

**PHOENIXVILLE BOROUGH COUNCIL**  
**Tuesday, May 11, 2010**  
**7:00 PM**

**MEETING MINUTES (APPROVED BY BOROUGH COUNCIL MAY 25, 2010)**

- I. Invocation/Pledge of Allegiance – Chair - Mr. Kirkner called the meeting to order at 7:09 p.m.
- II. Roll Call – Borough Secretary – Those present on roll call were as follows: Buckwalter, Dugan, Gautreau, Handwerk, Kirkner, Senley, and Speck. Also present were: Borough Manager Krack, Mayor Scoda, Solicitor Rau, and Chief Mossman. (Mr. Buckwalter arrived at 8:29 p.m.)
- III. Minutes of Previous Meetings: April 27, 2010 – Mr. Gautreau made a motion to approve the minutes, seconded by Mr. Speck, and approved by a vote of 5 to 0 to 1 with Mr. Senley abstaining.

ON THE QUESTION: Mr. Speck said under Item 14 it says a motion was made to approve a steering committee but the number is wrong, it should be 13 people.

Mr. Kirkner said he would like to add under Item 11 (public hearing) we altered the language for the recreation board ordinance which should be reflected and under Item 12 regarding the Borough mechanic, the decision was made after executive session so a note to reflect that would be good.

- IV. Public Participation –
  - A. Mr. William McGinley of 354 Nutt Road said he understands there is a grant to obtain three police officers for the Borough at no cost. (Chief Mossman stated that Phoenixville did not get awarded for the funds but there is a second round this year we hope to apply for).
  - B. Mr. Bob Tigro of 49 Christman Street said he is here representing Scout Troop 58 to ask forgiveness of waiving the fees for the annual flag burning ceremony on June 16<sup>th</sup> with a rain date of June 23<sup>rd</sup>.
  - C. Mr. Paul Wentworth of the 300 block of Church Street said we need more police and a police force that goes further than Bridge Street.
  - D. Ms. Debra Wentworth of 335 Church Street said she is a member of the watch band and said we do need additional police. She said she is requesting more members to the police force.
  - E. Mr. Peter Grohoski of 394 Washington Avenue said on Mowere Road where Pejey's goes around, that whole section is caving in. He said it needs to be filled in because it is used regularly by the Phoenixville Police Department. He said on First Friday on Bank Street there was a band there and people were backing out into the road. He said he knows the Fourth of July fireworks are coming up and asked that the trees be trimmed back.
  - F. Ms. Ginger Murphy of 232 Church Street said she is also a member of the watchband and is excited about a lot of things she is seeing in the town. She said she would like to voice her support for the grants to hire more police officers.
  - G. Ms. Jan Swarr of 211 Church Street spoke in favor about needing more police support.
- V. Appointments/Public Resolutions: Consider Adoption of a Resolution Thanking the Students at Valley Forge Christian College for their Participation in Phoenixville's Community Day

Mr. Handwerk made a motion to adopt the resolution thanking VFCC for the clean up day, seconded by Ms. Dugan, and approved by a vote of 6 to 0. Mr. Kirkner read the resolution. Mr. McCloud accepted the resolution. Mayor Scoda spoke about how wonderful it was to have them in town cleaning up.

- VI. Presentations – There were no presentations to come before Council.
- VII. Communications –

Mayor Scoda said he received a letter from the Norristown Police Department thanking our officers for the funeral of one of their officers; a letter from the West Chester Police Department for their assistance on May 1, 2010 at the large party; a letter from the Phoenixville Health Foundation for a grant in the amount of \$10,000 for wall padding; letter from the Watch Band Group asking for more

officers; and a letter from Northridge Village regarding code enforcement and street lights which he turned over to Mr. Krack.

Mr. Gautreau said he passed along correspondence about a no outlet sign request. Mr. Krack said we ordered the sign.

VIII. Council Participation

- A. Mr. Speck said he has a lot to say and it is good as far as the police department – first, at the last meeting he mentioned a street light being out and right away found out the lighting was okay and mentioned problems with issues regarding alcohol at the new smoking lounge on Church Street.

Mr. Handwerk made a motion to waive the fees for the flag burning ceremony on June 16th, seconded by Mr. Senley, and approved by a vote of 6 to 0.

