

PHOENIXVILLE BOROUGH COUNCIL
Tuesday, February 8, 2011
7:00 PM

MINUTES
(Minutes approved by Borough Council on March 12, 2011)

- I. Invocation/Pledge of Allegiance. Mr. Kirkner called the meeting to order at 7:07 p.m. with a moment of silence followed by the Pledge of Allegiance.
- II. Roll Call – Borough Secretary Those present on Roll Call were as follows: Buckwalter, Dugan, Evans, Gautreau, Kirkner, Reber, and Speck. Also present were Mayor Scoda, Borough Manager Krack, Chief Mossman, and Solicitor Rau.
- III. Minutes of Previous Meetings: January 11, 2011. Mr. Kirkner noted the abbreviation for Arizona was wrong and Mr. Krack noted two areas were a vote was noted but that no vote actually occurred. Mr. Gautreau made the motion to accept the minutes as corrected, seconded by Mr. Speck. Motion passed 7-0.
- IV. Public Participation
 - A. Mr. Chris Bauers questioned item IX-E and, Item IX-F as to whether they were items listed in the Capital Improvements Program and Item XIII-D as to whether those fees would be applied to the Capital Improvement Program for the Water Department.
 - B. Mr. Dave Saneck questioned whether the plan that was being proposed in Item XII-A would have an on-site management team.
 - C. Mr. Atkins questioned whether parking permits would be available for disabled persons and stated his contempt for various departments, personnel, and members of council..
 - D. Mr. Don Coppedge stated various reasons as to why the Council should approve the Preliminary Subdivision and Land Development Plans for Fairview Village when it comes before them later in the evening.
- V. Appointments/Public Resolutions
 - A. Mr. Buckwalter made a motion to appoint Teena Peters to another four year term on the Planning Commission for, seconded by Mr. Gautreau. Mr. Speck indicated that her term does not expire until March 31 and that there was time for others to submit applications. Mr. Evans agreed.

Mr. Speck made a motion to table, seconded by Mr. Evans. Motion failed 3-4 (YES – Mr. Speck, Mr. Evans, Ms. Dugan; NO – Mr. Buckwalter, Mr. Gautreau, Mr. Reber, and Mr. Kirkner

Original motion passed 7-0
 - B. Mr. Speck made a motion to appoint Yvonne Brownlee to another five year term on the Zoning Hearing Board, seconded by Mr. Gautreau. Motion passed 7-0.

- C. Mr. Speck made a motion to appoint Donald Coppedge to another one year term as the Chairman of the Vacancy Board, seconded by Mr. Buckwalter. Motion passed 7-0

VI. Presentations

- A. Fire Department Consolidation Update – Chief Gable provided an update of the effort to move toward a consolidation of the Phoenixville Fire Department include the formation of a new Board of Directors. The Board seated several new Captains and Lieutenants to get some new leadership in the Department. He indicated that Friendship Fire Company notified the County, by letter, that they would no longer be running as the Fire Company and that only the Dive Team would remain. He indicated that Friendship Board had made an offer to the Borough to acquire the Engine truck and to absorb the remaining debt. Chief Gable stated that those decisions by Friendship would have no impact on the fire service in the Borough as Friendship as not really responded to any fires in over a year and that with the acquisition of the engine, there would be no affect on the ISO insurance rating in the Borough.

Mr. Dave Meadows provided an update of the Board Consolidation which includes about eight members from the fire company and citizens within the community.

John Osborne, employee of West End Fire Company, stated that he was the Vice president of the West End Professional Firefighters Union which was held in September, 2010 to belong to the IAFF out of necessity to bring the career staff together. He indicated they would like to start a relationship with the Borough with regard to fire and emergency medical services. They will also be discussing the consolidation report on February 15 at 7:00 pm and invites members of Council attend.

