

PHOENIXVILLE BOROUGH COUNCIL
Tuesday, January 26, 2010
7:00 PM

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

- I. Invocation/Pledge of Allegiance – Chair – Mr. Wagner called the meeting to order at 7:00 p.m.
- II. Roll Call – Borough Secretary – Those present on roll call were as follows: Buckwalter, Dugan, Gautreau, Handwerk, Kirkner, Speck, and Wagner. Also present were: Borough Manager Krack, Solicitor Rau, Chief Mossman, and Mayor Scoda. (Mr. Senley was not present due to illness).
- III. Minutes of Previous Meetings: January 12, 2010 – Mr. Speck made a motion to approve the meeting minutes, seconded by Mr. Gautreau, and approved by a vote of 6 to 0 to 1 with Mr. Kirkner abstaining as he was not present at that meeting.
- IV. Public Participation – 30 minutes – There were no members of the public wishing to speak.
- V. Appointments/Public Resolutions – There were no appointments or public resolutions.
- VI. Presentations – There were no presentations to be given to Council this evening.
- VII. Communications
 - a. Mr. Speck said he had three items: a resident of the east ward has asked that the Borough look at the park near the 500 block of Virginia Avenue being overgrown and in need of repair, a vacancy on the Board of Directors at the Phoenixville Area School District, and a Phantom Fair on Thursday, March 11, 2010 from 6 p.m. to 8 p.m. for college bound students. (He asked that this be placed on the Borough website).
 - b. Mayor Scoda brought up the Civil Service appointment and said there is a question as to when it runs out. (Mr. Krack said it is January 31, 2010). Mr. Wagner said we'll come back to this.
 - c. Mr. Wagner said Mr. Senley is resigning from the Police/Personnel Committee so he has asked Mr. Kirkner to serve on the Police/Personnel Committee which he agreed to.
- VIII. Council Participation
- IX. New Business: Councilman Senley's Request for Alternative Representation at Council Meetings
Mr. Buckwalter made a motion to have the solicitor look into this issue, seconded by Mr. Handwerk, and failed by a vote of 2 to 5.

ON THE QUESTION: Mr. Kirkner said he has never heard of this and before you call a lawyer you should have a good reason to call. He said a better way is to approach the Boroughs Association or PLMC.

Mr. Handwerk said he would ask Mr. Buckwalter to amend his motion to limit it to teleconferencing. (Mr. Buckwalter said he would be more inclined to go with Mr. Kirkner's suggestion but did accept the amendment made by Mr. Handwerk).

Mr. Speck said even with a limited expense he is strongly opposed to spending any legal fees and will be voting against this. Discussion continued by the Mayor and Mr. Wagner.

Mr. Handwerk made a motion to advertise and schedule a proposed ordinance amendment to change Chapter 15 by creating additional handicapped parking zones for 249 Hall Street and 145 Sixth Avenue, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.

Mr. Buckwalter made a motion for staff to have Council draft a resolution on Chester County Solid Waste, seconded by Mr. Speck, and approved by a vote of 7 to 0.

X. Resolutions: Consider Approval of a Resolution for the PennDot Turnback Grant – Mr. Buckwalter made a motion to approve the PennDot resolution, seconded by Mr. Handwerk, and approved by a vote of 7 to 0. (Mr. Krack gave an explanation regarding this resolution).

XI. Public Hearings

a. Consider Adoption of a Resolution Authorizing the Submission of a \$250,000 Elm Street Program Grant to the Pennsylvania Department of Community and Economic Development – Mr. Wagner opened up the public hearing.

Mr. Saneck of 299 Fillmore Street asked for an explanation as to what this is for. (Mr. Krack said this is a reapplication of a grant that we submitted in 2008 for the northside reinvestment program).

Mr. Cassidy then said it would be \$5,000 per household. He said initially it was going to be just High and Railroad Streets but we were asked to extend it to St. Marys Street.

Mr. Kirkner made a motion to adopt the Elm Street Resolution, seconded by Mr. Speck, and approved by a vote of 7 to 0.

b. Consider Adoption of An Ordinance Amending the Code of Ordinances Chapter 27, "Zoning", Part 28, "Uses" to Permit Electronic Message Display Signs in Certain Areas of the Borough of Phoenixville, Chester County, Pennsylvania – Mr. Krack asked that this be withdrawn at this time because this needs to go before the Planning Commission and said this will be rescheduled for sometime in March.