- B. Chief Mossman commented about the peer to peer study that was done to hire six officers. He said Council has been supportive of the police department, as well as the public. He spoke about the recent grant that we are in the running for. Mr. Kirkner indicated that we will be getting another officer since the school district will not be funding the school resource officer.
- C. Mr. Kirkner asked Mr. Senley to serve on the Community Development Committee and the Finance Committee. (Mr. Senley said at this time he will be declining any committee appointments because he remains in disagreement with the meetings not being televised).

Mr. Kirkner said everyone else on Council serves on committees. He said part of being on Council is serving on committees. He said if you don't want to serve, why are you sitting in that seat? Mr. Kirkner said let the record reflect that Mr. Senley is declining appointments.

Mayor Scoda asked the solicitor to get a ruling on whether a Council member can resign from a committee. He said if someone resigns, isn't that a form of malfeasance of office. (There was much discussion).

- IX. New Business – Mr. Gautreau said a request was made for a stop sign at Fourth and Main and he was told the study is going to take another four weeks.

Mr. Gautreau made a motion to advertise an ordinance for the stop sign at Fourth Avenue and Main Street, seconded by Mr. Speck, and approved by a vote of 6 to 0.

X. Resolutions

- a. Consider Approval of a Resolution Authorizing the Filing of a Proposal for Funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania

Mr. Speck made a motion to approve the resolution, seconded by Ms. Dugan, and approved by a vote of 6 to 0. Mr. Handwerk asked Mr. Krack to give more information. Mr. Krack said this is the third resolution on the same topic, the north side improvement area to take care of the facades. He said it requires that we make a statement that this is a blighted area.

- b. Consider Approval of the Designation of Agent Resolution for the Pennsylvania Emergency Management Agency (PEMA)

Mr. Speck made a motion to appoint Stephen Nease as the agent, seconded by Mr. Handwerk, and approved by a vote of 7 to 0.

ON THE QUESTION: Mr. Gautreau said he noticed Mr. Senley's name was not on the list.

XI. Public Hearings

- a. Consider Adoption of an Ordinance Amending Chapter 15 "Motor Vehicles and Traffic", Part 4, "General Parking Regulations" by Creating Additional Handicapped Parking Zones

David Saneck of 299 Fillmore Street asked what this is about. Mr. Kirkner responded it is creating handicapped parking spaces. Mr. Rau gave an overview of the process. No one else wished to speak so Mr. Kirkner closed the public hearing.

Mr. Handwerk made a motion to approve the ordinance, seconded by Ms. Dugan, and approved by a vote of 6 to 0.

XII. Reports of Committees, Boards, Commissions and Authorities

- A. Planning Commission (No Action Memos for Consideration)
- B. Regional Planning Commission – Mr. Kirkner said he received notice that East Vincent supervisors are withdrawing from the Regional Planning Commission.
- C. Parking Authority – Mr. Cassidy stated we are moving forward. He said we are putting together a parking plan and we will have a gradual implementation period.
- D. Historical Architectural Review Board
  - 1. Consider Approval of the Application for 110 Bridge Street to Install a 26" x 38" Double Sided Protruding Sign on a Straight Arm Bracket – Ms. Dugan made a motion to approve the application for 110 Bridge Street, seconded by Mr. Speck, and approved by a vote of 6 to 0.
  - 2. Consider Approval of the Application for 214 Bridge Street to Install a 24" x 42" Double Sided Hanging Sign on an Aluminum Scroll Bracket – Ms. Dugan made a motion to approve the application for 214 Bridge Street, seconded by Mr. Speck, and approved by a vote of 6 to 0.
  - 3. Consider Approval of the Application for 204 Church Street to Install a 26" x 36" Double Sided Painted Maroon and Gold PVC Sign Mounted on Two (2) 4" x 4" Cedar Posts Painted Maroon  
Ms. Dugan made a motion to approve the application for 204 Church Street, seconded by Mr. Speck, and approved by a vote of 6 to 0.
  - 4. Consider Approval of the Application for 14 South Main Street to Install a 30" x 72" Single Aluminum Panel Sign Mounted to Store Front – Ms. Dugan made a motion to approve the application for 14 South Main Street, seconded by Mr. Speck, and approved by a vote of 6 to 0.
- E. Council Action referred from Council Committees

**PERSONNEL/POLICE**

**NOTE #1** – The School Board appears to have made a decision to not fund the PASB School Resource Officer position due to budget constraints.