Chief Gable continued his presentation by announcing that they had received a FEMA grant of \$232,000 for Scott Air packs and compressor to fill all of the tanks. They also received an \$11,800 grant for nozzles and equipment, \$6,000 for rescue equipment, and \$11,800 towards the purchase of an assistant Chief's vehicle.

Lorraine Schell representing Merck and Company presented a check from the Dollars for Doers grant program of \$1,000 to the Fire Department towards the Consolidation effort.

- VII. Communications: Notice of Resignation of Middle Ward Representative Michael Handwerk. Mr. Kirkner read into the record, the resignation letter which is dated January 25, 2011 and states "Jean Krack, effective Wednesday, January 26, 2011, I resign my seat on the Phoenixville Borough Council. Signed Michael J. Handwerk."

Motion was made by Mr. Evans to accept the resignation and for staff to prepare a letter of appreciation. Motion was seconded by Mr. Reber. Motion passed 7-0.

VIII. Council Participation

IX. New Business

- A. Consider nomination for Council Vice President.
Motion was made by Mr. Gautreau to appoint Kendrick Buckwalter as Council Vice President and seconded by Mr. Reber. Motion passed 7-0
- B. Motion was made by Ms. Dugan to schedule and advertise a Special council Meeting for the purpose of filling the vacancy and any other such business as Council may desire for Tuesday, February 22, 2011 at 8:00 p.m. and seconded by Mr. Gautreau. Motion passed 7-0
- C. Consider request from Life Transforming Ministries to waive applications fees for installation of a Banner.
Council took no action.
- D. Consider approval of a Temporary Community Event for PACS on April 2, 2011 from 12:00 until 5:00 pm with the closure of Bridge Street from 10:30 am until 5:30 pm and the closure of the Bridge and Main Parking lot from 10:30 until 5:30 pm. Motion made by Mr. Gautreau and seconded by Ms. Dugan to approve the application.
Motion passed 7-0.
- E. Consider awarding the Hauling and Disposal of Wastewater Sludge bid to Land Resource Recycling Management as the lowest responsible bidder meeting Borough specifications for 2011 in the amount of \$75,000.00, 2012 in the amount of \$75,600.00, and 2013 in the amount of \$76,200.00 for a total bid of \$226,800.00.
Motion made by Mr. Reber and seconded by Ms. Dugan to approve the award. Motion passed 7-0.
- F. Consider awarding the Water Treatment Plant Filter Upgrade bid to Heisey Mechanical, Ltd., as the lowest responsible bidder meeting Borough specifications in the amount of \$533,801 for the base bid, \$19,700 for Add-Alternate No 1 and \$9,280 for Add-Alternate 2 for a total bid of \$562,781.
Motion made by Mr. Reber and seconded by Ms. Dugan to approve the award. Motion passed 7-0
- G. Consider Awarding the Water Treatment Plant Filter Upgrade Electrical Bid to Condon Electric as the lowest responsible bidder meeting Borough specifications in the amount of \$38,995
Motion made by Mr. Buckwalter and seconded by Mr. Gautreau to approve the award. Motion passed 7-0
- H. Consider awarding the 2011 Stone and Paving Materials to the lowest responsible bidders meeting Borough Specifications to:

Material	Company	Unit Price	Delivered
2A Mod	Highway Materials	\$5.50	\$9.70
#1 Stone	Highway Materials	\$7.50	\$11.70
#57 Stone	Highway Materials	\$8.00	\$12.20
#10 Stone	Independence Construction	\$5.00	\$7.75

9.5 mm	Glasgow	\$46.50	\$53.40
19.0 mm	Glasgow	\$41.75	
19.0 mm	Independence Construction		\$48.28
25.0 mm	Glasgow	\$39.00	
25.0 mm	Independence Construction		\$45.03
Cold Patch	Glasgow	\$80.00	\$86.00
AC 20 Tar	Pottstown Trap Rock Sanatoga	\$4.00	
Tac Coat	Glasgow	\$2.00	
Anti-Skid	Highway Materials	\$9.25	\$13.45

