

**PHOENIXVILLE BOROUGH COUNCIL**  
**Tuesday, November 29, 2011**  
**6:30 PM**

**MINUTES**

**(Minutes approved by Borough Council on December 13, 2011)**

- I. Invocation/Pledge of Allegiance/Moment of Silence – President Mr. Kirkner at 6:36
- II. Roll Call – Borough Secretary Not in attendance Mr. Evans and Mr. Reber  
  
Mr. Evans arrived at 6:46 and Mr. Reber arrived at 6:54.
- III. Public Participation
  - A. William McGinley, Resident – Stated that things to approve. This meeting is not being televised, yet you have money for a new borough hall. Last year we presented 400 signatures to not reduce the police force. When will the vacant position be filled? We recently had a murder of an illegal immigrant. Immigrants are concerned for their safety. They should be taken care of. The Federal Government is not doing its job. He stated that he is concerned about this being a problem for the other residents.  
  
Mr. Kirkner stated that the person who was shot and killed was working here as a legal immigrant.
- IV. Presentations
  - A. Mr. Seth Shapiro and Mr. Greg Davis representing BPG Development Company, L.P made a presentation about their development plans for Parcel Q called French Creek Apartments After making their presentation, Council members asked general questions about the plan specifically in the areas of the French Creek Parkway location and the effect on other parts of the Master Plan. They were also asked if the project was sustainable with the current construction plans and environment. Response from Mr. Shapiro and Mr. Davis was that this is where young people and renters by choice want to be. The plan calls for approximately 340 units with 60% of them as one bedroom and the other 40% as two bedroom units.  
  
Mr. Kirkner stated that he had asked for the presentation and thanked them for their willingness to present a view of the plan to all of Council.

Mr. Kirkner called for a ten minute break from 7:15 to 7:25
- V. New Business
  - A. Consider a Resolution designating Finance Director, Stephen M. Nease as the Designation Agent for Hurricane Irene in accordance with PEMA Form DAP-2.  
  
Mr. Reber made the Motion. Seconded by Mr. Buckwalter. Motion Approved 8 to 0.
  - B. Consider Resolutions honoring Council members Buckwalter, Evans and Reber.  
  
Ms. Mayo made a Motion to honor Mr. Buckwalter, Seconded by Mr. Gautreau. Motion Approved 7 to 0 to 1. Abstain – Mr. Buckwalter.

Ms. Mayo made a Motion to honor Mr. Evans. Seconded by Mr. Buckwalter. Motion Approved 7 to 0 to 1. Abstain – Mr. Evans.

Ms. Mayo made a Motion to honor Mr. Reber. Seconded by Mr. Evans. Motion Approved 7 to 0 to 1. Abstain – Mr. Reber.

VI. Council Action referred from Committee

A. Infrastructure Committee

1. Consider authorizing Staff to use the Pennsylvania League of Cities and Municipalities (PLCM) format for selecting an energy provider to reduce the Borough's overall electrical costs. (Approved in Committee 3-0)

Mr. Reber made the motion to approve using the PLCM format. Seconded by Ms. Mayo. Motion Approved 8 - 0.

Mr. Reber made a Motion to schedule and advertise a Public Hearing on December 13, 2011 to consider an Ordinance using the Mutual Utility Alliance (MUA). Seconded by Mr. Gautreau. Motion Approved 8 - 0.

B. Policy Committee

1. Consider adoption of the Policy & Procedure for Administration, Processing, and Procurement of Professional Services Contracts pertaining to the municipal pension plans. (Approved in Committee 4-0).

Mr. Gautreau made a Motion to approve the Policy and Procedure for Administration, Processing and Procurement of Professional Services Contracts. Seconded by Mr. Evans. Motion Approved 8 to 0.

2. Consider adoption of the Investment Policy Statement for the Uniformed and Non-Uniformed Municipal Pension Plans. (Approved in Committee 4-0)

Mr. Evans made a Motion to approve the Investment Policy Statement for the Uniformed Municipal Pension Plan and the Investment Policy Statement for the Non-Uniformed Municipal Pension Plan. Seconded by Ms. Dugan. Motion Approved 8 to 0.