**COMMUNITY DEVELOPMENT**

- 1. Update on the Phoenixville Area School District Task Force Review and Recommendations Regarding Potential Tax Incentives to Incentivize Commercial Development - Mr. Krack said there is a task force that was created last year and the two representatives were himself and Mr. Wagner. He said the next meeting is on the 24<sup>th</sup>. He said the school district is concerned about the amount of growth of single family homes in Phoenixville, East Pikeland, and Schuylkill Township. He said we have gone through a variety of incentive applications. He said he would suggest moving forward with a LERTA. He said the CDC has looked at it and it is something we want to pursue. He said he thinks this is a good program.

Mayor Scoda asked if all three municipalities would adopt the LERTA. He said it impacts on the school taxes. (There was much discussion on the issue with Council directing Mr. Krack to move forward).

**POLICY COMMITTEE**

- 1. Consider Advertising and Scheduling a Public Hearing for an Ordinance Amending Chapter 15 "Motor Vehicles and Traffic", Part 2, "Traffic Regulations" and Part 4 "General Parking Regulations", in the Borough of Phoenixville, Chester County, Pennsylvania (Approved in Committee by a Vote of 3 to 0)

Mr. Handwerk made a motion to advertise and schedule a public hearing for the ordinance, seconded by Mr. Gautreau, and approved by a vote of 6 to 0.

Mr. Krack said he would take your previous motion and just add this in for the four way stop sign.

2. Consider Approval of a Policy that Road Closure Requests be Approved by Borough Council (Approved in Committee by a Vote of 3 to 0)

Mr. Handwerk made a motion to have road closure requests be approved by Council, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

ON THE QUESTION: Mr. Kirkner said what does this entail, an ordinance or policy change? (Mr. Krack responded a policy change where we will revamp the forms we have which would not affect anything we have already approved). Mr. Kirkner asked if the cost is covered by the applicant? Mr. Krack said yes unless they request Council to waive it.

3. Consider Approval of Adopting a Fund Balance Policy (Approved in Committee by a Vote of 2 to 0)

Mr. Handwerk made a motion to adopt the Fund Balance Policy, seconded by Mr. Speck, and approved by a vote of 7 to 0.

XIII. Public Participation (con't) – Mr. Peter Grohoski of 394 Washington Avenue said the police sign outside the station has not been lit for over three or four years.

XIV. Executive Session – Moved to the end of the meeting.

XV. Staff Reports

1. Manager's Report – Mr. Krack said today we had a scoping field view for the French Creek Parkway environmental impact. He said the Schuylkill River Trail is continuing to move forward. He said Starr Street and Nutt Road intersection has been corrected by PennDot.

2. Code Enforcement Report

3. Public Works Director's Report

4. Fire Chief's Report

5. Finance Director's Report (information received at the end of last month) – Mr. Nease handed out the audit. He said the auditors will be here June 8<sup>th</sup> to give their presentation.

6. Mayor's Report – Mayor Scoda said you received the monthly police department report. He said a lot of us were in attendance at the renaming of the Gay Street Bridge to Veteran's Memorial Gay Street Bridge. He said we tied with Downingtown for 75% participation in the census.

Other Reports

1. CDC Liaison – Mr. Cassidy reported on the steel site, Streetscapes Phase 1B for \$500k, clean sweep Thursday's are working with less garbage in town, farmers market moved to under the Gay Street Bridge, and façade funding. He said this program doesn't allow for after the fact funding.

2. Fire Department Liaison – Mr. Gautreau said we met last Wednesday evening and gave an update on the Steering Committee. He said we are vetting members of the business committee who wish to be on the Fire Steering Committee please contact him. He said the first initial meeting is May 27<sup>th</sup> at 7:00 p.m. He said we plan to have a recommendation to Council within 60 days after the committee starts. He said Friendship Fire Company has been taken off the call list and are not closed down.

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

XVII. Adjournment – Mr. Buckwalter made a motion to adjourn. Council adjourned into executive session to discuss personnel and litigation.