Motion made by Mr. Buckwalter and seconded by Mr. Speck to approved the awards as indicated. Motion passed 7-0

X. Resolutions

- A. Consider adoption of a Resolution changing certain fees in the Master Schedule of Fees for 2011
 Motion made by Mr. Evans and Seconded by Ms. Dugan. Mr. Buckwalter questioned the per transaction fee for the various credit cards. Mr. Krack indicated that he did not have that information available but would provide that information to the Finance Committee.
 Motion passed 5-1. NO vote - Buckwalter. Ms. Dugan had stepped out of the meeting.

XI. Public Hearings

- A. Consider scheduling and advertising of a Public Hearing to consider an Ordinance Amending the Code of the Borough of Phoenixville, Chapter 15, "Motor Vehicles and Traffic", Part 4, "General Parking Regulations", by changing the number of Handicapped Parking Zones in the Borough of Phoenixville
 Motion made by Mr. Reber and seconded by Mr. Gautreau. Motion passed 7-0.
- B. Consider scheduling and advertising of a Public Hearing to consider an Ordinance Amending the Code of the Borough of Phoenixville, Chapter 15, "Motor Vehicles and Traffic", Part 4, "General Parking Regulations", by changing the number of Handicapped Parking Zones in the Borough of Phoenixville
 Council took no action on this item.
- C. Consider scheduling and advertising of a Public Hearing to consider an Ordinance Amending the Code of the Borough of Phoenixville, Chapter 15, "Motor Vehicles and Traffic", Part 2, "Traffic Regulations," by changing the number of Loading and Unloading Zones in the Borough of Phoenixville and Part 4, "General Parking Regulations," by changing the number of Parking Prohibited at All Times in Certain Locations in the Borough of Phoenixville
 Motion made by Mr. Reber and seconded by Ms. Dugan. Motion passed 6-1. NO Vote – Gautreau

- D. Consider scheduling and advertising of a Public Hearing to consider an Ordinance Amending the Code of the Borough of Phoenixville, Chapter 24 "Taxation, Special" by adding a new Part 7 "Per Capita Tax"
Motion made by Mr. Reber and seconded by Mr. Speck. Motion failed 3-4. YES – Reber, Dugan, Speck NO – Evans, Gautreau, Kirkner, Buckwalter

XII. Reports of Committees, Boards, and Commissions

A. Planning Commission

1. Consider approval of the Preliminary Subdivision and Land Development Plans for Fairview Village.

Presentation was made by Mark Thompson, Mark Buchvalt, Lee Styers and Dale Gravit for the Housing Authority. Mr. Evans asked questions regarding the parking for the site. Mr. Reber questioned whether the Community Garden would remain and also whether the recreation concerns presented by Mr. Bauers could be addressed. Mr. Thompson and Mr. Gravit indicated they would certainly look at all these items as they begin preparation of the final plan submission.

Motion made by Mr. Gautreau and seconded by Mr. Speck. Motion passed 7-0

B. Regional Planning Commission. Mr. Kirkner had nothing to report.

C. Historical Architectural Review Board

1. Consider approval of the application for 22 S. Main Street as submitted by the applicant to install a 24" by 42" double sided protruding sign multi-layer, brushed aluminum with 1" laser-cut acrylic letters hanging from existing bracket with existing lighting. (HARB recommends approval)
2. Consider approval of the application for 174 Bridge Street as submitted by the applicant to install 28" by 36" double sided protruding sign with 3 color cut vinyl graphics hanging from scroll bracket. No lighting was made a part of this application. (HARB recommends approval)
3. Consider approval of the application for 245 Bridge Street as submitted by the applicant to install 21" by 40" double sided hanging multi-layered, clear acrylic center, PVC outer layers, ¼" laser-cut acrylic letters mounted to face straight arm sign bracket. No lighting was made a part of this application. (HARB recommends approval)