C. Finance Committee

1. Consider approval of the 2012 Master Schedule of Fees.

Ms. Mayo made a Motion to Adopt the 2012 Master Schedule of Fees. Seconded by Ms. Dugan. Motion Approved 7 to 0. Mr. Reber had stepped out.

Mr. Kirkner asked the Council go into Executive Session to discuss Personnel (contracts, salaries, vacation), Real Estate, and Litigation

Mr. Kirkner reconvened Council at 9:15 pm.

2. Consider Preliminary Bond Resolution confirming Resolution 2011-18 adopted by Borough Council on September 13, 2011 authorizing the appropriate parties to undertake the steps needed to issue general obligation new money bonds.

Mr. Gautreau made a Motion to adopt the Preliminary Bond Resolution. Seconded by Ms. Mayo. Mr. Reber spoke to the bond issue stating that he supports water and waste water portion of the bond. Motion Approved 8 – 0.

ROLE CALL VOTE. YES - Mr. Buckwalter, Ms. Dugan, Mr. Evans, Mr. Gautreau, Mr. Kirkner, Ms. Mayo, Mr. Reber, and Mr. Speck.

Ms. Mayo made a motion to authorize IMC Construction and The Spiegle Group to move forward with Phase 2 and Phase 3 of their Proposal to redesign and development bid documents for the construction of the new Borough Hall. Seconded by Mr. Speck. Motion Approved 7-1.

ROLE CALL VOTE. YES - Mr. Buckwalter, Ms. Dugan, Mr. Evans, Mr. Gautreau, Mr. Kirkner, Ms. Mayo, and Mr. Speck. NO – Mr. Reber.

3. 2012 Budget Review.

Mr. Reber made a Motion to Advertise that the budget would be available for public review commencing December 1, 2011. Second by Ms. Dugan.

Mr. Reber asked whether Staff had received the information requested from Phoenix Hose, Hook & Ladder and West End fire stations. Mr. Krack stated that Staff had received good information from PHH&L but only a check register from West End. Given that information, Mr. Gautreau recommended that the Borough not fund West End.

Motion Approved 7 to 1.

ROLE CALL VOTE. YES - Mr. Buckwalter, Ms. Dugan, Mr. Evans, Mr. Kirkner, Ms. Mayo, Mr. Reber, and Mr. Speck. NO – Mr. Gautreau.

Mr. Gautreau made a Motion to amend the budget by reducing the Fire Department expense budget by \$50,000 and increasing the revenue by \$20,000. Seconded by Mr. Speck. Motion Approved 8 to 0.

Mr. Nease presented several amendments to the budget, After discussion, the following Motions occurred;

1. Ms. Mayo made a Motion to accept the changes presented by Mr. Nease totaling \$38,132 to the General Fund. Seconded by Mr. Buckwalter. Motion Approved 5 to 3. NO – Mr. Evans, Mr. Gautreau, and Mr. Kirkner.
2. Mr. Evans made a Motion to increase the Safety Permits and Licenses Revenue by \$25,000. Seconded by Mr. Gautreau. Mr. Buckwalter questions as to the reasoning for the increase. Mr. Kirkner stated that based on proposed developments likely to occur in 2012, adding \$25,000 helps without adding great risk to the budget. Mr. Buckwalter stated that he understood the reasoning, but cautioned against it. Motion Approved 6-2 NO – Mr. Buckwalter and Ms. Mayo.
3. Mr. Reber made a Motion to schedule and advertise a Public Hearing on December 13, 2011 to consider an Ordinance setting the millage for Real Estate at 5.25 Mills.

ROLE CALL VOTE. YES - Mr. Buckwalter, Ms. Dugan, Mr. Evans, Mr. Gautreau, Mr. Kirkner, Ms. Mayo, Mr. Reber, and Mr. Speck.

- VII. Public Participation - NONE
- VIII. Executive Session – Personnel (contracts, salaries, vacation), Real Estate, and Litigation
- IX. Old Business
- X. Adjournment 10:40 PM