XII. Reports of Committees, Boards, Commissions and Authorities

A. Planning Commission (No Action Memos)

B. Regional Planning Commission – Mr. Kirkner said we will hold our first meeting tomorrow night in Schuylkill Township. He said there will be a regional review for the multi-residential lot on the northside at Fairview and Grant Streets for Pennrose. He also mentioned East Vincent Township withdrawing from the RPC which may lead to mediation. He said there are also some new members coming on board.

C. Parking Authority – Mr. Cassidy said we are finalizing the loan agreement as well as working on the RFP for the parking meters. He gave March as a time frame for all of this.

D. Historical Architectural Review Board

1. Consider Approval of the Application for 106 Bridge Street to Install New Round Downspouts and a Trench Drain – Mr. Kirkner made a motion to approve the application for 106 Bridge Street, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

2. Consider Approval of the Application for 10 South Main Street to Install a 28" x 36" Double Sided Wood Panel Sign with Existing Wrought Iron Bracket Mounted in the Masonry – Mr. Kirkner made a motion to approve the application for 10 South Main Street, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

3. Consider Approval of the Application for 12 South Main Street to Install a 24" x 36" Sign with Hanging Bracket Mounted in the Masonry – Mr. Kirkner made a motion to approve the application for 12 South Main Street, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

4. Consider Approval of the Application for 31 Main Street to Install a 44" x 68" Sign Using Existing Frame Already on the Building – Mr. Kirkner made a motion to approve the application for 31 Main Street, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

E. Council Action referred from Council Committees

FINANCE COMMITTEE

1. Consider Approval of the 2009 Prepays Dated 12/13/2009 to 12/31/2009 in the Amount of \$650,021.71 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the 2009 prepays, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.

2. Consider Approval of the 2010 Prepays Dated 1/1/2010 to 1/15/2010 in the Amount of \$384,755.45 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the 2010 prepays, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.

3. Consider Approval of the 2009 Budget Transfers in the Amount of \$229,250 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the 2009 budget transfers, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.
4. Consider Approval of the 2009 Budget Increases in the Amount of \$698,948.60 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the 2009 budget increases, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.
5. Consider Approval of the 2010 Budget Increases in the Amount of \$3,041 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the 2010 budget increases, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.
6. Consider Approval of the Early Retirement Request of Frank Stankus in Accordance with Phoenixville Borough Code Section 1-709 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the early retirement of Frank Stankus, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.
7. Consider Approval of the 2010 Budget Adjustment for Property Insurance in the Amount of \$55,000 (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the 2010 budget adjustment for property insurance, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.
8. Consider Approval of the Prepaid and Reimbursement Procedures for the Fire Department (Approved in Committee by a Vote of 2 to 0) – Mr. Buckwalter made a motion to approve the prepaid and reimbursement procedures for the fire department, seconded by Mr. Kirkner, and approved by a vote of 7 to 0.
9. Consider Approval of Waiving the Construction Permit Fee for the Masonry Repairs at West End Fire Company #3 (**Denied** in Committee by a Vote of 2 to 0) – No action was taken.

XIII. Public Participation (con't)

a. Bud Horenci of 228 Griffen Street congratulated the new Council members. He said electronic signs can be very distracting on a highway. He spoke regarding reappointment to the Zoning Hearing Board in which he has expressed interest in serving again as well as Yvonne Brownlee.

XIV. Staff Reports

1. Manager's Report – Mr. Krack said he wanted to refer back to the Civil Service appointment. Mr. Rau suggested filling the appointment and said it is better to act.

Mr. Speck made a motion to reappoint Mr. Patton to the Civil Service Commission, seconded by Mr. Buckwalter, and approved by vote of 7 to 0.

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 reported that the annual community service awards will be held on February 22, 2010 at 7:00 p.m.

Mr. Speck spoke regarding the letter praising the Public Works Department for their hard work.

XV. Old Business – There was no old business to come before Council.

XVI. Adjournment – Mr. Handwerk made a motion to adjourn into executive session. Meeting adjourned at 7:50 p.m.

XVII. Executive Session (separate agenda provided to Council members)

Council entered into executive session to discuss the following: personnel, contracts, real estate, and litigation.