Motion made by Ms Dugan to approved all three items and seconded by Mr. Reber. Motion passed 7-0

XIII. Council Action referred from Committee

A. Police and Personnel Committee – None at this time

B. Parks and Recreation Committee

Ms. Dugan indicated that the Committee had met earlier in the evening and was recommending action regarding some playground equipment which was being donated by students of the School District through a \$3,000 grant from the Phoenixville Community Health Foundation. Ms. Dugan made a motion to

accept the proposal from the students to install two pieces of playground equipment at Lane Avenue Park and authorize staff to assist in the installation including purchase of concrete to hold the equipment in the ground and the mulch used inside the playground area. Motion seconded by Mr. Buckwalter. Motion passed 7-0

C. Finance Committee

1. Consider Approval of the 2010 Pre-pays Dated 12/19/2010 – 1/7/11 in the Amount of \$455,095.24.
2. Consider Approval of the 2011 Pre-pays Dated 12/19/2010 – 1/7/11 in the Amount of \$44,981.74.
3. Consider Approval of a Budget Increase 2011-001 in the amount of \$15,000.00 for Friendship Field grading, seeding, and topsoil.
4. Consider Approval of a Budget Increase 2011-002 in the amount of \$24,980.93 for change orders needed to complete the Paradise Street Interceptor and Railroad Street Forced Main Project.
5. Consider approval of a sub-contract to Schnabel Engineering for geotechnical engineering services for the proposed new Streets Department site on Second Avenue in the amount not to exceed \$8,100.
6. Consider approval of staff using the \$2,000 Penn Prime grant to do employee and supervisor training.
7. Consider approval of Staff to approve paying for claims of \$1000 or less that would follow the adopted policy approved by the Solicitor and once that policy is adopted.

Mr. Buckwalter made a motion to approve items 1-7 and seconded by Mr. Reber. Motion passed 7-0

8. Consider a motion to reinstate council pay of \$150 per month for all council members seated after 2011.
Motion made by Ms. Dugan and seconded by Mr. Speck to draft an ordinance and schedule and advertise a Public Hearing for March, 2011 to consideration an Ordinance change to reinstate council pay.
Vote ends in a tie 3-3-1 with YES - Dugan, Speck, Kirkner NO – Gautreau, Evans, Reber. Abstained – Buckwalter
Mayor Casts a Yes vote. Motion passed 4-3-1

D. Infrastructure Committee

- a. Consider approval of having the infrastructure fee moved to the capital fund.

Motion made by Mr. Buckwalter and seconded by Mr. Reber. Motion passed 7-0

E. Economic Development Committee – Mr. Krack stated that he and Mr. Gautreau had been meeting over the past several months with representatives of the Chamber, PABA, PAEDCO and the CDC to ensure that First Friday's would continue and to keep the momentum moving forward. Mr. Krack that he would assign support to the process through his staff unless Council had reasons not to. Council concurred with the process of moving forward.

F. Policy Committee – None at this time

XIV. Public Participation - None

XV Staff Reports were presented to Council with no specific action unless otherwise noted.

A. Manager's Report – Notification of grant award from Phoenixville Community Health foundation of \$7500 towards the fire department consolidation. Announcement of the Chester County Streetscapes Award of \$424,000. The Shoppes at French Creek will be coming before the Planning Commission later this week. Finalizing, the wayfinding report from committee.

B. Code Director's Report – Mr. Kirkner indicated that the citations section appeared to be missing data. Mr. Krack would look into that.

C. Public Works Director's Report

D. Fire Chief's Report

E. Finance Director's Report

F. Mayor's Report – The Mayor indicated he will hold his community Service Award for Monday, February 28 at Borough Hall.

Other Reports

A. Fire Department Liaison

XVI. Council adjourned at 10:03 to Executive Session for the purpose of Personnel and Real Estate with no further business to be conducted.