwerk nominated the Borough Manager as Secretary, seconded by Mr. Buckwalter, and approved by a vote of 7 to 0.

XI. Adjournment – Mr. Kirkner made a motion to adjourn. Meeting adjourned.